



STATE OF NEW YORK
UNIFIED COURT SYSTEM
FIFTH JUDICIAL DISTRICT
ONONDAGA COUNTY COURTHOUSE
SYRACUSE, NEW YORK 13202
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ANN PFAU
Chief Administrative Judge

MICHAEL V. COCCOMA
Deputy Chief Administrative Judge
Courts Outside New York City

JAMES C. TORMEY
Justice of Supreme Court
District Administrative Judge
Fifth Judicial District

GERARD J. NERI, ESQ.
Special Counsel/Court Attorney Referee

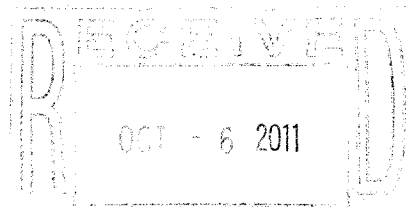
DAVID S. GIDEON, ESQ.
Principal Law Clerk

KATHERINE M. VAETH
Confidential Secretary

September 30, 2011

Wilson, Elser, Moskowitz,
Edelman & Dicker LLP
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Albany, New York 12207
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Albany, New York 12207
Attn: Patrick J. Higgins, Esq.



RE: Kelly Varano, et al v. FORBA Holdings, LLC, et al
Timothy Angus, et al v. FORBA Holdings, LLC, et al
Shantel Johnson, et al v. FORBA Holdings, LLC, et al

Dear Counselors:

On September 27, 2011, this Court ordered that the Honorable John C. Cherundolo of the Fifth Judicial District, Onondaga County, was appointed as coordinating Justice for all actions within the scope of the coordinating order of LCP Case No. 0011/2011, Index Nos.: 2011-2128, 2011-0562 and 111-7100.

Subsequent to assigning this Order, correspondence was sent dated September 27, 2011 from Wilson, Elser, Moskowitz, Edelman & Dicker LLP by Theresa B. Marangas, Esq. asking this Court to re-consider the appointment of the Honorable John C. Cherundolo. Once an appointment is made within the District appointing a Judge to handle any matter or case, it

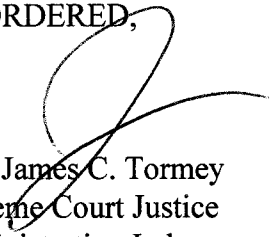
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September 29, 2011

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becomes that Judge's decision whether or not to recuse himself/herself in the matter pending. As such, any recusal request should be brought before the Honorable John C. Cherundolo.

SO ORDERED,



Hon. James C. Tormey
Supreme Court Justice
Administrative Judge
Fifth Judicial District

JCT:kmv