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October 2, 2008

Richard Sklarin, Esq.  
Miranda, Sokoloff, Sambursky,  
Slone & Verveniotes, LLP  
570 Taxter Road  
Elmsford, NY 10523

**Re: Kowalczyk/Pericic v. Village of Monticello, et al.  
08-CIV-6992 (KMK)**

Dear Mr. Sklarin:

It has come to our attention that within the last two weeks our client, Al Pericic's partner, Aida Markisic, applied for a mortgage loan against her property at 57 Clinton Avenue, Monticello, New York. The lender's appraiser, New York Appraisal Company, per its representative, Denise Brightall, called the Village of Monticello Building Department to determine if there were any violations against the subject building.

Although Sue Flora is the Code Enforcement Officer, the call was intercepted by your client John Barbarite. He maliciously advised the appraiser that the building was illegally occupied; that it could only be occupied by one family and that it was occupied by two families.

*Ms. Markisic purchased the subject property from none other than Sue Flora, the Village's Code Enforcement Officer. At the time of the purchase, the building was divided into an upstairs residence with its own kitchen, bath, etc., and a downstairs residence with its own kitchen, bath, etc. Prior to Sue Flora's acquisition of the building, she had issued numerous violations to the former owner, which diminished the value of the building considerably. Flora then purchased the building at a minimal price and all of the violations disappeared. There was an FBI investigation with respect to this incident which occurred prior to any involvement in the building by Aida Markisic.*

*We now demand that Barbarite write to Ms. Markisic's lender's appraisal company, advising that the subject building has been occupied as a two-family residence for at least the past four years with the knowledge and acquiescence of the Village and that the building is not subject to any code violations.*

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You are advised accordingly.

Very truly yours,

ORSECK LAW OFFICES PLLC

By: KIRK O. ORSECK

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