

Robert P. Astorino  
County Executive

Office of the County Attorney

Robert F. Meehan  
County Attorney

June 5, 2014

James E. Johnson, Esq.  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, NY 10022

Re: *United States ex rel Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York (No 06 Civ 2860 DLC)*

Dear Mr. Johnson:

It is my understanding that the efforts described in your letter dated May 27, 2014 and the enclosure thereto are based upon the authority in paragraphs 13(e) and 39 of the Settlement as set forth in your letter to me dated September 27, 2013, a copy of which is enclosed. More specifically, the result of the analysis and any report will be a recommendation from the Monitor as was the case with your report filed September 13, 2013.

As you know paragraph 32 of the Settlement, provides that the “County shall complete...an AI within its jurisdiction....” (Emphasis added). Also, pursuant to paragraph 53 of the Settlement, with an exception not applicable here, the Settlement cannot be amended without the consent of the parties.

Therefore, in accordance with the terms of the Settlement any result of the proposed analysis and any further report are subject to the approval and consent of the County of Westchester before it will be included in and “replace” any portion of the Analysis of Impediments prepared and submitted by the County of Westchester to the U.S. Department of Housing and Urban Development.

Respectfully submitted,



Robert F. Meehan

RFM/lp

cc: The Honorable Denise L. Cote, U.S. District Judge (S.D.N.Y.)

Holly M. Leicht, Regional Administrator, HUD

The Honorable Michael B. Kaplowitz, Chairman, Board of Legislators

Kevin J. Plunkett, Deputy County Executive

Glenda Fussa, Esq., Deputy Regional Counsel, HUD

David J. Kennedy, Assistant U.S. Attorney

Benjamin H. Torrance, Assistant U.S. Attorney

Lara K. Eshkenazi, Assistant U.S. Attorney

DEBEVOISE & PLIMPTON LLP

919 Third Avenue  
New York, NY 10022  
Tel 212 909 6000  
www.debevoise.com

**James E. Johnson**  
Partner  
Tel 212 909 6646  
Fax 212 909 6836  
jejohnson@debevoise.com

September 27, 2013

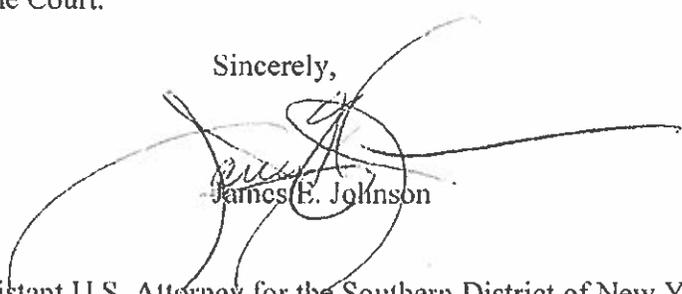
Robert F. Meehan, Esq.  
County Attorney  
Westchester County  
148 Martine Avenue  
White Plains, NY 10601

**United States ex rel Anti-Discrimination Center of Metro New York, Inc. v.  
Westchester County, New York (No. 06 Civ. 2860 (DLC))**

Dear Mr. Meehan:

I have received your letter of September 24, 2013, concerning the Monitor's Final Report on Westchester County's Analysis of Municipal Zoning (the "Final Report"). The Stipulation and Order of Settlement and Dismissal (the "Settlement") in this matter provides that the Monitor may "[m]ake recommendations, if needed, to the County . . . of any remedies to foster compliance with applicable laws and regulations" (paragraph 13(e)) and may "report to the Court in writing, with copies to the Government and the County, as often as the Monitor believes appropriate" concerning the implementation and enforcement of the Settlement (paragraph 39). In the interest of evaluating the differing views of the County and the U.S. Department of Housing and Urban Development ("HUD") regarding the County's analysis of certain restrictive zoning practices in the 31 municipalities eligible under the Settlement, and making recommendations to help ensure the County's compliance with its obligations under the Settlement, the Monitor has issued the Final Report to the Court.

Sincerely,



James E. Johnson

cc: David J. Kennedy, Assistant U.S. Attorney for the Southern District of New York  
Benjamin H. Torrance, Assistant U.S. Attorney for the Southern District of New York  
Lara K. Eshkenazi, Assistant U.S. Attorney for the Southern District of New York  
Glenda L. Fussa, Deputy Regional Counsel, New York Office, HUD