



THE CITY OF NEW YORK
LAW DEPARTMENT

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Miranda K.S. Massie
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New York Lawyers for the Public Interest
151 West 30th Street, 11th Floor, New York, NY 10001

Dear Ms. Massie:

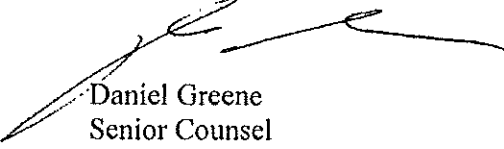
As you know, the City of New York ("the City") and the New York City School Construction Authority are executing a Consent Order and Final Agreement with the United States Environmental Protection Agency ("EPA") relating to the issue of PCB caulk in public schools. Pursuant to that agreement, the City will carry out a pilot study at five schools to assess the scope of PCB caulk contamination and to evaluate potential remedies.

This letter is to confirm that the City intends to include P.S. 178, the school attended by the daughter of your client Naomi Gonzalez, in that pilot study.

In the space provided below, please sign this letter to confirm that Ms. Gonzalez intends to dismiss her lawsuit alleging the presence of PCB contamination at P.S. 178 and charging the NYC Department of Education ("DOE") with violations of the Toxic Substances Control Act on that basis (NYC v. DOE et al., USDC SDNY Case No. 09-cv-7787). By signing this letter, you are further confirming that New York Lawyers for the Public Interest intends not to bring any similar lawsuit involving a DOE school so long as the City is in conformance with its agreement with EPA.

Please call me if you have any questions.

Sincerely yours,



Daniel Greene
Senior Counsel
Environmental Law Division



Miranda K.S. Massie
Senior Staff Attorney
New York Lawyers for the
Public Interest