



really applies--will have to be deleted.

As for the ADs, they impose a threshold burden on plaintiffs. AD 2 asserts the absence of any case or controversy, which if true would require Authority's dismissal from this action, and AD 3 asserts the constitutionality of the Authority's complained-of actions in light of an earlier decision by our Court of Appeals. Accordingly plaintiffs' counsel is ordered to file a memorandum in response to both those ADs on or before October 10, 2006 to permit those subjects to be discussed at the next scheduled status hearing in this case.



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Milton I. Shadur  
Senior United States District Judge

Date: September 25, 2006