

September 18, 2017

Supreme Court of the State of New York  
County of Suffolk  
Hon. W. Gerard Asher  
Supreme Court Justice  
1 Court Street  
Riverhead, N.Y. 11901  
SENT BY FAX TO (631) 852-3418 ONLY ON SEPTEMBER 18, 2017

**Re: Lisa Edson and Evans Edson et al. v. Matthew Marrinan and Channing  
Edson Marrinan  
Supreme Court, Suffolk County  
Index No. 2016-7803**

Dear Justice Asher:

This letter is regarding the above referenced proceeding in which I am the attorney for the Defendants. While there was a settlement on the motions by way of an SO ORDERED STIPULATION that myself, and Anthony H. Palumbo, Esq., attorney for the Plaintiffs, signed, and that you SO ORDERED on August 22, 2017, there is an issue I wanted to address so that the record is clear regarding the actions of my office in filing the contempt motions against the Plaintiffs in connection with this proceeding.

Anthony H. Palumbo, Esq., in his AFFIRMATION IN OPPOSITION TO ORDER TO SHOW CAUSE FOR CONTEMPT dated July 30, 2017, as an attachment to his Affirmation, submitted a copy of a letter dated September 2, 2016 (a copy of which is attached) to the Court as a response to the motion for contempt of

my office against Plaintiffs. In Section 19 of his Affirmation he states that the “the documents within the So Ordered Stipulation were provided to defendants’ counsel and this Cross Order to Show Cause is now rendered moot...”

I have fully reviewed my file, and I can confirm that at no time until I received the Affirmation from Anthony H. Palumbo, Esq. on August 1, 2017 by hand delivery at Supreme Court from Mr. Palumbo did I previously receive the letter attached to his Affirmation dated September 2, 2016 from Anthony H. Palumbo, Esq. to myself. **Had I received such a letter from Mr. Palumbo, I would have referenced it in my motion.**

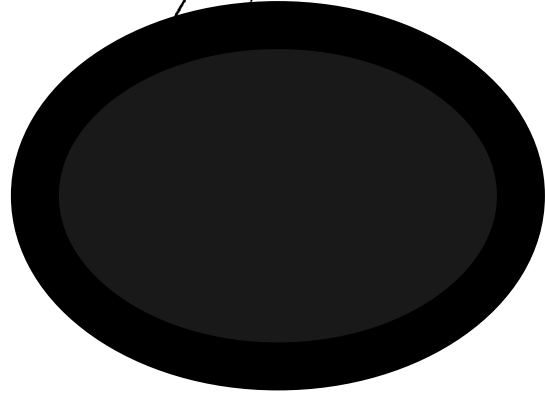
It is also significant to note that Anthony H. Palumbo, Esq. did not refer to his September 2, 2016 letter to myself in his previous submissions as it related to the motion for contempt against the Plaintiffs. In addition, in correspondence with my office, Mr. Palumbo typically includes my address in his correspondence to my office as well as the mode of transmission. As an example, I have enclosed a letter from Anthony H. Palumbo, Esq. to myself dated July 10, 2017, for the Court’s information.

Regarding the requested information, the So Ordered Stipulation dated August 11, 2016 (a copy of which is attached) was very specific in terms of the Plaintiffs answering the questions contained in my July 7, 2015 letter (a copy of which is attached) by August 31, 2016. The questions contained in my letter dated July 7, 2015 have even now not been fully answered by Plaintiffs Lisa Edson and Evans Edson.

As an officer of the Court I wanted to clarify the record in connection with this proceeding to advise your honor that I did not receive the September 2, 2016 letter from Anthony H. Palumbo, Esq. My client, Channing Edson, continues to request information from Plaintiffs Lisa Edson and Evans Edson in the proceeding at Suffolk County Surrogate’s Court, File No. 2013-2792/E, and she still does not have answers to all of her questions as it relates to the Estate of Lewis L. Edson a/k/a Lewis Lefferts Edson, her father.

I lastly want the Court to know that this letter is not easy for me to prepare. I am concerned that a referenced document is included in a submission as being sent to my office, which letter is intended to show compliance with a So Ordered Stipulation, when I never received the letter. The proceeding at Suffolk County Surrogate’s remains a contested accounting proceeding. Currently, there is a

conference date scheduled for October 10, 2017 before your honor. In the meantime, should the Court have any questions regarding the information contained in this letter, or require any additional information, please do not hesitate to contact my office.



ABG:ag  
Enclosures

cc: Anthony H. Palumbo, Esq. (via email)  
Channing Edson Marrinan and Matthew Marrinan