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November 9, 2012

VIA FAX & REGULAR MAIL

Hon. Frances A. McGrogan, J.S.C.
Superior Court of New Jersey
Bergen County Justice Center
10 Main Street, Room 317
Hackensack, NJ 07601

**Re: In Re: Yonos
Docket No. FN-02-267-11**

Your Honor:

I was notified by the Deputy Attorney General in the Yonos matter that the Court scheduled the matter for an emergent hearing on Tuesday, November 13, 2012, in the morning. I am not available.

A home that I own on the Jersey Shore suffered substantial damage during Hurricane Sandy. The government has not permitted access to date. I am being permitted access to the property for the first time on Tuesday, November 13. I have no intention of losing this opportunity. As such, I will not be appearing on the emergent matter on Yonos on Tuesday.

I can be available on Thursday, November 15, 2012.

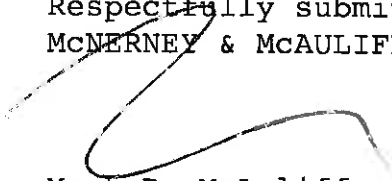
Honorable Frances A. McGrogan, J.S.C.

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I am also available on Wednesday, November 14, 2012, in the afternoon. I am not available in the morning of Wednesday, November 14, as I have to appear before a criminal court judge in Manhattan in another matter.

Respectfully submitted,
McNERNEY & McAULIFFE



Mark P. McAuliffe

MPM:ps

cc: Monique D'Errico, D.A.G.
Caryn Stalter, Law Guardian
Mr. Keith Yonos
Ms. Amy Weber