

ATTORNEYS AT LAW
80 PINE STREET, 32ND FLOOR
NEW YORK, NY 10005-1702
212 422-4000
FAX 212 422-4687
Email: info@ggrgpc.com
www.ggrgpc.com

M. ROBERT GOLDSTEIN
ROBERT S. GOTTLIEB
MICHAEL RIXON

PHILIP A. SANCHEZ*
JOSHUA H. RIXON
JONATHAN M. HOUGHTON**

MICHAEL J. GOLDSTEIN
OF COUNSEL

GARY BRANDLER
LEGAL ASSISTANT

*ALSO ADMITTED IN CT & MA
**ALSO ADMITTED IN MA

RE: ATLANTIC YARDS ARENA AND REDEVELOPMENT PROJECT
Pacific Carlton Development Corp. and 535 Carlton Avenue Realty Corp.
Block 1129, Lots 5, 6 and 13

October 7, 2005

Atlantic Yards
c/o Planning & Environmental Review
Empire State Development Corporation
633 Third Avenue
New York, New York 10017

Dear Sir/Madam:

I represent the owners of the property referenced as Block 1129, Lots 5, 6 and 13, which appear at Table 2 of the Draft Scope of Analysis for an Environmental Impact Statement, which is the subject of the public hearing on October 18, 2005. In the document, it is noted "the building located on Lot 13 of Block 1129 is currently vacant. However, under an agreement between FCRC, which controls the 30 a year ground lease for the property, and the party from whom FCRC purchased the lease rights, the building will soon be re-tenant-in-use as an office building until the property is needed for Phase II of the proposed project development." This is a false and misleading statement. The leases between my clients and the tenant of said property specifically required approval of any sub-lease or any related agreements. My client has not received a request for permission to sub-lease and certainly has not approved any sub-lease of the building. It is extremely unlikely knowing the sophistication of Forest City Ratner that such a statement would be made unintentionally or in error. I cannot fathom how a option or sub-lease could be entered into without reading the underlying leases.

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The statement contained within the Draft Scope of Analysis is in error and, furthermore, is intentionally misleading. We request that this matter be investigated and corrected. Further, the allegation contained within the scoping document may be actionable as a slander on the title that my clients hold to the property.

Please make the immediate investigation and correct this error.

Very truly yours,

**GOLDSTEIN, GOLDSTEIN, RIKON &
GOTTLIEB, P.C.**

By: _____
Michael Rikon

MR/lg
cc/Henry Weinstein
via Fax [REDACTED]