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August 31, 2009

**VIA FACSIMILE (914) 962-3473  
& REGULAR MAIL**

John Buckley, Esq.  
Town of Yorktown  
Office of the Town Attorney  
363 Underhill Avenue  
Yorktown Heights, NY 10598

Re: The Winery at St. George

Dear Mr. Buckley:

As I am sure you are aware, I represent Mr. Thomas DeChiaro, the owner of the Winery at St. George.

Please accept this letter as my formal objection to the statements you published, through the press, as Attorney for the Town of Yorktown. Your statements were reported by Brian J. Howard, within an article in yesterday's edition of the Journal News and on LoHud.com.

In yesterday's article, you were quoted as stating:

"[Mr. DeChiaro] will be in violation [of the restraining order] if he does hold a public event... and to the extent he's serving alcohol he should proceed with caution."

This misstatement and false brandishing of bravado is patently incorrect and improper.

As the Town and certainly you as the Town Attorney are acutely aware, pursuant to the Temporary Restraining Order signed by Judge Lefkowitz, my client is *specifically permitted* to hold public political events on his property.

In fact, Judge Lefkowitz explicitly recognized that my client has certain constitutional rights with respect to the use of his property for purposes of political assembly when she explicitly refused to grant the Town the extremely broad Temporary Restraining Order it was seeking.

Similarly flippant and inappropriate, was your thinly-veiled threat of repercussions, if my client were to *serve alcohol* at his political fundraisers.

As an initial matter, the limited TRO granted by the Court does not restrain my client's ability to *serve* complimentary wine or any other food or beverage at his political fundraisers.

Simultaneously, the political fundraisers which Mr. DeChiaro intends to host, are entirely consistent with the ongoing fundraisers currently being conducted by sitting Town officials, at other private residences within Yorktown, whereat alcohol has been flowing freely.

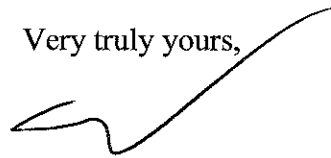
Your threat of selective prosecution against my client, for engaging in precisely the same political activities as local incumbent officials, strikes at the very heart of my client's First Amendment rights.

Please be advised that any unlawful attempts to retaliate against my client, or any acts of selective enforcement through which the Town "singles him out" to prevent him from engaging in such activities, will only subject the Town, the responsible individuals, and Town taxpayers to further litigation.

In view of the foregoing, I respectfully demand that you cease spewing incorrect facts and idle threats to my client, through the press.

Please be guided accordingly

Very truly yours,



Andrew J. Campanelli

cc: Karen L. Wagner, Esq.