

UNITED STATES DISTRICT COURT

BOSTON, MASSACHUSETTS 02109

JUDGE MORRIS E. LASKER

January 10, 1995

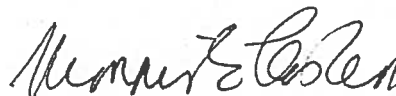
George Axelrod, Esq.
Department of Correction
60 Hudson Street
New York, NY 10013-4393

Re: Benjamin v. Malcolm, et al.

Dear Mr. Axelrod:

I enclose a signed original of an Order authorizing the deposit of the City funds into an interest-bearing account as requested by your letter of December 13. I regret that some confusion in chambers caused me to overlook the request until now.

Very truly yours,



Enclosure

cc: Kenneth Schoen
Leonard Koerner, Esq.
John Boston, Esq. ✓

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

75 Civ. 3073
(MEL)

JAMES BENJAMIN, et al.,

PLANTIFFS,

AGAINST
BENJAMIN MALCOLM, et al.,
DEFENDANTS.

ORDER FOR PLACING
FUNDS IN CRIS

UPON THE APPLICATION OF THE CITY OF NEW YORK, BY AND THROUGH
THEIR ATTORNEYS, GEORGE AXELROD* AND UPON THE DEPOSIT,
ON DECEMBER 12, 1994, OF THE SUM OF \$123,400.00 WITH THE CLERK OF THE
COURT BY DEFENDANTS, SAID DEPOSIT TO ABIDE THE FURTHER ORDER OF THE
COURT IN THIS ACTION, IT IS HEREBY

ORDERED THAT THE CLERK OF THE COURT, AS SOON AS THE BUSINESS OF
HIS OFFICE ALLOWS, PREPARE THE NECESSARY FORMS TO EFFECTUATE THE
TRANSFER OF SAID FUNDS FROM THE REGISTRY OF THE COURT OF THE SOUTHERN
DISTRICT OF NEW YORK, TO THE REGISTRY OF THE COURT OF THE SOUTHERN
DISTRICT OF TEXAS, FOR THE PURPOSE OF PLACING SAID FUNDS IN THE COURT
REGISTRY INVESTMENT SYSTEM, INTEREST BEARING ACCOUNT; AND IT IS FURTHER

ORDERED THAT THE CLERK SHALL DEDUCT FROM THE INCOME EARNED ON
THE INVESTMENT A FEE NOT EXCEEDING THAT AUTHORIZED BY THE JUDICIAL
CONFERENCE OF THE UNITED STATES AND SET BY THE DIRECTOR OF THE
ADMINISTRATIVE OFFICE WHENEVER SUCH INCOME BECOMES AVAILABLE FOR
DEDUCTION FROM THE INVESTMENT SO HELD AND WITHOUT FURTHER ORDER OF
THIS COURT.

DEFENDANTS SHALL SERVE A SIGNED COPY OF THIS ORDER ON THE CLERK OF
THE COURT IN ROOM 18 AND ON A FINANCIAL DEPUTY IN THE CASHIER'S OFFICE.

DATED: NEW YORK, NEW YORK

*ON BEHALF OF PAUL CROTTY,
CORPORATION COUNSEL and
LEONARD KOERNER, FIRST ASST.
CORPORATION COUNSEL

JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK