



Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

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October 5, 1981

Hon. John Curtin
United States District Court
Western District of New York
U.S. Courthouse
Buffalo, New York

Dear Judge Curtin:

Re: U.S. v. Hooker et al Civil No. 79-989
(Hyde Park Landfill)

The amici would respectfully request that the Court consider Ms. Morrison's suggestion on Friday October 2, 1981, that a brief period of time be set aside after the completion of testimony for written argument and recommendations to be put before the Court.

Amici believe that due to the complexity of the case, and the extremely technical nature of the evidence, that solely limiting argument to oral submissions immediately after the conclusion of testimony would not responsibly assist the Court in distilling the evidence before it and reaching a conclusion. We further believe that due to the disparity of resources between amici and the Parties, that amici would be effectively deprived of making a meaningful oral argument to the Court with only a minimal amount of time to fully review the transcripts and evaluate all the evidence.

For these reasons, we would urge the Court to allow the filing of written submissions either in lieu of oral argument or as a basis for oral argument on a day set aside a short period of time after the completion of the evidence. This would also allow both the Canadian and American amici to assist the Court by preparing a joint submission. We believe that a period of one week to ten days would be a reasonable period within which we could prepare our written submission and if necessary, an oral argument.

We do not wish, in any way, to delay the resolution of these proceedings, and recognize the need for brevity and focusing in setting forth our concerns in any written submission the Court would allow.

Thank you for your consideration of this request.

Sincerely,

Toby Vigod
Toby Vigod

Barbara Morrison

Barbara Morrison

cc. All Parties