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April 8, 2011

Ms. Kristen Hart
Fort Independence Park Neighborhood Association
3488 Cannon Place
Bronx, NY 10463-4302

Dear Ms. Hart:

This firm represents Hugo Subotovsky. In response to your recent opposition summary addressed to Bronx Community Board 8, dated April, 2011 concerning certain factual assertions made by you regarding Hugo Subotovsky, RA (incorrectly spelled in your correspondence), please be advised that your summary is specifically inaccurate in the following manner:

Firstly, you indicate in paragraph 7 of the opposition summary that all "Jackson Buildings look the same" a statement which is patently false. In fact all buildings mentioned in your statement have very distinctive appearances. St. Ann's Terrace, for instance, was approved by the City Planning Commission for rezoning partially on the merit of the fact that it is eight (8) different buildings and designed to appear as if built over time with very varied façade designs;

Secondly, all the projects noted in your supporting statement and designed by Hugo Subotovsky, RA were designed to be in compliance with all required zoning regulations including FAR. It is evident to us that author of the opposition summary is using the gross built square footage to determine zoning compliance when in reality zoning area is always less than gross due to square footage allowances permitted in the law.

Furthermore, it should be noted that the St. Ann's Terrace project was posted as required by law on the DOB website and did not receive any zoning challenges whatsoever.

We therefore demand that you immediately retract, in writing, your gross

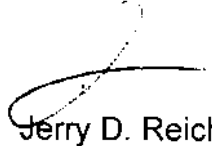
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NEW YORK ORLANDO PALM BEACH TALLAHASSEE TAMPA TYSONS CORNER WASHINGTON, D.C. WEST PALM BEACH

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misstatement of facts as this inaccuracy is both harmful and slanderous to the reputation of Mr. Subotovsky. If these statements are not immediately retracted, my client reserves all of his rights, including the right to commence and pursue a legal action against you and your organization in connection with such inaccuracy.

Sincerely,



Jerry D. Reichelscheimer