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By email: hcohen@stiecohen.com

Herbert L. Cohen, Esq.
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770 Lexington Avenue
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Re: 425 East 86 Apartments Corp. (the "Corporation")
425 East 86th Street, Apt. PH-A
J. Armand Musey

Dear Mr. Cohen:

We are in receipt of your email advising that you have instructed the managers at Douglas Elliman to refrain from communicating with Mr. Musey and his partner Margaret Janicek, and that all future communications between the parties are to be passed through your office. Though unduly burdensome and at times impractical, we understand the request. To make this process less burdensome, we suggest that you correspond directly with Mr. Musey through email (with a copy to me). Mr. Musey's email address is amusey@icloud.com.

As you may or may not know, the parties had been discussing the day at which Standard Waterproofing could come do the particular work around the terrace doors. Though you were advised that entry into the apartment was not necessary, in fact, it was necessary for either Mr. Musey or Ms. Janicek to be present since one of the terrace doors does not lock. Though both Mr. Musey and Ms. Janicek independently advised Douglas Elliman last week via email that Wednesday was not convenient (they did indicate that the rest of the week and next week were convenient), Douglas Elliman still arranged for Standard Waterproofing to come on Wednesday.


Going forward, it would be most helpful if the parties were to coordinate the date and time for workers to come up to the roof or terrace, absent emergency situations. As you know, we take the position that the Proprietary Lease provides that both the roof

and the terrace are part of Mr. Musey's apartment and that Mr. Musey has exclusive use of them absent work that needs to be done by the building (points with which you agreed in your April 1, 2014 letter to me). I recall that at a meeting at your office, Charles Krieg and I mentioned the importance of prior notice and coordination of dates and times for workers to come upstairs on the roof and terrace as a result of some embarrassing instances with workers going up there unannounced. Absent an emergency, the building staff would never enter the interior areas of a shareholder's apartment without coordination. Our client expects no less consideration with the terrace and roof that is part of his apartment.

We also are advised that the fire alarm installed on the stairwell door to the terrace has been frequently deactivated and the fire doors have been left open for days at a time. Since this is another way to gain access to the penthouse apartments, we believe that the door should be kept shut and the alarm kept on for reasons of security.

Very truly yours,

HINMAN, HOWARD & KATTELL, LLP

By 
Stuart Sugarman