LAW OFFICES
HANSON & MOLLOY
1320 NINETEENTH STREET, N. W.
SUITE 300
WASHINGTON, DC 20036-1636
TELEPHONE (202) 833-9300
FAX (202) 833-9700
WWW.HANSON-MOLLOY.COM

J. DENNIS MOLLOY *
ARTHUR D. McKEY
MICHAEL B. McGOVERN ○

OF COUNSEL
RON L. DURST *+

SPECIAL LEGAL COUNSULTANT
BALA NADARAJAH △

* ALSO ADMITTED IN VIRGINIA
○ ALSO ADMITTED IN MARYLAND
+ ALSO ADMITTED IN WEST VIRGINIA
△ ADMITTED TO PRACTICE IN BERMUDA AND IN SRI LANKA

ARTHUR B. HANSON
(1916-1989)

JOHN L. MOLLOY, SR.
(1913-1999)

NEW YORK
COUNSEL
JOHN L. MOLLOY, JR.
346 MAPLE AVENUE
WESTBURY, NY 11590
(516) 334-1000

February 10, 2003

BY FAX TO (202) 727-6072
Ms. Carol Mitten, Chair
c/o Mr. Alberto Bastida, Secretary
District of Columbia Zoning Commission
414 4th Street, N.W., Suite 210
Washington, DC 20001

Re: "Waterfront" PUD Application, Z.C, Case No. 02-38

Dear Ms. Mitten:

On behalf of the Tiber Island Cooperative Homes, Inc. (hereinafter the "Tiber Island Cooperative"), a residential cooperative containing 389 residential apartment units in four (4) buildings within 200 feet of the Waterside Mall, I am writing to confirm my telephone conference call today with Alberto Bastida and Cynthia Giordano, Esquire, that the Tiber Island Cooperative and its resident owners will be permitted to participate with party status at the February 13, 2003 hearing.

Tiber Island Cooperative believes that it did not receive the Notice of Public Hearing sent to property owners within 200 feet of Waterside Mall in late December, 2002, and so did not file the statement required pursuant to 11 DCMR 3022.3 by January 30, 2002. However, without objection by Ms. Giordano, counsel for the Applicant, Tiber Island Cooperative will file the required statement no later than close of business, Wednesday, February 12, 2003.

Thank you and Ms. Giordano for the courtesy extended to the Tiber Island Cooperative and its residents.

Very truly yours,

Michael B. McGovern

cc: Cynthia Giordano, Esquire

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ZONING COMMISSION
District of Columbia
CASE NO.02-38
EXHIBIT NO.44

Case 02-38
Exhibit 44