Exhibit 2

From: Andrew T. Miltenberg
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Cc: Lillian Cannon; Juliette Jampolsky; Stuart Bernstein; Kirsten Roy; Tara J. Davis
Subject: Albany - Special Proceedings - CPLR Article 78 - <ASSIGNMENT OF INDEX NUMBER> 911974-26 (Gillio Lopes v. Kathleen M. Hochul et al)
Date: Friday, October 30, 2026 3:16:59 PM
Attachments: 1 - Petition.pdf
2 - Affirmation.pdf
3 - OSC.pdf
Lopes Reply 10.27.26 FINAL (002).pdf

As some of you know, we represent Gillio Lopes.

Several weeks ago, we commenced an Article 78 proceeding in Albany County seeking to remove Attorney General Letitia James from personally acting as Special Prosecutor in the Cornell matter. Our moving papers are attached.

Our application is based, among other things, on the following statement Attorney General James posted on her official X account on September 28, 2026:

> *What this young woman has been forced to endure is horrific and unacceptable. I'm holding her in my heart and in my prayers. To her, and to all survivors: you're not alone. We stand with you.*

Three days later, on October 1, Attorney General James was appointed Special Prosecutor.

As our papers explain, Gillio's position is that this was more than a generalized expression of compassion. The statement concerned Jane Doe and the very allegations Attorney General James was subsequently appointed to investigate. In our view, this statement could reasonably be understood as accepting disputed aspects of Doe's account before James was appointed to investigate, prejudicing the defendants and depriving them of the right to an impartial investigation.

Oral argument was held yesterday before Justice James Farrell. The Court focused principally on the absence of the other parties potentially affected by the requested relief and the practical consequences of granting relief in a proceeding involving only Gillio.

The Court has given us until November 5 to address the issue of joinder. We therefore intend to make the appropriate filing so that each potentially

affected individual has an opportunity to be heard.

Please let us know whether your client:

1. wishes to join Gillio in supporting the requested relief;
2. intends to take no position; or
3. opposes the requested relief.

Nothing about joinder requires your client to adopt Gillio's factual or legal positions, or those of any other individual. Each client remains separately represented and free to take whatever position counsel and client determine is appropriate.

If your client supports the application, we can coordinate with you regarding the appropriate procedural submission reflecting that position.

This email is intended as advance notice and to ascertain your client's position. Given the November 5 deadline, we would appreciate hearing from you promptly. We will proceed with the appropriate filing in accordance with the Court's direction whether or not we receive a response.

Gillio's position remains straightforward: the investigation should proceed fully and fairly, but it should be directed by a prosecutor who expressed no prior public view concerning the disputed events and can follow the evidence wherever it leads.

I am available over the weekend at [redacted].

Thank you.

Andrew

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