NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY
540 Broadway
Albany, New York 12207
(518) 474-4539

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In the Matter of Ben Masaitis

**NOTICE OF ADJOURNMENT**

Respondent.

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**PLEASE TAKE NOTICE** that upon good cause having been shown, the above-referenced matter is adjourned **to March 16, 2011 at 9:30 a.m.**

Failure to appear on the adjourned date may result in the disposition of your case and the assessment of a civil penalty in your absence. You may still resolve this matter prior to the hearing date.

Christine C. Kopec

Christine C. Kopec
Hearing Officer

Dated: January 26, 2011

TO: Bridget Holohan
Associate Counsel
Commission on Public Integrity
540 Broadway
Albany, New York 12207

Jeffrey J. Sherrin, Esq.
O'Connell and Aronowitz
54 State Street
Albany, New York 12207-2501

STATE OF NEW YORK
COMMISSION ON PUBLIC INTEGRITY

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IN THE MATTER OF AN INVESTIGATION OF
BEN MASAITIS,
THE FORMER BUDGET DIRECTOR FOR
THE NEW YORK STATE THEATRE INSTITUTE.

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**PLEASE TAKE NOTICE** that the New York State Commission on Public Integrity ("Commission") shall hold a hearing to determine whether you violated Public Officers Law §§74(3)(d) and (h). This hearing is scheduled as a result of the facts and circumstances alleged in the Commission's Notice of Reasonable Cause dated December 9, 2010, previously served upon you, a copy of which is attached hereto.

**The hearing is scheduled for Monday, February 28, 2011 at 9:30 a.m.,** at the Commission's Conference Room, 540 Broadway, Albany, New York, 12207. The hearing officer of record will be Christine C. Kopec. The hearing is scheduled to be concluded within one hour, unless you indicate that you need additional time to present evidence.

An adjournment may be granted upon a showing of good cause that you are unavailable to attend at the scheduled time. You may submit a written request for adjournment to the hearing officer of record at the address noted above accompanied by an affidavit which contains sufficient detail to allow the hearing officer to rule on the request. **Failure to appear for the scheduled hearing may result in the disposition of your case and the assessment of a civil penalty in your absence.**

The Commission will provide interpretation for hearing impaired parties and participants at your request. Any such request must be made in writing and received by the Commission at least one week prior to the hearing date.

You have the right to be represented, to testify, to produce witnesses, to present documentary evidence and to examine opposing witnesses and evidence. You may submit all or part of your evidence in written form, subject to the discretion of the hearing officer.

Attached is a plain language summary of the Commission's regulations governing adjudicatory proceedings.

Please be advised that, pursuant to Lobbying Act 1-o, a finding that you knowingly and wilfully violated Legislative Law §1-m may be guilty of a class A misdemeanor and subjects you to a civil penalty in an amount not to exceed $25,000 per violation or three times that amount the person unlawfully contributed, expended, gave or received.

NYS COMMISSION ON PUBLIC INTEGRITY

**Dated: January 18, 2011**

By: Barry Ginsberg
Executive Director
Commission on Public Integrity