

No. 11-922

IN THE

**Supreme Court of the United States**

RIVER CENTER, LLC,

*Petitioner,*

v.

THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK,

*Respondent.*

On Petition for Writ of Certiorari to the Supreme Court of  
New York Appellate Division, First Department

**RESPONDENT'S OPPOSITION TO MOTIONS FOR  
LEAVE TO FILE BRIEFS AMICI CURIAE**

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**RESPONDENT'S OPPOSITION TO MOTIONS  
FOR LEAVE TO FILE BRIEFS AMICI CURIAE**

The Court should deny the motions by the (i) Real Estate Board of New York, Inc., International Council of Shopping Centers, National Multi Housing Council and Real Estate Roundtable, (ii) Owners Counsel of America, and (iii) Center for Constitutional Jurisprudence, for leave to file briefs amici curiae in support of Petitioner.

Under this Court's Rule 37.1, an amicus curiae brief should bring to the attention of the Court relevant matter not already brought to its attention by the parties. None of the proposed amici curiae briefs serve this purpose. The arguments contained in the proposed amici curiae briefs are merely repetitions of the arguments in Petitioner's brief and add nothing new. Accordingly, the proposed amici curiae briefs would only burden the Court.

Furthermore, the motion by the Real Estate Board of New York ("REBNY") should also be denied because it has not submitted a true amicus curiae, *i.e.*, "friend of the court," brief. REBNY fails to disclose that ARC Development LLC, which is a company related to Petitioner and was involved in the development of the property that is the subject of this case, is, upon and information and belief, a member of REBNY.

For the foregoing reasons, the motions for leave to file briefs amici curiae should be denied.

Dated: March 1, 2012

Respectfully submitted,

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