

Exhibit 6

State of New York Court of Appeals

HON. JUDITH S. KAYE, *Chief Judge, presiding.*

Remittitur

1 No. 74
Campaign for Fiscal Equity,
Inc., et al.,

Appellants,

v.

The State of New York, et al.,
Respondents.

COPY

The appellants in the above entitled appeal appeared by Simpson Thacher & Bartlett, Esqs. and Michael A. Rebell Associates; the respondents appeared by Hon. Eliot Spitzer, Attorney General of the State of New York; the amici curiae appeared by Jay Worona, Esq.; Hogan and Hartson, LLP; Davis Polk & Wardwell, Esqs.; Benjamin J. Ferrara, Esq.; Betsey Boardman Swan, Esq.; Denise C. Morgan, Esq. and Paul Weiss Rifkind Wharton & Garrison, LLP.

The Court, after due deliberation, orders and adjudges that the order is modified and case remitted to Supreme Court, New York County, for further proceedings in accordance with the opinion herein and, as so modified, affirmed, with costs to plaintiffs. Opinion by Chief Judge Kaye. Judges Smith, Ciparick and Rosenblatt concur, Judge Smith in a separate concurring opinion. Judge Read dissents in an opinion. Judge Graffeo took no part.

The Court further orders that this record of the proceedings in this Court be remitted to the Supreme Court, New York County, there to be proceeded upon according to law.

I certify that the preceding contains a correct record of the proceedings in this appeal in the Court of Appeals and that the papers required to be filed are attached.

Stuart M. Cohen

Stuart M. Cohen, Clerk of the Court