

SETH D. CORWIN, ESQ.,-DEFENDANT-AFFIRMATION-REPLY

[12-13]

STATE OF NEW YORK : COURT OF CLAIMS

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In the Matter of the Claim of	:	<u>REPLY AFFIRMATION</u>
GEORGE SASSOWER,	:	Claim No. 62894
Claimant,	:	

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STATE OF NEW YORK)
 : SS.:
 COUNTY OF NEW YORK)

SETH D. CORWIN, an attorney at law, admitted to practice in the State of New York duly affirms the following under the penalties of perjury:

This affirmation is submitted in reply to claimant's affidavit in opposition to the State's motion to dismiss.

It is submitted that a cause of action in libel accrues upon initial publication and is not revived upon a subsequent re-publication.

Since claimant has not alleged that the entire opinion of the Appellate Division is offensive to him, Rule 3016(a) CPLR, requires that he allege the parts that he believes give rise to his cause of action.

The State's concession is as is contained in its affirmation in support of its motion to dismiss and is solely for purposes of the motion. It doesn't concede any statement by the Appellate

Division to be false since this Court cannot be in a position to review an Appellate Division decision.

WHEREFORE, it is respectfully requested that the State's motion be granted in all respects.

Dated: New York, New York
April 17, 1979

/s/ Seth D. Corwin
SETH D. CORWIN
Assistant Attorney General