

SUPREME COURT STATE OF NEW YORK
COUNTY OF ALBANY

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In the Matter of the Application of
MARIO M. CASTRACAN and VINCENT F. BONELLI,
acting Pro Bono Publico,

Petitioners,

Index No. 6056/90

for an Order, pursuant to Sections
16-100, 16-102, 16-104, 16-106 and
16-116 of the Election Law,

NOTICE OF REJECTION
OF DEFECTIVELY-
VERIFIED PLEADING

-vs-

ANTHONY J. COLAVITA, Esq., Chairman,
WESTCHESTER REPUBLICAN COUNTY COMMITTEE,
GUY T. PARISI, Esq., DENNIS MEHIEL, Esq.,
Chairman, WESTCHESTER DEMOCRATIC COUNTY
COMMITTEE, RICHARD L. WEINGARTEN, Esq.,
LOUIS A. BREVETTI, Esq., Hon. FRANCIS A.
NICOLAI, HOWARD MILLER, Esq., ALBERT J.
EMANUELLI, Esq., R. WELLS STOUT,
HELENA DONAHUE, EVELYN AQUILA, Commissioners
constituting the NEW YORK STATE BOARD
OF ELECTIONS, ANTONIA R. D'APICE,
MARION B. OLDI, Commissioners constituting
the WESTCHESTER COUNTY BOARD OF ELECTIONS,

Respondents,

for an Order declaring invalid the Certificates
purporting to designate Respondents Hon. FRANCIS A.
NICOLAI and HOWARD MILLER, Esq. as candidates for
the office of Justice of the Supreme Court of the
State of New York, Ninth Judicial District, and
the Petitions purporting to designate ALBERT J.
EMANUELLI, Esq. a candidate for the office of
Surrogate of Westchester County to be held in
the general election of November 6, 1990.

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S I R S :

Please Take Notice that the pleading purporting to be a
Verified Answer on behalf of Respondents DENNIS MEHIEL,

Chairman, WESTCHESTER COUNTY DEMOCRATIC COMMITTEE, and RICHARD L. WEINGARTEN, Esq., to the Verified Petition herein is hereby rejected pursuant to CPLR 3022 on the grounds that (1) the verification thereof is defective and fails to comply with the provisions of CPLR 3020 and 3021; and (2) said pleading was not timely served as mandated by the Order to Show Cause, instituting the instant proceeding.

Yours, etc.

DORIS L. SASSOWER, P.C.
Attorney for Petitioners
283 Soundview Avenue
White Plains, N.Y. 10606
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TO:

HASHMALL, SHEER, BANK & GEIST
Attorneys for Respondents
Dennis Mehiel, Chairman
Westchester Democratic County Committee
Richard L. Weingarten, Esq.