# SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ALBANY

CENTER FOR JUDICIAL ACCOUNTABILITY, INC., and ELENA RUTH SASSOWER, individually and as Director of the Center for Judicial Accountability, Inc., acting on their own behalf and on behalf of the People of the State of New York & the Public Interest,

NOTICE OF MOTION

Index No. 1788-14

May 16, 2014

Plaintiffs,,

## -against-

ANDREW M. CUOMO, in his official capacity as Governor of the State of New York, DEAN SKELOS in his official capacity as Temporary Senate President, THE NEW YORK STATE SENATE, SHELDON SILVER, in his official capacity as Assembly Speaker, THE NEW YORK STATE ASSEMBLY, ERIC T. SCHNEIDERMAN, in his official capacity as Attorney General of the State of New York, and THOMAS DiNAPOLI, in his official capacity as Comptroller of the State of New York,

Defendants.

PLEASE TAKE NOTICE that upon the annexed affirmation of Adrienne J. Kerwin, Assistant Attorney General, defendants Andrew M. Cuomo, Dean Skelos, the New York State Senate, Sheldon Silver, the New York State Assembly, Eric T. Schneiderman, and Thomas DiNapoli will move this Court at the Albany County Court House, Albany, New York May 16, 2014 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to CPLR 3211(a)(1), (a)(2) and (a)(7), granting dismissal of the complaint in its entirety, with prejudice, and such other and further relief as may be just. Answering affidavits shall be served at least seven days before the hearing date.

Oral argument is not requested.

Dated: Albany, New York April 16, 2014

### ERIC T. SCHNEIDERMAN

Attorney General of the State of New York
Attorney for Defendants Andrew M. Cuomo, Dean
Skelos, New York State Senate, Sheldon
Silver, New York State Assembly, Eric T.
Schneiderman and Thomas DiNapoli

The Capitol

Albany, New York 12224-0341

By:

Adrienne J. Kerwin

Assistant Attorney General, of Counsel

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#### ERIC T. SCHNEIDERMAN

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