

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES E. COLLINS, III,

Plaintiff,

-against-

SOL GREENBERG, JAMES NIXON and
CHRISTOPHER D. HORN,

Defendants.

NOTICE OF MOTION

Case No.: 00-CV-1349
TJM/DRH

gr
Ab **PLEASE TAKE NOTICE**, that upon the affirmation of Robert P. Roche, duly sworn to the day of September 2000 and upon the summons and complaint in the above-entitled matter previously filed with this Court under index number 00-CV-1349 the defendants herein will move the Court for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting defendants Summary Judgment on the grounds that plaintiff's complaint fails to state a cause of action against any of the named defendants for which relief may be granted by this Court and that for reasons set forth herein there is no triable issue for this Court and for such other and further relief as the Court deems appropriate in the premises at a Motion Term thereof to be held in and for the United States District Court for the Northern District of New York, on the 14th day of November, 2000, at 10:00 in the forenoon, at the United States District Court for the Northern District of New York, James T. Foley U. S. Courthouse, 445 Broadway, Albany, New York, or as soon thereafter as counsel can be heard.

PLEASE TAKE FURTHER NOTICE, that responding papers, if any, must be served upon the moving party within twenty-one (21) calendar days from the date on which the motion papers were served by the moving party.

Dated: September 26, 2000

MICHAEL LYNCH
ALBANY COUNTY ATTORNEY

By:


Robert P. Roche

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