

STATE OF NEW YORK
SUPREME COURT

COUNTY OF ESSEX

LEWIS FAMILY FARM, INC.,

NOTICE OF MOTION

Petitioner,

-against-

ACTION NO. 1

ADIRONDACK PARK AGENCY,

Index No. 315-08

Respondent.

Hon. Richard B. Meyer

STATE OF NEW YORK
SUPREME COURT

COUNTY OF ESSEX

ADIRONDACK PARK AGENCY,

Plaintiff,

-against-

ACTION NO. 2

LEWIS FAMILY FARM, INC., SALIM B. LEWIS
and BARBARA LEWIS,

Index No.: 332-08

Defendants.

Hon. Richard B. Meyer

PLEASE TAKE NOTICE that upon the annexed Affirmation of John J. Privitera, Esq., dated June 3, 2008, the Memorandum of Law in Support of Judgment on the Lewis Family Farm's Article 78 Petition and in Support of the Motion to Dismiss the Agency's Duplicative Enforcement Action, dated June 3, 2008, and upon all prior papers and proceedings had in these consolidated actions, the undersigned will move this Court at an Individual Assignment Term to be held in and for the County of Essex, at the County Court House in Elizabethtown, New York, on June 19, 2008, at 1:30 p.m. of that day, or as soon thereafter as counsel can be heard, for an order pursuant to CPLR 3211 dismissing the Agency's action (Index No. 332-08) and granting such other or further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214(b), answering affidavits and cross-motions, if any, shall be served at least seven (7) days before the hearing date.

Dated: June 3, 2008
Albany, New York

McNAMEE, LOCHNER, TITUS & WILLIAMS, P.C.

/s/ John J. Privitera

By: _____
John J. Privitera, Esq.
Jacob F. Lamme, Esq.
*Attorneys for Lewis Family Farm, Inc.,
Salim B. "Sandy" Lewis and Barbara A. Lewis*
677 Broadway
Albany, New York 12207
Tel. No. (518) 447-3200
Fax No. (518) 426-4260

TO: Loretta Simon, Esq.
Assistant Attorney General
State of New York
Office of the Attorney General
The Capitol
Albany, New York 12224-0341

Cynthia Feathers, Esq.
Arroyo Copland & Associates, PLLC
Great Oaks Office Park
219 Great Oaks Blvd.
Albany, New York 12203