

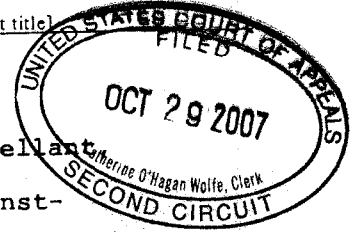
MOTION INFORMATION STATEMENT

Docket Number(s): 07-0581-cv

Motion for: strike appellee's brief

Set forth below precise, complete statement of relief sought:  
Strike brief as violative of Local Rule  
28(1) and of NY Social Services Law; refer  
to Committee on Admissions and Grievances.

Caption [use short title]  
James M. Maloney,  
Plaintiff-Appellant,  
-against-  
Andrew Cuomo et al.,  
Defendants-Respondents.



MOVING PARTY: James M. Maloney  
 Plaintiff  Defendant  
 Appellant/Petitioner  Appellee/Respondent

OPPOSING PARTY: Kathleen A. Rice  
Nassau County District Attorney

MOVING ATTORNEY: James M. Maloney, Esq.  
[name of attorney, with firm, address, phone number and e-mail]

OPPOSING ATTORNEY [Name]: Karen Hutson, Esq.  
[name of attorney, with firm, address, phone number and e-mail]

Law Office of James M. Maloney  
33 Bayview Avenue, Port Washington, NY 11050  
(516) 767-1395 maritimelaw@nyu.edu

Deputy County Attorney, Nassau County  
1 West Street, Mineola, NY 11501  
(516) 571-2461 khutson@nassaucountyny.gov

Court-Judge/Agency appealed from: Eastern District of New York - Hon. Arthur D. Spatt.

Please check appropriate boxes:  
Has consent of opposing counsel:  
A. been sought?  Yes  No  
B. been obtained?  Yes  No  
Is oral argument requested?  Yes  No  
(requests for oral argument will not necessarily be granted)  
Has argument date of appeal been set?  Yes  No  
If yes, enter date \_\_\_\_\_

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND  
INJUNCTIONS PENDING APPEAL:  
Has request for relief been made below?  Yes  No  
Has this relief been previously sought  
in this Court?  Yes  No  
Requested return date and explanation of emergency:  
\_\_\_\_\_  
\_\_\_\_\_

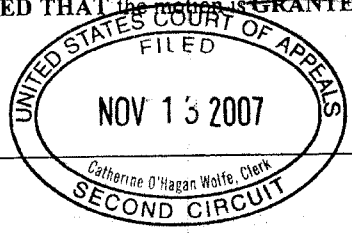
Signature of Moving Attorney: [Signature] Date: 10/26/07

Has service been effected?  Yes  No  
[Attach proof of service]

ORDER

*Motion is referred to the merits panel.*

IT IS HEREBY ORDERED THAT the motion is ~~GRANTED~~ DENIED.



Date: \_\_\_\_\_

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk of Court  
By: Joy Fallik  
Joy Fallik, Administrative Attorney