

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAMES M. MALONEY,

Plaintiff,

CV 03-786 (ADS) (MLO)

- against -

ELIOT SPITZER, in his official capacity as
Attorney General of the State of New York, and his
successors,

**STIPULATION
~~AND ORDER~~**

Defendants.

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WHEREAS Plaintiff intends to move for summary judgment; and

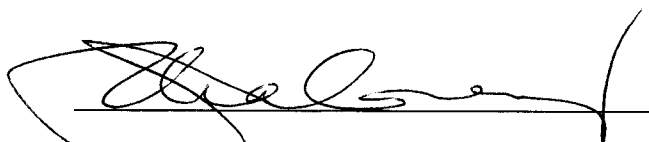
WHEREAS the Rule 56.1 Statements and Counter-statements have been exchanged by
the parties; and

WHEREAS the Honorable Arthur D. Spatt has indicated that he does not wish to hold
a pre-motion conference,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and
between the parties to the above-captioned action that Plaintiff shall serve all papers in support
of his motion for summary judgment on or before 9/10/04, that Defendant shall serve
all papers in opposition within 60 days of the date of service of Plaintiff's motion
papers, and that Plaintiff shall serve all papers in reply within 15 days of the date of
service of Defendant's opposition papers. For purposes of this stipulation, "date of service"

where used to start a time period defined herein shall mean five days after the date of mailing of papers sent by regular mail, or the date of receipt of such papers if such papers were served by hand or by overnight courier.

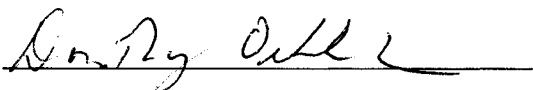
Dated: June 18, 2004



JAMES M. MALONEY (JM-3352)
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Port Washington, New York 11050

(516) 767-1395

ELIOT SPITZER
Attorney General of the State of New York

By: 

Dorothy Oehler Nese (DN-9327)
Assistant Attorney General
Attorney for Defendant
200 Old Country Road
Mineola, New York 11501

(516) 248-3302

So ordered this _____ day of June, 2004.

U.S.M.J.