

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED

AUG 18 2010

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

LAWRENCE K. BAERMAN, CLERK  
ALBANY

ALFRED G. OSTERWEIL,

*Plaintiff*

09-CV-825

*versus*

GLS/DRH

GEORGE R. BARTLETT, III

*Defendant*

To: Roger W. Kinsey, Esq., Attorney for Defendant

Please take Notice that the undersigned does hereby move, before the Honorable Gary L. Sharpe, for an order vacating so much of a Decision and Order of the Court, entered on February 24, 2010, which dismissed Plaintiff's first, second and third causes of action, and

Please take further Notice that we shall rely upon the Affidavit annexed hereto, and the enclosed Memorandum In Support Of Plaintiff's Motion and

Please take further Notice that we hereby request the Court to hear this matter on a date to be fixed by the Clerk, consistent with Local Rule 7.1



ALFRED G. OSTERWEIL, PLAINTIFF *PRO SE*

310 Rossman Fly Road  
P. O. Box 173  
Summit, New York 12175  
Phone (318) 287-1646