

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of New York

NEW YORK STATE RIFLE AND PISTOL ASSOCIATION, INC., ET AL

Plaintiff(s)

v.

ANDREW M. CUOMO, Governor of the State of New York, et al.

Defendant(s)

Civil Action No. 1:13-CV-00291-WMS

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) LAWRENCE FRIEDMAN
District Attorney for Genesee County
Genesee County District Attorney's Office
One West Main Street
Batavia, New York 14020

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Brian T. Stapleton, Esq. GOLDBERG SEGALLA LLP 11 Martine Avenue, Suite 750 White Plains, New York 10606-1934

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 04/16/2013



CLERK OF COURT

Signature of Clerk or Deputy Clerk (handwritten signature)

Signature of Clerk or Deputy Clerk

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**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

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

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**FULL CASE CAPTION**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK  
Buffalo Division

NEW YORK STATE RIFLE AND PISTOL ASSOCIATION, INC.;  
WESTCHESTER COUNTY FIREARMS OWNERS ASSOCIATION, INC.;  
SPORTSMEN'S ASSOCIATION FOR FIREARMS EDUCATION, INC.;  
NEW YORK STATE AMATEUR TRAPSHOOTING ASSOCIATION, INC.;  
BEDELL CUSTOM; BEIKIRCH AMMUNITION CORPORATION;  
BLUELINE TACTICAL & POLICE SUPPLY, LLC;  
WILLIAM NOJAY;  
THOMAS GALVIN; and  
ROGER HORVATH,

Plaintiffs.

v.

ANDREW M. CUOMO, Governor of the State of New York;  
ERIC T. SCHNEIDERMAN, Attorney General of the State of New York;  
JOSEPH A. D'AMICO, Superintendent of the New York State Police;  
LAWRENCE FRIEDMAN, District Attorney for Genesee County; and  
GERALD J. GILL, Chief of Police for the Town of Lancaster, New York

Defendants.