

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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DEBORA WARNER,	:
	:
	: Index No.: 654714/2018
Plaintiff,	:
	: Hon. Jennifer Schechter
-against-	:
	:
WILLIAM HEATH, DAVID KUZMANICH,	: <b>NOTICE OF MOTION</b>
KIM TABEL, ROBERT NUELLE,	:
DAVID ROBINSON,	:
	:
Defendants.	:
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**PLEASE TAKE NOTICE** that, upon the annexed affirmation of Marc A. Lebowitz, dated March 29, 2019, and the exhibit annexed hereto, and upon the annexed Affidavit of William Heath, dated March 28, 2019, and the exhibits annexed hereto, and upon the Memorandum of Law in Support, dated March 29, 2019, and upon all prior pleadings and proceedings had herein, defendants William Heath, David Kuzmanich, Kim Tabet, Robert Nuell and David Robinson, by the undersigned attorneys, will move this Court, at the Motion Submission Part, Room 130, at the Courthouse located at 60 Centre Street, New York, New York, on the 20th day of June, 2019, at 9:30 a.m., or as soon thereafter as Counsel can be heard, for an order pursuant to CPLR Rule 3211(a)(1), (3) and (7), dismissing Plaintiff's Second Amended Complaint in its entirety, and granting Defendants such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant a stipulation entered into between the parties on March 4, 2019 (D.E. No. 50), the date for Plaintiff to file her opposition papers, if any, is May 29, 2019, and

Defendants' Reply papers shall be due on June 19, 2019.

Dated: New York, New York  
March 29, 2019

LEBOWITZ LAW OFFICE, LLC

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*Attorneys for Plaintiff*