

Exhibit 1

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

MEREDITH BUSER and ELLEN BUSER as Co-
Personal Representatives of the Estate of EUGENE L.
BUSER, NANCY TUMPOSKY, and JEROME
CORTELLESI,

Plaintiffs,

v.

DESMOND T. BARRY, JR., THOMAS T. EGAN,
JOHN P. HEANUE, WILLIAM M. KELLY,
FRANCIS P. BARRON, and WINGED FOOT GOLF
CLUB, INC.,

Defendants.

WINGED FOOT HOLDING CORPORATION,

Nominal Defendant.

INDEX NO. 655987/2020

**DEMAND FOR CHANGE
OF VENUE**

PLEASE TAKE NOTICE THAT defendants Desmond T. Barry, Jr., Thomas F. Egan, John P. Heanue, William M. Kelly, Francis P. Barron, and Winged Foot Golf Club, Inc. hereby demand, pursuant to CPLR §§ 511(a) and (b), that the place of trial in the above referenced matter be changed from New York County, where venue is improper, to Westchester County, where venue would be proper under CPLR § 507.

Plaintiffs seek common law dissolution of the Winged Foot Holding Corporation and the distribution of its assets, specifically 280 acres of land located entirely in Westchester County and subject to a lease held by the Winged Foot Golf Club, Inc. Compl. ¶ 1. Dissolution of the Winged Foot Holding Corporation would require sale of

the land and thus would clearly affect the “title to, or the possession, use or enjoyment of” that real property. N.Y. CPLR § 507. Venue must therefore be changed to Westchester County, where the land is located.

Dated: December 11, 2020



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