

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

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DEVELOP DON'T DESTROY BROOKLYN, et	:	
al.,	:	Index No. 100686/06
	:	
Petitioners – Plaintiffs	:	IAS Part 35
	:	
- against -	:	Justice Edmead
	:	
EMPIRE STATE DEVELOPMENT	:	NOTICE OF CROSS-
CORPORATION and	:	MOTION TO
FOREST CITY RATNER COMPANIES,	:	DISMISS
	:	PETITION
Respondents – Defendants.	:	
	:	

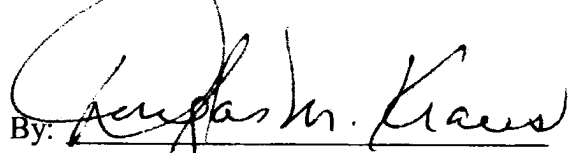
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PLEASE TAKE NOTICE that, upon the annexed affidavit of Rachel Shatz sworn to on February 8, 2006 and the exhibits annexed thereto; the Affirmation of Anita W. Laremont, Esq. executed on February 8, 2006 and the exhibit annexed thereto; the Affirmation of David Paget, Esq. executed on February 8, 2006; the accompanying memorandum of law; and all papers and proceedings herein, respondent Empire State Development Corporation will cross-move this Court, before the Honorable Carol Edmead, at 60 Centre Street, New York, New York, on the 14th day of February, 2006 at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order, pursuant to

CPLR 7804(f) and 3211(a)(7), dismissing the verified petition herein on the ground that it fails to state a claim for which relief can be granted.

Dated: February 9, 2006
New York, New York

Respectfully Submitted,

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