

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLIAM MURAWSKI, also known as BILL
MURAWSKI, and all other candidates who are
similarly situated,

Plaintiff(s),

- against -

NEW YORK STATE BOARD OF ELECTIONS,
NEW YORK CITY BOARD OF ELECTIONS, and
the NEW YORK CITY CAMPAIGN FINANCE
BOARD,

Defendants.

1:17-cv-06859-RWS

**NEW YORK STATE BOARD OF ELECTIONS’
NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the Amended Complaint, dated September 22, 2017; the Affidavit of William Murawski in Support of the Amended Complaint, dated September 22, 2017, and exhibits attached thereto; the accompanying Memorandum of Law in Support of New York State Board of Elections’ Motion to Dismiss, dated October 6, 2017; the Declaration of Owen T. Conroy and exhibits attached thereto; and all prior pleadings and proceedings herein, Defendant New York State Board of Elections (“State Board”) will move this Court before the Honorable Robert W. Sweet, United States District Judge, at the United States District Court, 500 Pearl Street, New York, NY 10007, at a time and date to be set by the Court, for an order pursuant to Federal Rule of Civil Procedure 12(b)(1) dismissing the claims against the State Board for lack of subject matter jurisdiction, together with such other and further relief as the Court deems just and proper. The State Board further requests that all discovery be stayed pending resolution of this motion.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), any opposition papers shall be served within fourteen days after service of these moving papers. Defendant's reply papers, if any, will be served within seven days after service of the opposition papers.

Dated: New York, New York
October 6, 2017

ERIC T. SCHNEIDERMAN
Attorney General of the
State of New York
*Attorney for New York State Board of
Elections*

By: /s/ Owen T. Conroy
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