

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
LAWRENCE GILDER,

Plaintiff,

-against-

**NOTICE OF MOTION**

JOHN P. GULLINO, both individually and in his capacity as the Chairman of the DEMOCRATIC COMMITTEE OF RICHMOND COUNTY, BOARD OF ELECTIONS IN THE CITY OF NEW YORK, CLERK 1, CLERK 2 and CLERK 3, said names being as of yet unidentified parties, JOHN and JANE DOES 1-10, said names being fictitious; XYZ ENTITIES, AND JOHN DOE(S) #1-10,

Index No.: 15-CV-04094  
(KAM)(RER)

Defendants.  
-----X

**PLEASE TAKE NOTICE** that upon the Declaration of Andrew L. Hoffman, Esq., dated October 15, 2015, with accompanying exhibits, Defendants John Gulino and the Democratic Party of Richmond County will move before the Hon. Kiyo A. Matsumoto of the United States District Court for the Eastern District of New York on a return date set by the Court, for an Order granting their motion to dismiss the Plaintiff's Complaint as against them in its entirety, pursuant to FED. R. CIV. P. 12(b)(6), together with such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that the movant intends to file and serve reply papers per the schedule set by the Court.

**PLEASE TAKE FURTHER NOTICE** the party opposing must file its opposition papers per the schedule set by the Court.

Dated: October 15, 2015  
New York, NY

Respectfully Submitted,

By:

/s/ Andrew L. Hoffman

---

Langweber McQuat, LLP

Andrew L. Hoffman, Of Counsel &

Richard M. Langweber, Esq.

261 Madison Ave., 12<sup>th</sup> Floor

New York, NY 10016

P: (646) 771-6772

F: (212) 736-3910

rlangweber@langwebermcquat.com

ahoffman@andrewhoffmanlaw.com

*Counsel to Defendants John P. Gulino, Esq.,  
and the Democratic Committee of Richmond  
County*