

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x

SAMUEL H. SLOAN,

Plaintiff,

**NOTICE OF MOTION**

15-CV-6963 (LGS)

-against-

MICHAEL MICHEL, JOSE MIGUEL ARAUJO,  
RONALD CASTORINA JR., JOHN FLATEAU, MARIA  
R. GUASTELLA, MICHAEL A. RENDINO, ALAN  
SCHULKIN, SIMON SHAMOUN, GREGORY C.  
SOUMAS, MICHAEL J. RYAN, BIANKA PEREZ,  
STEVEN HOWARD RICHMAN, JERRY H.  
GOLDFEDER, STANLEY KALMON SCHLEIN,  
VENANCIO BENNY CATALA, DANIEL  
SZALKIEWICZ, STEPHEN EDWARD KITZINGER,  
DOUGLAS ARTHUR KELLNER, KIMBERLY GALVIN,  
KATHLEEN O'KEEFE, BOARD OF ELECTIONS IN  
THE CITY OF NEW YORK, NEW YORK STATE  
BOARD OF ELECTIONS,

Defendants.

----- x

**PLEASE TAKE NOTICE** that, upon the Memorandum of Law in Support of Motion to Dismiss the Complaint, dated November 12, 2015, and upon all papers and proceedings previously had herein, **Defendants, Jerry H. Goldfeder, Stanley Kalmon Schlein, Venancio Benny Catala, Daniel Szalkiewicz, and Stephen Edward Kitzinger** will move this Court, before the Honorable Lorna G. Schofield, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York, on a date and at a time to be designated by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the Complaint on the grounds that (1) Plaintiff fails a cause of action, (2) Defendant Kitzinger is also entitled to absolute immunity; and (3) Defendant Szalkiewicz is also entitled to dismissal based on res judicata.

**PLEASE TAKE FURTHER NOTICE**, that, pursuant to the Scheduling Order issued by the Court, Plaintiff's opposition papers are due on December 11, 2015.

Dated: New York, New York  
November 12, 2015

ZACHARY W. CARTER  
Corporation Counsel of the  
City of New York  
**Attorney for Defendant Kitzinger**  
100 Church St., Rm. 2-174  
New York, New York 10007  
(212) 356-2086  
[corsland@law.nyc.gov](mailto:corsland@law.nyc.gov)

By: s/  
CHLARENS ORSLAND  
Assistant Corporation Counsel

JERRY H. GOLDFEDER, ESQ.  
**Defendant Pro Se**  
STROOCK & STROOCK & LAVIN, LLP  
180 Maiden Lane  
New York, New York 10035  
Tel: 212-806-5400

By: s/  
JERRY H. GOLDFEDER, ESQ.

STANLEY KALMON SCHLEIN, ESQ.  
**Defendant Pro Se**  
481 King Avenue  
Bronx, New York 10464-1228  
(718) 885-3321

By: s/  
STANLEY KALMON SCHLEIN, ESQ.

DANIEL SZALKIEWICZ, ESQ.  
**Defendant Pro Se**  
7 Dey Street, #900B  
New York N.Y. 10007  
(212) 706-1007

By: s/  
DANIEL SZALKIEWICZ, ESQ.

MARISSA SOTO, ESQ.  
**Attorney for Defendant Catala**  
1937 Williamsbridge Road  
Bronx, N.Y. 10461  
(646) 812-6347

By: s/  
MARISSA SOTO, ESQ.

To: SAMUEL H. SLOAN  
**Plaintiff Pro Se**  
1664 Davidson Avenue  
Bronx, N.Y. 10453  
(917) 659-3397  
[samhsloan@gmail.com](mailto:samhsloan@gmail.com)

HON. ERIC T. SCHNEIDERMAN  
Attorney General of the State of New York  
**Attorney for NY State Defendants**  
JANE GOLDBERG, of Counsel  
120 Broadway  
New York, NY 10271  
(212) 416-8610

ZACHARY W. CARTER  
Corporation Counsel of the City  
of New York  
**Attorney for NYC Board of Election Defendants**  
STEPHEN E. KITZINGER  
100 Church Street, Rm. 2-126  
New York, N.Y. 10007  
[skitzing@law.nyc.gov](mailto:skitzing@law.nyc.gov)  
(212) 356-2087

Index No. 15-CV-6963 (LGS)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAMUEL H. SLOAN,

Plaintiff,

-against-

MICHAEL MICHEL, JOSE MIGUEL ARAUJO,  
RONALD CASTORINA JR., JOHN FLATEAU,  
MARIA R. GUASTELLA, MICHAEL A. RENDINO,  
ALAN SCHULKIN, SIMON SHAMOUN, GREGORY  
C. SOUMAS, MICHAEL J. RYAN, BIANKA PEREZ,  
STEVEN HOWARD RICHMAN, JERRY H.  
GOLDFEDER, STANLEY KALMON SCHLEIN,  
VENANCIO BENNY CATALA, DANIEL  
SZALKIEWICZ, STEPHEN EDWARD KITZINGER,  
DOUGLAS ARTHUR KELLNER, KIMBERLY  
GALVIN, KATHLEEN O'KEEFE, BOARD OF  
ELECTIONS IN THE CITY OF NEW YORK, NEW  
YORK STATE BOARD OF ELECTIONS,

Defendants.

**NOTICE OF MOTION TO DISMISS THE  
COMPLAINT**

**ZACHARY W. CARTER**

*Corporation Counsel of the City of New York*

*Attorney for Defendant Kitzinger*

*100 Church Street*

*New York, N.Y. 10007*

*Of Counsel: Chlarens Orsland*

*Tel: (212) 356-2086*

*Matter #. 2015-041707*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 20.....*

*....., Esq.*

*Attorney for.....*