

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KERRY WACHTER, *et al.*,

Plaintiffs,

NOTICE OF MOTION

-against-

1:25-CV-01718
(GTS/CBF)

LETITIA JAMES, *et al.*,

Defendants.

Motion By:

LETITIA JAMES
Attorney General of the State of New York
Attorney for Defendants

By: Aimee Cowan, Esq.
Assistant Attorney General, of Counsel
Bar Roll No. 516178

Time and Place of Hearing:

_____, at 10:00 a.m. before District
Court Judge Glenn T. Suddaby to be held at
the United States District Courthouse in
Syracuse, New York, **upon submission only**

Relief and Basis:

An Order pursuant to F.R.C.P. 12(b)(6)
dismissing Plaintiffs' complaint with
prejudice, and for such other and further relief
as the Court deems just and proper.

Supporting Papers:

Declaration of Attorney Aimee Cowan;
Declaration of Assistant Attorney General
Rachel Finn; Declaration of Counsel and
Deputy Commissioner for Legal Affairs for
the New York State Education Department
Daniel Morton-Bentley; and Defendants'
Memorandum of Law.

Dated: Syracuse, New York
February 20, 2026

LETITIA JAMES
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Jordan R. Miller, Esq.
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560 W. Crossville Road, Suite 104
Roswell, GA 30075

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 20, 2026, she filed Defendants' opposition to Plaintiffs' Motion for a Preliminary Injunction and Cross-Motion to Dismiss by electronically filing with the Clerk of the Court herein, using the CM/ECF system, which is understood to have sent notification of such filing electronically to the following:

James V. F. Dickey, Esq.
Jordan R. Miller, Esq.
Attorneys for Plaintiffs
Southeastern Legal Foundation
560 W. Crossville Road, Suite 104
Roswell, GA 30075

Dated: February 20, 2026

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