

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

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In the Matter of the Application of
NEW YORK CITY COALITION TO END LEAD
POISONING, INC., et al.,

NOTICE OF MOTION

New York County Index
No. 120911/99

Plaintiffs-Respondents,

For a Judgment pursuant to Article 78 and § 3001 of the
Civil Practice Law and Rules

-against-

PETER VALLONE, as Speaker of the New York City
Council, et al.,

Defendants-Appellants.

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PLEASE TAKE NOTICE that upon the annexed affirmation of Mark Muschenheim, dated March 12, 2001; the annexed affirmation of Harold Shultz, dated March 12, 2001; the annexed affidavit of Jessica Leighton, Ph.D., dated March 12, 2001; the annexed affidavit of Joseph Strasburg, dated March 12, 2001; the annexed affidavit of Nick LaPorte, dated March 12, 2001; the annexed affidavit of Dan Margulies, dated March 12, 2001; the annexed affidavit of Steven Spinola, dated March 12, 2001; the accompanying appendix; the Notice of Appeal, dated March 1, 2001; the decision of the Supreme Court, New York County (York, J.), dated October 11, 2000; the judgment of the Supreme Court, New York County (York, J.), dated January 3, 2001 and entered February 22, 2001; and all the papers and proceedings in this action, defendants-appellants will move this Court at a term to be held at the Courthouse located at 27 Madison Avenue, New York, New York, on April 3, 2001, at 10:00 a.m., for an order (1) declaring that there is in effect an automatic statutory stay pursuant to CPLR 5519(a)(1) of the declaratory judgment appealed from pending determination of this

appeal; (2) in the alternative to such a declaration, granting a stay pursuant to CPLR 5519(c) of such declaratory judgment appealed from pending determination of this appeal; and (3) granting such other and further relief that this Court may deem just and proper.

Dated: New York, New York
March 12, 2001

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