

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND

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VITO J. FOSSELLA, NICHOLAS A. LANGWORTHY,  
JOSEPH BORRELLI, NICOLE MALLIOTAKIS,  
ANDREW LANZA, MICHAEL REILLY, MICHAEL  
TANNOUSIS, INNA VERNIKOV, DAVID CARR, JOANN  
ARIOLA, VICKIE PALADINO, ROBERT HOLDEN,  
GERARD KASSAR, VERALIA MILLIOTAKIS,  
MICHAEL PETROV, WAFIK HABIB, PHILLIP YAN  
HING WONG, NEW YORK REPUBLICAN STATE  
COMMITTEE, and REPUBLICAN NATIONAL COMMITTEE

Plaintiffs,

**NOTICE OF MOTION**

Index No. 85007/2022

-against-

ERIC ADAMS, in his official capacity as Mayor of New  
York City, BOARD OF ELECTIONS IN THE CITY OF  
NEW YORK, CITY COUNCIL OF THE CITY OF NEW  
YORK,

Defendants,

-and-

HINA NAVEED, ABRAHAM PAULOS, CARLOS  
VARGAS GALINDO, EMILI PRADO, EVA SANTOS VELOZ,  
MELISSA JOHN, ANGEL SALAZAR,  
MUHAMMAD SHAHIDULLAH, and JAN EZRA UNDAG

Defendant-Intervenors.

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**PLEASE TAKE NOTICE** that upon the annexed Affirmation of Fulvia Vargas-De  
Leon, Esq., dated May 9, 2022; Intervenor-Defendants' memorandum of law in support of the  
motion for summary judgment, and upon all papers, pleadings, and proceedings heretofore had

and filed herein, the undersigned counsel will move before this Court located at 26 Central Avenue, Staten Island, New York 10301 on June 7, 2022 at 2:30 p.m., or as soon thereafter as counsel can be heard, for an order:

- (A) Pursuant to CPLR § 3212, awarding intervenor-defendants summary judgment in this action and dismissing all claims with prejudice as a matter of law as there exists no issue of fact;
- (B) Pursuant to CPLR §3211(a)(2) dismissing the complaint in its entirety as parties have no legal capacity to sue;
- (C) Pursuant to CPLR §3211(a)(7) dismissing the complaint in its entirety as plaintiffs have failed to state a cause of action.
- (D) granting such other and further relief as may be just and proper.

**PLEASE TAKE FURTHER NOTICE**, that pursuant to court order dated April 13, 2022, opposition papers are to be served not later than May 27, 2022 and reply papers not later than June 2, 2022.

Dated: New York, NY  
May 9, 2022

/s/ Fulvia Vargas-De Leon  
Lourdes Rosado

Fulvia Vargas-De Leon  
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