SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

F and N,	x :	
Plaintiffs,	:	Index No.:
-against-	:	
B, E, J, M and A,	:	**NOTICE OF MOTION TO DISMISS THE COMPLAINT**
Defendants.	:	
	x	

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of T ("**T affidavit**") in Support of Defendant E's Motion and an Affirmation of E's Attorney dated _____, with the exhibits attached thereto, and accompanying Memorandum of Law in support of E's Motion to Dismiss the Verified Complaint (the "**Complaint**") filed by Plaintiffs F and N (collectively, "**N**" or "**Plaintiffs**) and all of the pleadings and proceedings heretofore had herein, Defendant E, by and through its undersigned counsel, will move this court, at Motion Submission Part, Room ___, of the Courthouse, New York, New York, at ___ (*time*) on _____, or as soon thereafter as counsel may be heard, for an order, (1) pursuant to CPLR 3211 (a)(7), dismissing the Third and Fifth causes of action of the Complaint as alleged against E on the grounds that (a) the Complaint fails to state a cause of action (b) Plaintiff failed to adduce sufficient documentary evidence in support of its contention (2) awarding Defendants its costs and disbursements herein, together with such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214(b) all answering papers (if any) must be served upon the undersigned at least seven (7) days prior to the return date of this

motion, and cross motion papers (if any) must be served in accordance with CPLR 2215.

Dated: New York, New York

_____ _____

_____

_____

Attorneys for Defendant E

To:

_____

_____

_____

Attorney for Plaintiff