

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ALAN KACHALSKY, CHRISTINA NIKOLOV, ERIC
DETMER, JOHNNIE NANCE, ANNA MARCUCCI-
NANCE, and SECOND AMENDMENT
FOUNDATION, INC., Plaintiffs,
-against-

**NOTICE OF MOTION TO
DISMISS AMENDED
COMPLAINT**

Case No.: 10 CV 05413 (CS)


SUSAN CACACE, JEFFREY A. COHEN, ALBERT
LORENZO, ROBERT K. HOLDMAN, and COUNTY
OF WESTCHESTER,
Defendants.

ECF Case

-----X
PLEASE TAKE NOTICE that upon the annexed declaration of Melissa-Jean Rotini,
Assistant County Attorney, dated the 9th day of November 2010, the accompanying
Memorandum of Law, and upon all the papers and proceedings heretofore had herein Defendant
the County of Westchester (hereinafter the "County") will move this Court before the Honorable
Cathy Seibel, United States District Judge, Southern District of New York, 300 Quarropas Street,
White Plains, NY 10601, for an Order pursuant to Rule 8 and Rule 12(b)(1) and (6) of the
Federal Rules of Civil Procedure dismissing the Amended Complaint with prejudice against the
County, and for such other relief as this Honorable Court deems just and proper.

Should this Honorable Court deny this motion, the County respectfully requests that it be
allowed thirty (30) days from the date of entry of such an order to answer the Amended
Complaint.

Dated: White Plains, New York
November 9, 2010

Yours, etc.,
ROBERT F. MEEHAN
WESTCHESTER COUNTY ATTORNEY
By: 
Melissa-Jean Rotini (MR-4948)
Assistant County Attorney, Of Counsel
148 Martine Avenue, 6th Floor
White Plains, NY 10601
914-995-3630