

TO: Deputy Clerk
Superior Court of New Jersey
Mercer County Central Finance Office
Civil Courts Building
175 South Broad Street
Trenton, New Jersey 08650-0068

Hon. Linda R. Feinberg, A.J.S.C.
Superior Court of New Jersey
Civil Courts Building
175 South Broad Street
Trenton, New Jersey 08650-0068

Lawrence S. Lustberg, Esq.
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A Professional Corporation
One Riverfront Plaza
Newark, New Jersey 07102-5497

JUDGE FEINBERG, CLERK, and COUNSEL:

PLEASE TAKE NOTICE that, on March 21, 2003, at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned Peter C. Harvey, Acting Attorney General of New Jersey, by Patrick DeAlmeida, Deputy Attorney General, attorney for defendants, shall move pursuant to R. 4:6-2(e) before the Hon. Linda R. Feinberg, A.J.S.C., Superior Court of New Jersey, Mercer County, for an Order dismissing the Amended Complaint in the above-captioned matter for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that defendants will rely on the enclosed Brief in support of this motion.

PLEASE TAKE FURTHER NOTICE that, pursuant to R.1:6-2(d),
defendants request oral argument on this motion.

The following dates have been scheduled in this matter:

Court Conference: 02/28/03

Pretrial: None


Calendar Call: None

Trial Date: None

Arbitration Date: None

A form of Order is attached.

PETER C. HARVEY
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: 
Patrick DeAlmeida
Deputy Attorney General

Dated: Trenton, New Jersey
February 24, 2003