

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARK A. FAVORS et al.,

Plaintiffs,

No. 11 Civ. 5632 (RR) (GEL) (DLI)

v.

ANDREW M. CUOMO et al.,

Defendants.

**NOTICE OF MOTION TO AMEND
ANSWER TO ASSERT CROSS-CLAIM**

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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Motion to Amend Answer to Assert Cross-Claim and Declaration of Alexander Goldenberg dated May 1, 2012 and accompanying exhibit, Defendants Senate Minority Leader John L. Sampson and Senator Martin Malavé Dilan will make a motion, before the Honorable Reena Raggi, United States Circuit Court Judge, the Honorable Judge Gerald E. Lynch, United States Circuit Court Judge, and the Honorable Dora L. Irizarry, United States District Court Judge, the United States Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201 for an order pursuant to Rule 15(b) of the Federal Rules of Civil Procedure to amend their Answer to the Amended Complaint to assert a cross-claim challenging the constitutionality of the enacted Senate plan pursuant to the Fourteenth Amendment's equal population requirement, and granting such other and further relief as the Court deems just and proper.

Dated: May 1, 2012
New York, New York

By: /s/ Eric Hecker
Eric Hecker

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