

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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HAROLD L. ROSENBERGER,

Plaintiff,

-against-

NEW YORK STATE OFFICE OF TEMPORARY AND  
DISABILITY ASSISTANCE; ROBERT DOAR,  
Commissioner, in his official capacity; and ULSTER  
COUNTY FAMILY COURT,

Defendants.

**NOTICE OF MOTION**

04-CV-0475

(GLS)(DRH)

PLEASE TAKE NOTICE that upon the accompanying Declaration of David B. Roberts, Assistant Attorney General, executed on June 23, 2004, and the accompanying Memorandum of Law dated June 23, 2004, and upon the pleadings and all prior papers by and between the parties of this action, the undersigned shall move for an order pursuant to Rule 55(c) of the Federal Rules of Civil Procedure setting aside the Clerk's entry of default against defendants New York State Office of Temporary and Disability Assistance, Robert Doar, and the Ulster County Family Court, and granting such other and further relief as the Court may deem just and proper, on August 5, 2004, at 10:00 a.m. before the Honorable Gary L. Sharpe, United States District Judge, James T. Foley United States Courthouse, 445 Broadway, Albany New York, 12207-2924.

PLEASE ALSO NOTE, pursuant to Local Rule 7.1 (b) (2) of the Local Rules of the Northern District of New York, your papers in opposition to the defendants' motion must be filed with the Court and served on counsel for defendants not less than seventeen days prior to the return date of the motion.

Dated: Albany, New York  
June 23, 2004

ELIOT SPITZER  
Attorney General of the State of New York

/s Lisa Ullman

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