AFFIDAVIT OF SERVICE

State of New York)

)s.s.:

County of Nassau)

AMY MEACHUM, being duly sworn deposes and says:

I am not a party to the action, am over 18 years of age and reside in Bay Shore, New York. On September 11, 2009, I served a true copy of the annexed **MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS** in the following manner:

By mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the US Postal Service within the State of New York, upon:

RAYMOND NARDO, ESQ.

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Faley

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the attorney(s) for the respective parties in this action, at the above address(es) designated by said attorney(s) for that purpose by depositing same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

Sworn to before me

this 11th day of September, 2009

NOTARY PUBLIC

amy MEACHUM

THEODORA MALIKOUTIS
Notary Public, State of New York
No. 01MA6005938
Qualified in Nassau County
Commission Expires April 20, 20