

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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| JAMES L. ALEXANDER, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 5:07-cv-00117-FJS-GHL |
| |) | |
| THOMAS J. CAHILL, et al., |) | |
| |) | |
| Defendants. |) | |
| |) | |

NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that Plaintiffs will move this Court at the Courthouse located at 100 S. Clinton Street, Syracuse, NY 13261, before Judge Frederick J. Scullin, Jr. at 3:00 p.m. on June 18, 2007, for an order granting summary judgment to the plaintiffs under Federal Rule of Civil Procedure 56, and declaring unconstitutional and permanently enjoining enforcement of §§ 1200.6(c)(1), (5), (7), (g)(1), 1200.7(e), 1200.8(g), 1200.41-a, and the first clause of § 1200.6(c)(3) of the amendments to the Disciplinary Rules of the Code of Professional Responsibility that became effective on February 1, 2007, as well as §§ 1200.6, 1200.7, and 1200.41-a of the rules as applied to communications where the lawyer’s primary purpose is not pecuniary gain. The grounds for this motion are set forth in the accompanying memorandum and statement of material facts. Plaintiffs request oral argument on the motion.

Respectfully submitted,

/s/ Gregory A. Beck

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