

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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

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**NOTICE OF MOTION AND MOTION FOR PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that Plaintiffs will move this Court at the Courthouse located at 445 Broadway, Albany, NY 12207 before Judge Frederick J. Scullin, Jr. at 10:00 a.m. on March 23, 2007, for an order granting a preliminary injunction against enforcement of §§ 1200.6(c)(1), (3), (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, and against enforcement of §§ 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 affidavits.

This is a non-dispositive motion. Pursuant to Local Rule 7.1(b)(2) a conference was held between counsel for the plaintiffs and counsel for the defendants on February 14, 2007, at which counsel for the defendants stated that the defendants do not consent to this motion.

Respectfully submitted,

/s Scott L. Nelson

Scott L. Nelson

N.D.N.Y. Bar Roll No. 513515

Gregory A. Beck

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Brian Wolfman

DC Bar No. 427491, *pro hac vice* pending

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Dated: February 14, 2007