

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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LEVI YODER, JONAS ZOOK, SAM ZOOK, JOHN L.  
HERSHBERGER, MENNO S. HERSHBERGER, URIE  
HERSHBERGER, MENNO L. GLICK, ANDY A. MILLER,  
DANNIE L. SCHWARTZENTRUBER, MOSIE  
SCHWARTZENTRUBER, PETER D. SCHWARTZENTRUBER,  
BISHOP HARVEY MILLER, and BISHOP MOSE MILLER,

Plaintiffs,

**Civil Case No.: 09-cv-0007  
(TJM/GHL)**

- against -

TOWN OF MORRISTOWN, LANETTA KAY DAVIS, in her  
official capacity; FRANK L. PUTMAN, in his official capacity;  
HOWARD WARREN, in his official capacity; DAVID STOUT, III,  
in his official capacity; MARK BLANCHARD, in his official  
capacity; CHRISTOPHER COFFIN, in his official capacity; and  
GARY TURNER, in his official capacity,

Defendants.

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**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the enclosed Declaration of April J. Laws, Esq., with exhibits "A" through "D" attached thereto, Defendants' Memorandum of Law, and upon all prior pleadings and proceedings heretofore filed herein, the undersigned, on behalf of the Defendants, shall move this court before the Neal P. McCurn, Senior USDJ at 11:00 a.m. on April 3, 2012, or as soon thereafter as counsel may be heard, at t at the U.S. Courthouse and Federal Building, 445 Broadway, Albany, New York, for (a) an Order granting leave to amend their Answer pursuant to FRCP 15(a) to clarify and supplement an Affirmative Defense; and (b) for such other and further relief in favor of Defendants as the Court deems appropriate.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 7.1(b)(1) opposition

papers, if any, must be served upon the undersigned at least seventeen (17) days prior to the return date.

Dated: February 17, 2012

LEMIRE JOHNSON, LLC

s/April J. Laws

By:

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Gregg T. Johnson (506443)  
April J. Laws (517148)  
Attorneys for Defendants  
2534 Route 9 - P.O. Box 2485  
Malta, New York 12020  
(518) 899-5700

TO: Michael Mervis, Esq.  
Jason Gerstein, Esq.  
Daniel Goldberger, Esq.  
Russell L. Hirschhorn, Esq.  
Attorneys for Plaintiffs  
Proskauer Rose, LLP  
11 Times Square  
New York, New York 10036  
Tel: 212-969-3565  
Email: [mmervis@proskauer.com](mailto:mmervis@proskauer.com)  
[jgerstein@proskauer.com](mailto:jgerstein@proskauer.com)  
[dgoldberger@proskauer.com](mailto:dgoldberger@proskauer.com)  
[rhirschhorn@proskauer.com](mailto:rhirschhorn@proskauer.com)

Eric C. Rassbach, Esq.  
Eric N. Kniffin, Esq.  
Lori H. Windham, Esq.  
Attorney for Plaintiffs  
The Becket Fund for Religious Liberty  
3000 K St N.W. – Suite 200  
Washington, D.C. 20007  
Tel: 202-349-7211  
Email: [erassbach@becketfund.org](mailto:erassbach@becketfund.org)  
[ekniffin@becketfund.org](mailto:ekniffin@becketfund.org)  
[lwindham@becketfund.org](mailto:lwindham@becketfund.org)