

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEFFREY ATKINS p/k/a JA RULE,
SLAVERY MUSIC, IRVING LORENZO
p/k/a IRV GOTTI, and DJ IRV PUBLISHING,

11 CIV. 3976 (AKH)
ECF Case

Plaintiffs,

NOTICE OF MOTION
TO DISMISS
COMPLAINT

-against-

RICH KID MUSIC, INC. and RHONDO
ROBINSON,

Defendants.

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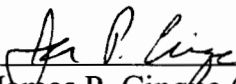
PLEASE TAKE NOTICE that upon the annexed declaration of James P. Cinque sworn to August 30, 2011, and the exhibits annexed thereto, defendants Rich Kid Music, Inc. and Rhondo Robinson will move this Court at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007 before the Honorable Alvin K. Hellerstein on September 20, 2011 at 9:30 a.m. or as soon thereafter as counsel can be heard for an order dismissing the complaint: (a) pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted, upon the ground that the claims are barred by the statute of limitations; and (b) pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction, upon the ground that the amount in controversy does not exceed the sum or value of \$75,000.00.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 6.1(b),
answering papers must be served within ten (10) business days.

DATED: NEW YORK, NEW YORK
AUGUST 30, 2011

Respectfully submitted,

CINQUE & CINQUE, P. C.

By: 
James P. Cinque (JPC-3673)

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