

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSEPH J. O’HARA,)	1:12-CV-0252 GLS/ATB
)	
)	
Plaintiff,)	
)	
vs.)	NOTICE OF PROSKAUER
)	DEFENDANTS’ MOTION
)	TO DISMISS
)	
KEITH A. RANIERE)	
A/K/A “VANGUARD,” ET AL.,)	
)	
Defendants.)	

PLEASE TAKE NOTICE that, upon the enclosed Memorandum of Law, Defendants Scott A. Eggers, Scott Harshbarger, Peter J.W. Sherwin, Douglas C. Rennie and Proskauer Rose LLP (the “Proskauer Defendants”) respectfully move this Court to dismiss the Plaintiff’s Complaint in its entirety with prejudice for failure to state a claim pursuant to Fed. R. Civ. Pro. 12(b)(6). Pursuant to Local Rule 7.1(a)(1), copies all cases cited in the enclosed Memorandum of Law that are reported exclusively on computerized are attached as an appendix hereto.

PLEASE TAKE NOTICE that this motion is returnable on August 2, 2012, at 9:00 a.m.

Respectfully submitted,

s/ Michael T. Mervis

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Dated: June 20, 2012