

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

MOON ROCKET INC., EXOTICS ON
ROOSEVELT CORP., SMOKER'S WORLD 1
CORP., STZ CONVENIENCE SHOP INC.,
SMOKE BASE CONVENIENCE STORE INC.,
BIG APPLE CONVENIENCE 2 CORP., LUSH
CONVENIENCE 161 INC., EMPIRE CITY
SHOP INC., QUICK SMART CONVENIENCE
CORP., MOTHER GASTON GOURMET DELI
CORP., S & M SNACKS CORP., 555 DELI CORP.,
LOUD PACK NY CORP., 175 GRAND
CONVENIENCE CORP., MAO SHOPPE CORP.,
22 CONVENIENT SHOP CORP., 125 RED EYE
INC., NOISE PACK CORP., VANWYCK MINI
MARKET CORP., OMEGA CONVENIENCE INC.,
RUSH HOUR EXOTICS CORP., 1452 ALPHA INC.,
GENERAL ZAZA LLC, 64 ST. CONVENIENCE
CORP., MOONSHOT EXOTIC CONVENIENT
CORP., VEGAN MAGIC INC., and FIRST
CHOICE CONVENIENCE CORP.,

Plaintiffs,

- against -

CITY OF NEW YORK, PRESTON NIBLACK,
COMMISSIONER NEW YORK CITY
DEPARTMENT OF FINANCE, NEW YORK CITY
SHERIFF ANTHONY MIRANDA, AND
ASIM REHMAN, COMMISSIONER NEW YORK
CITY OFFICE OF ADMINISTRATIVE TRIALS
AND HEARINGS,

Defendants.

NOTICE OF MOTION

24-CV-4519 (JPO)

----- X

PLEASE TAKE NOTICE that upon the accompanying Memorandum of

Law in support of this motion, dated August 9, 2024; and upon the pleadings herein, the undersigned will move this Court, before the Honorable J. Paul Oetken, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 40 Foley Square, New York, New York, at a time set by the Court, for an

order, pursuant to Rules 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Complaint, and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that, pursuant to Section 3(D)(ii) of the Individual Rules and Practices in Civil Cases of J. Paul Oetken, plaintiffs must file a notice stating whether they intend to file an amended pleading on or before August 19, 2024;

PLEASE TAKE FURTHER NOTICE, that, pursuant to Rule 6 of the Federal Rules of Civil Procedure, should plaintiffs decline to amend the Complaint, any opposition papers should be filed on or before August 23, 2024.

PLEASE TAKE FURTHER NOTICE, that, pursuant to Rule 6 of the Federal Rules of Civil Procedure, any reply papers should be filed on or before August 30, 2024

Dated: New York, New York
August 9, 2024

MURIEL GOODE-TRUFANT
Acting Corporation Counsel of
the City of New York
Attorney for Defendants
100 Church St., Rm. 5-143
New York, New York 10007
Email: alulich@law.nyc.gov
Tel: (212) 356-2369
Fax: (212) 356-2019

By: /s/
Aimee K. Lulich
Rachel Moston
Scali Riggs
Assistant Corporation
Counsels

24-CV-4519 (JPO)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOON ROCKET INC., EXOTICS ON
ROOSEVELT CORP., SMOKER'S WORLD 1
CORP., STZ CONVENIENCE SHOP INC.,
SMOKE BASE CONVENIENCE STORE INC.,
BIG APPLE CONVENIENCE 2 CORP., LUSH CONVENIENCE 161
INC., EMPIRE CITY
SHOP INC., QUICK SMART CONVENIENCE
CORP., MOTHER GASTON GOURMET DELI
CORP., S & M SNACKS CORP., 555 DELI CORP.,
LOUD PACK NY CORP., 175 GRAND
CONVENIENCE CORP., MAO SHOPPE CORP.,
22 CONVENIENT SHOP CORP., 125 RED EYE
INC., NOISE PACK CORP., VANWYCK MINI
MARKET CORP., OMEGA CONVENIENCE INC.,
RUSH HOUR EXOTICS CORP., 1452 ALPHA INC., GENERAL
ZAZA LLC, 64 ST. CONVENIENCE
CORP., MOONSHOT EXOTIC CONVENIENT
CORP., VEGAN MAGIC INC., and FIRST
CHOICE CONVENIENCE CORP.,

Plaintiffs,

- against -

CITY OF NEW YORK, PRESTON NIBLACK, COMMISSIONER
NEW YORK CITY
DEPARTMENT OF FINANCE, NEW YORK CITY
SHERIFF ANTHONY MIRANDA, AND
ASIM REHMAN, COMMISSIONER NEW YORK
CITY OFFICE OF ADMINISTRATIVE TRIALS
AND HEARINGS,

Defendants.

NOTICE OF MOTION

Muriel Goode-Trufant
Acting Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street Room 5-143
New York, N.Y. 10007

Of Counsel: Aimee Lulich, Rachel Moston, Scali
Riggs
Tel: (212) 356-2369
Matter No.:

Due and timely service is hereby admitted.

New York, N.Y., 2024.....

....., Esq.

Attorney for