

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CITIZENS AGAINST CASINO GAMBLING IN ERIE
COUNTY, et al.,

-against-

PHILLIP N. HOGEN, et al.,

Plaintiffs, 07-CV-00451-S
Hon. William M.
Skretny, U.S.D.J.

Defendants.

NOTICE OF MOTION
FOR ORDER ENFORCING JUDGMENT

PLEASE TAKE NOTICE, that upon the annexed Affidavit of Cornelius D. Murray, Esq., sworn to the 14th day of July 2008, and the exhibits annexed thereto, the Memorandum of Law submitted herewith, and upon the prior Decision and Order of this Court dated July 8, 2008 (Docket No. 61), and the Judgment entered pursuant thereto (Docket No. 62), Plaintiffs will move this Court at a time to be decided by this Court, for an Order directing Defendants and, in particular, the Director of the National Indian Gaming Commission (the "NIGC"), to order the permanent closure of the operation of a Class III gambling casino currently being conducted by the Seneca Nation of Indians at a 9-1/2 acre site in downtown Buffalo known in this litigation as the "Buffalo Parcel," and to further refrain from taking or maintaining any actions that would condone, allow, permit or otherwise further class III casino gambling at the Buffalo Parcel site; and

PLEASE TAKE FURTHER NOTICE that the Plaintiffs will move this Court shortly for an order, pursuant to Rule 7.1 of the Local Rules of this Court, setting an expedited hearing on this motion, shortening the notice requirements for Defendants to

serve and file their opposition papers, and directing the Defendants to enforce the Judgment pending the Court's determination of this motion.

DATED: Albany, New York
July 14, 2008

Respectfully submitted,

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s/ Cornelius D. Murray
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TO: All Counsel (By CM/ECF)

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