

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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VERIZON NEW YORK INC. and LONG ISLAND
LIGHTING COMPANY d/b/a LIPA,

Plaintiffs,

-against-

THE VILLAGE OF WESTHAMPTON BEACH, THE
VILLAGE OF QUOGUE and THE TOWN OF
SOUTHAMPTON,

Defendants.
-----X

CV-11-0252 (LDW)(AKT)

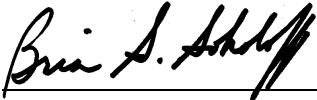
NOTICE OF MOTION

PLEASE TAKE NOTICE, that, upon the annexed Memorandum of Law in Support of Defendant Westhampton Beach's Motion for Summary Judgment and a Preliminary Injunction; Rule 56.1 Statement of Undisputed Material Facts; Declaration of Brian S. Sokoloff and accompanying exhibits, and upon all pleadings and proceedings heretofore had herein, defendants The Village of Westhampton Beach will move this Court before the Hon. Leonard D. Wexler at the United States District Court for the Eastern District of New York, located at 100 Federal Plaza, Central Islip, New York 11722, on a date and time to be determined by the Court, for an Order (1) granting the motion for summary judgment pursuant to Fed. R. Civ. P. 56 and declaring that Verizon and LIPA's plan to allow the placement *lechis* on their utility poles is beyond their legal authority and violates the Establishment Clause of First Amendment; (2) granting the Village's motion for a preliminary injunction, barring Verizon and LIPA from

issuing the licenses while this action is pending; and (3) dismissing this action in its entirety, with costs, disbursements, and such other and further relief as to this Court is just, proper, and equitable.

Dated: Westbury, New York
August 22, 2012

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Defendants

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