

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ALBANY

McNAMEE, LOCHNER, TITUS & WILLIAMS, P.C.,

Plaintiff,

- against -

LEWIS FAMILY FARM, INC., BARBARA LEWIS
and SALIM B. LEWIS,

Defendants.

NOTICE OF MOTION
FOR
SUMMARY JUDGMENT

Index No. 2184-12

**ORAL ARGUMENT IS
REQUESTED**

PLEASE TAKE NOTICE, that upon the affidavit of John J. Privitera, Esq. sworn to July 11, 2012, with exhibits, the affidavit of Kathleen L. Hill, sworn to July 11, 2012, with exhibits, the Summons and Complaint, and Answer served herein, and the accompanying Memorandum of Law, a motion pursuant to Civil Practice Law and Rule 3212 will be made at a Term of this Court to be held at the Albany County Court House, 16 Eagle Street, Albany, New York 12207, on the 17th day of August, 2012, at 10:00 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order granting summary judgment to plaintiff, McNamee, Lochner, Titus & Williams, P.C. against defendants, Lewis Family Farm, Inc., Barbara Lewis and Salim B. Lewis, on its first cause of action for an account stated for legal fees and disbursements in the amount of Two Hundred Ninety-Eight Thousand One Hundred Forty-One and 56/100 (\$298,141.56) Dollars, with prejudgment interest, and dismissing defendants' affirmative defenses, together with the costs and disbursements of this action, and for such other and further relief as may be just, proper and equitable.

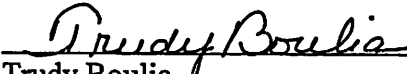
This action is for account stated and quantum meruit.

PLEASE TAKE FURTHER NOTICE, that pursuant to Civil Practice Law and Rule §2214(b), answering papers, if any, are required to be served upon the undersigned at least seven (7) days before the return date of this motion.

Dated: July 13, 2012

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Attorneys for Plaintiff

By:



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