

STATE OF NEW YORK
SUPREME COURT

ALBANY COUNTY

In the Matter of the Application of

NOTICE OF PETITION

PROTECT THE ADIRONDACKS! INC., SIERRA
CLUB, PHYLLIS THOMPSON, ROBERT
HARRISON, and LESLIE HARRISON,

INDEX NO. 1682-12

Petitioners,

DATE OF FILING:

for a Judgment Pursuant to
CPLR Article 78

March 20, 2012

-against-

ADIRONDACK PARK AGENCY, NEW YORK
STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION, PRESERVE ASSOCIATES,
LLC, BIG TUPPER, LLC, TUPPER LAKE
BOAT CLUB, LLC, OVAL WOOD DISH
LIQUIDATING TRUST and NANCY HULL
GODSHALL, as Trustee of OVAL WOOD
DISH LIQUIDATING TRUST,

Respondents.

PLEASE TAKE NOTICE that, upon the annexed verified petition,
an application will be made by the Petitioners at the Albany
County Courthouse, 16 Eagle Street, Albany, New York, at 9:30
a.m. on the 11th day of May, 2012, or at such other time and
place as the assigned justice shall determine, for a judgment
pursuant to CPLR Article 78 annulling the respondent Adirondack
Park Agency's January 20, 2012 approval of the application of
Preserve Associates, LLC for the construction of the Adirondack
Club & Resort project in the Town of Tupper Lake; awarding
Petitioners the costs and disbursements of this proceeding;
awarding Petitioners their legal fees and other costs pursuant to

the New York Equal Access to Justice Act, CPLR Article 86; and granting such other and further relief as may be deemed just and proper by the Court.

PLEASE TAKE FURTHER NOTICE that pursuant to CPLR § 7804(c), any answering papers must be served at least five (5) days before the return date.

/S/ John W. Caffry

Dated: March 20, 2012

CAFFRY & FLOWER
Attorneys for Petitioners
John W. Caffry, of Counsel
Claudia K. Braymer, of Counsel
100 Bay Street
Glens Falls, New York 12801
518-792-1582

Robert C. Glennon, Esq.
Ray Brook, New York

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