

STATE OF NEW YORK
SUPREME COURT

ALBANY COUNTY

In the Matter of the Application of

PROTECT THE ADIRONDACKS! INC.,

Plaintiff-Petitioner,

for a Judgment Pursuant to
Section 5 of Article 14 of
the New York State Constitution,
and CPLR Article 78,

-against-

ADIRONDACK PARK AGENCY, and NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION,

Defendants-Respondents.

NOTICE OF MOTION

INDEX NO. 2137-13

RJI NO.01-13-ST-4541

HON. GERALD W.
CONNOLLY, J.S.C.

PLEASE TAKE NOTICE that, on December 5, 2016, at 9:30 a.m., or as soon thereafter as counsel can be heard, at the Albany County Courthouse, Columbia and Eagle Streets, Albany, New York, upon the annexed affidavits of John W. Caffry, sworn to on August 31, 2016, Phillip G. Terrie, Ph.D., sworn to on August 30, 2016, Peter Bauer, sworn to on August 31, 2016, and Steven Signell, sworn to on August 25, 2016, Plaintiff's Memorandum of Law dated August 31, 2016, the parties' pleadings herein, the Return served by the Defendants herein, and all prior motion papers and submissions in this matter, Plaintiff Protect the Adirondacks! Inc. will move for the following relief:

A. Judgment in favor of the Plaintiff on the First Cause of Action of the Complaint;

B. A declaration that the system of Class II Community Connector snowmobile trails violates Article 14, § 1 of the New York State Constitution;

C. A permanent injunction barring Defendants from constructing, in the Forest Preserve, Class II Community Connector snowmobile trails, and other trails having similar characteristics or requiring like amounts of tree cutting;

D. An order requiring Defendants to rehabilitate the damage done to the Forest Preserve so far by the construction of said trails, including, but not limited to, the replanting of trees on said trails;

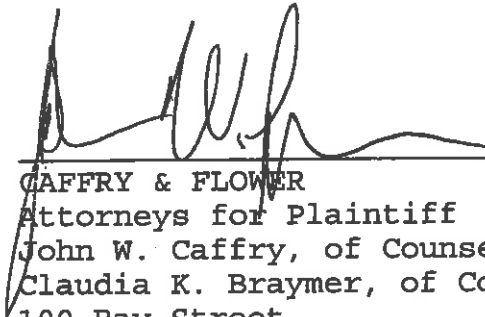
E. An award to Plaintiff of the costs and disbursements of this action;

F. An award to Plaintiff of its legal fees and other expenses pursuant to the New York State Equal Access to Justice Act, CPLR Article 86; and

G. Such other and further relief as may seem just and proper to the Court.

PLEASE TAKE FURTHER NOTICE that any answering papers should be served in accordance with the scheduling order of the Court.

Dated: August 31, 2016



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