

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

NEW YORKERS FOR STUDENTS' EDUCATIONAL RIGHTS  
("NYSER"), by its President, JAY WORONA, RUBNELIA  
AGOSTINO, MIRIAM ARISTY-FARER, KATHRYN  
BARNETT, AVA CAPOTE, MILAGROS ARCIA G.  
CHANGLERTH, MONA DAVIDS, JANET DURAN,  
ROLANDO GARITA, SARA HARRINGTON, SONJA JONES,  
NICOLE IORIO, HEIDI MOUILLESSEAU-KUNZMAN,  
GRETCHEN MULLINS-KIM, ANNETTE RENAUD, ELLEN  
TRACHTENBERG, HEIDI TESKA-PRINCE, ANDY  
WILLARD, NATASHA CAPERS, JACQUELINE COLSON,  
NICOLE JOB, CHRIS OWENS, SAM PRIOZZOLO, PATRICIA  
PADILLA, LYNN SANCHEZ, and ROBERT JACKSON,

Plaintiffs,

-and-

THE CITY OF YONKERS,

Intervenor-Plaintiff,

vs.

THE STATE OF NEW YORK, ANDREW M. CUOMO, as  
Governor of the State of New York, NEW YORK STATE  
BOARD OF REGENTS, and JOHN B. KING, Jr. as President of  
the University of the State of New York, and Commissioner of  
Education,

Defendants

Consolidated Index No.  
100274/2013 (formerly  
650450/2014)

**ORAL ARGUMENT  
REQUESTED**

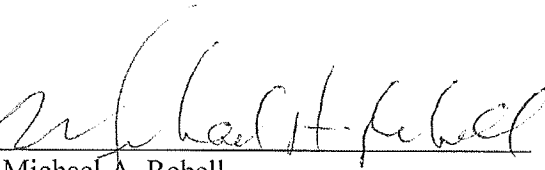
**NOTICE OF MOTION**

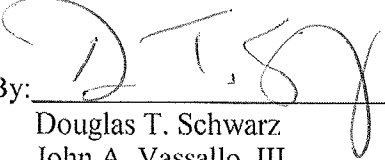
**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, the Affirmation of Michael A. Rebell, dated May 29, 2015, and the exhibits thereto, and all prior pleadings and proceedings herein, Plaintiff New Yorkers for Students' Education Rights ("NYSER"), by their attorney, will move this Court at the Motion Support Office Courtroom, Room 130, 60 Centre Street, New York, New York, on June 19, 2015, at 9:30 a.m., or as soon

thereafter as counsel may be heard, for an order pursuant to CPLR 3212 for partial summary judgment, for an order severing and retaining the balance of Plaintiffs' claims, and for such other and further relief as the Court deems just and proper.

**PLEASE ALSO TAKE NOTICE THAT**, pursuant to CPLR 2214(b), any papers in opposition must be served so as to be received seven days before the return date.

Dated: New York, New York  
May 29, 2015

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