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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM RODRIGUEZ,	:	
	:	
Plaintiff,	:	
	:	
v.	:	<b>NOTICE OF MOTION</b>
	:	
GEORGE HERBERT WALKER BUSH, et al.,	:	
	:	05 CV 5402 (DLC)
Defendants.	:	
	:	
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PLEASE TAKE NOTICE that, upon the Declaration of Jeannette A. Vargas, dated September 30, 2005, and all attachments thereto; upon the Memorandum of Law in Support of the Government Defendants' Motion to Dismiss the Complaint; and upon all the pleadings and prior proceedings in this action, Defendants the United States of America, the Department of Homeland Security and the Federal Emergency Management Agency will move this Court before the Honorable Denise L. Cote, United States District Judge, United States Courthouse, 500 Pearl Street, New York, New York 10007, on November 10, 2005, for dismissal of the Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, by order of the Court dated August 31, 2005, opposition papers, if any, are to be served by October 31, 2005.

PLEASE TAKE FURTHER NOTICE that this motion is made based on the papers submitted and that oral argument will not be heard, unless so directed by the Court.

Dated: New York, New York  
September 30, 2005

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