

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FOURTH DEPARTMENT**

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In the Matter of a Proceeding under Article 78 of the CPLR
for a Writ of Mandamus,

THE NONHUMAN RIGHTS PROJECT, INC., on
behalf of KIKO,

Petitioners,

-against-

**NOTICE OF
VERIFIED PETITION**

RALPH A. BONIELLO, III, in his official capacity as
Justice of the Supreme Court County of Niagara,
Respondent,

and

CARMEN PRESTI, individually and as an officer and
director of The Primate Sanctuary, Inc., CHRISTIE E.
PRESTI, individually and as an officer and director of
The Primate Sanctuary, Inc., and THE PRIMATE
SANCTUARY, INC.,

Respondents.

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PLEASE TAKE NOTICE that upon the verified petition of Elizabeth Stein, Esq.
attorney for the Petitioners, sworn to on April 23, 2014, and upon the exhibits
attached to the petition and all other papers annexed thereto, Petitioners move this
Court for an Order to compel Respondent Justice of the Supreme Court County of
Niagara to render a decision on Petitioners' Motion to Settle the Record or to settle
the record. In the alternative, Petitioners move this Court to settle the record on its
own motion.

PLEASE TAKE FURTHER NOTICE that the petition is returnable to the New York State Supreme Court, Appellate Division, Fourth Department, Clerk's Office at 10:00 a.m. on Monday, May 12, 2014 which is at least thirteen days from the date of service of these papers by regular mail. Respondents are given notice that opposition papers must be filed with the clerk before 5:00 p.m. on Friday, May 9, 2014.

Dated: April 23, 2014

Elizabeth Stein, Esq.
Attorney for Petitioners
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To: New York State Supreme Court
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