

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORLEANS

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In the Matter of a Proceeding under Article 70 of the CPLR  
for a Writ of Habeas Corpus,

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

Petitioner,

-against-

JAMES J. BREHENY, in his official capacity as  
Executive Vice President and General Director of Zoos  
and Aquariums of the Wildlife Conservation Society and  
Director of the Bronx Zoo, and WILDLIFE  
CONSERVATION SOCIETY,

Respondents.

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**Index No.: 18-45164**

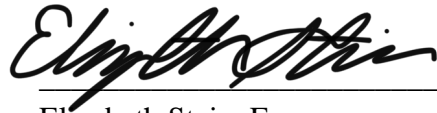
**NOTICE OF MOTION  
FOR STAY**

PLEASE TAKE NOTICE, that upon the annexed affirmation of Elizabeth Stein, Esq., an attorney of record for Petitioner, the Nonhuman Rights Project, Inc. (“NhRP”), dated January 24, 2019, and all exhibits attached thereto, the annexed Memorandum of Law dated January 24, 2019, and all prior pleadings, memoranda, demands, affidavits, exhibits, and attachments filed in this matter, the NhRP moves this Court pursuant to CPLR 2201 and 5519(c) to stay the order of this Court, entered on January 18, 2019, transferring venue in the above-captioned case from Orleans County to Bronx County (“Transfer Order”), until final resolution of any appeal taken from the Transfer Order, should this Court deny the NhRP’s previously filed motion for leave to reargue made pursuant to CPLR Rule 2221(a) and (d), which is returnable on February 1, 2019, or adhere to its prior decision, and for such other and further relief as the Court may deem just and equitable.

PLEASE TAKE FURTHER NOTICE, that in accordance with the dates designated in the Order to Show Cause entered by this Court on January 14, 2019, this motion is returnable on

February 1, 2019, at 11:30 in the forenoon of that date, or as soon thereafter as counsel may be heard, at the Courthouse located at Courthouse Square, 1 South Main Street, Suite 3, Albion, NY 14411. Opposition papers, if any, are to be served by Respondents or their attorneys upon Elizabeth Stein, Esq. and Steven M. Wise, Esq. by email no later than January 30, 2019.

Dated: January 24, 2019



Elizabeth Stein, Esq.  
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NOTICE TO:

Karen Lake-Maynard  
County Clerk, Orleans County  
3 South Main St.  
Albion, NY 14411

*By Delivery Service and Email to Karen.Lake-Maynard@orleanscountyny.gov*

Supreme & County Court, Orleans County  
Kristin E. Nicholson, Chief Clerk  
1 South Main St.  
Albion, NY 14411

Phone: (585) 283-6657

*By Email to knichols@nycourts.gov*

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