

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST 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,

Petitioner-Appellant,

-against-

TROY K. WEBBER, in her official capacity as an
Associate Justice of the New York State Supreme
Court Appellate Division, First Judicial Department,

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-Respondents.

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PLEASE TAKE NOTICE that upon the annexed Verified Petition for Writ
of Mandamus filed pursuant to New York Civil Practice Law and Rules (“CPLR”)
Article 78, Memorandum of Law in support thereof, and Affirmation of Elizabeth
Stein, Esq. and the attachments thereto, Petitioner-Appellant, The Nonhuman
Rights Project, Inc. (“NhRP”) moves this Court to order Respondent, Honorable

Associate Justice Troy K. Webber of the New York State Supreme Court Appellate Division, First Judicial Department, to grant NhRP's motion to appeal as of right, as required by CPLR 7011.

PLEASE TAKE FURTHER NOTICE, that the petition is returnable at 10 o'clock in the forenoon on Monday, November 28th, 2016, which is at least 22 days from the date of service of these papers. Respondents are given notice that opposition papers must be filed with the clerk on or before November 23, 2016.

Dated: November 1, 2016

By:

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By permission of the Court

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