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ORDERED, that the amended petition is denied; and it is further

ORDERED, that the cross-motion to dismiss by the County of Suffolk is denied without prejudice as the affidavit of service indicates that the cross-motion was served upon the petitioner's former attorney.

The amended petition, which is largely incomprehensible, appears to be more in the nature of a plenary action rather than a CPLR Article 78 proceeding. To the extent that the petition seeks any immediate relief under Article 78, the petitioner has failed to establish its entitlement to any such relief. Accordingly, the petition is denied.

Dated: June 20, 2005



DANIEL J. LOUGHLIN, J.S.C.