

**NOTICE OF APPEAL TO APPELLATE DIVISION, THIRD DEPARTMENT
FROM AN ORDER/JUDGMENT OF LOWER COURT**

STATE OF NEW YORK
SUPREME COURT: COUNTY OF ALBANY

TOWN OF MONTAUK

Plaintiff

vs

Hon. LORRAINE CORTEZ-VASQUEZ,
*as Secretary of State of the State of New York,
with control of, and responsibility for, the
Division of Corporations of the Department
of State,*

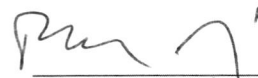
Defendant

Notice of Appeal

Index no. 6703-2010

PLEASE TAKE NOTICE that the TOWN OF MONTAUK, the plaintiff/appellant in this action, hereby appeals to the Appellate Division of the Supreme Court, Third Judicial Department, from the judgment of the Supreme Court entered in the office of the clerk of Albany County on the 14th day of September 2013 and from each and every part thereof.

Dated: October 20th, 2013



Robert A. Ficalora
acting Supervisor
Township of Montauk

Attorney General Eric Schneiderman
The Capitol
Robert Abrams Building for Law and Justice
Albany, New York, 12223

Hon. Joseph C. Teresi, J.S.C.
Albany County Courthouse
Albany, NY 12207

PRE-CALENDAR STATEMENT
State of New York
Supreme Court - Appellate Division
Third Judicial Department

TOWN OF MONTAUK

Plaintiff

- against -

HON. LORRAINE CORTES-VASQUEZ, as Secretary
of State of the State of New York with control of, and
responsibility for, the Division of Corporations of the
Department of State.

Defendant

County Index No. 6703-10

RJI No. 01-13-ST4558

October 20th, 2010

Teresi, JSC

The parties are as captioned above, there have been no changes.

Town of Montauk
Plaintiff-Appellant

HON. LORRAINE CORTES-VASQUEZ
Defendant-Respondent

Eric T. Schneiderman
Attorney General of the State of New York
Attorney for Respondent
The Capitol
Albany, New York 12224

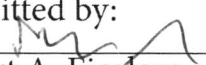
Albany County Clerk
16 Eagle Street
Albany, NY 12207-1077

The nature and object of the action, and the relief sought, is an order to compel
the Department of State of the State of New York to file the certificates of:

1. merger/consolidation of the 1994 Montauk Friends of Olmsted Parks and 1882 Trustees of
Montauk corporations (not for profit corporations law §§ 403, 904[a]), and
2. the certificate of incorporation of the Township of Montauk acknowledging the conditions
precedent incorporating Montauk's freeholders/proprietors in 1686 and 1882 (NEW YORK
BUSINESS CORPORATION LAW §403).

There are no related actions or proceedings.

Submitted by:


Robert A. Ficalora
acting Supervisor
Township of Montauk
October 20th, 2013