

Town of Montauk, Inc.

Petitioner-Appellant

-against-

Hon. George E. Pataki, Esq., Governor of the State of New York
and, The People of the State of New York Met in Assembly, and The
Town Board gov't of the Town of East Hampton, and The Trustees
of the Freeholders and Commonalty of the Town of Easthampton,
and The Suffolk County Water Authority, Inc., and The County of
Suffolk, and The Brooklyn Historical Society, Inc., and 511 Equities,
Inc., and The Nature Conservancy, Inc.

Respondents-Respondent


**Notice of
Cross-Motion for
Sanctions**
A.D. no. 05-10912
(Suffolk 04-27553)

PLEASE TAKE NOTICE, that the Montauk Friends of Olmsted Parks /
Montauk Trustee Corporation does herewith answer, on behalf of
Petitioner-Appellant Incorporated Township of Montauk, the attached the County
of Suffolk's Notice of Motion to Dismiss and for costs and sanctions, AND
FURTHER will move this court, at the courthouse thereof, located at 45 Monroe
Place, Brooklyn, New York 11201, on the 21st day of July, 2006, at 9:30 a.m. for
orders granting the following relief:

- 1 Granting the injunctive and statutory relief petitioned for in the instant
Amended Petition in order that this matter may continue to trial and that justice
may be served;
2. Granting costs and assessing sanctions against the County of Suffolk
pursuant to 22 NYCRR §§ 130-1.01(c) 1, 2 and 3 on the ground that: (a) its motion
for costs and sanctions it is completely without merit in the law, (b) it is
undertaken to harass or maliciously injure your appellant, and (c) the motion for

costs and sanctions is frivolous and sanctionable due to the normal court circumstances under which the conduct took place, and that it was continued well after the legal and factual basis of this appeal was known or should have been known.

On this 230th Anniversary of Independence, July 4th 2006

A handwritten signature in black ink, appearing to read "Jason Kolodny". The signature is fluid and cursive, with the first name "Jason" and last name "Kolodny" clearly distinguishable.

Jason B. Kolodny, Esq.
Attorney for MFOP/Montauk Trustee Corporation