

SUPREME COURT OF THE STATE OF NEW YORK  
COURT OF APPEALS

Docket No. 97-10457

-----x  
ROBERT A. FICALORA, both *pro se* and acting president  
of Montauk Friends of Olmsted Parks, Inc., a not-for-profit  
corporation established under the laws of the State of New York,

Petitioner-Appellant,

-against-

NOTICE OF ENTRY

THE TOWN BOARD OF GOVERNMENT OF THE TOWN  
OF EAST HAMPTON, 159 Pantigo Road, East Hampton,  
New York 11937,

Defendant-Respondent.

Docket No. 97-10463

-----x  
ROBERT A. FICALORA, both *pro se* and acting president  
of Montauk Friends of Olmsted Parks, Inc., a not-for-profit  
corporation established under the laws of the State of New York,

Plaintiff-Appellant,

-against-

JOSEPH AND JOANNE GUARNERI, owners in fee, etc.,

-and-

THE TOWN BOARD OF GOVERNMENT OF THE TOWN  
OF EAST HAMPTON, 159 Pantigo Road, East Hampton,  
New York 11937,

Defendants-Respondents.  
-----x

**S I R :**

**PLEASE TAKE NOTICE**, that the within is a true copy of a Decision and Order on Motion  
duly entered in the office of the Clerk of the Court of Appeals on February 24, 2000.

Dated: Melville, New York  
February 29, 2000

Yours, etc.,

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Attorneys for Defendants-Respondents

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Patricia A. Rooney, Esq.

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TWOMEY, LATHAM, SHEA & KELLEY  
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Riverhead, New York 11901



*State of New York  
Court of Appeals*

*Stuart M. Cohen  
Clerk of the Court*

*Clerk's Office  
Albany, New York 12207-1095*

DECISION February 24, 2000

2-10,13 Mo. No. 100  
In the Matter of Robert A.  
Ficalora, &c.,  
Appellant,  
v.  
Planning Board of Town of East  
Hampton, et al.,  
Respondents.

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Robert A. Ficalora, &c.,  
Appellant,  
v.  
Joseph Guarneri, et al.,  
Respondents.

Motion, insofar as Robert A. Ficalora seeks leave to appeal purportedly on behalf of Montauk Friends of Olmsted Parks, Inc., dismissed upon the ground that Robert A. Ficalora is not the authorized legal representative of said movant; motion for leave to appeal by Robert A. Ficalora on his own behalf denied.

State of New York,  
Court of Appeals

At a session of the Court, held at Court of  
Appeals Hall in the City of Albany  
on the.....twenty-fourth.....day  
of.....February..... 2000

**Present,** HON. JUDITH S. KAYE, *Chief Judge, presiding.*

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2-10,13 Mo. No. 100  
In the Matter of Robert A.  
Ficalora, &c.,  
Appellant,  
v.  
Planning Board of Town of East  
Hampton, et al.,  
Respondents.

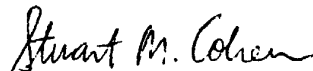
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Robert A. Ficalora, &c.,  
Appellant,  
v.  
Joseph Guarneri, et al.,  
Respondents.

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A motion for leave to appeal to the Court of Appeals in the above causes having heretofore been made upon the part of the appellant herein and papers having been submitted thereon and due deliberation having been thereupon had, it is

ORDERED, that the said motion, insofar as Robert A. Ficalora seeks leave to appeal purportedly on behalf of Montauk Friends of Olmsted Parks, Inc., be and the same hereby is dismissed upon the ground that Robert A. Ficalora is not the authorized legal representative of said movant; and it is

ORDERED, that the said motion for leave to appeal by Robert A. Ficalora on his own behalf be and the same hereby is denied.

  
Stuart M. Cohen  
Clerk of the Court