

**EBERSOLE AFFIRMATION
EXHIBIT B**

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONROE**

ROCHESTER POLICE LOCUST CLUB, INC. and
MICHAEL MAZZEO,

Petitioners,

vs.

CITY OF ROCHESTER, LOVELY A. WARREN, as
Mayor of the City of Rochester and CYNTHIA
HERRIOTT-SULLIVAN, in her official capacity as
Interim Chief of Police for the City of Rochester,

Respondents.

INDEX NO: E2020010093

Hon. Ann Marie Taddeo

[PROPOSED] NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Opposition to Petition Requesting a Preliminary Injunction, Intervenor/Respondent the New York Civil Liberties Union will move before this Court in the Monroe Country Supreme Court located at 99 Exchange Blvd., Rochester, New York on the _____ day of _____, 2021 at _____ a.m./p.m., or as soon thereafter as counsel can be heard, for an Order, pursuant to C.P.L.R. § 3211, dismissing the Verified Petition in its entirety.

PLEASE TAKE FURTHER NOTICE that, pursuant to C.P.L.R. § 2214, opposition papers, if any, shall be filed on or before _____, 2021, and reply papers, if any, shall be filed on or before _____, 2021.

Dated: January 15, 2021
New York, New York

By: /s/ Joshua Ebersole
Joshua Ebersole

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