

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

ROBERT L. SCHULZ, et al., *

Plaintiffs, *

v. * **Case No. 07-CV-0943 LEK/DRH**

STATE OF NEW YORK, et al., *

Defendants. *

* * * * *

**NOTICE OF MARYLAND DEFENDANTS’
MOTION TO DISMISS PLAINTIFFS’ AMENDED COMPLAINT**

Defendants State of Maryland, Robert S. Walker, Bobbie S. Mack, Andrew V. Jezic, David J. McManus, Jr., and Charles E. Thomann (the “Maryland Defendants”), through their undersigned counsel, hereby move this Court to dismiss Plaintiffs’ Amended Complaint against the Maryland Defendants on January 18, 2008, at 9:30 a.m., or as soon thereafter as is convenient for the Court. As grounds for this motion, the Maryland Defendants state that (1) the State of Maryland is immune from suit under the Eleventh Amendment to the United States Constitution; (2) Plaintiffs have not established personal jurisdiction over the Maryland Defendants; (3) venue is improper in the Northern District of New York; and (4) Plaintiffs lack standing to maintain this action. The Maryland Defendants are filing a memorandum in support of their Motion to Dismiss, which further explains these grounds and provides relevant authority.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Maryland Defendants' Motion to Dismiss Plaintiffs' Amended Complaint was mailed first class this 13th day of December, 2007, to:

Robert L. Schulz
2458 Ridge Road
Queensbury, New York 12804

Service on appearing Defendants is made through the Court's electronic filing system.

/s/
CHARLES J. BUTLER
Assistant Attorney General