

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

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In the Matter of the Application of :

FELIX PROCACCI, :

PETITIONER, : Date Purchased :  
: November 28, 2018  
: Index No. :  
: \_\_\_\_\_  
: NOTICE OF PETITION  
:

-against- :

TOWN OF HEMPSTEAD, :

RESPONDENT. :

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To the above named Respondent, PLEASE TAKE NOTICE that upon the verified petition of FELIX PROCACCI, sworn to on November 26, 2018, and upon the exhibits 1 through 10 attached to the petition, and the Petitioner will request this Court at 9:30am on January 9, 2019 at the Courthouse, 100 Supreme Court Drive, Mineola, New York, in IAS Term Part \_\_\_\_\_, for a Judgment, pursuant to Civil Practice Law and Rule compelling the Respondent TOWN OF HEMPSTEAD to rescind the Town's Building Zone Ordinance, § 336G(3) of Article XXXIII because this provision conflicts with New York State General Business Law, New York