

EXHIBIT 7 - continued

**Plaintiff's Third Cause of Action from
the "Free Air Law" Litigation
Page 2 of 2**

151. The original law enacted back in 1978, requiring free air, and the Resolution, which adds more draconian restrictions on the original law, are both preempted by New York's General Business Law § 396-x.

152. By reason of the forgoing, the Plaintiffs are entitled to a judgment, pursuant to CPLR § 3001, declaring Resolution No. 1007-2016, amending § 336.G(3) of the Building Zone Ordinance of the Town of Hempstead, is arbitrary, unreasonable, discriminatory, confiscatory, void, unconstitutional on its face and as applied to the Plaintiffs, and its enforcement should be enjoined.