

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

and

STATE OF NEW YORK,

Plaintiffs,

v.

TWIN AMERICA, LLC, *et al.*,

Defendants.

Civil Action No.
12-cv-8989 (ALC) (GWG)

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that Defendants Twin America, LLC, CitySights LLC, City Sights Twin, LLC, Coach USA, Inc. and International Bus Services, Inc. (collectively “Defendants”), will move this Court, before the Honorable Andrew L. Carter, Jr., United States District Court Judge, located at the United States Courthouse, 40 Foley Square, Courtroom 1306, New York, New York, as soon as counsel may be heard, for an Order pursuant to Federal Rule of Civil Procedure 56, granting summary judgment to Defendants and entering judgment on all counts in favor of Defendants, together with such other and further relief as the Court deems just and proper, based upon the accompanying Memorandum of Law in Support of Defendants’ Motion for Summary Judgment (“Summary Judgment Motion”), the Local Rule 56.1 Statement of Material Facts, the Declaration of Amanda L. Fretto, all dated June 20, 2014, the “Observer Affidavits” dated June 18 and June 19, 2014, and all accompanying exhibits, and the pleadings on file in this case.

PLEASE TAKE FURTHER NOTICE that Defendants respectfully request that the Court schedule oral argument on this motion.

On June 20, 2014, pursuant to the Court's June 19, 2014 Order (Dkt. No. 70), Defendants served, by email, on all persons listed in the accompanying Certificate of Service, an unredacted version of their Summary Judgment Motion, the Rule 56.1 Statement, the Declaration of Amanda L. Fretto, and the Observer Affidavits. On June 20, 2014, Defendants also emailed to the Court an unredacted version of their Summary Judgment Motion, the Rule 56.1 Statement, and the Declaration of Amanda L. Fretto. On Monday, June 23, 2014, Defendants will provide unredacted copies of all of the exhibits and Observer Affidavits. Defendants will submit to the Court a motion to seal, along with proposed redactions, by June 26, 2014.

Dated: June 20, 2014

Respectfully submitted,

/s/ Michael P. A. Cohen

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