

STATE OF NEW YORK OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES Attorney General BARBARA D. UNDERWOOD Solicitor General Division of Appeals & Opinions

FIECOPY

Telephone (518) 776-2012

February 14, 2020

Albany County Clerk Albany County Courthouse Eagle Street Albany, NY 12207

> Re: White v. Cuomo Albany County Index No. 5861-16

Dear Sir or Madam:

This office represents defendants in the above-referenced matter. Enclosed for filing is a notice of appeal. Kindly time-stamp the enclosed copies of the notice of appeal and give them to the messenger. By a copy of this letter, the notice of appeal is being served on counsel for the plaintiffs.

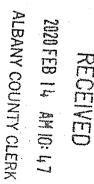
Respectfully submitted,

alant

VICTOR PALADINO Senior Assistant Solicitor General

cc:

Cornelius D. Murray, Esq. O'Connell and Aronowitz 54 State Street Albany, NY 12207-2501



State of New York Supreme Court

v.

County of Albany

JENNIFER WHITE, KATHERINE WEST, CHARLOTTE WELLINS AND ANNE REMINGTON,

Plaintiffs,

Notice of Appeal

HON. ANDREW CUOMO, AS GOVERNOR OF THE STATE OF NEW YORK, AND THE NEW YORK STATE GAMING COMMISSION, Albany Index No. 5861-16

RECEIVED

Defendants.

PLEASE TAKE NOTICE that defendants Andrew Cuomo, as the Governor of the State of New York, and the New York State Gaming Commission hereby appeal to the Court of Appeals from the opinion and order of the Appellate Division, Third Department, entered February 6, 2020, which declared Article 14 of the Racing, Para-Mutuel Wagering and Breeding Law unconstitutional. Defendants appeal from every part of the Appellate Division's opinion and order that aggrieves defendants and is appealable by them.

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Dated:

February 14, 2020 Albany, New York

LETITIA JAMES Attorney General of the State of New York Attorney for Defendants The Capitol Albany, New York 12224

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VICTOR PALADINO Senior Assistant Attorney General (518) 776-2012

To:

CORNELIUS D. MURRAY, ESQ. O'CONNELL AND ARONOWITZ 54 State Street Albany, NY 12207-2501

ALBANY COUNTY CLERK Albany County Courthouse Eagle Street Albany, NY 12207

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)) ss: COUNTY OF ALBANY) Victor Paladine, being duly sworn, deposes and says: I am over eighteen years of age and an employee in the office of LETITIA JAMES, Attorney General of the State of New York, attorney for Respondent(s)

On the day of February 2010, I served the annexed Notice of Appeal upon the attorney named below by depositing a true copy thereof, properly enclosed in a sealed, postpaid wrapper, in a letter box of the Capitol Station Post Office in the City of Albany, New York, a depository under the exclusive care and custody of the United States Post Office Department, directed to the said attorney at the address within the State and respectively designated by him/them for that purpose as

follows:

herein.

Cornelius D. Murray, Esq. O'Connell and Aronowitz 54 State Street Albany, New York 12207-2501

Sworn to before me this 2023<u> 4^{th} </u> day of February, 2019.

VBLIC

KENNETH KRUEGER Notary Public, State of New York Reg. No. 01KR6271239 Qualified in Albany County Commission Expires October 29, 20 20

Vito Palada

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