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SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION: THIRD DEPARTMENT

RECEIVED

AUG 16 1991

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In the Matter of the Application of  
MARIO M. CASTRACAN and VINCENT F. BONELLI,  
acting Pro Bono Publico,

Petitioners-Appellants,

for an Order, pursuant to Sections  
16-100, 16-102, 16-104, 16-106 and  
16-116 of the Election Law,

NOTICE OF CROSS  
MOTION  
Index No. 6056/90  
Appeal No. 62134

-vs-

ANTHONY J. COLAVITA, Esq., Chairman,  
WESTCHESTER REPUBLICAN COUNTY COMMITTEE,  
GUY T. PARISI, Esq., DENNIS MEHIEL, Esq.,  
Chairman, WESTCHESTER DEMOCRATIC COUNTY  
COMMITTEE, RICHARD L. WEINGARTEN, Esq.,  
LOUIS A. BREVETTI, Esq., Hon. FRANCIS A.  
EMANUELLI, Esq., R. WELLS STOUT,  
HELENA DONAHUE, EVLEYN AQUILA, Commissioners  
Constituting the NEW YORK STATE BOARD OF  
ELECTIONS, ANTONIA R. D'APICE,  
MARION OLDI, Commissioners constituting  
the WESTCHESTER COUNTY BOARD OF ELECTIONS,

Respondents-Respondents.

-----X  
SIRS:

PLEASE TAKE NOTICE that upon the affirmation of Guy T. Parisi sworn to on this 12th day of August, 1991, and upon the Petitioner/Appellants herein that Respondent ANTHONY J. COLAVITA will move this court on the return date of petitioner/appellants' motion (August 19, 1991) for an order of this court pursuant to Section 2221, 5520 5522 and 5601 et. seq. C.P.L.R. and Parts 37.1 and 130-1.1 et. seq. of Title 22 of the Official Compilation of Codes, Rules and Regulations of the State of New York:

1. Dismissing the motion of Petitioner/Appellants;
2. Denying to Petitioner/Appellants leave to appeal to

this court from the order of the Appellate Division, Third Department;

3. Imposing sanctions for frivolous conduct upon Petitioner/Appellants together with attorneys' fees and costs of Respondents as this court may deem appropriate;

4. Imposing sanctions for frivolous conduct against Eli Vigliano, counsel for Petitioner/Appellants together with attorneys' fees and costs for all respondents as this court may deem appropriate;

5. Imposing sanctions for frivolous conduct upon Doris Sassower, who, despite an order of the Appellate Division suspending her from the practice of law, has persisted in her frivolous conduct in connection with this case together with attorneys' fees and costs of all respondents this court may deem appropriate;

and for any other and further relief that this court may deem just and proper.

Dated: August 12, 1991

Guy T. Parisi, Esq.  
Attorney for Respondent  
Anthony J. Colavita  
112 Woods End Road  
Chappaqua, New York 10514  
(914) 238-5048

SUPREME COURT STATE OF NEW YORK  
APPELLATE DIVISION: THIRD DEPARTMENT

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In the Matter of the Application of  
MARIO M. CASTRACAN and VINCENT F. BONELLI,  
acting Pro Bono Publico,

Petitioners-Appellants,

for an Order, pursuant to Sections  
16-100, 16-102, 16-104, 16-106 and  
16-116 of the Election Law,

AFFIRMATION IN  
OPPOSITION TO  
MOTION AND IN  
SUPPORT OF CROSS  
MOTION

-vs-

ANTHONY J. COLAVITA, Esq., Chairman,  
WESTCHESTER REPUBLICAN COUNTY COMMITTEE,  
GUY T. PARISI, Esq., DENNIS MEHIEL, Esq.,  
Chairman, WESTCHESTER DEMOCRATIC COUNTY  
COMMITTEE, RICHARD L. WEINGARTEN, Esq.,  
LOUIS A. BREVETTI, Esq., Hon. FRANCIS A.  
EMANUELLI, Esq., R. WELLS STOUT,  
HELENA DONAHUE, EVLEYN AQUILA, Commissioners  
Constituting the NEW YORK STATE BOARD OF  
ELECTIONS, ANTONIA R. D'APICE,  
MARION OLDI, Commissioners constituting  
the WESTCHESTER COUNTY BOARD OF ELECTIONS,

Respondents-Respondents.

-----X  
State of New York     )  
                          )     ss.:  
County of Westchester)

Guy T. Parisi, an attorney duly admitted to the practice of  
law before the courts of the State of New York, does hereby  
affirm under the penalties of perjury that:

1. Your affirmant is the attorney for Respondent familiar  
with all the proceeding heretofore had herein

2. Your affirmant has reviewed the notice of motion of  
Respondent, New York State Board of Elections and the supporting  
affirmation of its deputy counsel and adopts and ratifies said  
affirmation.

3. On August 2, 1991 Eli Vigliano, Esq. commenced an

action in the Supreme Court, Westchester County (index No. 12471/91) in the name of Rachel Sady and Mario M. Castracan inter al against J. Emmett Murphy, Anthony J. Colavita, Dennis Mehiel. Richard L. Weingarten, et al., seeking that the contract embodying the Three Year Plan of the Party Leaders, also known "Cross Endorsement", and thereafter adopted and ratified by Respondent Mehiel be declared illegal, invalid, void and against public policy".

4 Such action is additional evidence of abuse of process and misuse of these courts by the Eli Vigliano and those associated with him.

WHEREFORE, respondent ANTHONY J. COLAVITA respectfully requests an order of this court as follows:

1. Dismissing the motion of Petitioner/Appellants in all respects,

2. Denying Petitioner/Appellants leave to renew and/or reargue the appeal herein,

3. Denying Petitioner/Appellants leave to appeal to the Court of Appeals of the State of New York,

4. Imposing sanctions for frivolous conduct upon Petitioner/Appellants, together with attorneys' fees and costs of all respondents as this court may deem appropriate,

5. Imposing sanctions for frivolous conduct against Eli Vigliano, counsel for Petitioner/Appellants, together with attorneys' fees and costs of all respondents as this court may deem appropriate,

6. Imposing sanctions for frivolous conduct upon Doris

Sassower, who, despite an order for the Appellate Division suspending her from the practice of law, has persisted in her frivolous conduct in connection with this case, together with attorneys' fees and costs of all respondents as this court may deem appropriate, together with such other and further relief as this court may in its judgment deem to be just and proper.

Dated: August 12, 1991

Guy T. Paris

Sir:-Please take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on 19

Dated, Yours, etc., GUY T. PARISI

Attorney for Office and Post Office Address

SUPREME COURT OF THE STATE OF NEW YORK APPELLATE DIVISION: THIRD DEPARTMENT

In the Matter of the Applicaton of MARIO M. CASTRACAN and VINCENT F. BONELLI, acting Pro Bono Publico,

Petitioners-Appellants, for an Order, pursuant to Sections 16-100, 16-102, 16-104, 16-106 and 16-116 of the Election Law,

-vs- ANTHONY J. COLAVITA, Esq., Chairman, WESTCHESTER REPUBLICAN COUNTY COMMITTEE, et al.

To Attorney(s) for

Respondents-Respondents.

Sir:-Please take notice that an order of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at on at M. 19 Dated,

Yours, etc., GUY T. PARISI Attorney for

Office and Post Office Address

To Attorney(s) for

NOTICE OF CROSS MOTION and AFFIRMATION IN OPPOSITION TO MOTION AND IN SUPPORT OF CROSS MOTION

GUY T. PARISI Attorney for Respondent Office and Post Office Address, Telephone 112 Woods End Road Chappaqua, New York 10514 (914) 238-5048

To Attorney(s) for

Service of a copy of the within is hereby admitted. Dated,

Attorney(s) for