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Attorneys for Seton Hall University

ANTHONY ROMEO, individually
and on behalf of himself and
student applicants for
"TRUTH", a gay and lesbian
student organization denied
Provisional Recognition by
Seton Hall University,

Plaintiff,

vs.

SETON HALL UNIVERSITY, Inc.,
A.B.C. Corp.'s 1-100, John
Does 1-100 and DEF Non-Profit
Corp.'s or Institutions 1-100
that may be necessary but
currently unknown to Plaintiff
for purposes of effectuating
the equitable relief sought
herein,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: ESSEX COUNTY
DOCKET NO. ESX-L-1866-04

Civil Action

**NOTICE OF MOTION TO DISMISS
PURSUANT TO RULE 4:6-2(e)**

TO: Thomas D. Shanahan, Esq.
Shanahan & Associates, P.C.
545 Fifth Avenue, Suite 1205
New York, New York 10017

Please take notice that on Friday, June 25, 2004, at 10:00 a.m. or as soon thereafter as counsel may be heard, the undersigned, attorneys for defendant Seton Hall University ("Seton Hall"), shall move before the Superior Court, Essex County, for the entry of an Order to dismiss plaintiffs' Complaint in this matter with prejudice for failure to state a claim upon which relief can be granted.

Seton Hall shall rely upon its brief in support of this

motion and the Certification of Dania M. Billings filed herewith.

Weekly call: N/A **Trial Date:** N/A **Pretrial:** N/A **Arbitration:** N/A

Pursuant to Rule 1:6-2(c) the undersigned:

Waives oral argument

XXX Requests oral argument

Attached hereto is a copy of the proposed Order.

CONNELL, FOLEY LLP
Attorneys for Defendant,
Seton Hall University

By: *Dania Billings*
Dania M. Billings

DATED: June 9, 2004