

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PAUL MARRIOTT, both individually and on
behalf of a class of others similarly situated,

Plaintiff,

-v-

COUNTY OF MONTGOMERY, et al.,

Defendants.

APPEARANCES:

ELMER R. KEACH, III, ESQ.
Attorney for Plaintiff
One Steuben Place
Albany, NY 12207

BERANBAUM, MENKEN & BEN-ASHER, LLP
Attorneys for Plaintiff
3 New York Plaza
New York, NY 10004

MASON LAW FIRM
Attorneys for Plaintiff
1225 Nineteenth Street, N.W., Suite 600
Washington, DC 20036

WILSON, ELSER, MOSKOWITZ, EDELMAN &
DICKER LLP
Attorneys for Defendants
150 East 42d Street
New York, NY 10017-5639

DAVID N. HURD
United States District Judge

U. S. DISTRICT COURT
N. D. OF N. Y.
FILED

OCT 24 2003

AT _____ O'CLOCK _____ M
LAWRENCE K. BAERMAN, Clerk
UTICA

5:03-CV-531

OF COUNSEL:

JASON J. ROZGER, ESQ.

GARY E. MASON, ESQ.

THOMAS W. HYLAND, ESQ.

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10/24/03
C/nc/01

ORDER

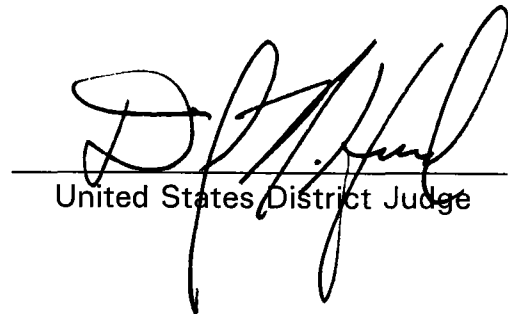
Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on October 24, 2003, in Albany, New York, it is hereby

ORDERED that

1. Defendants' motion to dismiss is DENIED;
2. Defendants' motion to deny class status is DENIED, without prejudice;
3. Plaintiff's motion for a preliminary injunction is DENIED; and
4. Defendant shall file and serve an answer to the complaint on or before

November 7, 2003.

IT IS SO ORDERED.



United States District Judge

Dated: October 24, 2003
Utica, New York.