

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of the Application of
AMERICAN NAMES ASSOCIATION, INC.,

Petitioner,

-against-

NEW YORK STATE INSURANCE DEPARTMENT,

Respondent.

Index No. 107185/02

(IAS Part 57)

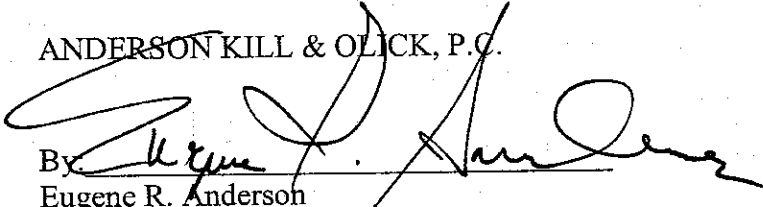
(Justice Marcy S. Friedman)

NOTICE OF APPEAL

PLEASE TAKE NOTICE that *amicus curiae*, United Policyholders, hereby Appeals to the Appellate Division of the Supreme Court, First Judicial Department, 27 Madison Avenue & 25th, New York, New York, from an order of the of the Supreme Court, Justice Marcy S. Friedman, enter 9/10/02, denying *amicus curiae* leave to submit an Affidavit containing additional argument and information which is believed to assist the Court in making its decision. This Order was served with notice of entry on all counsel of record on or about October 7, 2002.

Dated: October 14, 2002
New York, New York

ANDERSON KILL & OLICK, P.C.

By 
Eugene R. Anderson
Attorney For

Amicus Curiae, United Policyholders
1251 Avenue of the Americas
New York, New York 10021
(212) 278-1000

TO: Clerk of the Supreme Court of New York County
60 Centre Street
New York, New York 10020
(212) 278-1322

Appellate Division of the Supreme Court
First Judicial Department
27 Madison Avenue & 25th
New York, New York 10010
(212)340-0400

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION FIRST DEPARTMENT

In the Matter of the Application of
AMERICAN NAMES ASSOCIATION, INC.,

Petitioner,

-against-

NEW YORK STATE INSURANCE
DEPARTMENT,

Respondent.

Index No. 107185/02

(IAS Part 57)

(Justice Marcy S. Friedman)

PRE-ARGUMENT STATEMENT

1. The title of this action is as shown above.
2. Counsel for Petitioner, *Amicus Curiae*, United Policyholder is:

Eugene R. Anderson, Esq.
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
42nd Floor, New York, New York 10020
Tel. (212) 278-1751

3. Counsel for the Defendants-Respondents is:

Attorney General
for the State of New York
120 Broadway, 24th Floor
New York, New York 10271
Tel. (212) 416-8771

4. This appeal is taken from a Decision and Order of the Supreme Court of the State of New York, New York County, (Justice Marcy S. Friedman) dated August 1, 2002 and entered September 10, 2002.

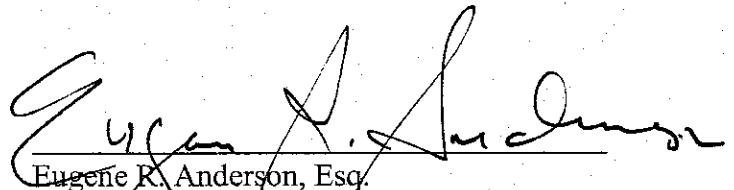
5. Notice of Entry was served on all parties of record on October 8, 2002.

6. In this Article 78 proceeding, *Amicus Curiae* seeks leave to submit an Affidavit containing additional argument and information which is believed to assist the Court in making its decision.

7. The Court below denied the Article 78 relief.

8. Petitioner respectfully seeks reversal of the Decision and Order dated August 1, 2002 by Justice Marcy S. Friedman on the grounds that the Court improperly denied *amicus curiae* access to provide supplement information and argument in the above-captioned Article 78 proceeding.

Dated: New York, New York
October 14, 2002



Eugene R. Anderson, Esq.
Attorney for Petitioner-Appellant
Anderson Kill & Olick, P.C.
1251 Avenue of the Americas
New York, NY 10020-1182
(212) 278-1751

TO: All Counsel of Record

Clerk of the Supreme Court
of the State of New York
60 Centre Street
New York, NY 10007

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

HON. MARCY S. FRIEDMAN

PRESENT: _____
Justice

PART 57

American Names Association,
INC.

INDEX NO. 107185/02

MOTION DATE _____

MOTION SEQ. NO. 003

MOTION CAL. NO. _____

- v -

NYC State department of Insurance

The following papers, numbered 1 to _____ were read on this motion to/for amicus curial

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

PAPERS NUMBERED

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion

of proposed amicus (10¹⁰ am) is denied on Defendant

FILED

SEP 10 2002

COUNTY CLERK'S OFFICE
NEW YORK

MOTION/CASE IS RESPECTFULLY REFERRED TO
JUSTICE

Dated: 8/1/02

[Signature]
J.S.C.

Check one FINAL DISPOSITION

NON-FINAL DISPOSITION

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

In the Matter of the Application of AMERICAN
NAMES ASSOCIATION, INC.,

Petitioner,

-- against --

NEW YORK STATE DEPARTMENT OF
INSURANCE,

Respondent.

Index No. 107185/02

IAS Part 57

NOTICE OF ENTRY

PLEASE TAKE NOTICE that the attached is a true and correct copy of the
decision entered in this action in the office of the Clerk of the Supreme Court of the State of New
York, County of New York, on the 10th day of September 2002.

Dated: New York, New York
October 7, 2002

ANDERSON KILL & OLICK, P.C.

By: 

Eugene R. Anderson

1251 Avenue of the Americas
New York, New York 10020-1182