

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

ROBERT NOVAK, d/b/a
Petswarehouse.com

Plaintiff

v.

ACTIVE WINDOW PRODUCTIONS, INC., et. al.

Defendants

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Case Number: CV 02-2978 (DRH)(WDW)

DEFENDANT CYNTHIA S. POWERS' RULE 12(b)(2) MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION

Comes now Defendant Cynthia S. Powers pursuant to Rule 12(b)(2) and moves the Court to dismiss the action for lack of personal jurisdiction. In support of said Motion, Defendant Cynthia S. Powers would show as follows:

1. Defendant Cynthia S. Powers does not reside in the judicial district encompassed by the Eastern District of New York.
2. Under applicable provisions of New York statutes, Defendant Cynthia S. Powers does not have sufficient contacts with the State of New York to support personal jurisdiction before the United States Court for the Eastern District of New York.
3. This motion is based upon the Affidavit of Cynthia S. Powers attached and incorporated herein.

WHEREFORE, Defendant Cynthia S. Powers incorporates by reference all of the grounds for dismissal of Plaintiff's complaint that are non-individual in nature and included and briefed by other defendants.

Date

Cynthia S. Powers, *Pro se* Defendant
5617 Tyler Street
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972-625-5620