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IN THE UNITED STATES DISTRICT COURT FOR THE ~~FILIAL~~
EASTERN DISTRICT OF NEW YORK U.S. DISTRICT COURT E.D. N.Y.

★ JAN 8 1974 ★

TIME A.M. 10:30
P.M. 5:30

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 FRED C. TRUMP, DONALD TRUMP)
 and TRUMP MANAGEMENT, INC.,)
)
 Defendants.)

CIVIL ACTION NO. 73 C 1529

NOTICE OF MOTION TO DISMISS
DEFENDANTS' COUNTERCLAIM

S I R S:

PLEASE TAKE NOTICE that plaintiff, United States of America will move this Court, before the Honorable Edward R. Neaher, District Judge at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York in Courtroom 9, on the day of January 11, 1974 at 10:00 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an Order dismissing defendants' counterclaim pursuant to Rule 12(b)(6) of the Fed. R. Civ. Proc. on the grounds that:

1. This Court has no jurisdiction over the subject matter of the counterclaim;
2. That the counterclaim fails to state a claim upon which relief can be granted; and for other and further relief that this Court deems just and proper.

Dated: January 4, 1974
Brooklyn, New York

Yours, etc.

Frank E. Schwelb

To: Roy M. Cohn, Esq.
Saxe, Bacon, Bolan
and Manley
39 East 68th Street
New York, New York 10021

FRANK E. SCHWELB
Chief, Housing Section
Civil Rights Division
Department of Justice
Washington, D.C. 20530

Henry A. Brachtel

HENRY A. BRACHTL
Assistant United States
Attorney
Brooklyn, New York

Elyse S. Goldweber

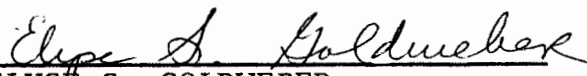
ELYSE S. GOLDWEBER
Attorney, Housing Section
Civil Rights Division
Department of Justice
Washington, D.C. 20530

CERTIFICATE OF SERVICE

I, Elyse S. Goldweber, an attorney for the plaintiff, hereby certify that I have served a copy of the attached Notice of Motion of the United States to dismiss defendants' counterclaim, a copy of the attached Memorandum of the United States in Opposition to Defendants' Motion to Dismiss, Motion for More Definite Statement and in Support of Plaintiff's Motion to Dismiss the Counterclaim and a copy of the attached Memorandum of the United States in Response to the Affidavits of Donald Trump and Roy Cohn on the defendants by mailing a copy, postage prepaid, to their attorney at the following address:

Roy M. Cohn, Esq.
Saxe, Bacon, Bolan & Manley
39 East 68th Street
New York, New York 10021

This, the 4th day of January, 1974.


ELYSE S. GOLDWEBER
Attorney, Housing Section
Civil Rights Division
Department of Justice
Washington, D. C. 20530