

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

Plaintiff(s),

-against-

Defendant(s).

NOTICE OF MOTION TO
STAY ARBITRATION*

Index No. _____

Judge _____

PLEASE TAKE NOTICE, that upon the annexed Affirmation of _____, dated _____, and the exhibits attached thereto, the undersigned will move this court at an IAS Part thereof, to be held at the Courthouse, [Address of Courthouse], on [date] at [time] or as soon thereafter as counsel can be heard, for an Order, pursuant to CPLR 7503(b), staying the arbitration instituted by defendant by Demand for Arbitration dated _____, on the ground that plaintiff is not a party to any valid agreement to arbitrate, and for such other and further and different relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214(b), answering papers, if any, must be served at least seven (7) days before the return date hereof.

Dated: _____, New York

_____, _____

By: s/ _____
[Signing Attorney's Name]
[Name of Counsel for moving
party, Address, etc.]

TO: [Name of Opposing Counsel, Address, etc.]

* **NOTE:** Pursuant to CPLR 2214(b), a motion may be made on eight (8) or twelve (12) days' notice. If an eight-day motion is made, answering papers, if any, must be served two days before the return date. If a twelve-day motion is made, answering papers must be served at least seven (7) days before the return date and reply affidavits, if any, must be served one (1) day before the return date.