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**7. Motion for Summary Judgment**

May be served once the discovery phase of the litigation has ended.

CIVIL COURT: CITY OF NEW YORK  
COUNTY OF KINGS

-----X  
XYZ Receivables Management LLC,

Index No.

Plaintiff,  
- against -

NOTICE OF MOTION  
FOR SUMMARY JUDGMENT

John Doe,

Defendant.

-----X

SIR/MADAM:

PLEASE TAKE NOTICE that the undersigned will move this Court at a Part 35, at the Courthouse located at 141 Livingston Street, Room 1102, Brooklyn, New York 11201, on \_\_\_\_\_, 20\_\_, at 9:30AM, or as soon thereafter as counsel may be heard, for an Order, pursuant to CPLR 3212, granting summary judgment in favor of Defendant as against Plaintiff, dismissing this action against Defendant with prejudice, awarding Defendant the costs of this action, and granting such other and further relief as this Court deems just and proper.

This action does not appear on any trial calendar of this Court.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, must be served at least two (2) days before the return date of this motion.

Dated: Brooklyn, New York  
\_\_\_\_\_, 20\_\_

\_\_\_\_\_  
John Doe  
Defendant  
[ YOUR ADDRESS ]

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CIVIL COURT: CITY OF NEW YORK  
COUNTY OF KINGS

-----X  
XYZ Receivables Management LLC,

Index No.

Plaintiff,  
- against -

AFFIDAVIT

John Doe,

Defendant.

-----X

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF KINGS     )

John Doe, being duly sworn, deposes and says:

1. That your affiant is the Defendant herein, and as such, is fully familiar with the facts and circumstances of this case.
2. That your affiant makes this affirmation in support of Defendant's motion for summary judgment pursuant to CPLR 3212, dismissing this action against Defendant with prejudice, and awarding the costs of this action.
3. This action was commenced by Plaintiff's filing of the Summons and Complaint dated \_\_\_\_\_, 20\_\_, copies of which are annexed hereto as Exhibit A.
4. Issue was joined upon Defendant's service of his Answer dated \_\_\_\_\_, 20\_\_. A copy of the Answer is annexed hereto as Exhibit B.
5. [ INSERT BASIS FOR ALLEGATION THAT SUMMARY JUDGMENT SHOULD BE GRANTED ].

WHEREFORE, it is respectfully requested that this Court grant summary judgment in favor of Defendant as against Plaintiff, award the costs of this action, and grant such other and further relief as this Court deems just and proper.

Sworn to before me this  
\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
John Doe

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