

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY

Index No: 117024/08

INTELLECT ART MULTIMEDIA, INC.

Plaintiff,

-against-

**NOTICE OF MOTION  
to DISMISS PURSUANT to  
CPLR § 3211 (a) 8, and (a) 7**

MATTHEW MILEWSKI, JOHN DOES 1-5, and XCENTRIC  
VENTURES, LLC

MS#002

Defendants.

**MESDAMES/SIRS:**

**MOTION BY:** XCENTRIC VENTURES, LLC, Defendant

**DATE, TIME and PLACE:** May 22, 2009  
9:30 o'clock in the forenoon

Motion Submission Part Room 130  
Supreme Court of the State of New York, New York County  
60 Centre Street, New York, NY 10013

**SUPPORTING PAPERS:** Affidavit of Ed Madeson, Memorandum of Law, all papers and proceedings heretofore had herein.

- RELIEF DEMANDED:**
- 1) An Order Pursuant to CPLR § 3211(a) 8, Dismissing the action a the Court does not have jurisdiction of the person of the Defendant Xcentric Ventures, LLC.; or in the alternative
  - 2) An Order Pursuant to CPLR § 3211(a) 7, Dismissing the causes of action for defamation and "products liability" as the complaint fails to state a cause of action; and
  - 3) Awarding the Defendant Xcentric Ventures, LLC the costs and disbursement of this motion, including

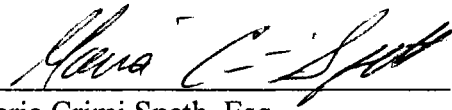
costs and disbursement of this motion, including attorney's fees pursuant to NYCRR 22 130-1.1 *et seq.*; and

- 4) For such other and further relief as to this court seems just and proper.

**Pursuant to Rule 2214(b), answering affidavits are to be served at least seven (7) days prior to the return date hereof.**

Dated: Phoenix, Arizona  
March 31, 2009

**JABURG & WILK, P.C.**



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Attorneys for Defendant Xcentric  
Ventures, LLC

To: Jeremy M. Klausner  
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