

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PRESCIENT ACQUISITION GROUP, INC.
d/b/a Prescient Capital Corp.,

Plaintiff,

Case No.: 05 CV 6298
(PKC)(AJP)
(ECF Case)

**NOTICE OF MOTION
FOR SUMMARY
JUDGMENT PURSUANT
TO FED.R.CIV.P 56**

-against-

MJ PUBLISHING TRUST, MJ-ATV PUBLISHING
TRUST, NEW HORIZON TRUST, and MICHAEL
J. JACKSON,

Defendants.

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PLEASE TAKE NOTICE that upon the accompanying Declaration of Desmond C. Whitaker, sworn to on January 2, 2007, the exhibits annexed thereto and accompanying Memorandum of Law, dated January 5, 2007, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court, in the Courthouse located in 500 Pearl Street, Room 12C, New York, New York, 10007 before the Hon. P. Kevin Castel on February 1, 2007, or as soon thereafter as counsel can be heard, for an Order granting Summary Judgment in favor of defendants MJ Publishing Trust, MJ-ATV Publishing Trust, and Michael J. Jackson (collectively "MJ Defendants") pursuant to Fed. R. Civ. P. 56, and further relief as this Honorable Court determines is just and reasonable under the circumstances.

PLEASE TAKE FURTHER NOTICE that pursuant to the directives of the Court, the schedule for service and filing of the present motion is as follows:

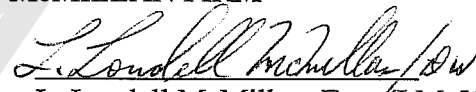
- (1) Defendants Motion for Summary Judgment and accompanying papers shall be served and filed on or before January 5, 2007;
- (2) Answering papers shall be served and filed on or before January 24, 2007;
and
- (3) Reply papers shall be served and filed on or before February 1, 2007.

Dated: New York, New York
January 4, 2007

Respectfully Submitted,

THE McMILLAN FIRM

By:


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