

SUPREME COURT
STATE OF NEW YORK COUNTY OF NEW YORK

JANE DOE,

Petitioner,

-against-

NOTICE OF MOTION

CORNELL UNIVERSITY, INC., CHI PHI CHAPTER
HOUSE ASSOCIATION, CHI PHI FRATERNITY, INC.,
CHI PHI EDUCATIONAL TRUST, ALPHA BETA HOUSE
CORPORATION OF DELTA DELTA DELTA, DELTA
DELTA DELTA SORORITY, ZAREEN ENTERPRISE LLC
d/b/a MOONIES BAR & NIGHTCLUB, MATTHEW
INGALLS, JOHNATHAN NEWELL, WINSTON LEE,
GILLIO LOPES, DIEGO SARABIA, SCOTT NORRIS,
SCOTT KRETZSCHMAR, JOHN DOE (FACULTY),
JOHN DOE (ALUMNI), JOHN DOES (EXECUTIVE
BOARD), and ORAZIO PETITO,

Index No.: 161704/2026

Defendants.

PLEASE TAKE NOTICE that Defendant Diego Sarabia, by and through its undersigned attorneys, will move this Court for an Order granting the relief described below, at the time and place set forth below:

Moving Party: Defendant Diego Sarabia.

Return Date: **November 16, 2026** at 9:30 a.m., at NYS Supreme Court, IAS Part 35 New York County, 60 Centre Street, Courtroom 252, New York, N.Y. 10007.

Relief Sought: Dismissal, with prejudice, of Plaintiff's Complaint, in its entirety, pursuant to CPLR 3211(a)(5) and (a)(7), together with such other relief in favor of the Defendant as the Court deems just and proper.

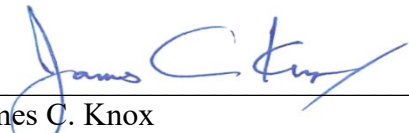
Supporting Papers: The papers offered in support of the motion are: (i) the Attorney Affirmation of James C. Knox, dated October 23, 2026, with an Exhibit; (ii) the Memorandum of Law in Support dated October 23, 2026; and (iv) all prior papers and pleadings had herein, filed with the Court and made a part of the NYSCEF docket for this case.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214(b), any party opposing the motion must serve its opposition papers (and any cross-motion) upon the undersigned at least **seven (7) days prior** to the above-listed Return Date. Defendant intends to serve and file reply papers.

Dated: Albany, New York
October 23, 2026

Respectfully submitted,

HACKER MURPHY LLP

By: 
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