

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

LANDMARK EDUCATION CORPORATION,

Plaintiff,

-against-

THE CONDE NAST PUBLICATIONS, INC.,
d/b/a SELF MAGAZINE, ADVANCE MAGAZINE
PUBLISHERS, INC. d/b/a SELF MAGAZINE
and DIRK MATHISON,

Defendants.

NOTICE OF APPEAL
0455 FEE PAID
Index No. 114814/93
(Assigned to
Davis, J.)

NOTICE OF APPEAL

(E)

S I R S :

PLEASE TAKE NOTICE that defendants The Conde Nast Publications, Inc. d/b/a Self Magazine, Advance Magazine Publishers, Inc. d/b/a Self Magazine and Dirk Mathison hereby appeal from the Order of the Honorable William J. Davis denying defendants' motion for summary judgment dismissing plaintiff's Complaint, that was duly filed in the office of the Clerk of New York County on the 7th day of July, 1994.

Dated: New York, New York
August 15, 1994

Yours, etc.,

SATTERLEE STEPHENS BURKE & BURKE
Attorneys for Defendants
THE CONDE NAST PUBLICATIONS,
INC. d/b/a SELF MAGAZINE,
ADVANCE MAGAZINE PUBLISHERS,
INC. d/b/a SELF MAGAZINE and
DIRK MATHISON
230 Park Avenue
New York, NY 10169
(212) 818-9200

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TO: MORRISON COHEN SINGER & WEINSTEIN
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750 Lexington Avenue
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SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

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LANDMARK EDUCATION CORPORATION,

Plaintiff-Respondent,

: NY Co. Clerk's
Index No. 114814/93

-against-

THE CONDE NAST PUBLICATIONS, INC.,
d/b/a SELF MAGAZINE, ADVANCE MAGAZINE
PUBLISHERS, INC. d/b/a SELF MAGAZINE
and DIRK MATHISON,

: PREARGUMENT
STATEMENT

Defendants-Appellants.

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1. The title of the action is Landmark Education Corporation, Plaintiff, vs. The Conde Nast Publications, Inc. d/b/a Self Magazine, Advance Magazine Publishers, Inc. d/b/a Self Magazine and Dirk Mathison, Defendants.

2. The full names of the original parties are as indicated above. There have been no changes to the original parties.

3. Counsel for Appellant is:

Robert M. Callagy
Satterlee Stephens Burke & Burke
230 Park Avenue
New York, New York 10169
(212) 818-9200

4. Counsel for Respondent is:

Deborah Lans
Morrison Cohen Singer & Weinstein
750 Lexington Avenue
New York, New York 10022
(212) 735-8600

5. This is an appeal taken from the Supreme Court of the State of New York, County of New York.

6. This is an action for damages for alleged libel.

7. By order dated June 29, 1994, the Honorable