

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

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THE PEOPLE OF THE STATE OF NEW
YORK, by ELIOT SPITZER, Attorney
General of the State of New York,

Petitioner,

-against-

APPLIED CARD SYSTEMS, INC., and
CROSS COUNTRY BANK, INC.,

Respondents.
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NOTICE OF PETITION

Index No.
RJI No.
Hon.

PLEASE TAKE NOTICE that upon the Verified Petition verified March 25, 2003 and the supporting Affirmation of Assistant Attorney General Mark D. Fleischer with exhibits, dated March 28, 2003, petitioner, People of the State of New York, by Attorney General Eliot Spitzer, will move this Court at an All Purpose Term, to be held at the County Courthouse in Albany, New York on the 9th day of May, 2003, for a judgment and order as follows:

1. Permanently enjoining respondents and any other entity through which they may act, from engaging in the fraudulent, deceptive and illegal practices alleged in the Verified Petition;
2. Directing respondents to make full monetary restitution and pay damages to aggrieved consumers, known and unknown;
3. Directing respondents to pay a civil penalty in the sum of \$500.00 to the State of New York for each instance of violation of GBL Article 22-A, pursuant to GBL § 350-d;
4. Awarding petitioner the costs and disbursements of this action, including additional costs in the amount of \$2,000.00 pursuant to CPLR § 8303(a)(6); and

5 Granting petitioner such other and further relief as this Court deems just and proper.

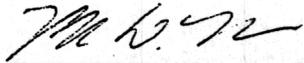
PLEASE TAKE FURTHER NOTICE, that respondents' answer and affidavits in opposition, if any, shall be served on petitioners at the address below seven (7) days prior to the return date pursuant to CPLR 403(b).

ELIOT SPITZER
Attorney General of the
State of New York
Attorney for Petitioners
The Capitol
Albany, New York 12224
Telephone (518) 486-9763

Dated: March 28, 2003

BUREAU OF CONSUMER
FRAUDS AND PROTECTION

THOMAS G. CONWAY
Assistant Attorney General in Charge



MARK D. FLEISCHER
MATTHEW J. BARBARO
Assistant Attorneys General