

DESIMONE LAW OFFICES
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John G. DeSimone

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Samuel G. DeSimone
Counselor to the Firm

September 11, 2002

James N. Flynn, Clerk
Superior Court of New Jersey, Appellate Division
Richard J. Hughes Justice Complex
25 Market Street
P.O. Box 006
Trenton, New Jersey 08625-0006

Re: Title In the Matter of G. Philip Lewis
Docket No.: A-005660-00T3

Dear Mr. Flynn:

Enclosed please find the original and five copies of the Notice of Motion, Brief of Appellant, G. Philip Lewis and Proof of Mailing, in the above captioned matter. I have also enclosed a check in the amount of \$30.00 to cover the cost of the filing fee.

Would you kindly file the Notice of Motion, Brief and Proof of Mailing and return a conformed copy in the self-addressed stamped envelope provided herein for your convenience.

If you have any questions, please feel free to contact the undersigned.

Respectfully submitted,

John G. DeSimone

JOHN G. DeSIMONE, ESQUIRE

JGD/jld/jcm

Enclosures

Cc: Kathleen Coates, Secretary, Board of Trustees of PERS
Debra A. Allen, DAG
Susanne Culliton, DAG
Patrick DeAlmeida, DAG
Mr. G. Philip Lewis, w/enclosure

Dictated, but not proof read.

IN THE MATTER OF
G. PHILIP LEWIS

G. PHILIP LEWIS,

Appellant,

CIVIL ACTION

v.

BOARD OF TRUSTEES,
PUBLIC EMPLOYEES'
RETIREMENT SYSTEM,

Respondent,

Interlocutory Appeal from State
of New Jersey, Department of
Treasury, Department of Pensions
and benefits Final Administrative
Determination

PROOF OF SERVICE

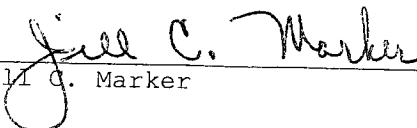
The original of the within Notice of Motion for Leave to Appeal from Interlocutory Order; Brief and Appendix in Support of Appellant, G. Philip Lewis' Motion for Leave to File Interlocutory Appeal and Proof of Service were hand delivered by courier service to James M. Flynn, Clerk of Appellate Division, Superior Court of New Jersey, Hughes Justice Complex, 25 West Market Street, Trenton, New Jersey 08625, for filing with the above named Court.

On Wednesday, September 11, 2002, I, the undersigned, had hand delivered by courier service to Debra A. Allen, DAG; Susanne Culliton, DAG and Patrick DeAlmeida, DAG; all at the Office of Attorney General, State of New Jersey, Department of Treasury, Hughes Justice Complex, 25 West Market Street, Trenton, New Jersey 08625 and KATHLEEN COATES, SECRETARY, Board of Trustees, Public Employees' Retirement System, 50 West State Street, Trenton, New Jersey 08625, the following:

Notice of Motion for Leave to Appeal from Interlocutory Order;
Brief and Appendix in Support of Appellant, G. Philip Lewis' Motion for
Leave to File Interlocutory Appeal and Proof of Service

I certify that the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 11, 2002


Jill C. Marker

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-005660-00T3

IN THE MATTER OF
G. PHILIP LEWIS

G. PHILIP LEWIS,

Appellant,

CIVIL ACTION

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BOARD OF TRUSTEES,
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RETIREMENT SYSTEM,

Respondent,

Interlocutory Appeal from State
of New Jersey, Department of
Treasury, Department of Pensions
and benefits Final Administrative
Determination

NOTICE OF MOTION FOR LEAVE TO APPEAL FROM INTERLOCUTORY ORDER

TO: DEBRA A. ALLEN, DAG
Office of Attorney General
State of New Jersey
Department of Treasury
Hughes Justice Complex
25 West Market Street
Trenton, NJ 08625

SUSANNE CULLITON, DAG
Office of Attorney General
State of New Jersey
Department of Treasury
Hughes Justice Complex
25 West Market Street
Trenton, NJ 08625

TO: KATHLEEN COATES, SECRETARY
Board of Trustees
Public Employees' Retirement System
50 West State Street
Trenton, NJ 08625


PATRICK DeALMEIDA, DAG
Office of Attorney General
State of New Jersey
Department of Treasury
25 West Market Street
Trenton, NJ 08625

PLEASE TAKE NOTICE that the Appellant, G. PHILIP LEWIS, through his undersigned attorney, moves for leave to appeal the Board of Trustees of the Public Employees' Retirement System (PERS) letter of August 23, 2002 signed by Kathleen Coates, Secretary, Board of Trustee, Public Employees' Retirement System.

Appellant will rely on the attached Brief and Appendix in support of this application.

DESIMONE LAW OFFICES
JOHN G. DeSIMONE, LLC - ATTORNEYS AT LAW

Dated: 9/11/02



JOHN G. DeSIMONE, ESQUIRE
Attorney for Appellant