

At a term, Justice Colabella's Part, of the Supreme Court of the State of New York, held in and for the County of Westchester, at _____, on November 2010

**HON. NICHOLAS COLABELLA
SUPREME COURT JUSTICE**

Present: Hon. Nicholas Colabella, Justice.

X-----X

In the Matter of the Application of the

Ossining Historical Society Museum

for an order pursuant to

Not-for-Profit Corporations Law

Section 1510.

X-----X

ORDER

Index No. 26005-10

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FILED
NOV - 8 2010
COUNTY CLERK
WESTCHESTER

PETITIONER Ossining Historical Society, by its attorney David J. Bamonte, having duly moved for an *ex parte* order pursuant to Not-for-Profit Corporations Law Section 1510 permitting removal of a body from a cemetery owned by Petitioner, for forensic and genetic testing to be performed on said remains and for reburial of said remains within said cemetery for the purposes of: (1) promoting the health and safety of the public; and (2) furthering its mission of promoting public education on matters of historical and genealogical interest.

NOW, upon reading and filing the affidavits of (1) Dan W. Deluca, sworn to on June 19, 2010, (2) Bernard Adler, sworn to on October 6, 2010, (3) John Lee, sworn to on July 15, 2010, (4) Cathy Crisfield, sworn to on September 27, 2010, and (5) Dr. Nicholas Bellantoni, sworn to on June 22, 2010, in support of the motion and due deliberation having been had thereon, and it appearing that the sole person with an interest in this proceeding is petitioner; and it further appearing the public health and safety will be promoted by the relocation of the remains as set forth in the petition; and