

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

Theo Chino and Chino LTD,

Plaintiffs-Petitioners,

-against-

The New York State Department of Financial  
Services and Maria T. Vullo, in her official  
capacity as Superintendent of the New York State  
Department of Financial Services.

Defendants-Respondents.

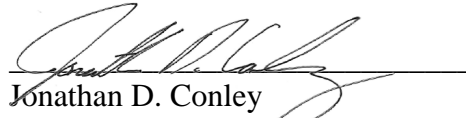
**Affirmation of Jonathan D. Conley  
in Support of Defendants'-  
Respondents' Cross-Motion to  
Dismiss the Amended Verified  
Complaint and Article 78 Petition**

Index No. 101880/2015  
Hon. Lucy Billings

**Jonathan D. Conley**, an attorney admitted to practice in the courts of the State of New York, affirms the following to be true under the penalties of perjury in accordance with Rule 2106 of the New York Civil Practice Law and Rules:

1. I am an Assistant Attorney General in the Office of Eric T. Schneiderman, Attorney General of the State of New York, attorney for defendants-respondents the New York State Department of Financial Services and Maria T. Vullo, in her official capacity as Superintendent of the New York State Department of Financial Services, (collectively, "DFS") in this matter.
2. I submit this affirmation in support of DFS's cross-motion to dismiss this action pursuant to Rule 3211 and Section 7803 of the New York Civil Practice Law and Rules.
3. Attached to this affirmation as Exhibit A is a true and accurate copy of the plaintiffs'-petitioners' amended verified complaint and Article 78 petition, dated May 25, 2017, without exhibits.

Dated: New York, New York  
June 23, 2017

A handwritten signature in black ink, appearing to read "Jonathan D. Conley", is written over a horizontal line.

Jonathan D. Conley  
Assistant Attorney General  
Office of the Attorney General  
120 Broadway – 24th Floor  
New York, New York 10271  
Tel: (212) 416-8108  
Fax: (212) 416-6009  
[Jonathan.Conley@ag.ny.gov](mailto:Jonathan.Conley@ag.ny.gov)