

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LÉONE MEYER,

Plaintiff,

-against-

THE BOARD OF REGENTS OF THE UNIVERSITY OF
OKLAHOMA, DAVID L. BOREN IN HIS INDIVIDUAL
CAPACITY, DAVID L. BOREN IN HIS CAPACITY AS THE
PRESIDENT OF THE UNIVERSITY OF OKLAHOMA, THE
UNIVERSITY OF OKLAHOMA FOUNDATION, INC., DAVID
FINDLAY GALLERIES, INC., WALLY FINDLAY
GALLERIES (NEW YORK), INC., WALLY FINDLAY
GALLERIES INTERNATIONAL DEVELOPMENT CORP.,
DFG ART CORP. FINDLAY ART CONSIGNMENTS, INC.,
FINDLAY GALLERIES, INC., THE AMERICAN ALLIANCE
OF MUSEUMS, THE ASSOCIATION OF ART MUSEUM
DIRECTORS,

Defendants.

No. 13 Civ. 3128 (CM)

**NOTICE OF MOTION FOR JUDICIAL NOTICE OF DOCUMENTS
AND FACTS IN SUPPORT OF RENEWED MOTION TO DISMISS**

Pursuant to Rule 201(b)(2) of the Federal Rules of Evidence, Defendants the Board of Regents of the University of Oklahoma, David L. Boren in his individual and official capacity as the President of the University of Oklahoma and the University of Oklahoma Foundation, Inc. (collectively the “Oklahoma Parties”), through counsel, request that this Court take judicial notice of certain documents and facts. This request is based on this Motion for Judicial Notice of Documents and Facts, the Memorandum of Law in support, and the Declaration of Laurie A. Stein filed concurrently herewith.

WHEREFORE, for the reasons more fully set forth in the memorandum of law filed concurrently herewith, to the extent appropriate, the Oklahoma parties request that the Court take judicial notice of the following documents and facts:

1. The existence of the Timeline and Judgment in the case of *Raoul Meyer v. Dr. Christoph Bernoulli*, (1953), publically available at the State Archives of Basel, Switzerland, Court Archive A 740, 514-528, certified English translation thereof, attached as Exhibit A to the Declaration of Laurie A. Stein.

Dated: February 7, 2014

Respectfully Submitted,

NIXON PEABODY LLP

By: /s/ Thaddeus J. Stauber
Thaddeus J. Stauber

437 Madison Avenue
New York, New York 10022
Telephone: (212) 940-3000
Facsimile: (212) 940-3111
tstauber@nixonpeabody.com

Attorneys for the Board of Regents of the
University of Oklahoma, David L. Boren in his
individual and official capacity as the President of
the University of Oklahoma, and the University of
Oklahoma Foundation, Inc.