

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: SECOND JUDICIAL DEPARTMENT**

ORAL CLARKE, ROMANCE REED, GRACE
PEREZ, PETER RAMON, ERNEST TIRADO,
and DOROTHY FLOURNOY,

ORDER TO SHOW CAUSE

Plaintiffs-Respondents,

v.

Appellate Division Docket No.:
2024-04378

TOWN OF NEWBURGH and TOWN BOARD
OF THE TOWN OF NEWBURGH,

Defendants-Appellants.

Upon the annexed Affirmation of Emergency and Affirmation of Bennet J. Moskowitz,
dated June 10, 2024, and the papers annexed thereto,

LET THE PLAINTIFFS-RESPONDENTS SHOW CAUSE BEFORE THIS COURT,
at the courthouse thereof, located at 45 Monroe Place, Brooklyn, New York, 11201, on the 25th day
of June, 2024, at 10:00 o'clock in the forenoon of that date or as soon thereafter as
counsel may be heard, why an order should not be made and entered:

1. Staying all proceedings in the trial court (Orange Cnty. Index No.: EF002460-2024)
pending the resolution of this appeal (Appellate Division Docket No.: 2024-04378);
2. Requiring Plaintiffs-Respondents and Defendants-Appellants to adhere to an
expedited briefing schedule as fully set forth below:
 - a. Defendants-Appellants shall have to and including July 5, 2024 to file their opening
brief.
 - b. Plaintiffs-Respondents shall have to and including July 25, 2024 to file their
answering brief.

c. Defendants-Appellants shall have to and including August 9, 2024 to file their reply brief.

3. Granting a preference in the hearing of the above-captioned appeal on the first available calendar date of this Court following the conclusion of expedited briefing;

4. Granting such other and further relief as to the Court may seem just and equitable.

SUFFICIENT CAUSE THEREFORE APPEARING, it is

No interim relief granted

L.L.L. AJAD

~~ORDERED that pending the hearing and determination of this motion, all proceedings in the trial court (Orange County Index No. EF002460-2024) are stayed, and it is further,~~

ORDERED that service of a copy of this order to show cause and the papers upon which it was made upon counsel for the plaintiffs-respondents by filing on NYSCEF and by

~~personal delivery pursuant to CPLR 2103(b)(1)~~

~~office delivery pursuant to CPLR 2103(b)(3)~~

~~overnight delivery service pursuant to CPLR 2103(b)(6)~~

electronic mail delivery

on or before June 18, 2024, shall be deemed sufficient service thereof.

Dated: Brooklyn, New York
June 17, 2024



Associate Justice
Appellate Division, Second Department
Hon. Laurence L. Love

NOTE: On the return date all motions and proceedings are deemed submitted. Oral argument is not permitted (22 NYCRR 1250.4[a][8])