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August 26, 2024

**VIA NYSCEF**

Hon. Maria S. Vazquez-Doles  
Orange County Supreme Court  
Orange County Government Center, Courtroom 5  
285 Main Street  
Goshen, NY 10924

Re: *Oral Clarke et al. v. Town of Newburgh et al.*, Index No. EF002460-2024

Dear Justice Vazquez-Doles:

We represent plaintiffs Oral Clarke, Romance Reed, Grace Perez, Peter Ramon, Ernest Tirado, and Dorothy Flournoy (collectively, the “plaintiffs”) in this matter. We write with the consent of the defendants to request, respectfully, that the Court set a trial date for November in this matter. If the Court would prefer to discuss the scheduling issue at a conference, counsel are all available virtually on the afternoon of Tuesday, September 3 and the afternoon of Wednesday, September 4.

As the Court is aware, under Election Law § 17-216, this case is subject to expedited judicial proceedings. The action concerns potential changes to the 2025 Town of Newburgh elections. Petition collection for candidates in that election begins in February 2025 (candidate recruitment will have already occurred in January). If the Court were to modify the election structure without delaying petition collection or the election, the Court would need to hold a trial and decide on a remedy, and all appellate review would need to be completed, by the end of February 2025.

Counsel for the defendants are on trial, however, from December 9, 2024 through December 20, 2024, in representing the County of Nassau in *Hazel Coads et al v. Nassau County et al*, Index No. 611872/2023 (Nassau Cnty. St. Sup. Ct.) a separate challenge to their county legislature district maps (also under the New York State Voting Rights Act).

Because counsel for the defendants are unavailable in December, and as they are available in November with the exception of the week of November 25, a November court date is necessary. If the Court can accommodate our request, we have agreed to the following schedule:

- September 20, 2024 – deadline to file moving briefs;
- October 11, 2024 – deadline to file opposition briefs;
- October 18, 2024 – deadline to file reply briefs;

- November [ ], 2024 – trial date (exact date to be determined by the Court, excluding the week of November 25).

Thank you for your consideration of our request.

Respectfully yours,



Robert A. Spolzino