

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE

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

Plaintiffs,

v.

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

Defendants.

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**NOTICE OF ENTRY**

Index No.: EF002460-2024

PLEASE TAKE NOTICE, that the attached is a true copy of the Order of the Hon. Mary Anne Scattaretico-Naber, dated May 15, 2025 (NYSCEF No. 196), that was entered in the office of the Clerk of the Supreme Court of the State of New York, Orange County, on the 16th day of May, 2025.

Dated: New York, New York  
May 16, 2025

TROUTMAN PEPPER LOCKE LLP

/s/ Bennet J. Moskowitz

BENNET J. MOSKOWITZ

PARIS L. KENT

875 Third Avenue

New York, New York 10022

(212) 704-6000

MISHA TSEYTLIN

MOLLY S. DIRAGO (*pro hac vice*)

111 S. Wacker Dr., Suite 4100

Chicago, Illinois 60606

(608) 999-1240

ANAIS JACCARD

301 S. College St, 34th Floor

Charlotte, NC 28202

*Attorneys for Defendants Town of Newburgh  
and Town Board of the Town of Newburgh*

TO: All Counsel of Record Via NYSCEF

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ORANGE  
HON. MARY ANNE SCATTARETICO-NABER, J.S.C.

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

Plaintiffs,

-against-

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

Defendants.

-----X

[To commence the statutory time period for appeals as of right (CPLR 5513[a]), you are advised to serve a copy of this order, with notice of entry, upon all parties.]

Index No. **EF002460-2024**

**SHORT FORM ORDER**

Plaintiffs move, by way of letter application, asking the court for the following relief:

(1) for a transfer of this matter to Westchester County, the County designated as the proper venue “in an action or proceeding in which any party challenges the constitutionality of a provision of this chapter ...” pursuant to Election Law Section 16-101; and (2) to hold an expedited hearing.

On May 14, 2025, the Court heard oral argument in response to the Plaintiffs’ letter application and Defendants’ opposition by letter thereto claiming, *inter alia*, that the Plaintiffs waived venue in Westchester County by initially filing this proceeding in Orange County, and alluding to, *inter alia*, forum shopping by the Plaintiffs. The Court reserved decision, scheduling virtual appearances on May 15, 2025, for rendering of that decision.

Now, after due deliberation and consideration of the papers submitted and arguments of counsel, the Court herein grants Plaintiffs’ application, finding that the proper venue for this proceeding is Westchester County Supreme Court, the County designated in the Second Judicial Department to hear such proceedings, pursuant to Election Law Section 16-101 (1)(b).

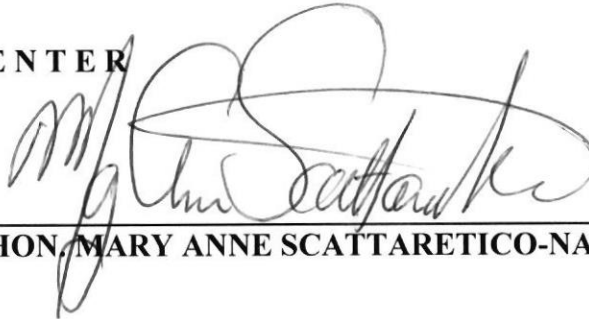
Accordingly, the Chief Clerk of Orange County Supreme Court is herein directed to

transfer this proceeding to Westchester County Supreme Court, forthwith, the Court designated to hear these matters for the Second Department, according to statute, to be scheduled for an expedited hearing in accordance with Election Law § 17-216.

The foregoing constitutes the decision and order of the Court.

Dated: MAY 15, 2025  
Goshen, New York

ENTER



**HON. MARY ANNE SCATTARETICO-NABER, J.S.C.**

TO: All parties, via NYSCEF