

At a \_\_\_\_\_ of the Supreme Court of the State of New York, held in and for the County of Steuben at 3 East Pulteney Square, Bath, NY 14810, on the 13 day of May 2022.

PRESENT: HON. PATRICK F. MCALLISTER, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF STEUBEN

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:  
TIM HARKENRIDER, GUY C. BROUGHT, :  
LAWRENCE CANNING, PATRICIA CLARINO, :  
GEORGE DOOHER, JR., STEPHEN EVANS, :  
LINDA FANTON, JERRY FISHMAN, JAY :  
FRANTZ, LAWRENCE GARVEY, ALAN :  
NEPHEW, SUSAN ROWLEY, JOSEPHINE :  
THOMAS, AND MARIANNE VIOLANTE, :

Petitioners, :

v. :

GOVERNOR KATHY HOCHUL, LIEUTENANT :  
GOVERNOR AND PRESIDENT OF THE :  
SENATE BRIAN A. BENJAMIN, SENATE :  
MAJORITY LEADER AND PRESIDENT PRO :  
TEMPORE OF THE SENATE ANDREA :  
STEWART-COUSINS, SPEAKER OF THE :  
ASSEMBLY CARL HEASTIE, NEW YORK :  
STATE BOARD OF ELECTIONS, AND THE :  
NEW YORK STATE LEGISLATIVE TASK :  
FORCE ON DEMOGRAPHIC RESEARCH AND :  
REAPPORTIONMENT, :

Respondents. :  
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Index No.: E2022-0116CV

**ORDER TO SHOW CAUSE  
REGARDING LARRY SHARPE,  
DIANE SARE, and WILLIAM CODY  
ANDERSON as chair and de facto  
President of the LIBERTARIAN  
PARTY OF NEW YORK'S  
EMERGENCY MOTION FOR  
LEAVE TO INTERVENE**

Upon the emergency motion of Larry Sharpe, Diane Sare and the Libertarian Party of New York to intervene in this action on the ground that their interests are or may be inadequately represented and that they may be bound by the judgment entered herein; the annexed Affidavits of Larry Sharpe, Diane Sare and Cody Anderson, Chair and de facto President of the Libertarian Party of New York; Proposed Answer to Amended Petition With Additional Cause of Action Seeking to Modify Election Law Provisions for Independent Statewide Candidates; and the accompanying Memorandum of Law of Jonathan O'Brien,

Esq., Petitioners and Respondents are hereby

**ORDERED TO SHOW CAUSE**, on the 19 day of May 2022 at 10:00 am .

or as soon thereafter counsel can be heard, at Part \_\_\_\_\_, [Room, 3] at the Courthouse located at 3 East Pulteney Square, Bath NY 14810, under CPLR 1012 & 1013, *Virtual Appearance Permitted*

- (a) WHY PETITIONER-INTERVENORS should not be allowed to intervene to protect their rights as voters, candidates, and potential ballot-qualified political parties qua independent bodies, and
- (b) WHY AN ORDER should not be issued directing THE NEW YORK STATE BOARD OF ELECTIONS and related respondents to extend the time period for petitioning 4 weeks beyond the statutory May 31 deadline, which is eleven days from when new State Senate and Congressional district maps will be issued; and
- (c) WHY THIS COURT should not remedy the harm to proposed intervenors by waiving the new 45,000 signature requirement to petition onto the ballot for non-recognized-party statewide candidates, and reducing the signature requirement to 30,000 as occurred in the 2020 election due to Covid-19, or to the previous 15,000 signature requirement and
- (d) WHY THIS COURT should not waive the 500 signature requirement per each of 13 congressional districts and
- (e) WHY THIS COURT should not grant any such other and further relief as is just and equitable, and it is further

**ORDERED** that service of a copy of this Order and accompanying documents be made on counsel to all parties via NYSCEF, on or before the 14 day of May, and that such service be deemed sufficient, and it is further;

**ORDERED** that Petitioners and Respondents including the NEW YORK STATE BOARD OF ELECTIONS shall file a copy with this Court of their reply/opposition papers, if any, in connection with the above motion to intervene and/or any of the accompanying requests for relief, via NYSCEF, by

May 10, 2022.

Dated: Bath, NY  
May 13, 2022

ENTER:   
\_\_\_\_\_  
HON. PATRICK F. MCALLISTER, JSC