

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BELINDA DE GAUDEMAR, ANTHONY
HOFFMANN, SUSAN SCHOENFELD, NANCY
PASCAL, and MICHAEL CORBETT

Plaintiffs,

v.

PETER S. KOSINSKI, in his official capacity as
Co-Chair of the State Board of Elections;
DOUGLAS A. KELLNER, in his official capacity
as Co-Chair of the State Board of Elections;
ANDREW J. SPANO, in his official capacity as
Commissioner of the State Board of Elections;
ANTHONY J. CASALE, in his official capacity as
Commissioner of the State Board of Elections;
TODD D. VALENTINE, in his official capacity as
Co-Executive Director of the State Board of
Elections; and KRISTEN ZEBROWSKI-
STAVISKY, in her official capacity as Co-
Executive Director of the State Board of Elections,

Defendants.

Case No. 22 Civ. 3534

**ORDER TO SHOW CAUSE FOR TEMPORARY RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 65, and upon Plaintiffs' Memorandum of Law in Support of their Motion for a Temporary Restraining Order and Preliminary Injunction, and the Declarations and Exhibits attached thereto, Plaintiffs Belinda de Gaudemar, Anthony Hoffmann, Susan Schoenfeld, Nancy Pascal, and Michael Corbett hereby move this Court to issue a Temporary Restraining Order and subsequent preliminary injunction (1) enjoining Defendant members of the New York State Board of Elections from implementing, enforcing, or giving any effect to New York's congressional districting plans as adopted by the

court in *Favors v. Cuomo*, No. 1:11-cv-05632, 881 F. Supp. 2d 356 (E.D.N.Y. 2012), and (2) ordering such Defendants to proceed with certifying the primary ballot by Wednesday, May 4, under a congressional plan as adopted by this court, that complies with Article I, Section 2 of the U.S. Constitution and 2 U.S.C. § 2c, in time for New York to conduct its primary on June 28, 2022, as required by federal court order.

A copy of this Order to Show Cause, the memorandum of law in support, and all attached declarations and exhibits, as well as the Complaint in this action, will be provided to Defendants' counsel via email shortly after filing.

Dated: May 2, 2022

Respectfully submitted,

**EMERY CELLI BRINCKERHOFF
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**Pro hac vice applications to be submitted.*