

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ALBANY

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Anthony S. Hoffmann; Courtney Gibbons;  
Lauren Foley; Seth Pearce; and Nancy Van Tassel,

Index No. 904972-22

Petitioners,

**ORDER TO SHOW CAUSE**

For an Order and Judgment Pursuant to Article 78 of the  
New York Civil Practice Law and Rules

**Oral argument requested**

-against-

The New York State Independent Redistricting  
Commission; Independent Redistricting Commission  
Chairperson David Imamura; Independent Redistricting  
Commissioner Ross Brady; Independent Redistricting  
Commissioner John Conway III; Independent Redistricting  
Commissioner Ivelisse Cuevas-Molina; Independent  
Redistricting Commissioner Elaine Frazier; Independent  
Redistricting Commissioner Lisa Harris; Independent  
Redistricting Commissioner Charles Nesbitt; and  
Independent Redistricting Commissioner Willis H.  
Stephens,

Respondents.

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UPON reading and filing the annexed Verified Petition of Petitioners Anthony S. Hoffmann, Courtney Gibbons, Lauren Foley, Seth Pearce, and Nancy Van Tassel, dated June 28, 2022, and the Affirmation of James R. Peluso and the exhibits attached thereto, and the accompanying Memorandum of Law, dated June 28, 2022, and upon due consideration:

LET THE RESPONDENTS OR RESPONDENTS' COUNSEL SHOW CAUSE before this court, at the Albany County Courthouse located at <sup>16</sup>~~20~~ Eagle Street, Albany, New York, on ~~July 29~~ **August 5**, 2022 at 9:30 a.m., or as soon thereafter as counsel may be heard, why a judgment should not be entered in this proceeding:

~~✱~~ **NO PERSONAL OR VIRTUAL APPEARANCES ON RETURN** ~~✱~~  
**UNLESS DIRECTED BY ASSIGNED JUSTICE**

1. Granting judgment, pursuant to Article 78 of the New York Civil Practice Law and Rules ("CPLR"), compelling the New York State Independent Redistricting Commission and its commissioners to fulfill their constitutional duty under Article III, Sections 4 and 5 of the New York Constitution by submitting a second round of proposed congressional and state legislative districting plans for consideration by the Legislature, in order to ensure that a lawful plan is in place immediately following the 2022 elections and can be used for subsequent elections this decade; and

2. Grant such other and further relief as this Court may find just and proper.

And it is further ORDERED, that service of a copy of this order on the Attorney General, Independent Redistricting Commission Chairperson David Imamura, Independent Redistricting Commissioner Ross Brady, Independent Redistricting Commissioner John Conway III, Independent Redistricting Commissioner Ivelisse Cuevas-Molina, Independent Redistricting Commissioner Elaine Frazier, Independent Redistricting Commissioner Lisa Harris, Independent Redistricting Commissioner Charles Nesbitt, and Independent Redistricting Commissioner Willis

H. Stephens, by ~~personal or electronic mail service~~ **a method of service authorized in CPLR article 3**, together with the papers upon which it is granted, on or before the ~~30th~~ **5th** day of ~~June~~ **July**, 2022, be deemed good and sufficient service upon Respondents thereof; and it is further

ORDERED that answering papers shall be served on Petitioners' counsel by electronic ~~service~~ **22nd** service on or before the ~~30th~~ day of July, 2022; and it is further

ORDERED that reply papers, if any, shall be served on Respondents' counsel by electronic ~~service~~ **4th** service on or before the ~~26th~~ day of ~~July~~ **August**, 2022.

ENTER:

  
RICHARD PLATKIN, A. J.S.C.



06/30/2022

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*\*Pro hac vice applications forthcoming*