

At IAS Part \_\_ of the Supreme Court of the State of New York, held in and for the County of Steuben, at the Courthouse located at 3 East Pulteney Square Bath, NY 14810, on the 15<sup>th</sup> day of February, 2022.

PRESENT: \_\_\_\_\_

HON. PATRICK F. McALLISTER, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF STEUBEN

-----X

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  
VOLANTE,

Petitioners,

-against-

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.

-----X

Index No. E2022-0116CV

**ORDER TO SHOW CAUSE  
WHY PETITIONERS  
SHOULD NOT BE  
GRANTED LEAVE TO  
CONDUCT EXPEDITED  
DISCOVERY**

**UPON** reading of the Affirmation of Bennet J. Moskowitz dated February 14, 2022 (“Moskowitz Aff.”), and the exhibits annexed thereto, and Petitioners’ Memorandum of Law in support of their Proposed Order to Show Cause Why Petitioners Should Not be Granted Leave to Conduct Expedited Discovery; and all of the pleadings and proceedings heretofore had herein, it is hereby:

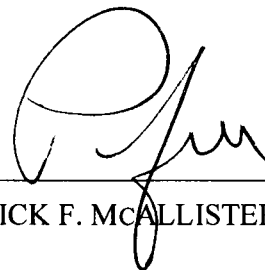
**ORDERED** that Respondents or their counsel appear and show cause before this Court, at IAS Part \_\_, Room \_\_\_\_, at the Courthouse located at 3 East Pulteney Square Bath, NY 14810, on the 3<sup>rd</sup> day of ~~February~~<sup>March</sup>, 2022, at 9:30 a.m., or as soon thereafter as counsel can be heard, why an Order should not be issued granting Petitioners leave to pursue the discovery attached in the Moskowitz Aff.; and it is

**FURTHER ORDERED** that Respondents shall serve any papers in opposition by NYSCEF no later than the 25<sup>th</sup> day of February, 2022; and it is

**FURTHER ORDERED** that Petitioners shall serve any reply papers in further support of their Motion for Leave to Amended by NYSCEF no later than the 2 day of ~~February~~<sup>March</sup>, 2022.

DATED: Bath, New York  
February 15, 2022

ENTER:



HON. PATRICK F. McALLISTER, J.S.C.

Dated: New York, New York  
February 14, 2022

TROUTMAN PEPPER HAMILTON  
SANDERS LLP

KEYSER MALONEY &  
WINNER LLP

By: s/ Bennet J. Moskowitz

\_\_\_\_\_  
Bennet J. Moskowitz, Reg. No. 4693842  
875 Third Avenue  
New York, New York 10022  
(212) 704-6000  
bennet.moskowitz@troutman.com

By: s/ George H. Winner, Jr.

\_\_\_\_\_  
George H. Winner, Jr., Reg. No. 1539238  
150 Lake Street  
Elmira, New York 14901  
(607) 734-0990  
gwinner@kmw-law.com

Misha Tseytlin, Reg. No. 4642609  
227 W. Monroe St.  
Suite 3900  
Chicago, IL 60606  
(608) 999-1240  
misha.tseytlin@troutman.com