

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 9<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

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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  
VOLANTE,

Index No. E2022-0116CV

**ORDER TO SHOW CAUSE  
FOR LEAVE TO FILE  
AMENDED PETITION**

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.

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UPON reading of the Affirmation of Bennet J. Moskowitz dated February 8, 2022, and the exhibits annexed thereto, and Petitioners' Memorandum of Law in support of their Motion for Leave to Amend; 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 file their proposed Amended Petition; and it is

**FURTHER ORDERED** that Petitioners shall serve a copy of this Order and all papers in support thereof upon counsel for Respondents who have not yet appeared in this special proceeding by NYSCEF as of the time of entry hereof, and upon the New York Attorney General as required by CPLR 2214(d), by personal delivery on or before the 17 day of February, 2022; and it is

**FURTHER ORDERED** that Respondents shall serve any papers in opposition to Petitioners' Motion for Leave to Amend by NYSCEF no later than the 24 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 Amend by NYSCEF no later than the 1<sup>st</sup> day of ~~February~~ <sup>March</sup>, 2022; and it is

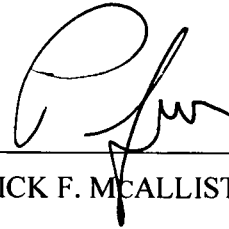
**FURTHER ORDERED** that if Petitioners are granted leave to file their proposed Amended Petition, Petitioners shall file it along with a proposed Order to Show Cause that ~~maintains~~ <sup>adjourned</sup> the ~~February 24~~ <sup>March 3</sup>, 2022 return date, February ~~17~~ <sup>24</sup>, 2022 deadline for Respondents to file any answering papers, ~~February 23~~ <sup>March 1</sup>, 2022 deadline for Petitioners to file any reply papers, and

~~February 14, 2022 discovery meet-and-confer deadline, which are already set forth in the February 7, 2022 Order to Show Cause (NYSCEF Doc. #11).~~

DATED: Bath, New York

February 1, 2022

ENTER:



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