

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 \_\_\_\_ 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 GAVIN WAX'S  
EMERGENCY MOTION FOR  
LEAVE TO  
INTERVENE**

Upon the emergency motion of Gavin Wax to intervene in this action on the ground that his interests are or may be inadequately represented and that he is or may be bound by the judgment entered herein; the annexed Affidavit of Gavin Wax, sworn to on May 1, 2022; the Proposed Answer to Amended Petition with Additional Cause of Action Seeking to Invalidate State Assembly Maps; and the accompanying Memorandum of Law, Petitioners and Respondents are hereby

**ORDERED TO SHOW CAUSE**, on the \_\_\_\_\_ day of May 2022 at \_\_\_\_\_, or as soon thereafter as counsel can be heard, at Part \_\_\_\_\_, [via videoconference link to be provided by the

Court] [Room, \_\_\_\_ at the Courthouse located at 3 East Pulteney Square, Bath NY 14810], why, under CPLR § 1012(a)(2), Gavin Wax should not be allowed to intervene as a Petitioner, and why Gavin Wax's Additional Cause of Action Seeking to Invalidate State Assembly Maps should not be granted; and

**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 served on counsel to all parties via NYSCEF, on or before the \_\_\_\_ day of May, 2022, and it is further;

**ORDERED** that Petitioners and Respondents shall file a copy with this Court of their reply/opposition papers, if any, in connection with Gavin Wax's motion to intervene and/or any of the accompanying requests for relief, via NYSCEF, by \_\_\_\_\_ at \_\_\_\_\_.

DATED: Bath, New York  
\_\_\_\_\_, 2022

**ENTER:**

\_\_\_\_\_  
**HON. PATRICK F. MCALLISTER, J.S.C.**