

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 LEAVE TO AMEND
PETITION AND FOR
AUTHORIZATION OF
SUBSTITUTED SERVICE**

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

-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.

-----X
UPON reading and filing the annexed Affirmation of Aaron M. Mukerjee dated July 14,
2022, and the exhibits attached thereto, including the Amended Verified Petition of Petitioners
Anthony S. Hoffmann, Marco Carrión, Courtney Gibbons, Lauren Foley, Mary Kain, Kevin
Meggett, Reverend Clinton Miller, Seth Pearce, Verity Van Tassel Richards, and Nancy Van
Tassel, and the accompanying Memorandum of Law, and upon due consideration:

LET THE RESPONDENTS OR RESPONDENTS' COUNSEL SHOW CAUSE before
this court, at the Albany County Courthouse located at 16 Eagle Street, Albany, New York, on
July ²⁹~~27~~, 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 appearances required at that
time unless directed by the assigned judge.*

DH

1. Granting Petitioners leave, pursuant to New York Civil Practice Law and Rules (“CPLR”) § 7804(d), to amend their Verified Petition and file and serve an Amended Verified Petition in the form reflected in Exhibit 11 to the Affidavit of Aaron Mukerjee, annexed thereto; and

2. Authorizing substituted service, pursuant to CPLR § 308(5), of the initiating papers and any subsequent papers in this action by electronic mail or first-class mail on the Attorney General, Independent Redistricting Commission Chairperson David Imamura, Independent Redistricting Commissioners Ross Brady, John Conway III, Ivelisse Cuevas-Molina, Elaine Frazier, Lisa Harris, Charles Nesbitt, and Willis H. Stephens; and

3. Granting 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 and the papers upon which it is granted, on the Attorney General, Independent Redistricting Commission Chairperson David Imamura, Independent Redistricting Commissioners Ross Brady, John Conway III, Ivelisse Cuevas-Molina, Elaine Frazier, Lisa Harris, Charles Nesbitt, and Willis H. Stephens, by electronic mail ^{and overnight} ~~or first-class~~ mail pursuant to CPLR § 308(5), on or before the ^{21st} ~~15th~~ day of July, 2022, be deemed good and sufficient service upon Respondents thereof; and it is further

DH

ORDERED that answering papers to this Order shall be served on Petitioners’ counsel by electronic service on or before the ^{27th} ~~20th~~ day of July, 2022; and it is further

DH

ORDERED that reply papers to this Order, if any, shall be served on Respondents’ counsel by electronic service on or before the ^{28th} ~~21st~~ day of July, 2022; and it is further

DH

ORDERED that the return date and corresponding deadlines for answering papers and reply papers related to Petitioners’ original Verified Petition, filed on June 28, 2022, be adjourned pending resolution of Petitioners’ motion for leave to file an amended petition.

ENTER:

July 20, 2022



07/20/2022

Dennis Q. Hartman

A.J.S.C.

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**Pro hac vice applications forthcoming*