

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 VOLANTE,

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 THE PARENT
PARTY INTERVENORS'
EMERGENCY MOTION FOR
LEAVE TO INTERVENE**

Upon the emergency motion of The Parent Party of New York, Patrick Donohue, William Noel, Brian Robinson, Danyela Souza Egorov, Kevin Pazmino, Pooi Stewart, Otis D. Danne Jr., and Gavin Wax to intervene in this action on the ground that their interests are or may be inadequately represented and they may be bound by the judgment entered herein and on the ground that their intervention will not unduly delay the determination of the action or prejudice the substantial rights of any party; the Affidavits of Patrick Donohue, William Noel, Brian Robinson, Danyela Souza Egorov, Kevin Pazmino, Pooi Stewart, Otis D. Danne Jr., and Gavin Wax; the Proposed Petition with Additional Cause of Action

Requesting Modifications to the Independent Nominating Petition Process; the Proposed Order, and the 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 Room __3__ at the Courthouse located at 3 East Pulteney Square, Bath NY 14810 [Virtual Appearance Permitted], why, under CPLR § 1012 and/or CPLR § 1013, The Parent Party of New York, Patrick Donohue, William Noel, Brian Robinson, Danyela Souza Egorov, Kevin Pazmino, Pooi Stewart, Otis D. Danne Jr., and Gavin Wax should not be allowed to intervene as Petitioners; and

WHY THIS COURT should not amend its May 11, 2022 Order concerning ballot access (NYSCEF Doc. No. 524) (the “Ballot Access Order”) as follows:

1. The political calendar dates for independent nominating petitions listed on page 4 of the Ballot Access Order shall apply to the independent nominating process for the following offices: (a) All Statewide offices; (b) Representative in Congress; (c) New York State Senate; (d) New York State Assembly; and (e) all local public offices for the November 8, 2022 General Election;

2. With respect to the political calendar dates for the independent nominating process listed on page 4 of the Ballot Access Order, the “First day to sign” is hereby modified to read “4/19/22”; and

3. The signature requirements set forth in New York Election Law § 6-142 for independent nominating petitions are hereby reduced by 50%, given the uncertainties caused by this action and related redistricting litigation, and the ongoing COVID-19 pandemic; and

WHY THIS COURT should not grant any such other and further relief as is just and equitable; and it is further

ORDERED that of a copy of this Order and related documents be served on counsel to all parties via NYSCEF, on or before the _____ day of May, 2022, and that such service be deemed sufficient, and it is further;

ORDERED that Petitioners and Respondents, including the NEW YORK STATE BOARD OF ELECTIONS, shall file a copy with this Court of their reply/opposition papers, if any, in connection with the above motion to intervene and/or any of the accompanying requests for relief, via NYSCEF, by

_____ at _____.

DATED: Bath, New York

May _____, 2022

ENTER:

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