

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

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Anthony S. Hoffmann; Marco Carrión; Courtney Gibbons;
Lauren Foley; Mary Kain; Kevin Meggett; Clinton Miller;
Seth Pearce; Verity Van Tassel Richards; and Nancy Van
Tassel,

Petitioners,

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.

-and-

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,

Intervenor-Respondents.

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UPON reading of the annexed Affirmation of Richard A. Medina dated September 2, 2022,
and the exhibits attached thereto, including the Second Amended Verified Petition of Petitioners
Anthony S. Hoffmann, Marco Carrión, Courtney Gibbons, Lauren Foley, Mary Kain, Kevin

Index No. 904972-22

ORDER TO SHOW CAUSE
FOR LEAVE TO AMEND
PETITION

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 AND INTERVENOR-RESPONDENTS OR THEIR COUNSEL SHOW CAUSE before this court, at the Albany County Courthouse located at 16 Eagle Street, Albany, New York, on September ____, 2022 at 9:30 a.m., or as soon thereafter as counsel may be heard, why an Order should not be entered in this proceeding:

1. Granting Petitioners leave, pursuant to New York Civil Practice Law and Rules (“CPLR”) § 7804(d), to amend their Amended Verified Petition and file and serve a Second Amended Verified Petition in the form reflected in Exhibit 4 to the Affirmation of Richard A. Medina, annexed thereto; and

2. Ordering that, all pleadings, motions, and papers previously filed in response to the First Amended Petition, and all scheduling deadlines related thereto, shall be deemed to apply as responses to the Second Amended Petition; and

3. Ordering that the answering papers of Independent Redistricting Commissioner John Flateau shall be served on Petitioners’ counsel by electronic service on or before September 9, 2022; and

4. 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 and Independent Redistricting Commissioner John Flateau, by personal or electronic mail service on or before September ____, 2022, be deemed good and sufficient service upon Respondents thereof; and it is further

ORDERED that answering papers to this Order shall be served on Petitioners’ counsel by electronic service on or before September ____, 2022; and it is further

ORDERED that reply papers to this Order, if any, shall be served on Respondents' counsel by electronic service on or before the September ____, 2022.

Dated: _____, 2022

ENTER:

J.S.C.

DREYER BOYAJIAN LLP

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**Admitted pro hac vice*