

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BELINDA DE GAUDEMAR, ANTHONY
HOFFMANN, SUSAN SCHOENFELD, NANCY
PASCAL, and MICHAEL CORBETT

Plaintiffs,

v.

PETER S. KOSINSKI, in his official capacity as
Co-Chair of the State Board of Elections;
DOUGLAS A. KELLNER, in his official capacity
as Co-Chair of the State Board of Elections;
ANDREW J. SPANO, in his official capacity as
Commissioner of the State Board of Elections;
ANTHONY J. CASALE, in his official capacity as
Commissioner of the State Board of Elections;
TODD D. VALENTINE, in his official capacity as
Co-Executive Director of the State Board of
Elections; and KRISTEN ZEBROWSKI-
STAVISKY, in her official capacity as Co-
Executive Director of the State Board of Elections,

Defendants.

Case No. 22 Civ. 3534

[PROPOSED] TEMPORARY RESTRAINING ORDER

Pursuant to Fed. R. Civ. P. 65, and having reviewed Plaintiffs' Notice of Motion for Temporary Restraining Order, Plaintiffs' Memorandum of Law in Support of Their Motion for a Temporary Restraining Order with attached declarations and exhibits, and any response thereto, the Court HEREBY ORDERS that:

1. The motion is granted because Plaintiffs have demonstrated they will suffer irreparable harm if this court does not issue relief; that they are substantially likely to prevail on their claims that New York State's failure to adopt timely new congressional plans violates Article I, Section 2 of the U.S. Constitution, and 2 U.S.C. § 2c; that the balance of

equities and public interest tip in favor of a temporary restraining order; and that adopting a congressional plan is an appropriate and necessary remedy; and

2. Defendants must, by May 4, certify the primary ballot and proceed with conducting a primary as federally-mandated on June 28, 2022; and
3. Service of the Summons and Complaint in this action by email to Defendants' counsel shall be deemed good service of process.

IT IS SO ORDERED.

Date: _____

Hon. United States District Judge