

**SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION: FOURTH DEPARTMENT**

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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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**PLEASE TAKE NOTICE** that upon the annexed affirmation of Jeffrey W. Lang, dated April 3, 2022, and exhibits attached thereto, it is hereby:

**ORDERED** that petitioners appear and show cause before this Court at the Courthouse located at 50 East Avenue, Rochester, New

**ORDER TO  
SHOW CAUSE  
WITH STAY**

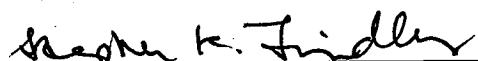
Steuben County  
Index No. E2022-  
0116CV

York, on April 7, 2022 at 1:00 o'clock or as soon thereafter as the parties and counsel may be heard, why an order should not be entered declaring that all proceedings to enforce the judgment (denominated "decision and order") of Supreme Court, Steuben County (McAllister, J.), entered on March 31, 2022, are stayed pursuant to C.P.L.R. 5519(a)(1); or alternatively, granting a discretionary stay (C.P.L.R. 5519(c)) or preliminary injunction (C.P.L.R. 5518) staying the judgment and permitting respondents to continue to administer congressional and state legislative elections under the 2022 electoral maps; and it is further

**ORDERED** that, pending the hearing and determination of this motion, said judgment is STAYED in its entirety; and it is further

**ORDERED** that service of a copy of this order to show cause, and the papers upon which it was made, made upon counsel of record for petitioners by electronic mail, on or before 5<sup>th</sup> day of April, 2022, shall be deemed good and sufficient service.

Dated: April 4, New York  
April    , 2022

  
HON. Stephen K. Lindley  
J.S.C.

**ENTER:**

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION: FOURTH DEPARTMENT

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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,

-against-

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.

-----X

**ORDER TO SHOW  
CAUSE WITH  
STAY**

Steuben County Index  
No. E2022-0116CV

A.D. No. \_\_\_\_\_

Upon the annexed affirmation of Alexander Goldenberg, sworn to on April  
3, 2022, with exhibits, and the accompanying Memorandum of Law, pursuant to L.  
2022, ch. 13, § 3(i), L. 2022, ch. 14, § 2, C.P.L.R. 2201, C.P.L.R. 5519(a)(1),  
C.P.L.R. 5519(c), and the court's inherent authority:

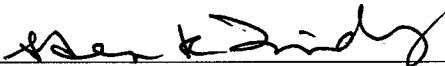
**LET** Petitioners appear and show cause before this Court at the Courthouse located at 50 East Avenue, Rochester, New York 14604, on April 7, 2022 at 1:00 pm. o'clock or as soon thereafter as the parties and counsel may be heard, why an order should not be entered that the Order and Judgment of the Supreme Court, Steuben County (McAllister, J.), entered on March 31, 2022 (the "Order"), which, *inter alia*, invalidated the congressional, Senate, and Assembly redistricting plans under L. 2022, ch. 13, § 3(i) and L. 2022, ch. 14, § 2, permanently enjoined the use of those redistricting plans for the 2022 election or any other election in New York, directed the Legislature to submit to the trial court "bipartisanly supported" redistricting maps by April 11, 2022, and further ordered that if the Legislature does not do so the trial court will retain a neutral expert at State expense to prepare said maps, is not in effect and/or is stayed pending appeal, and granting any further relief this Court deems just and proper. Sufficient reason appearing therefor, it is hereby

**ORDERED** that, pending the hearing and determination of this motion, said Order is STAYED in its entirety; and it is further

**ORDERED** that service of a copy of this order to show cause, and the papers upon which it was made, be made upon counsel of record for Petitioners by electronic mail, on or before the 5<sup>th</sup> day of April, 2022, shall be deemed good and sufficient service; and it is further

**ORDERED** that the motion brought on by this order to show cause shall not be orally argued unless counsel are notified to the contrary by the Clerk of the Court.

Dated: Rochester, New York  
April 4, 2022

  
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Hon. Stephen K. Lindley