

At a Special Term of the Supreme Court of the State of New York held in and for the County of Oswego, on December \_\_\_\_, 2020.

Present: Hon. Scott J. DelConte, Justice Presiding

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF OSWEGO**

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In the Matter of

CLAUDIA TENNEY, candidate for Member of Congress,  
22nd District of New York State,

Petitioner,

**ORDER TO SHOW CAUSE**

-against-

OSWEGO COUNTY BOARD OF ELECTIONS,  
ONEIDA COUNTY BOARD OF ELECTIONS,  
CORTLAND COUNTY BOARD OF ELECTIONS,  
MADISON COUNTY BOARD OF ELECTIONS,  
BROOME COUNTY BOARD OF ELECTIONS,  
TIOGA COUNTY BOARD OF ELECTIONS,  
HERKIMER COUNTY BOARD OF ELECTIONS,  
CHENANGO COUNTY BOARD OF ELECTIONS,  
NEW YORK STATE BOARD OF ELECTIONS,

Index No. EFC-2020-1376

KEITH D. PRICE, JR., candidate for Member of Congress,  
22nd District of New York State,

and

ANTHONY BRINDISI, candidate for Member of Congress,  
22nd District of New York State.

Respondents.

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**UPON THE READING AND FILING** of the Petition of Claudia Tenney, pursuant to Sections 16-100, 16-102, 16-106, 16-112 and 16-113 of the Election Law, sworn to the 4th of November, 2020, with proof of service on the Respondent Oswego County Board of Elections, the Respondent Oneida County Board of Elections, the Respondent Cortland County Board of Elections, the Respondent Madison County Board of Elections, the Respondent Broome County

Board of Elections, the Respondent Tioga County Board of Elections, the Respondent Herkimer County Board of Elections, the Respondent Chenango County Board of Elections, (collectively, “the Respondents County Boards”), the Respondent New York State Board of Elections, the Respondent Candidate Keith D. Price, Jr., and the Respondent Candidate Anthony Brindisi, seeking to, among other things, declare Petitioner Candidate Tenney the lawfully elected candidate for Member of Congress, 22nd District of New York State; it is hereby

**ORDERED** that the Respondents County Boards, the Respondent New York State Board of Elections, the Respondent Candidate Keith D. Price, Jr., and the Respondent Candidate Anthony Brindisi show cause before the Honorable Scott J. DelConte, on December 7th, 2020, at 1:00 PM, at the Oswego County Courthouse, 25 East Oneida Street, Oswego, New York, 13126, as to why this Court should not:

1. Direct the Respondents County Boards to certify the results submitted to this Court in response to this Court’s Order of November 30, 2020 (Dkt. No. 70) and transmit those results to the Respondent New York State Board of Elections;
2. Direct the New York State Board of Elections to certify the results for Member of Congress, 22nd District of New York State held on the 3<sup>rd</sup> day of November, 2020, forthwith upon receipt of certified results from the Respondents County Boards of Elections as submitted to this Court in response to the Court Order of November 30, 2020 (Dkt. No. 70); and
3. Dismiss the cross-claim of Respondent Brindisi, or in the alternative, deny relief under Respondent Brindisi’s cross-claim; and it is further,

**ORDERED** that service of this Order and the papers on which it is granted by the New York State Courts Electronic Filing (“NYSCEF”) on counsel for the Respondents County Boards,

the Respondent New York State Board of Elections, the Respondent Candidate Keith D. Price, Jr., and the Respondent Candidate Anthony Brindisi, on or before 4:00 PM on December 2nd, 2020, shall be deemed good and sufficient service; and it is further

**ORDERED** that any answering papers shall be served via NYSCEF on counsel for Petitioner Candidate Claudia Tenney, on or before 4:00 PM on December 3rd, 2020; and it is further

**ORDERED** that any reply papers shall be served via NYSCEF on counsel for the Respondents County Boards, the Respondent New York State Board of Elections; the Respondent Candidate Keith D. Price, Jr., and the Respondent Candidate Anthony Brindisi, on or before 12:00 PM on December 4th, 2020; and it is further

**ORDERED** that the above is approved without costs.

IT IS SO ORDERED.

**ENTER:**

DATED: December \_\_\_\_\_, 2020  
Oswego, New York

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SCOTT J. DELCONTE  
Supreme Court Justice