

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M286605
AFA/

BETSY BARROS, J.P.
JOSEPH A. ZAYAS
DEBORAH A. DOWLING
HELEN VOUTSINAS, JJ.

2022-05794

DECISION & ORDER ON MOTION

Vito J. Fossella, et al., plaintiffs-respondents,
v Eric Adams, etc., et al., defendants-appellants,
Hina Naveed, et al., defendants-intervenors-appellants,
et al., defendant.

(Index No. 85007/2022)

On the Court's own motion, it is

ORDERED that the decision and order on motion of this Court dated December 21, 2022, in the above-entitled case is recalled and vacated, and the following decision and order on motion is substituted therefor:

Appeal from an order of the Supreme Court, Richmond County, dated June 27, 2022. Motion by the defendants-appellants for a preference in the calendaring of the appeal. Separate motion by Richard Briffault, Nestor Davidson, Joshua Douglas, Clayton Gillette, and Roderick Hills for leave to file an amici curiae brief. Separate motion by Common Cause New York for leave to file an amicus curiae brief. Separate motion by New York Civil Liberties Union for leave to file an amicus curiae brief. Separate motion by Muslim Advocates, Muslim Bar Association of New York, Muslim Community Network, UndocuBlack Network, OneAmerica, Islamophobia Studies Center, Black Leadership and Action Coalition, Jetpack, and National Lawyers' Guild, Rochester Chapter, for leave to file an amici curiae brief. Separate motion by New York Immigration Coalition and United Neighborhood Houses for leave to file an amici curiae brief. Separate motion by Ron Hayduk for leave to file an amicus curiae brief. Application by Carmen Iguina Gonzalez, an attorney in good standing in the District of Columbia, to be admitted pro hac vice to represent proposed amici curiae Richard Briffault, Nestor Davidson, Joshua Douglas, Clayton Gillette, and Roderick Hills. Separate application by Christopher Godshall-Bennett, an attorney in good standing in the District of Columbia, to be admitted pro hac vice to represent proposed amici curiae Muslim Advocates, Muslim Bar Association of New York, Muslim Community Network, UndocuBlack Network, OneAmerica, Islamophobia Studies Center, Black Leadership and Action Coalition, Jetpack, and

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National Lawyers' Guild, Rochester Chapter. Separate application by Reem Subei, an attorney in good standing in the State of Ohio, to be admitted pro hac vice to represent proposed amici curiae Muslim Advocates, Muslim Bar Association of New York, Muslim Community Network, UndocuBlack Network, OneAmerica, Islamophobia Studies Center, Black Leadership and Action Coalition, Jetpack, and National Lawyers' Guild, Rochester Chapter.

Upon the papers filed in support of the motion for a preference and the papers filed in relation thereto, and upon the papers filed in support of the separate motions and no papers having been filed in opposition or in relation thereto, and upon the papers filed in support of the applications and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motions are granted; and it is further,

ORDERED that the appeal will be calendared expeditiously after all of the briefs have been filed; and it is further,

ORDERED that the amici curiae shall serve and file their briefs on the parties via NYSCEF on or before January 11, 2023, and, if so advised, the parties may file reply briefs to the amici curiae briefs within 10 days after the amici curiae briefs are served; no oral argument by the amici curiae shall be permitted; and it is further,

ORDERED that the applications are granted.

BARROS, J.P., ZAYAS, DOWLING and VOITSINAS, JJ., concur.

ENTER:



Maria T. Fasulo
Clerk of the Court