

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION – SECOND DEPARTMENT

VITO J. FOSSELLA, et al.,

*Plaintiffs-Respondents,*

*-against-*

ERIC ADAMS, et al.,

*Defendants- Appellants,*

HINA NAVEED, et al.,

*Defendants-Intervenors-Appellants,*

BOARD OF ELECTIONS IN  
THE CITY OF NEW YORK,

*Defendant.*

**STIPULATION TO  
REMOVE PORTION  
OF APPEAL AS  
RELATED TO  
DEFENDANT-  
INTERVENOR-  
APPELLANT  
MUHAMMAD  
SHAHIDULLAH**

Appellate Case No.  
2022-05794

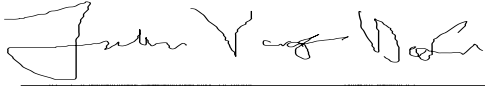
Richmond Cty Clerk’s  
Index No. 85007/2022

WHEREAS Defendant-Intervenor-Appellant Muhammad Shahidullah filed the above captioned appeal on July 25, 2022 from the decision and order entered in Richmond County Supreme Court on June 27, 2022 finding Local Law 11 unconstitutional.

WHEREAS counsel to Mr. Shahidullah filed a **Notice of Motion to Amend Caption and Remove party** on February 2, 2023 at the Richmond County Supreme Court seeking to remove Mr. Shahidullah as a party to this action on the grounds he is no longer eligible to vote under Local Law 11 as a naturalized citizen. On March 1, 2023, Hon. Ralph Porzio granted the **Order to Amend Caption and Remove**. (See Attached Exhibit A). It was ordered that the caption be amended and Muhammad Shahidullah, as Defendant-Intervenor, be removed as party to this case. The eight other named Defendant-Intervenor-Appellants will proceed with this appeal.

IT IS HEREBY STIPULATED AND AGREED pursuant to 22 NYCRR 1250.2(b)(2) that the portion of the appeal as related to Defendant-Intervenor-Appellant Muhammad Shahidullah is withdrawn.

Dated: New York, New York  
May 31, 2023



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Dated: New York, New York  
May 3, 2023



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# **EXHIBIT A**

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF RICHMOND

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VITO J. FOSSELLA, NICHOLAS A. LANGWORTHY,  
JOSEPH BORRELLI, NICOLE MALLIOTAKIS,  
ANDREW LANZA, MICHAEL REILLY, MICHAEL  
TANNOUSIS, INNA VERNIKOV, DAVID CARR, JOANN  
ARIOLA, VICKIE PALADINO, ROBERT HOLDEN,  
GERARD KASSAR, VERALIA MILLIOTAKIS,  
MICHAEL PETROV, WAFIK HABIB, PHILLIP YAN  
HING WONG, NEW YORK REPUBLICAN STATE  
COMMITTEE, and REPUBLICAN NATIONAL COMMITTEE

Plaintiffs,

-against-

Index No. 85007/2022

ERIC ADAMS, in his official capacity as Mayor of New  
York City, BOARD OF ELECTIONS IN THE CITY OF  
NEW YORK, CITY COUNCIL OF THE CITY OF NEW  
YORK,

**ORDER TO AMEND  
CAPTION AND REMOVE  
PARTY**

Defendants,

HINA NAVEED, ABRAHAM PAULOS, CARLOS  
VARGAS GALINDO, EMILI PRADO, EVA SANTOS VELOZ,  
MELISSA JOHN, ANGEL SALAZAR,  
MUHAMMAD SHAHIDULLAH, and JAN EZRA UNDAG

Defendant-Intervenors.

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Request for Amendment of Caption and Removal of Party, Muhammad Shahidullah, as  
Defendant-Intervenor, is hereby granted.

**IT IS HEREBY ORDERED** that the Caption in this matter be amended and Muhammad  
Shahidullah, as Defendant -Intervenor, be removed as a party to this case.

Dated: March 1, 2023

Ralph J. Porzio  
Honorable Ralph Porzio

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