

At IAS Part 63, Room 355 of the Supreme Court of the State of New York, New York County, at the New York County Courthouse at 60 Centre Street, New York, NY 10007 on the 25 day of August, 2022

PRESENT: Hon. Laurence R. Love, J.S.C.

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PAUL NICHOLS, GAVIN WAX,  
AND GARY GREENBERG,

Index No. 154213/2022E

Petitioners,

[~~Proposed~~]

**ORDER TO SHOW CAUSE**

-against-

GOVERNOR KATHY HOCHUL,  
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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Upon reading and filing: (i) the Order of the Appellate Division, First Department, entered on June 10, 2022 [NYSCEF Doc. No. 99]; (ii) the Memorandum of Law of Respondent Speaker of the Assembly Carl Heastie e-filed on August 8, 2022; (iii) the Affirmation of Elaine M. Reich with the exhibits thereto e-filed on August 8, 2022 and (iv) all of the papers and proceedings heretofore had herein;

(4)  
Memorandum and supporting papers of  
petitioner  
e-filed on  
8/8/22 +  
8/25/22

AND good cause having been shown therefor, it is hereby

ORDERED, that the New York State Independent Redistricting Commission, comprised of the following members, David Imamura, Chair, Eugene Bengler, Ross Brady,

John Conway III, Dr. Ivelisse Cuevas-Molina, Elaine Frazier, Lisa Harris, Charles Nesbitt and Willis H. Stephens, Jr., or their attorneys show cause before the Court at IAS Part 63, Room 355, of the Courthouse at 60 Centre Street, New York, NY 10007, on September 16, 2022 at 10:30 A.M./P.M., or as soon thereafter as counsel may be heard, why an Order should not be made and entered:

1. Adding the New York State Independent Redistricting Commission as Respondent to this proceeding;

2. Requiring the Independent Redistricting Commission to initiate the constitutional process for amending the Assembly district map, and to formulate a proposed Assembly map no later than a date to be determined by the Court;

3. Further requiring the Independent Redistricting Commission and Respondents thereafter to follow the procedural steps set forth in Article III, §§ 4 and 5-b of the New York State Constitution with respect to the adoption of a remedial Assembly district map; and

4. Granting such other and further relief as the Court deems just and appropriate; and it is further

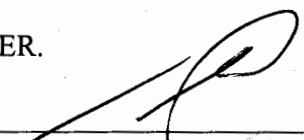
ORDERED, that service of a copy of this Order and the papers upon which it is granted, on or before 4:00 A.M./P.M. on August 30, 2022 by: (a) Federal Express or other overnight delivery service on David Imamura, Chair, Eugene Bengler, Ross Brady, John Conway III, Dr. Ivelisse Cuevas-Molina, Elaine Frazier, Lisa Harris, Charles Nesbitt and Willis H. Stephens, Jr. waiving the requirement of a signature, addressed to said commissioners at either 250 Broadway, 22<sup>nd</sup> Floor, New York, N.Y. 10007 or 302A Washington Avenue Ext., Albany, N.Y. 12203, being the offices of the New York State Independent Redistricting Commission; and (b) via email to each commissioner: David Imamura [imamurad@nyirc.gov](mailto:imamurad@nyirc.gov),

Eugene Benger [bengere@nyirc.gov](mailto:bengere@nyirc.gov), Ross Brady [bradyr@nyirc.gov](mailto:bradyr@nyirc.gov), John Conway [conwayj@nyirc.gov](mailto:conwayj@nyirc.gov), Ivelisse Cuevas Molina [cuevasmolina@nyirc.gov](mailto:cuevasmolina@nyirc.gov), Elaine Frazier [frazier@nyirc.gov](mailto:frazier@nyirc.gov), Lisa Harris [harrislr@nyirc.gov](mailto:harrislr@nyirc.gov), Charles Nesbitt [nesbittc@nyirc.gov](mailto:nesbittc@nyirc.gov), Willis Stephens, Jr. [stephensw@nyirc.gov](mailto:stephensw@nyirc.gov) shall be good and sufficient service; and it is further

ORDERED, that answering papers, if any, shall be served by e-filing on or before

September 15<sup>th</sup>, 2022.  
(u)

ENTER.

  
Hon. Laurence R. Love, J.S.C.

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