

At a *n I.A.S.* part of the Supreme Court of the State of New York, held in and for the County of Dutchess, at 10 Market Street Poughkeepsie, NY 12601 on the *1st* day of November 2022

PRESENT: *HON. CHRISTIE L. D'ALESSIO, J.S.C.*

J.S.C.

LEAGUE OF WOMEN VOTERS OF THE MID-HUDSON REGION, TANEISHA MEANS, and MAGDALENA SHARFF,

Petitioners-Plaintiffs

-against-

THE DUTCHESS COUNTY BOARD OF ELECTIONS, and ERIK J. HAIGHT in his capacity as Commissioner of the Dutchess County Board of Elections,

Respondents-Defendants

Index No. *2022-53491*

**ORDER TO SHOW CAUSE**

Upon the reading and filing of the Affirmation of Richard A. Medina, dated November 1, 2022, the annexed Verified Petition, duly verified on November 1, 2022; the Affidavits and Affirmations submitted herewith; and upon all the papers and proceedings herein, it is hereby:

ORDERED, that the Respondents named above show cause before this Court at ***Courtroom 106*** Part *I.A.S.* to be held at the Courthouse located at 10 Market Street Poughkeepsie, NY 12601, on the *3rd* of November 2022 at *2:00p.m.* - ***PERSONAL APPEARANCES REQUIRED*** of that day, or as soon thereafter

as counsel can be heard, why an Order should not be made and entered herein:

- (i) Pursuant to CPLR § 3001, declaring Respondents have violated their obligations under Election Law § 4-104 [5-a] to provide a polling place on the campus of Vassar College, which has over 1,000 voters who are registered to vote at residential addresses located on the Vassar College campus.
- (ii) Pursuant to CPLR Article 78, Election Law § 4-104 [5-a], and CPLR § 6301, compelling Respondents: (a) to designate and operate a polling place to be used on the day of the general election on November 8, 2022 on the campus of Vassar College; (b) to assign all voters registered at a residential address on the Vassar College campus to that on-campus polling place and (c) to publicize the new on-campus polling place and assignments to those voters who are assigned to the Vassar College on-campus polling place.

~~IT IS FURTHER ORDERED, that pursuant to Article 78 of the CPLR, Election Law § 4-104 [5-a] and CPLR § 6301, Respondents-Defendants are temporarily restrained and ordered, pending the hearing and determination of the Verified Petition: (a) to designate and operate a polling place to be used on the day of the general election on November 8, 2022 on the campus of Vassar College, (b) to assign all voters registered at a residential address on the Vassar College campus to that on-campus polling place and (c) to publicize the new on-campus polling place and assignments to those voters who are assigned to the Vassar College on-campus polling place.~~

**OMITTED:**

*J.S.C.*  
J.S.C.

IT IS FURTHER ORDERED that service of a copy of this Order to Show Cause *and the court notice providing the Microsoft Teams access information for the pre-hearing conference (see below)* and Verified Petition, together with the papers upon which it is granted, upon Respondents-

Defendants by email to the official government email addresses of the Board of Elections'

*J.S.C.*  
J.S.C.

two Commissioners, ~~or by personal service upon a person of suitable age and discretion~~ at **by no later than November 2, 2022 at 10:00a.m.** the office of the Board of Elections, shall be deemed good and sufficient service thereof.

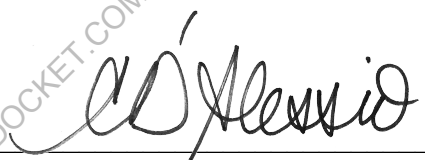
  
**J.S.C.**

IT IS FURTHER ORDERED that any requirement that the affidavits of service be filed with the Clerk of the Court be extended to the return date of this motion, and such affidavits shall be filed with the Clerk of the Part on the return date, and that any requirement that substituted service be preceded by due diligence attempt(s) at personal delivery upon Respondent-Defendant be and is hereby waived, and that the ten day completion of service provision be and is hereby waived by this Order.

***IT IS FURTHER ORDERED that Respondent-Defendant shall file any written opposition by November 2, 2022 by no later than 3:00p.m.***

ENTER:

***IT IS FURTHER ORDERED that a virtual (remote) pre-hearing conference with the Judge's Principal Court Attorney is scheduled for November 2, 2022 at 4:00p.m.***

  
\_\_\_\_\_  
**J.S.C.**

**HON. CHRISTIE L. D'ALESSIO, J.S.C.**

***The virtual (remote) pre-hearing conference log in/access information will be provided shortly by separate court notice filed to NYSCEF.***

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