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November 8, 2024

VIA NYSCEFHonorable David. F. Everett
Justice of the Supreme Court
Westchester County Courthouse
111 Dr. Martin Luther King Jr. Blvd.
White Plains, NY 10601Robert J. Tucker
direct dial: 614.462.2680
rtucker@bakerlaw.comRe: *Sergio Serratto, et al. v. Town of Mount Pleasant, et al.*, Westchester County Index No. 55442/2024
– Notice of Supplemental Authority

Dear Judge Everett:

We represent Defendants the Town of Mount Pleasant and the Town Board for the Town of Mount Pleasant (“Defendants”) in this action. Yesterday, the Supreme Court for Orange County in the case of *Oral Clarke, et al. v. Town of Newburgh, et al.*, Index No. EF002460-2024, granted the defendants’ motion for summary judgment, dismissed the complaint in that action, and ordered that the John R. Lewis Voting Rights Act is “hereby **STRICKEN** in its entirety from further enforcement and application to these Defendants and to any other political subdivision in the State of New York.” A copy of that decision is attached as Exhibit A. As such, Defendants in this case request that this Court dismiss this action. Defendants further note that the Order in *Clarke* confirms Defendants’ same arguments in this case that the NYVRA is unconstitutional and cannot be enforced.

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