

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

DEAN G. SKELOS and PEDRO ESPADA, JR., as duly  
elected members of the New York State Senate,

Plaintiffs-Respondents,

-v.-

DAVID PATERSON, As Governor of the State of New  
York, and RICHARD RAVITCH, as  
Lieutenant Governor of the State of New York, and  
LORRAINE CORTES-VAZQUEZ, as Secretary of  
the State of New York,

Defendants-Appellants.

ORDER TO SHOW  
CAUSE

Nassau Co. Sup. Ct.  
Index No. 13426/09

Hon. William R. LaMarca

2009-06673

Upon the Affirmation of Faith E. Gay, dated the 22nd day of July, 2009, together with  
the exhibits annexed thereto; ~~and upon all the pleadings and proceedings heretofore had~~

~~been~~

LET the Plaintiffs-Respondents show cause before this Court at ~~motion term the~~  
*courthouse of the* ~~located at~~  
~~held~~ at the Appellate Division, Second Department, 45 Monroe Place, Brooklyn, New  
York on the <sup>27<sup>th</sup></sup> day of July, 2009 at 9:30 o'clock in the forenoon of that day, or as soon  
thereafter as counsel can be heard why:

(a) this Court should not grant Defendants-Appellants an order staying the Order of  
the Honorable William R. LaMarca made the 21<sup>st</sup> day of July, 2009, pursuant to CPLR 5518  
and CPLR 5519(c), or, in the alternative, denying the instant motion as academic on the  
ground that the Order is stayed pursuant to CPLR 5519(a); and

(b) this Court should not grant Defendants-Appellants an order setting an expedited appeal schedule and that the appeal be assigned to the Active Case Management Program and that a scheduling order be issued; and

(c) together with such other, further and different relief as this Court deems just and proper,

SUFFICIENT REASON APPEARING THEREFORE and pending the hearing and determination of this application, it is hereby

**ORDERED**, that pending the hearing and determination of this motion, the order of the Honorable William R. LaMarca dated July 21, 2009, appealed from is hereby stayed; and it is further

**ORDERED**, that service of a copy of this Order and the supporting papers upon which it was granted on counsel for Plaintiffs-Respondents <sup>in</sup> ~~on~~ or before <sup>5</sup> ~~1~~ a.m./p.m. on the <sup>23<sup>rd</sup></sup> ~~20<sup>th</sup>~~ day of July, 2009, ~~and by email to [redacted]~~ shall be deemed good and sufficient service; and it is further

~~**ORDERED**, that Plaintiffs-Respondents' answering papers, if any, shall be served personally or by overnight delivery upon \_\_\_\_\_, attorneys for Plaintiffs-Respondents so that the same are received by \_\_\_\_\_ on or before \_\_\_\_\_ a.m./p.m. the \_\_\_\_\_ day of July, 2009; and it is further~~

~~ORDERED~~ that Defendants Appellants' reply papers shall be served in the manner set forth above, on or before \_\_\_\_\_ a.m./p.m. on the \_\_\_ day of July, 2009.

Dated: Brooklyn, New York  
July 22, 2009

~~ORDERED~~  
*Associate* Justice, Appellate Division, 2<sup>nd</sup> Dept.

Hon. L. Priscilla Hall  
Associate Justice  
Appellate Division 2nd Dept.