

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAMES M. MALONEY,

Plaintiff,

- against -

CV 03-786 (ADS) (MLO)

ANDREW CUOMO, in his official capacity as
Attorney General of the State of New York, ELIOT
SPITZER, in his official capacity as Governor of
the State of New York, and KATHLEEN A. RICE,
in her official capacity as District Attorney of the
County of Nassau, and their successors,

ORDER TO SHOW CAUSE

Defendants.

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Upon the declaration of JAMES M. MALONEY, executed on the 15th day of
September, 2010, and upon Plaintiff's Memorandum of Law and proposed Second Amended
Verified Complaint submitted herewith, and good cause being shown therefor;

IT IS HEREBY ORDERED, that Defendant KATHLEEN RICE (the other above-
named Defendants having been dismissed) show cause before this Court at the United States
District Court for the Eastern District of New York with an address of 100 Federal Plaza,
Room 1020, Central Islip, NY 11722 on _____
at _____, or as soon thereafter as counsel may be heard, why an order should not be
issued pursuant to Rule 15 of the Federal Rules of Civil Procedure ("F.R.C.P.") permitting
Plaintiff to amend the Amended Verified Complaint pursuant to F.R.C.P. 15(a)(2) and to
supplement it pursuant to F.R.C.P. 15(d); and it is further

ORDERED that service of a copy of this order together with true copies of: (1) the

declaration of JAMES M. MALONEY, executed on the 15th day of September, 2010; (2) Plaintiff's Memorandum of Law; and (3) proposed Second Amended Verified Complaint submitted herewith upon Defendant KATHLEEN RICE or her counsel via ECF shall be deemed good and sufficient service thereof; and it is further

ORDERED that Defendant shall file her papers in opposition by _____;
and that Plaintiff shall file his papers in reply by _____; and it is further

ORDERED that:

Dated: _____

United States District Judge