

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 via ECF and the prior service, by

Priority Mail on September 17, 2010, of (1) the declaration of JAMES M. MALONEY, executed on the 15th day of September, 2010, with Exhibits 1-11 thereto (ECF Document 102); (2) Plaintiff's Memorandum of Law (Document 103); and (3) the proposed Second Amended Verified Complaint, with Exhibits 1-6 thereto (Document 106) upon Liora M. Ben-Sorek, Esq., Deputy County Attorney, One West Street, Mineola, New York 11501, and upon Dorothy Oehler Nese, Esq., Assistant Attorney General, State of New York, 200 Old Country Road, Suite 240, Mineola, NY 11501 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