

C/F  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAMES M. MALONEY,

Plaintiff,

CV 03-786 (ADS) (MLO)

- against -

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

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ SEP 21 2010 ★

Defendants.

LONG ISLAND OFFICE  
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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 Friday, October 15, 2010  
at 9:00 a.m., 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 October 6, 2010; and that Plaintiff shall file his papers in reply by October 12, 2010; and it is further

~~ORDERED that:~~

MOVANT'S COUNSEL IS DIRECTED TO SERVE A COPY OF THIS ORDER ON ALL PARTIES UPON RECEIPT VIA FACSIMILE.

Dated: 9/24/10  
[Signature]

United States District Judge