

Short Form Order and Judgment
NEW YORK SUPREME COURT - QUEENS COUNTY

Present: HONORABLE ROBERT I. CALORAS Emergency Part EPM
Justice

_____ X
In the Matter of the Application of
DAO YIN and JAY YEE,
Petitioners,

Index
Number 705013 2020

Motion
Date May 15, 2020

Motion Seq. No. 1

- against -

ANDREW M. CUOMO, in his official
capacity as Governor of the State of
New York, and
THE BOARD OF ELECTIONS IN THE CITY OF
NEW YORK,

Respondents.

FILED & RECORDED
MAY 18 2020
COUNTY CLERK
QUEENS COUNTY

_____ X
The following numbered papers read on this application by petitioners for an order declaring the portion of Governor Cuomo's Executive Order 202.23 cancelling the June 23, 2020 Special Election for Queens Borough President unauthorized, unconstitutional, and invalid; enjoining defendants Governor Cuomo and the New York City Board of Elections from cancelling the June 23, 2020 Special Election for Queens Borough President, and reinstating the same; and granting a preliminary injunction against the portion of Executive Order 202.23 that cancelled the June 23, 2020 Special Election for Queens Borough President; and related relief.

	Papers
	<u>Numbered</u>
Order to Show Cause	EF 2-9
Petition - Amended Pet.- Affs - Exhs.....	EF 1,7
Reply Affidavits.....	EF 10-12

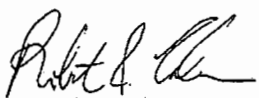
Petitioners Dao Yin (Yin) and Jay Yee (Yee) seek an order from this Court as more fully set forth above.

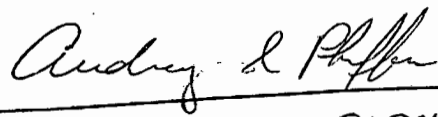
This special proceeding was argued before this Court on May 14, 2020, along with the companion matter of *Quinn v Cuomo, et al* (Queens Index No. 705011/2020). Respondents

were heard at the hearing held before this court and do not submit opposition papers in this action, this court having granted their application to rely on the opposition papers submitted in the related proceeding of *Quinn v Cuomo*, (Queens Index No 705011/2010). While this court recognizes that the circumstances set forth by Yin and Yee vary to some degree from those in *Quinn*, it is the opinion of this court that those circumstances are nevertheless equally governed by the analysis and holding set forth by the Court in *Quinn*, which is signed simultaneously herewith.

Accordingly, it is ORDERED and ADJUDGED that the petition is denied, and the proceeding is dismissed.

Dated: May 18, 2020


Robert I. Caloras, J.S.C.


CLERK

ENTERED
3:38 AM PM
MAY 18 2020
COUNTY CLERK
COUNTY OF QUEENS

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MAY 18 2020
COUNTY CLERK
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