

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. MICHAEL D. STALLMAN
Justice

PART 21

Zephyr Terchout, Et Al.

INDEX NO. 100926/14

NYS Democratic Committee
Et Al.

MOTION DATE _____

MOTION SEQ. NO. 7

The following papers, numbered 1 to _____, were read on this motion to/for _____

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____ | No(s). _____

Answering Affidavits — Exhibits _____ | No(s). _____

Replying Affidavits _____ | No(s). _____

After consultation with Justice Wooten's chambers,
Upon the foregoing papers, it is ordered that this motion is *and proceeding is respectfully*
referred to Hon. Paul Wooten, J.S.C., who is the justice
assigned to election matters. The proceeding alleges, inter
alia, violation of the Election Law. See Election Law
§ 2-126.

MOTION CASE IS RESPECTFULLY REFERRED TO JUSTICE PAUL WOOTEN FOR THE FOLLOWING REASON(S): Election Law Matter

Dated: 9/5/14


_____, J.S.C.
MICHAEL D. STALLMAN

- | | | |
|---|--|--|
| 1. CHECK ONE: | <input type="checkbox"/> CASE DISPOSED | <input type="checkbox"/> NON-FINAL DISPOSITION |
| 2. CHECK AS APPROPRIATE: MOTION IS: | <input type="checkbox"/> GRANTED | <input type="checkbox"/> DENIED |
| 3. CHECK IF APPROPRIATE: | <input type="checkbox"/> SETTLE ORDER | <input type="checkbox"/> SUBMIT ORDER |
| | <input type="checkbox"/> DO NOT POST | <input type="checkbox"/> FIDUCIARY APPOINTMENT |
| | | <input type="checkbox"/> REFERENCE |

At a Special Term IAS Part 35 of the
Supreme Court of the State of New York,
County of New York, located at
60 Centre Street, New York,
N.Y., on the 5 day of September, 2014.

HON. CAROL EDMOND

BEFORE: _____
Justice of the Supreme Court

-----X
In the Matter of

ZEPHYR TEACHOUT and TIM WU,

Petitioners,

- against -

NEW YORK STATE DEMOCRATIC COMMITTEE,
ANDREW CUOMO, and KATHY HOCHUL,

Respondents,

For an Injunction Pursuant to Article 78 of the C.P.L.R.
Addressing Violations of State Election Law Sections
2-126 and 14-114.

-----X
Upon the Verified Petition, sworn to on September 5, 2014, and the Affirmation of
Arthur Z. Schwartz, dated September 4, 2014, and good cause being demonstrated therein,

Respondents are hereby

appear and
ORDERED TO SHOW CAUSE, on the 8th day of September, 2014, at 10:00

and
o'clock in the am noon of that date, at the Courthouse located at 60 Centre Street;

New York, New York, why this Court should not enter an Order

- a. Permanently enjoining the New York State Democratic Committee

“NYSDC”) from expending money in a coordinated manner in support candidates running primary elections;

b. Compelling Respondents Cuomo and Hochul to repay NYSDC a sum equal to all of the expenditures made by NYSDC supporting their candidacies prior to the September 9, 2014 primary;

c. Awarding Petitioners attorneys’ fees and costs; and

d. Granting such further relief as the Court may deem just and equitable; and it is further

~~ORDERED that pending the hearing on this Petition, Respondent New York State Democratic Committee is enjoined and restrained from spending further sums, prior to September 9, 2014, in support of the candidacies of Respondents Cuomo and Hochul in the September 9, 2014 Democratic Primary; and it is further~~

5-X
ORDERED that service of this Order and the papers annexed hereto be made upon Respondents, ~~or their counsel,~~ *and the Office of the Attorney General* on or before September 5th, 2014; and it is further

5-5C
ORDERED that Petitioners shall not be required to post bond.

Oral Argument
Directed

[Signature]

ENTER:

[Signature]
Justice

NON CAROL EDMEAL

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Zephyr Teachout et al.

v.

Ny State Democratic Comm.
et al.

INDIVIDUAL ASSIGNMENT PART 7

STIPULATION

INDEX NO. 100924/2014

MOTION CALENDAR NO.

DATE 9-8-14

IT IS HEREBY STIPULATED AND AGREED by and between the below-named attorney(s) as follows:

1. To the extent that petitioners have moved for a preliminary injunction, that motion is withdrawn without prejudice to the right of petitioners to seek the relief sought in their petition.

2. The Petition is adjourned to October 2, 2014; Petitioners may supplement their papers up until September 17, 2014; Respondents shall answer and/or move on or before September 29, 2014, and the parties will appear in court on October 2, 2014.

Date: 9-8-14

Adam Zisch
Attorney for Plaintiff

Martin E. Connor
Attorney for Defendant

So Ordered.

Paul Wooten
Attorney for Defendant

ENTER:

Paul Wooten
J.S.C.

J.S.C.