

STATE OF NEW YORK
SUPREME COURT COUNTY OF ALBANY

At an All Purpose Term of the Supreme
Court held in and for the County of
Albany at the Albany County Courthouse
in Albany, New York *on 1/23/2012*

GERARD APREA,
, JOHN VIDUREK,

Index No. 1196-11

-Plaintiffs,

ORDER TO SHOW CAUSE

-against-

NEW YORK STATE BOARD OF ELECTIONS,

Personal appearance is
not required. All original
papers shall be filed with
the Court Clerk.

Present: Hon. Joseph C. Teresi

Upon the Affirmation of Kimberly A. Galvin, dated January 20, 2012 and the exhibits and papers attached thereto, and upon all pleadings and proceedings heretofore had herein;

LET, Plaintiffs, or their attorneys show cause before this Court, Hon. Joseph C. Teresi, Albany County Supreme Court, located at Albany County Courthouse, Albany, New York 12207 on the *16* day of *February* 2012, at *9:00* o'clock in the forenoon/afternoon thereof, or as soon thereafter as counsel can be heard, why an order should not be made and entered herein:

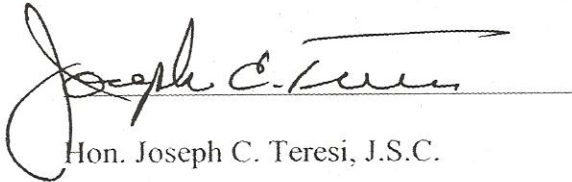
(a) Pursuant to Civil Practice Law and Rules §§5015(a) vacating the default judgement and 2004 enlarging such time for the New York State Board of Elections to answer or otherwise move against the complaint until 10 days after the Order on this application (b) for such other, further and or different relief as may be deemed appropriate.

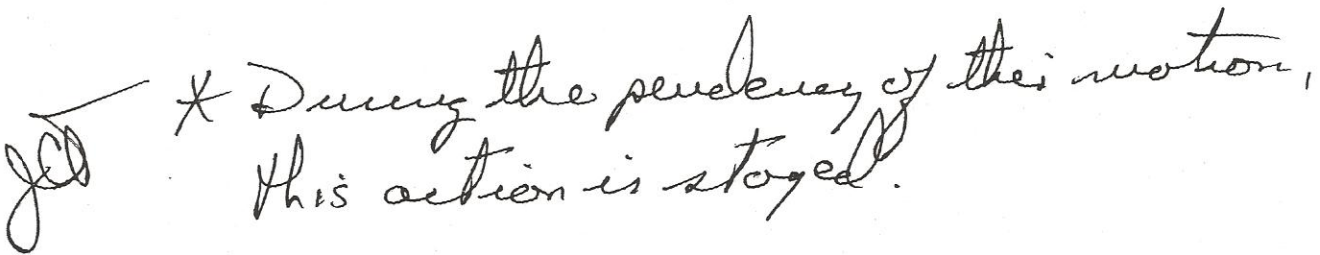
SUFFICIENT CAUSE APPEARING THEREFOR, it is hereby ORDERED, that service of a copy of this Order to Show Cause, and the papers upon which it is based, be served on Plaintiffs, John Vidurek and Gerald Aprea, at 600 Violet Avenue, Suite 107,

Hyde Park, NY 12538 by personal service or overnight courier on or before the 30 day of January, 2012, be deemed good and sufficient service of the Order to Show Cause, and that the answering papers are to be ~~served upon~~ ^{received by} the movant on or before the 10 day of February, 2012 and the reply papers shall be served on or before the 15 day of February, 2012.

*

ENTER:


Hon. Joseph C. Teresi, J.S.C.

 * During the pendency of this motion, this action is stayed.