

EX PARTE MOTION OFFICE

APPROVED  
FOR THE PAYMENT  
OF MOTION FEE  
ONLY

At an IAS Part of the Supreme Court of the State of New York, held in and for the County of New York at the Courthouse, located at 60 Centre Street, New York, New York on the 23<sup>rd</sup> day of April, 2014.

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

-----X  
NEW YORK STATE SENATE, NEW YORK STATE ASSEMBLY,  
DEAN G. SKELOS and JEFFREY D. KLEIN, as members and as  
Temporary Presidents of the New York State Senate, and  
SHELDON SILVER, as member and as Speaker of the  
New York State Assembly,

Index #160941/2013

Plaintiffs,

ORDER TO SHOW CAUSE  
TO INTERVENE & FOR  
TRO

-v-

KATHLEEN RICE, WILLIAM J. FITZPATRICK, and  
MILTON L. WILLIAMS, Jr. in their official capacities as  
Co-Chairs of the Moreland Commission on Public Corruption  
and THE MORELAND COMMISSION TO INVESTIGATE  
PUBLIC CORRUPTION,

Defendants.

RECEIVED  
APR 23 2014  
NEW YORK  
COUNTY CLERK'S OFFICE

-----X  
Upon reading and filing the annexed affidavit of the proposed intervening plaintiff ELENA RUTH SASSOWER, sworn to on April 23, 2014, and upon the proposed verified complaint, both with exhibits annexed thereto, seeking intervention pursuant to CPLR §1012(a)(2) and/or CPLR §1013,

LET plaintiffs and defendants show cause before this Court at 60 Centre Street, New York, New York on the \_\_\_\_\_ day of \_\_\_\_\_ 2014 at 9:30 a.m. or as soon thereafter

Enclosure #3

as the parties or their counsel can be heard, for an order:

- (1) permitting Elena Ruth Sassower, individually and as Director of the Center for Judicial Accountability, Inc., to intervene as a plaintiff individually, on her own behalf and on behalf of the People of the State of New York and the public interest in this declaratory judgment action, with the caption amended to so reflect;
- (2) for such other and further relief as may be just and proper, including a direction that plaintiffs and defendants respectively identify the amount of taxpayer monies expended in bringing and defending this declaratory judgment action and the related proceedings.

PENDING the hearing of this motion and determination thereof, sufficient cause appearing therefor, let plaintiffs and defendants be stayed from filing a stipulation of discontinuance or agreed dismissal of plaintiffs' declaratory judgment action on the ground of mootness and from seeking a court order thereon.

LET SERVICE of this Order to Show Cause, together with the papers on which it is based, be e-filed by the proposed intervening plaintiff, whose registration as an e-filer in this action is hereby authorized by the Court. Such e-filing shall be effected on or before the \_\_\_\_\_ day of \_\_\_\_\_ 2014, with answering papers from plaintiffs and defendants, if any, seven days before the return date.

DATED: New York, New York  
April 23, 2014

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J,S.C.

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

-----X  
NEW YORK STATE SENATE, NEW YORK STATE ASSEMBLY,  
DEAN G. SKELOS and JEFFREY D. KLEIN, as members and as  
Temporary Presidents of the New York State Senate, and  
SHELDON SILVER, as member and as Speaker of the  
New York State Assembly,

Plaintiffs,

Index #160941/2013

Affidavit  
in Support of E-Filing

-against-

KATHLEEN RICE, WILLIAM J. FITZPATRICK, and  
MILTON L. WILLIAMS, Jr. in their official capacities as  
Co-Chairs of the Moreland Commission on Public Corruption  
and THE MORELAND COMMISSION TO INVESTIGATE  
PUBLIC CORRUPTION,

Defendants.

-----X  
STATE OF NEW YORK                    )  
COUNTY OF WESTCHESTER        ) ss.:

ELENA RUTH SASSOWER, being duly sworn, deposes and says:

1. I am the proposed intervening plaintiff herein and submit this affidavit in support of my accompanying order to show cause to intervene, with TRO, requesting, in its service provision, that the Court authorize my registration as an e-filer in this action.

2. Yesterday morning I telephoned (646-386-3610) the Court's "Resource Center" which assists lawyers and litigants in becoming e-filers. I spoke with J.T. Lydon, who stated that because I am not an attorney and am not a party in the action, I cannot register to e-file until the Court authorizes it.

3. As all parties to this declaratory judgment action are e-filers, I request to e-file my motion to intervene as a plaintiff and respectfully request the Court's authorization of same.

  
ELENA RUTH SASSOWER

Sworn to before me this  
23rd day of April 2014

  
Notary Public

JANE ROMERO  
Notary Public, State of New York  
No. 01RO6176895  
Qualified in Westchester County  
Commission Expires Nov. 5, 20 15