

2<sup>nd</sup> citizen-taxpayer action (Albany Co #5722-2016)  
C/A v. Cuomo, et al. : September 2, 2016 verified  
complaint

✓ AS AND FOR AN NINTH CAUSE OF ACTION

**Three-Men-in-a-Room Budget Dealing-Making is Unconstitutional,  
As Unwritten and As Applied**

81. Plaintiffs repeat, reiterate, and reallege ¶¶ 1-80 herein with the same force and effect as if more fully set forth.

82. Plaintiffs' ninth cause of action herein is the sixteenth cause of action of their March 23, 2016 verified second supplemental complaint in their prior citizen-taxpayer action, Exhibit A: ¶¶458-470. It is accurate, true, and correct in all material respects.

A. **Three-Men-in-a-Room Budget Deal-Making is Unconstitutional, As Unwritten**

83. Plaintiffs' showing is set forth by the incorporated Exhibit A: ¶¶459-466. It is accurate, true, and correct in all material respects.

B. **Three-Men-in-a-Room Budget Deal-Making is Unconstitutional, As Applied**

84. Plaintiffs' showing is set forth by the incorporated Exhibit A: ¶¶467-470. It is accurate, true, and correct in all material respects.

AS AND FOR A TENTH CAUSE OF ACTION

**The Appropriation Item Entitled "For grants to counties for district attorney salaries",  
in the Division of Criminal Justice Services' Budget, Contained in Aid for Localities  
Budget Bill #S.6403-d/A.9003-d, Does Not Authorize Disbursements  
for Fiscal Year 2016-2017 and is Otherwise Unlawful and Unconstitutional.  
Reappropriation Items are also Improper, if not Unlawful**

85. Plaintiffs repeat, reiterate, and reallege ¶¶ 1-84 herein with the same force and effect as if more fully set forth.

86. Defendant CUOMO's Aid to Localities budget bill for fiscal year 2016-2017, #S.6403/A.9003, was over 900 pages. In addition to the first two amendments to the Aid to