

**U.S. District Court
Southern District of New York (White Plains)
CIVIL DOCKET FOR CASE #: 7:20-cv-05121-PMH**

Eisen v. Cuomo et al
Assigned to: Judge Philip M. Halpern
Cause: 42:1983 Civil Rights Act

Date Filed: 07/03/2020
Date Terminated: 08/12/2020
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Joshua E. Eisen

represented by **Jacob P Tully**
Venable LLP
Government
600 Massachusetts Avenue, NW
Washington, DC 20001
202-344-4322
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ATTORNEY TO BE NOTICED

James E. Tyrrell , III
Venable LLP
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ATTORNEY TO BE NOTICED

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Plaintiff

Gary A. Greenberg

represented by **James E. Tyrrell , III**
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Government
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ATTORNEY TO BE NOTICED

V.

Defendant

Andrew M. Cuomo
*Governor of New York, in his
official capacity,*

represented by **Seth Jonathan Farber**
New York State Office of the
Attorney General
28 Liberty Street
New York, NY 10005
212-416-8029
Fax: 212-416-6009
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Peter S. Kosinski
*Co-Chair of the New York State
Board of Elections, in his official
capacity*

represented by **Seth Jonathan Farber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Douglas A. Kellner
*Co-Chair of the New York State
Board of Elections, in his official
capacity,*

represented by **Seth Jonathan Farber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Douglas A. Kellner
Kellner Herlihy Getty & Friedman
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ATTORNEY TO BE NOTICED

Defendant

Andrew J. Spano
Commissioner of the New York State
Board of Elections, in his official
capacity,

represented by **Seth Jonathan Farber**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/03/2020	<u>1</u>	COMPLAINT against Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano. (Filing Fee \$ 400.00, Receipt Number ANYSDC-20547355) Document filed by Joshua E. Eisen..(Guerra, Michael) (Entered: 07/03/2020)
07/03/2020	<u>2</u>	CIVIL COVER SHEET filed..(Guerra, Michael) (Entered: 07/03/2020)
07/03/2020	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Andrew M. Cuomo, re: <u>1</u> Complaint. Document filed by Joshua E. Eisen..(Guerra, Michael) (Entered: 07/03/2020)
07/03/2020	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Peter S. Kosinski, re: <u>1</u> Complaint. Document filed by Joshua E. Eisen..(Guerra, Michael) (Entered: 07/03/2020)
07/03/2020	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Douglas A. Kellner, re: <u>1</u> Complaint. Document filed by Joshua E. Eisen..(Guerra, Michael) (Entered: 07/03/2020)
07/03/2020	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Andrew J. Spano, re: <u>1</u> Complaint. Document filed by Joshua E. Eisen..(Guerra, Michael) (Entered: 07/03/2020)
07/06/2020		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Michael Guerra. The party information for the following party/parties has been modified: Andrew M. Cuomo,Douglas A. Kellner,Peter S. Kosinski,Andrew J. Spano. The information for the party/parties has been modified for the following reason/reasons: party text was omitted;. (gp) (Entered: 07/06/2020)
07/06/2020		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Philip M. Halpern. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please

		download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions.. (gp) (Entered: 07/06/2020)
07/06/2020		Magistrate Judge Lisa M. Smith is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (gp) (Entered: 07/06/2020)
07/06/2020		Case Designated ECF. (gp) (Entered: 07/06/2020)
07/06/2020	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to Andrew M. Cuomo..(gp) (Entered: 07/06/2020)
07/06/2020	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to Peter S. Kosinski..(gp) (Entered: 07/06/2020)
07/06/2020	<u>9</u>	ELECTRONIC SUMMONS ISSUED as to Douglas A. Kellner. (gp) (Entered: 07/06/2020)
07/06/2020	<u>10</u>	ELECTRONIC SUMMONS ISSUED as to Andrew J. Spano. (gp) (Entered: 07/06/2020)
07/07/2020	<u>11</u>	MOTION for James E. Tyrrell III to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-20581413. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Joshua E. Eisen. (Attachments: # <u>1</u> Affidavit of James E. Tyrrell III in Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Exhibit A - Certificate of Good Standing (Maryland), # <u>3</u> Exhibit B - Certificate of Good Standing (District of Columbia), # <u>4</u> Text of Proposed Order).(Tyrrell, James) (Entered: 07/07/2020)
07/07/2020	<u>12</u>	MOTION for Jacob P. Tully to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-20581676. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Joshua E. Eisen. (Attachments: # <u>1</u> Affidavit of Jacob P. Tully in Support of Motion to Admit Counsel Pro Hac Vice, # <u>2</u> Exhibit A - Certificate of Good Standing (District of Columbia), # <u>3</u> Text of Proposed Order).(Tully, Jacob) (Entered: 07/07/2020)

07/07/2020		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 12 MOTION for Jacob P. Tully to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-20581676. Motion and supporting papers to be reviewed by Clerk's Office staff. 11 MOTION for James E. Tyrrell III to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number ANYSDC-20581413. Motion and supporting papers to be reviewed by Clerk's Office staff. The document has been reviewed and there are no deficiencies. (aea) (Entered: 07/07/2020)
07/08/2020		***DELETED DOCUMENT. Deleted document number 13 ORDER FOR ADMISSION OF JACOB P. TULLY PRO HAC VICE. The document was incorrectly filed in this case. (ks) (Entered: 07/08/2020)
07/08/2020	13	Jacob P. Tully granting 12 Motion for Jacob P. Tully to Appear Pro Hac Vice. (Signed by Judge Philip M. Halpern on 7/8/2020) (ks) (Entered: 07/08/2020)
07/08/2020	14	ORDER FOR ADMISSION OF JAMES E. TYRRELL III PRO HAC VICE granting 11 Motion for James E. Tyrrell III to Appear Pro Hac Vice. (Signed by Judge Philip M. Halpern on 7/8/2020) (ks) (Entered: 07/08/2020)
07/08/2020	15	NOTICE OF APPEARANCE by James E. Tyrrell, III on behalf of Joshua E. Eisen..(Tyrrell, James) (Entered: 07/08/2020)
07/08/2020	16	NOTICE OF APPEARANCE by Jacob P Tully on behalf of Joshua E. Eisen..(Tully, Jacob) (Entered: 07/08/2020)
07/10/2020	17	FILING ERROR - DEFICIENT DOCKET ENTRY - PROPOSED ORDER TO SHOW CAUSE WITHOUT EMERGENCY RELIEF. Document filed by Joshua E. Eisen. (Attachments: # 1 Declaration of Joshua E. Eisen in Support, # 2 Exhibit State Court Petition, # 3 Exhibit State Court Decision, # 4 Declaration of James E. Tyrrell III in Support, # 5 Exhibit Complaint, # 6 Exhibit Cuomo Summons, # 7 Exhibit Kosinski Summons, # 8 Exhibit Kellner Summons, # 9 Exhibit Spano Summons, # 10 Exhibit State Court Petition, # 11 Exhibit State Court Decision, # 12 Exhibit Executive Order 202.46, # 13 Exhibit Executive Order 202, # 14 Exhibit Executive Order 202.2, # 15 Exhibit Executive Order 202.13, # 16 Exhibit Executive Order 202.26, # 17 Exhibit Executive Order 202.7, # 18 Exhibit Executive Order 202.14, # 19 Exhibit NYS Department of Health Article,

		# 20 Exhibit New York Times Article, # 21 Exhibit HamletHub Article, # 22 Exhibit Rockland Report Article, # 23 Exhibit The Island Now Article, # 24 Exhibit ABC News Article, # 25 Exhibit Poughkeepsie Journal Article, # 26 Exhibit CDC Article, # 27 Exhibit NYS Board of Elections Calendar, # 28 Exhibit DC Board of Elections Press Release, # 29 Exhibit Pew Research Center Article, # 30 Exhibit Gothamist Article, # 31 Exhibit Monmouth University Article, # 32 Memorandum of Law in Support).(Tyrrell, James) Proposed Order to Show Cause to be reviewed by Clerk's Office staff. Modified on 7/10/2020 (dt). (Entered: 07/10/2020)
07/10/2020		***NOTICE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Notice to Attorney James Tyrrell to RE-FILE Document 17 Proposed Order to Show Cause Without Emergency Relief. ERROR(S): Documents have to be filed separately. 1st, File the Order to Show Cause using the event type Proposed Order to Show Cause Without Emergency Relief found under the event list Proposed Orders, then separately file each Declaration with exhibits using the event type Declaration in Support of a Non-Motion found under the event list Other Answers, then separately file the Memorandum of Law using the event type Memorandum of Law in Support of a Non-Motion found under the event list Other answers. (dt) (Entered: 07/10/2020)
07/10/2020	18	PROPOSED ORDER TO SHOW CAUSE WITHOUT EMERGENCY RELIEF. Document filed by Joshua E. Eisen..(Tyrrell, James) Proposed Order to Show Cause to be reviewed by Clerk's Office staff. (Entered: 07/10/2020)
07/10/2020	19	DECLARATION of Joshua E. Eisen in Support re: 18 Proposed Order to Show Cause Without Emergency Relief. Document filed by Joshua E. Eisen. (Attachments: # 1 State Court Petition, # 2 State Court Decision).(Tyrrell, James) (Entered: 07/10/2020)
07/10/2020	20	DECLARATION of James E. Tyrrell III in Support re: 18 Proposed Order to Show Cause Without Emergency Relief. Document filed by Joshua E. Eisen. (Attachments: # 1 Complaint, # 2 Cuomo Summons, # 3 Kosinski Summons, # 4 Kellner Summons, # 5 Spano Summons, # 6 State Court Petition, # 7 State Court Decision, # 8 Executive Order 202.46, # 9 Executive Order 202, # 10 Executive Order 202.2, # 11 Executive Order 202.13, # 12 Executive Order 202.26, # 13 Executive Order 202.7, # 14 Executive Order 202.14, # 15 NYS Department of Health Article, # 16 New York Times Article, # 17 HamletHub Article,

		# 18 Rockland Report Article, # 19 The Island Now Article, # 20 ABC News Article, # 21 Poughkeepsie Journal Article, # 22 CDC Article, # 23 NYS Board of Elections Calendar, # 24 DC Board of Elections Press Release, # 25 Pew Research Center Article, # 26 Gothamist Article, # 27 Monmount University Article).(Tyrrell, James) (Entered: 07/10/2020)
07/10/2020	21	MEMORANDUM OF LAW in Support re: 18 Proposed Order to Show Cause Without Emergency Relief . Document filed by Joshua E. Eisen..(Tyrrell, James) (Entered: 07/10/2020)
07/10/2020	22	NOTICE OF APPEARANCE by Douglas A. Kellner on behalf of Douglas A. Kellner..(Kellner, Douglas) (Entered: 07/10/2020)
07/13/2020		***NOTICE TO COURT REGARDING PROPOSED ORDER TO SHOW CAUSE WITHOUT EMERGENCY RELIEF. Document No. 18 Proposed Order to Show Cause Without Emergency Relief was reviewed and approved as to form. (km) (Entered: 07/13/2020)
07/14/2020	23	NOTICE OF APPEARANCE by Seth Jonathan Farber on behalf of Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano..(Farber, Seth) (Entered: 07/14/2020)
07/14/2020	24	LETTER MOTION for Conference re: 21 Memorandum of Law in Support, 18 Proposed Order to Show Cause Without Emergency Relief, 20 Declaration in Support,, 19 Declaration in Support addressed to Judge Philip M. Halpern from James E. Tyrrell III dated July 14, 2020. Document filed by Joshua E. Eisen..(Tyrrell, James) (Entered: 07/14/2020)
07/15/2020	25	ORDER granting 24 Letter Motion for Conference. Application for a conference granted. A telephone conference has been scheduled for 7/17/2020 at 12:00 p.m. At the time of the scheduled conference, all parties shall call the following number: (888) 398-2342; access code 3456831. Defendants are directed to file a response to this letter by 7/16/2020 at 5:00 p.m. SO ORDERED.. (Signed by Judge Philip M. Halpern on 7/15/2020) Telephone Conference set for 7/17/2020 at 12:00 PM before Judge Philip M. Halpern. (ks) (Entered: 07/15/2020)
07/16/2020	26	LETTER RESPONSE to Motion addressed to Judge Philip M. Halpern from Seth J. Farber dated July 16, 2020 re: 24 LETTER MOTION for Conference re: 21 Memorandum of Law in Support, 18 Proposed Order to Show Cause Without Emergency Relief, 20 Declaration in Support,, 19 Declaration in Support addressed to Judge Philip M. Halpern from James .

		Document filed by Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano..(Farber, Seth) (Entered: 07/16/2020)
07/17/2020	<u>27</u>	ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION: It is hereby ORDERED, that the above named Defendants or their counsel show cause at a hearing to be held in this Court before the Honorable Philip M. Halpern, United States District Judge, in Courtroom 12D, United States Courthouse, 500 Pearl Street, New York, NY on July 27, 2020 at 10:00 a.m. or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure and the Court's inherent powers enjoining Defendants during the pendency of this action from enforcing New York's current ballot qualification requirements for independent candidates for Congress pursuant to N.Y. Election Law § 6100, et seq. and N.Y. Exec. Order No. 202.46 (June 30, 2020), which requires the submission of 2,450 "wet" signatures that an independent candidate must procure through in person solicitation with an in-person witness, over the course of 30 days in the middle of the global COVID-19 pandemic; and it is further ORDERED that, Defendants shall file with the Court and serve any responsive papers by ECF Plaintiff's counsel, James E. Tyrrell, III, Esq., Venable LLP, 600 Massachusetts Avenue NW, Washington, D.C. 20001, JETyrrell@venable.com, on or before 5:00 p.m. on July 21, 2020 and that Plaintiff shall file with the Court and serve any reply papers by ECF on Defendants on Defendants' counsel, on or before 5:00 p.m. on July 23, 2020. SO ORDERED. (Signed by Judge Philip M. Halpern on 7/17/2020) Show Cause Hearing set for 7/27/2020 at 10:00 AM in Courtroom 12D, 500 Pearl Street, New York, NY 10007 before Judge Philip M. Halpern. Show Cause Response due by 7/21/2020. (ks) (Entered: 07/17/2020)
07/17/2020		Minute Entry for proceedings held before Judge Philip M. Halpern: Telephone Conference held on 7/17/2020. Counsel for all parties and NYS BOE by Brian Quail and Nicholas Cartagena appeared by telephone. Court heard argument from the parties. Order to Show Cause will be separately docketed. (sbh). (Entered: 07/17/2020)
07/20/2020	<u>28</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano.Document filed by Joshua E. Eisen, Gary A. Greenberg. Related document: <u>1</u> Complaint..(Tyrrell, James) (Entered: 07/20/2020)
07/20/2020	<u>29</u>	LETTER MOTION for Extension of Time to File Response/Reply as to <u>27</u> Order to Show Cause,,,,,, addressed to Judge Philip M.

		Halpern from James E. Tyrrell III dated July 20, 2020. Document filed by Joshua E. Eisen, Gary A. Greenberg..(Tyrrell, James) (Entered: 07/20/2020)
07/21/2020	30	JOINDER to join re: 18 Proposed Order to Show Cause Without Emergency Relief, 27 Order to Show Cause,,,,,,. Document filed by Gary A. Greenberg. (Attachments: # 1 Exhibit A - Declaration of Gary A. Greenberg).(Tyrrell, James) (Entered: 07/21/2020)
07/21/2020	31	MEMORANDUM OF LAW in Opposition re: 24 LETTER MOTION for Conference re: 21 Memorandum of Law in Support, 18 Proposed Order to Show Cause Without Emergency Relief, 20 Declaration in Support,, 19 Declaration in Support addressed to Judge Philip M. Halpern from James <i>Opposition to Plaintiffs' Motion for Preliminary Injunction</i> . Document filed by Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano..(Farber, Seth) (Entered: 07/21/2020)
07/21/2020	32	ORDER granting 29 Letter Motion for Extension of Time to File Response/Reply; 30 Joinder. Application for an extension of the deadlines granted; application of Gary A. Greenberg to join in the Order to Show Cause and pending application for a preliminary injunction granted. Defendants opposition due 7/23/2020 at 5:00 p.m.; reply due 7/24/2020 at 5:00 p.m. In addition, to the extent any individual plans to appear on the return date of the Order to Show Cause by video-conference, including witnesses, counsel must make such arrangements with the A/V department prior to that date (212-805-0134). Further, all members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse. On the day you are due to arrive at the courthouse, click on the following weblink. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance: https://app.certify.me/SDNYPublic Responses due by 7/23/2020 Replies due by 7/24/2020. (HEREBY ORDERED by Judge Philip M. Halpern)(Text Only Order) (sbh) (Entered: 07/21/2020)
07/23/2020	33	DECLARATION of Todd D. Valentine in Opposition re: 24 LETTER MOTION for Conference re: 21 Memorandum of Law in Support, 18 Proposed Order to Show Cause Without Emergency Relief, 20 Declaration in Support,, 19 Declaration in Support addressed to Judge Philip M. Halpern from James.

		Document filed by Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano..(Farber, Seth) (Entered: 07/23/2020)
07/23/2020	34	MEMORANDUM OF LAW in Opposition re: 24 LETTER MOTION for Conference re: 21 Memorandum of Law in Support, 18 Proposed Order to Show Cause Without Emergency Relief, 20 Declaration in Support,, 19 Declaration in Support addressed to Judge Philip M. Halpern from James <i>Revised Memorandum of Law in Opposition to Motion for Preliminary Injunction</i> . Document filed by Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano..(Farber, Seth) (Entered: 07/23/2020)
07/24/2020	35	REPLY MEMORANDUM OF LAW in Support re: 29 LETTER MOTION for Extension of Time to File Response/Reply as to 27 Order to Show Cause,,,,,, addressed to Judge Philip M. Halpern from James E. Tyrrell III dated July 20, 2020. . Document filed by Joshua E. Eisen, Gary A. Greenberg..(Tyrrell, James) (Entered: 07/24/2020)
07/27/2020		Minute Entry for proceedings held before Judge Philip M. Halpern: Preliminary Injunction Hearing held on 7/27/2020. Counsel for defendants appeared in the courtroom and plaintiffs counsel by means of videoconference. Court heard argument from the parties. Neither party called any witnesses. The Court denied the motion for a preliminary injunction. Order to follow. See transcript. (Court Reporter Martha Martin) (sbh) (Entered: 07/27/2020)
07/27/2020	36	ORDER: Counsel for all parties appeared for the hearing I scheduled at 10:00 a.m. today; defendants' counsel in my courtroom and plaintiffs' counsel by means of videoconference. Oral argument was had on the record. Neither party called any witnesses. For the reasons indicated on the record and law cited therein, Plaintiffs' motion for a preliminary injunction (Docs. 18-21, 27) is DENIED. See transcript. SO-ORDERED. (Signed by Judge Philip M. Halpern on 7/27/2020) (ks) (Entered: 07/27/2020)
07/31/2020	37	FIRST LETTER MOTION for Extension of Time to File Answer re: 28 Amended Complaint addressed to Judge Philip M. Halpern from Seth Farber dated July 31, 2020., LETTER MOTION for Extension of Time to File <i>request to extend time to answer, move or otherwise respond to Amended Complaint</i> addressed to Judge Philip M. Halpern from Seth Farber dated July 31, 2020. Document filed by Andrew M. Cuomo, Douglas A. Kellner, Peter S. Kosinski, Andrew J. Spano..(Farber, Seth) (Entered: 07/31/2020)

07/31/2020	<u>38</u>	ORDER granting <u>37</u> Letter Motion for Extension of Time to Answer Andrew M. Cuomo answer due 8/17/2020; Douglas A. Kellner answer due 8/17/2020; Peter S. Kosinski answer due 8/17/2020; Andrew J. Spano answer due 8/17/2020; granting <u>37</u> Letter Motion for Extension of Time to File. Application granted. Defendants' time to answer or otherwise move with respect to the Amended Complaint due 8/17/2020. SO ORDERED.. (Signed by Judge Philip M. Halpern on 7/31/2020) (ks) (Entered: 07/31/2020)
08/05/2020	<u>39</u>	TRANSCRIPT of Proceedings re: order to show cause held on 7/27/2020 before Judge Philip M. Halpern. Court Reporter/Transcriber: Martha Martin, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/26/2020. Redacted Transcript Deadline set for 9/8/2020. Release of Transcript Restriction set for 11/3/2020..(McGuirk, Kelly) (Entered: 08/05/2020)
08/05/2020	<u>40</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a order to show cause proceeding held on 7/27/2020 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days....(McGuirk, Kelly) (Entered: 08/05/2020)
08/12/2020	<u>41</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - SIGNATURE ERROR - STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, with prejudice against the defendant(s) All Defendants and without costs pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Douglas A. Kellner, Peter S. Kosinski, Andrew M. Cuomo, Andrew J. Spano. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers) ...(Farber, Seth) Modified on 8/12/2020 (km). (Entered: 08/12/2020)
08/12/2020		***NOTICE TO ATTORNEY REGARDING DEFICIENT VOLUNTARY DISMISSAL. Notice to Attorney Seth Farber. RE-FILE Document No. <u>41</u> Stipulation of Voluntary Dismissal.

		The filing is deficient for the following reason(s): the stipulation needs to have handwritten signatures of the attorneys. Re-file the document using the event type Stipulation of Voluntary Dismissal found under the event list Other Documents - select the correct filer/filers - select the correct party/parties the voluntary dismissal is against - and attach the correct signed PDF. (km) (Entered: 08/12/2020)
08/12/2020	<u>42</u>	STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, with prejudice against the defendant(s) All Defendants and without costs pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Douglas A. Kellner, Peter S. Kosinski, Andrew M. Cuomo, Andrew J. Spano. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers)... (Farber, Seth) (Entered: 08/12/2020)

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