

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M90237
J/nl

STEVEN W. FISHER, J.P.
DANIEL D. ANGIOLILLO
THOMAS A. DICKERSON
RANDALL T. ENG, JJ.

2009-06673

DECISION & ORDER ON APPLICATION

Dean G. Skelos, etc., et al., respondents,
v David Paterson, etc., et al., appellants.

(Index No. 13426/09)

Applications on an appeal from an order of the Supreme Court, Nassau County, entered July 22, 2009, to waive the requirement of 22 NYCRR 670.11(a) requiring a formal motion for leave to serve and file a brief amicus curiae, and for permission to do so by (1) the New York Civil Liberties Union, (2) the Citizens Union of the City of New York and Common Cause/New York, (3) the United Federation of Teachers, Uniformed Sanitationmen's Association, Local 831 IBT, and City Employees Union, Local 237 IBT, (4) the Partnership for New York City, Inc., and (5) Michael J. Hutter, Gerald Benjamin, Peter Galie, and Stan Lundine.

Upon the papers filed in support of the applications and upon the consent of the parties, it is

ORDERED that the applications are granted; and it is further,

ORDERED that the amici curiae shall, on or before August 7, 2009, serve one copy of their respective briefs on each of the attorneys for the parties, file nine copies thereof in the office of the Clerk of this court, and file an additional electronic copy of their respective briefs in PDF format by e-mail to an address or addresses to be separately provided by the Clerk of the Court; and it is further,

ORDERED that the briefs of the amici curiae shall comply with the formatting and word-count requirements of § 670.10.3 of the rules of this court (22 NYCRR 670.10.3); and it is further,

July 30, 2009

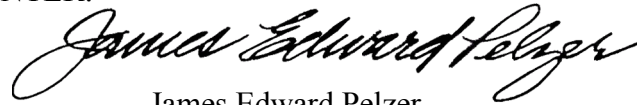
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ORDERED that oral argument by the amici curiae shall not be permitted (22 NYCRR 670.11[b]).

FISHER, J.P., ANGIOLILLO, DICKERSON and ENG, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer
Clerk of the Court