

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

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PHILIP PIDOT and NANCY HAWKINS,
individually and as representatives of eligible
Republican Party voters in Suffolk, Nassau and
Queens County within New York's Third
Congressional District,

Plaintiffs,

-against-

NEW YORK STATE BOARD OF ELECTIONS;
PETER KOSINSKI and DOUGLAS KELLNER,
in their official capacities as Co-Chairs of the New
York State Board of Elections; ANDREW J.
SPANO and GREGORY P. PETERSON, in their
official capacities as Commissioners of the New
York State Board of Elections; TODD D.
VALENTINE and ROBERT A. BREHM, in their
official capacities as Executive Directors of the
New York State Board of Elections; and
JACK MARTINS.

Defendants.
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JOSEPH F. BIANCO, District Judge:

★ **JUN 27 2016** ★

LONG ISLAND OFFICE

ORDER
16-CV-3527 (JFB)(ARL)

On June 27, 2016, plaintiffs Philip Pidot and Nancy Hawkins filed a complaint and Order to Show Cause seeking certain injunctive relief and a declaratory judgment. As set forth on the record, plaintiffs did not serve the defendants and confirmed that they are not seeking to enjoin the primary election scheduled to take place tomorrow but rather are seeking, *inter alia*, to enjoin certification of a Republican candidate as it relates to the general election ballot for Representative in Congress for New York's Third Congressional District. The Court has directed plaintiffs to serve the complaint and accompanying papers (and this Order) on the defendants by tomorrow and has scheduled a conference for 10:45 a.m. on Wednesday, June 29, 2016, to give defendants an opportunity to be heard regarding the Order to Show Cause. The Court does not believe that any

temporary restraining order is necessary as plaintiffs have not demonstrated, in light of the fact that the primary is going to place tomorrow, any irreparable harm that will occur by Wednesday morning in the absence of an injunction related to the general election ballot.

SO ORDERED.


JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE

Dated: June 27, 2016
Central Islip, New York