

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION
THIRD JUDICIAL DEPARTMENT

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F.F. on behalf of her minor children, Y.F., E.F. Y.F.;
M. & T. M. on behalf of their minor children, C.M.
and B.M.; E.W., on behalf of his minor son, D.W.;
Rabbi M., on behalf of his minor children I.F.M,
M.M & C.M.; M.H. on behalf of W.G.; C.O., on behalf
of her minor children, C.O., M.O, Z.O. and Y.O;
Y. & M. on behalf of their minor children M.G.,
P.G., M.G., S.G., F.G. and C.G.; J.M. on behalf of
his minor children C.D.M. & M.Y.M.; J.E., on
behalf of his minor children, P.E., M.E., S.E., D.E.,
F.E. and E.E.; C.B. & D.B., on behalf of their
minor children, M.M.B. and R.A.B.; T.F., on behalf
of her minor children, E.F., H.F. and D.F.; L.C., on
behalf of her minor child, M.C.; R.K., on behalf of her
minor child, M.K.; R.S. & D.S., on behalf of their minor
children, E.S. and S.S.; J.M. on behalf of her minor
children, S.M. & A.M.; F.H., on behalf of her minor
children, A.H., H.H. and A.H.; M.E. on behalf of his
minor children, M.E. & P.E.; D.B., on behalf of her
minor children, W.B., L.B. & L.B.; R.B., on behalf
of her minor child, J.B.; L.R., on behalf of her minor
child, E.R.; G.F., on behalf of his minor children, C.F.
& A.F.; D.A., on behalf of her minor children, A.A. &
A.A.; T.R., on behalf of her minor children, S.R. and
F.M.; B.N., on behalf of her minor children, A.N., J.N.
& M.N.; M.K. on behalf of her minor child, A.K.; L.B.,
on behalf of her minor children, B.B., A.B. & S.B.;
A.V.M., on behalf of her minor children, B.M. and G.M.;
N.L., on behalf of her minor children, H.L. & G.L.; L.G.,
on behalf of her minor children, M.C. and C.C.; L.L., on
behalf of her minor child, B.L.; C.A., on behalf of her
minor children, A.A., Y.M.A., Y.A. and M.A.; K.W., on
behalf of her minor child, K.W.; B.K., on behalf of her
minor children, N.K., S.K., R.K. and L.K.; W.E. and C.E.,
on behalf of their minor child, A.E.; R.J. & A.J., on behalf
of their minor child, A.J.; S.Y. & Y.B., on behalf of their
minor children, I.B. and J.B.; T.H., on behalf of her
minor child, J.H.; K.T., on behalf of her minor children,
A.J.T. & A.J.T.; L.M., on behalf of her minor child, M.M.,
D.Y.B., on behalf of her minor child, S.B.; A.M., on
behalf of her minor child, G.M.; F.M., on behalf of his
three minor children, A.M.M., D.M.M. and K.M.M.

H.M., on behalf of her minor child, R.M.; M.T. & R.T., on behalf of their minor child, R.T.; E.H., on behalf of her minor children M.M.S.N. and L.Y.N., Rabbi M.B. on behalf of his minor child, S.B. and S.L. & J.F. on behalf of their minor child C.L., A-M.P., on behalf of her minor child, M.P.; R.L, on behalf of her minor children G.L, A.L and M.L.; N.B., on behalf of her minor child M.A.L.; B.C., on behalf of her minor child, E.H. and J.S. & W.C. on behalf of their minor children M.C. and N.C., S.L., on behalf of his three minor children, A.L., A.L. and A.L., L.M., on behalf of her two minor children, M.M. and M.M., N.H., on behalf of his three minor children, J.H., S.H. and A.H., on their own behalves and on behalf of thousands of similarly-situated parents and children in the State of New York,

Plaintiffs-Appellants,

vs.

STATE OF NEW YORK; ANDREW CUOMO, GOVERNOR
LETITIA JAMES, ATTORNEY GENERAL,

Defendants-Respondents.

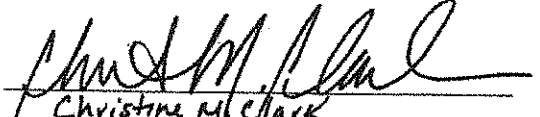
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ORDER TO SHOW CAUSE

PLEASE TAKE NOTICE that upon the Affirmation of Michael H. Sussman, Esq. dated August 27, 2019 and the Exhibits annexed thereto, the Memorandum of Law submitted herewith and all prior proceedings, you are directed to show cause at the Robert Abrams Building, State Street, Albany, New York on the 4th day of September, 2019 at 9:30 in the forenoon, or as soon thereafter as counsel may be heard, why an order enjoining the repeal of the religious exemption set forth in Public Health Law section 2164 (9) should not enter ~~until further order of this Court,~~ ^{pending determination of the} ~~appeal from Supreme Court's August 23, 2019 order.~~

~~ORDERED that no prior application for said relief having been made to this Court and good cause having been shown, pending further Order of this Court on plaintiffs/appellants' application for a preliminary injunction, enforcement of the challenged repeal of the religious exemption shall be enjoined;~~ me

FURTHER ORDERED that counsel for appellants shall serve a copy of this Order and the papers presented in support by email and overnight mail to counsel for respondents ~~by 5 pm~~ on August ~~30~~, 2019 and that counsel for respondents shall submit papers in response to this Order by ~~the close of business on~~ ^{9:30 on September 4, 2019}, 2019 and serve the same by email upon Michael H. Sussman, Esq., counsel for appellants at sussman1@frontiernet.net.

SO ORDERED.


Christine M. Clark, August 29, 2019
JUSTICE, APPELLATE DIVISION, THIRD DEPARTMENT
Schenectady, New York

The motion brought on by this order to show cause shall not be orally argued unless counsel are notified to the contrary by the Clerk of the Court.