

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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NEW YORKERS FOR RELIGIOUS LIBERTY, INC.,
GENNARO AGOVINO, CURTIS CUTLER, LIZ DELGADO,
JANINE DEMARTINI, BRENDAN FOGARTY, SABINA
KOLENOVIC, KRISTA O'DEA, DEAN PAOLILLO,
DENNIS PILLET, MATTHEW RIVERA, LAURA SATIRA,
FRANK SCHIMENTI, JAMES SCHMITT, individually and on
behalf of all other persons similarly situated,

Case No. 1:22-cv-00752

Plaintiffs,

ORDER TO SHOW CAUSE FOR A
PRELIMINARY INJUNCTION
AND TEMPORARY
RESTRAINING ORDER

- against -

THE CITY OF NEW YORK; ERIC ADAMS, in his official
capacity as Mayor of the City of New York, DAVE CHOKSHI,
in his official capacity as Health Commissioner of the City of
New York, and ROBERTA REARDON, in her capacity as New
York State Commissioner of Labor,

Defendants.

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Upon the accompanying declaration of Jonathan R. Nelson, Esq., executed on February 10, 2022, with exhibits attached thereto, the additional declarations of GENNARO AGOVINO, CURTIS CUTLER, LIZ DELGADO, JANINE DEMARTINI, BRENDAN FOGARTY, SABINA KOLENOVIC, KRISTA O'DEA, DEAN PAOLILLO, DENNIS PILLET, MATTHEW RIVERA, LAURA SATIRA, FRANK SCHIMENTI, JAMES SCHMITT, JOHN GARLAND and WILLIAM TOTH, verified on February 10, 2022, all with the exhibits attached thereto, the supporting memorandum of law, the copy of the complaint dated February 10, 2022 hereto annexed, it is:

ORDERED, that the plaintiff has demonstrated good cause for setting an expedited

briefing schedule in this proceeding; and it is further

ORDERED, that the above-named defendants show cause before a motion term of this Court, at Room____, United States Courthouse, _____, State of New York, on, 2022, at in the ____noon thereof, 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:

1. Temporarily enjoining enforcement of any COVID-19 vaccine requirement for employees working in New York City issued through Orders of the Commissioner of the New York City Department of Health and Mental Hygiene (“DHMH”);
2. Or, in the alternative, temporarily enjoining any adverse action for noncompliance with a COVID-19 vaccine requirement imposed by the Commissioner against employees who submit religious accommodation requests; and
3. Granting such other and further relief as the Court may deem just and proper; and it is further

ORDERED that sufficient cause having been shown, pending a hearing of the Plaintiff’s application for preliminary injunction, but in no event more than fourteen days beyond the issuance of this order unless extended by the Court, a temporary restraining order is GRANTED, and all COVID-19 vaccine requirements imposed through Orders of the Commissioner of the New York City DHMH are stayed; and it is further

ORDERED that no security should be required of the Plaintiff because Defendants would incur no additional expenses from the relief requested herein; and it is further

ORDERED, that _____service of a copy of this order, the complaint, the memorandum of law, and the declarations and exhibits upon the defendants on or before _____A.M./P.M., on _____, 2022, shall be deemed good and sufficient service thereof.