MICHAEL A. SIRAGUSA
ERIE COUNTY ATTORNEY

COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE M. PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY C. TOTH
SECOND ASSISTANT COUNTY ATTORNEY

September 3, 2014

Mr. Scott W. Kroll, Clerk
Erie County Legislature
92 Franklin Street. 4th Floor
Buffalo, New York 14202

Dear Mr. Kroll:

In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name:	*Bobeck, Samantha v. Betty Jean Grant and Ralph M. Mohr and Dennis E. Ward*
Document Received:	Order to Show Cause
Name of Claimant:	Samantha Bobeck 401 Delaware Avenue, Apt. 203 Buffalo, New York 14202
Claimant's attorney:	John T. Loss, Esq. Connors & Vilardo, LLP 1000 Liberty Building 424 Main Street Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MICHAEL A. SIRAGUSA
Erie County Attorney

By: _____
Jeremy C. Toth
Second Assistant County Attorney
jeremy.toth@erie.gov

JCT:dld
Enc.

At a Special Term of the Supreme Court held in and for the County of Erie, at the Courthouse, in the City of Buffalo, New York on the 2nd day of September, 2014.

PRESENT: HON. JOHN F. O'DONNELL, J.S.C., J.S.C.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

In the Matter of the Application of
SAMANTHA BOBECK
401 Delaware Avenue, Apartment 203
Buffalo, New York 14202, Objector,

Petitioner,

-vs-

BETTY JEAN GRANT
Putative Nominee for Women's Equality Party
for New York State Senate, 63rd District,
100 Parkridge Avenue,
Buffalo, New York 14215;
and
RALPH M. MOHR and
DENNIS E. WARD, as Commissioners
of Elections and Constituting the
Erie County Board of Elections
134 West Eagle Street
Buffalo, New York 14202,

Respondents,

For an Order Pursuant to the Election Law Declaring Insufficient, Defective, Invalid, Null and Void, the Women's Equality Party Independent Nominating Petition of Respondent Nominee for New York Senate, 63rd District, County of Erie, State of New York for the General Election to Be Held on November 4, 2014;

And to Enjoin, Restrain and Prohibit the Erie County Board of Elections from Printing and Placing the Name of Said Nominee Upon the Official Ballot of Such General Election.

FILED
SEP 02 2014
ERIE COUNTY
CLERK'S OFFICE

ORDER TO SHOW CAUSE

Index No. 2014-149

FILED
09/02/2014 15:06:58
ERIE COUNTY CLERK
RCPT # 14137000
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Upon the annexed Verified Petition of Samantha Bobeck, Petitioner, sworn to on the 2nd day of September, 2014, with exhibits, it is hereby

ORDERED, that the Respondents herein show cause before this Court, Hon. JOHN F. O'DONNELL, J.S.C., J.S.C., at a Special Term, Part 71, thereof, to be held at 25 DELAWARE AVE. in the City of Buffalo, County of Erie, State of New York, on the 11th day of September, 2014, at 9:30 a.m./p.m., or as soon thereafter as counsel can be heard, why an order should not be made entered herein:

1. Declaring insufficient, defective, invalid, null and void the Women's Equality Party Independent Nominating Petition for Respondent, Betty Jean Grant, Putative Nominee for Women's Equality Party for New York State Senate, 63rd District, which purports to name the Respondent as a nominee for the Women's Equality Party for New York State Senate, 63rd District, County of Erie, State of New York for the General Election to be held on November 4, 2014;

2. Enjoining, restraining and prohibiting the Respondents, Ralph M. Mohr and Dennis E. Ward, as Commissioners of Elections and Constituting the Erie County Board of Elections, from printing and placing on the official ballot the name of Respondent, Betty Jean Grant, as a Women's Equality Party Nominee for New York State Senate, 63rd District, County of Erie, State of New York for the General Election to be held on November 4, 2014, and why the petitioner should not have such other and further relief as to this Court may deem just and proper; and it is further

ORDERED, that the Respondent, Ralph M. Mohr and Dennis E. Ward, as Commissioners of Elections and Constituting the Erie County Board of Elections, be and they are hereby ordered and directed to produce upon the return date and hearing related to this Order to Show Cause the originals of (a) the aforesaid Women's Equality Party Independent Nominating Petition for Respondent, Betty Jean Grant, Putative Nominee for Women's Equality Party for New York State Senate, 63rd District, County of Erie, State of New York for the General Election to be held on November 4, 2014; (b) the General Objections (and all related paperwork) filed against the Women's Equality Party Independent Nominating Petition; (c) the Specific Objections (and all related paperwork) filed against the Women's Equality Party Independent Nominating Petition; (d) the original Democratic Party designating petition of Betty Jean Grant; and (e) any written decision rendered in regard to such objections, and it is further

ORDERED, that sufficient reason appearing therefore, leave is granted to the Petitioner to submit prior to and upon the return date related to this Order to Show Cause and the argument thereof such additional proof, exhibits and other evidence as may be necessary, and it is further

ORDERED, that service of a copy of this Order to Show Cause, together with a copy of the verified petition with exhibits upon which it is granted, upon (a) the Respondents, Ralph M. Mohr and Dennis E. Ward, Commissioners of Elections and Constituting the Erie County Board of Elections, be made by leaving a copy of said papers with a person of suitable age and discretion (including but not limited to personal service upon the respondent(s)), at the Office of the Erie County

Board of Elections, County of Erie, State of New York on the 2nd day of September, 2014; and (b) the Respondent, Betty Jean Grant (1) by personally serving her on the 2nd day of September, 2014; or (2) by leaving in a conspicuous place a copy of the said Order to Show Cause and a copy of the verified petition with exhibits upon which it is granted outside the outer or other door of the residence of said Respondent candidate, at the address as it appears on the Women's Equality Party Independent Nominating Petition for said Respondent Nominee on the 2nd day of September, 2014; or (3) by leaving a copy of said papers with a person of suitable age and discretion at that address on the 2nd day of September, 2014; and that such service as herein provided shall be and constitute due, timely and sufficient notice to the respondents herein, and it is further

ORDERED, that service of any answering papers of Respondents be received by the Court and served upon the offices of Connors & Vilardo, LLP, attorneys for Petitioner, at 1000 Liberty Building, 424 Main Street, Buffalo, New York 14202, at or before 5:00 p.m. the day before the return date related to this Order to Show Cause.

Hon. JOHN F. O'DONNELL, J.S.C., J.S.C.

ENTER.

GRANTED

SEP 02 2014

BY: JAMES A. KASPRZAK
COURT CLERK