

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE
HON. MARY ANNE SCATTARETICO-NABER, J.S.C.

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ORAL CLARKE, ROMANCE REED, GRACE PEREZ,
PETER RAMON, ERNEST TIRADO, and DOROTHY
FLOURNOY,

Plaintiffs,

-against-

TOWN OF NEWBURGH, and TOWN BOARD OF,
THE TOWN OF NEWBURGH,

Defendants.

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[To commence the statutory time
period for appeals as of right (CPLR
5513[a]), you are advised to serve a
copy of this order, with notice of
entry, upon all parties.]

Index No. EF002460-2024

SHORT FORM ORDER

Plaintiffs move, by way of letter application, asking the court for the following relief:

(1) for a transfer of this matter to Westchester County, the County designated as the proper venue
“in an action or proceeding in which any party challenges the constitutionality of a provision of
this chapter ...” pursuant to Election Law Section 16-101; and (2) to hold an expedited hearing.

On May 14, 2025, the Court heard oral argument in response to the Plaintiffs’ letter
application and Defendants’ opposition by letter thereto claiming, *inter alia*, that the Plaintiffs
waived venue in Westchester County by initially filing this proceeding in Orange County, and
alluding to, *inter alia*, forum shopping by the Plaintiffs. The Court reserved decision, scheduling
virtual appearances on May 15, 2025, for rendering of that decision.

Now, after due deliberation and consideration of the papers submitted and arguments of
counsel, the Court herein grants Plaintiffs’ application, finding that the proper venue for this
proceeding is Westchester County Supreme Court, the County designated in the Second Judicial
Department to hear such proceedings, pursuant to Election Law Section 16-101 (1)(b).

Accordingly, the Chief Clerk of Orange County Supreme Court is herein directed to

transfer this proceeding to Westchester County Supreme Court, forthwith, the Court designated to hear these matters for the Second Department, according to statute, to be scheduled for an expedited hearing in accordance with Election Law § 17-216.

The foregoing constitutes the decision and order of the Court.

Dated: May 15, 2025
Goshen, New York

ENTER



HON. MARY ANNE SCATTARETICO-NABER, J.S.C.

TO: All parties, via NYSCEF