

EXHIBIT 4

(Proposed Order to Show Cause to add
Independent Redistricting Commission as
Respondent to this proceeding.)

At IAS Part 63, Room 355 of the
Supreme Court of the State of New
York, New York County, at the
New York County Courthouse at
60 Centre Street, New York, NY
10007 on the ____ day of
_____, 2022

PRESENT: Hon. Laurence R. Love, J.S.C.

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PAUL NICHOLS, GAVIN WAX,
AND GARY GREENBERG,

Petitioners,

-against-

GOVERNOR KATHY HOCHUL,
SENATE MAJORITY LEADER AND
PRESIDENT PRO TEMPORE OF THE SENATE
ANDREA STEWART-COUSINS,
SPEAKER OF THE ASSEMBLY CARL
HEASTIE, NEW YORK STATE BOARD OF
ELECTIONS, AND THE NEW YORK STATE
LEGISLATIVE TASK FORCE ON
DEMOGRAPHIC RESEARCH AND
REAPPORTIONMENT

Respondents.
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Index No. 154213/2022E

[Proposed]

ORDER TO SHOW CAUSE

Upon reading and filing: (i) the Order of the Appellate Division, First Department, entered on June 10, 2022 [NYSCEF Doc. No. 99]; (ii) the Memorandum of Law of Respondent Speaker of the Assembly Carl Heastie e-filed on August 8, 2022; (iii) the Affirmation of Elaine M. Reich with the exhibits thereto e-filed on August 8, 2022; and (iv) all of the papers and proceedings heretofore had herein;

AND good cause having been shown therefor, it is hereby

ORDERED, that the New York State Independent Redistricting Commission, comprised of the following members, David Imamura, Chair, Eugene Benger, Ross Brady,

John Conway III, Dr. Ivelisse Cuevas-Molina, Elaine Frazier, Lisa Harris, Charles Nesbitt and Willis H. Stephens, Jr., or their attorneys show cause before the Court at IAS Part 63, Room 355, of the Courthouse at 60 Centre Street, New York, NY 10007, on _____, 2022 at _____ A.M./P.M., or as soon thereafter as counsel may be heard, why an Order should not be made and entered:

1. Adding the New York State Independent Redistricting Commission as Respondent to this proceeding;
2. Requiring the Independent Redistricting Commission to initiate the constitutional process for amending the Assembly district map, and to formulate a proposed Assembly map no later than a date to be determined by the Court;
3. Further requiring the Independent Redistricting Commission and Respondents thereafter to follow the procedural steps set forth in Article III, §§ 4 and 5-b of the New York State Constitution with respect to the adoption of a remedial Assembly district map; and
4. Granting such other and further relief as the Court deems just and appropriate; and it is further

ORDERED, that service of a copy of this Order and the papers upon which it is granted, on or before ____ A.M./P.M. on _____, 2022 by: (a) Federal Express or other overnight delivery service on David Imamura, Chair, Eugene Bengier, Ross Brady, John Conway III, Dr. Ivelisse Cuevas-Molina, Elaine Frazier, Lisa Harris, Charles Nesbitt and Willis H. Stephens, Jr. waiving the requirement of a signature, addressed to said commissioners at either 250 Broadway, 22nd Floor, New York, N.Y. 10007 or 302A Washington Avenue Ext., Albany, N.Y. 12203, being the offices of the New York State Independent Redistricting Commission; and (b) via email to each commissioner: David Imamura imamurad@nyirc.gov,

Eugene Benger bengere@nyirc.gov, Ross Brady bradyr@nyirc.gov, John Conway conwayj@nyirc.gov, Ivelisse Cuevas Molina cuevasmolina@nyirc.gov, Elaine Frazier fraziere@nyirc.gov, Lisa Harris harrislr@nyirc.gov, Charles Nesbitt nesbittc@nyirc.gov, Willis Stephens, Jr. stephensw@nyirc.gov shall be good and sufficient service; and it is further

ORDERED, that answering papers, if any, shall be served by e-filing on or before

_____, 2022.

ENTER.

Hon. Laurence R. Love, J.S.C.

Certified pursuant to 22 N.Y.C.R.R. § 130.1

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