

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

| | | |
|-----------------------------------|---|--------------------------|
| ROBERT L. SCHULZ, et al., |) | |
| |) | ORDER TO |
| Plaintiffs, |) | <u>SHOW CAUSE</u> |
| |) | |
| v. |) | No. 07-cv-0943 |
| |) | LEK-DRH |
| |) | |
| STATE OF NEW YORK, et al., |) | |
| |) | |
| Defendants, |) | |

Upon the annexed Memorandum of Law and Declaration, together with the exhibits annexed thereto, and the prior pleadings,

LET the IOWA Defendants show cause by way of a submission at a term of the United States District Court, Northern District of New York to be held at the James T. Foley U.S. Courthouse, at 445 Broadway, Albany, N.Y. at ___ o'clock in the ___ noon, on the ___ day of _____, 200___, why an ORDER should not be made:

- a) Preliminarily enjoining, prohibiting and restraining IOWA Defendants, including their cities, towns, counties, municipalities, agents, contractors and any person or political Party authorized to conduct a Presidential caucus or primary election on behalf of the State from conducting any caucus or primary election for President of the United States of America, until this case is finally determined and any appeal thereof, where:
 - i. The votes are counted in secret, by machine or otherwise, and that do not utilize paper ballots with votes that are hand-marked and hand-counted in full public view, and

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- ii. The “captains” of the precinct caucuses do not immediately certify, under penalty of perjury, and publicly announce to all Participants at the caucuses, and conspicuously post in plain writing, the results of all votes cast during said caucus, including the one-person, one-vote of the Participants’ preference for President and the vote that determines the delegate count, and
 - iii. The “captains” of the precinct caucuses do not agree to immediately transmit to the State Defendants, and their County, by electronic means, a copy of the precinct certified results of all votes counts, and
 - iv. The precinct certified results of all vote counts are not immediately posted on each public County website as well as the principal public State of Iowa website, caucus-by-caucus, precinct-by-precinct, and
 - v. The procedural steps enumerated above are not completed before copies of the precinct certified results are transmitted to the National Election Pool, the Associated Press or any other “third party,” and
 - vi. The original voter registration, completed ballots and precinct captains’ certified results are not hand delivered or mailed by certified return receipt mail to the County Clerk before 5 pm on January 4, 2008, to be retained there in a secure location for one year.
- b) Expediting these proceedings where this matter might be set for trial, and
- c) Granting any further relief that to the Court may seem just and proper.

SUFFICIENT CAUSE APPEARING, Iowa Defendants, including their cities, towns, counties, municipalities, agents, contractors and any person or political Party or Party official authorized to conduct a Presidential caucus or primary election on behalf of the State, are temporarily enjoined,

prohibited and restrained from conducting a caucus or primary election for President of the United States of America, where:

- i. The votes are counted in secret, by machine or otherwise, and that do not utilize paper ballots with votes that are hand marked and hand-counted in full public view, and
- ii. The “captains” of the precinct caucuses do not immediately certify and publicly announce to all Participants at the caucuses, and conspicuously post in plain writing, the results of all votes cast during said caucus, including the one-person, one-vote of the Participants’ preference for President and the vote that determines the delegate count, and
- iii. The “captains” of the precinct caucuses do not agree to immediately transmit to the State Defendants, and their County, by electronic means, a copy of the precinct certified results of all votes counts, and
- iv. The precinct certified results of all vote counts are not immediately posted on each public County website as well as the principal public State of Iowa website, caucus-by-caucus, precinct-by-precinct, and
- v. The procedural steps enumerated above are not completed before copies of the precinct certified results are transmitted to the National Election Pool, the Associated Press or any other “third party,” and
- vi. The original voter registration, completed ballots and precinct captains’ certified results are not hand delivered or mailed by certified return receipt mail to the County Clerk before 5 pm on January 4, 2008, to be retained there in a secure location for one year.

LET, service of a conformed copy of this order be served upon the office of the New York State Attorney General, the lead Defendant, by facsimile or by personal service on or before ___ o’clock in the ___ noon on the ___ day of _____, 200__ be deemed good and sufficient service.

The Clerk of the Court shall immediately post this Order on the PACER electronic case management system.

DATED: Albany, New York
December __, 2007

Hon.
United States District Court Judge
Northern District of New York