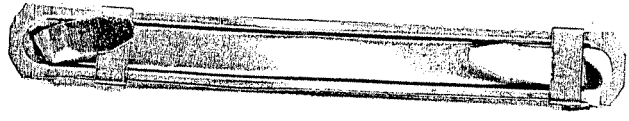


WALK | 1/30/14 | PI
034



At Individual Assignment Term, Part 50 of
the Supreme Court of the State of New
York, County of Suffolk, Courthouse
located at 1 Court Street, Riverhead, New
York 11901, on the 30th day of January
2014

PRESENT: The Hon. Andrew G. Tarantino, Jr.
J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X
WILLIAM CRAIN; THE EAST HAMPTON GROUP
FOR WILDLIFE; BETSY PETROSKI SMITH; ROBERT
SILVERSTEIN; GALE FRIEDMAN; DR. ELLEN
CRAIN; RON BRACH; A.W. NOONAN; NANCY
CARDOSO; LORI SCHIAFFINO; ZELDA PENZEL;
CAROL BUDA; SARI THOMPSON; MONICA NAVIA;
AMELINA SIEKLUSKA; MARY STONE; and THE
EVELEN ALEXANDER WILDLIFE RESCUE CENTER,

plaintiffs,

- against -

THE TOWN BOARD OF EAST HAMPTON; THE
TRUSTEES OF THE FREEHOLDERS AND
COMMONALITY OF THE TOWN OF EAST
HAMPTON; and HAMLETS AND VILLAGES OF THE
TOWN OF EAST HAMPTON, INCLUDING EAST
HAMPTON, AMAGANSETT, MONTAUK, NEPEAGUE,
SPRINGS, and WAINSCOTT,

defendants,

-----X

Upon reading and filing the instant Order to Show Cause; the accompanying Affidavit of
counsel Michael J. Devereaux, Esq., for the plaintiffs, sworn-to the 29th of January, 2014, with
attached exhibits; the accompanying original Affidavit of the Plaintiff William Crain, sworn-to
the 30th of January, 2014; the accompanying original Affidavit of the Expert William Dougherty,
M.S., sworn-to the 29th of January, 2014; Counsel's Affidavit For Emergency Relief, by attorney

(33432/13)?

Index No.: 33432/13

ORDER TO SHOW
CAUSE

MOTION/CROSS/OSC
FEE PAID
Judith A. Pascale
Suffolk County Clerk

Edward Lebeaux, Esq., sworn-to the 29th of January, 2014; and upon the pleadings and prior proceedings heretofore had herein, and sufficient case appearing therefore,

Let the defendants show cause before this Honorable Court at Individual Assignment Part 50 to be held at the Supreme Court of the State of New York, Suffolk County at the Supreme Court Courthouse located at 1 Court Street, Part 50, Room ____, Riverhead, New York 11901 on the 30th day of ~~January~~, 2014, at 10:00 A.M., or as soon thereafter as counsel can be heard,

2/13

WHY AN ORDER SHOULD NOT BE MADE AND ENTERED HEREIN:

- granting injunctive relief staying any culling and/or mass killing of deer by the defendants pursuant to and/or in connection with the Deer Management Plan, entitled "Management of the White-Tailed Deer Population in East Hampton Town,"
- together with such other and further relief as is just and proper in the circumstances

IT IS FURTHER ORDERED, that,

- any and all deer culls and/or mass killing of deer by the defendants pursuant to and/or in connection with the Deer Management Plan, entitled "Management of the White-Tailed Deer Population in East Hampton Town," is hereby stayed pending the hearing and determination of this application

Supervisor is temporarily restrained from entering into agreements with the LIFB referenced in Nov 2013 Resolution, or any other agreement regarding the deer culls and from implementing any agreement regarding same, until the return date of any adjournment

agg / JSC

agg / JIC

IT IS FURTHER ORDERED, that due and sufficient cause appearing therefore, let

service by email or overnight mail on the parties' attorneys so same is made on or before the 2 day of ~~January~~ February, 2014, of this Order to Show Cause and its supporting papers, be deemed good and sufficient service therein.

2/6 / agg

ENTER:

Hon. Andrew G. Tarantino, Jr. J.S.C.

GRANTED

JAN 30 2014

Judith A. Pascale
CLERK OF SUFFOLK COUNTY