

REQUEST FOR JUDICIAL INTERVENTION

Supreme COURT, New York COUNTY

INDEX NO. 09110779 DATE PURCHASED: 7/29/09

For Clerk Only
IAS entry date
Judge Assigned
RJI Date

PLAINTIFF(S): Christopher Burke, Ciaran Canavan, Jean Canavan, Anthony Badillo, and Sharran Clemons

SUPREME COURT NEW YORK COUNTY EX-PARTE MOTION OFFICE

DEFENDANT(S):

011459

Michael McSweeney as City Clerk of the City of New York and Clerk of the City Council of New York and the Board of Elections in the City of New York

Date issue joined: Bill of particulars served (Y/N): [ ] Yes [X] No

NATURE OF JUDICIAL INTERVENTION (check ONE box only AND enter information)

- [ ] Request for preliminary conference
[ ] Note of issue and/or certificate of readiness
[ ] Notice of motion (return date: Relief sought
[X] Order to show cause (clerk enter return date: Relief sought Appointment of Special Referee
[ ] Other ex parte application (specify:

NATURE OF ACTION OR PROCEEDING (Check ONE box only)

MATRIMONIAL

- [ ] Contested -CM
[ ] Uncontested -UM

COMMERCIAL

- [ ] Contract -CONT
[ ] Corporate -CORP
[ ] Insurance (where insurer is a party, except arbitration) -INS
[ ] UCC (including sales, negotiable instruments) -UCC
[ ] \*Other Commercial -OC

REAL PROPERTY

- [ ] Tax Certiorari -TAX
[ ] Foreclosure -FOR
[ ] Condemnation -COND
[ ] Landlord/Tenant -LT
[ ] \*Other Real Property -ORP

OTHER MATTERS

- [ ] \* -OTH

TORTS

- Malpractice
[ ] Medical/Podiatric -MM
[ ] Dental -DM
[ ] \*Other Professional -OPM
[ ] Motor Vehicle -MV
[ ] \*Products Liability -PL
[ ] Environmental -EN
[ ] Asbestos -ASB
[ ] Breast Implant -BI
[ ] \*Other Negligence -OTN
[ ] \*Other Tort (including intentional) -OT

SPECIAL PROCEEDINGS

- [ ] Art. 75 (Arbitration) -ART75
[ ] Art. 77 (Trusts) -ART77
[ ] Art. 78 -ART78
[X] Election Law -ELEC
[ ] Guardianship (MHL Art. 81) -GUARD81
[ ] \*Other Mental Hygiene -MHYG
[ ] \*Other Special Proceeding -OSP

\* If asterisk used, please specify.

FEE PAID JUL 30 2009 NEW YORK COUNTY CLERK'S OFFICE

Is this action/proceeding against a

YES  NO  Municipality: NYC City Clerk and Board of Elections (Specify)

YES  NO  Public Authority: (Specify)

YES  NO  Does this action/proceeding seek equitable relief?
YES  NO  Does this action/proceeding seek recovery for personal injury?
YES  NO  Does this action/proceeding seek recovery for property damage?

Pre-Note Time Frames:

(This applies to all cases except contested matrimonial and tax certiorari cases)

Estimated time period for case to be ready for trial (from filing of RJ1 to filing of Note of Issue)

Expedited: 0-8 months Standard: 9-12 months Complex: 13-15 months

Contested Matrimonial Cases Only: (Check and give date)

Has summons been served? No Yes, Date

Was a Notice of No Necessity filed? No Yes, Date

ATTORNEY(S) FOR PLAINTIFF(S):

Table with 4 columns: Self Rep. \*, Name, Address, Phone #. Rows include Christopher Burke and DENNIS P. McMAHER.

ATTORNEY(S) FOR DEFENDANT(S):

Table with 4 columns: Self Rep. \*, Name, Address, Phone #. Row includes Michael A. Cardozo.

\*Self Represented: parties representing themselves, without an attorney, should check the "Self Represented" box and enter their name, address, and phone # in the space provided above for attorneys.

INSURANCE CARRIERS:

None

RELATED CASES: (IF NONE, write "NONE" below)

Table with 4 columns: Title, Index #, Court, Nature of Relationship. Content: None

I AFFIRM UNDER PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.

Dated: 7/29/09

Signature of Dennis P. McMaher

THEODORE F. WATTER DENNIS P. McMAHER (PRINT OR TYPE NAME)

Religioners ATTORNEY FOR

ATTACH RIDER SHEET IF NECESSARY TO PROVIDE REQUIRED INFORMATION