UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

ORDER TO SHOW CAUSE

NEW YORK STATE BOARD OF ELECTIONS; PETER S. KOSINSKI and STANLEY L. ZALEN, Co-Executive Directors of the New York State Board of Elections, in their official capacities; and, STATE OF NEW YORK,

Civil Action No.
06-CV-0263 (GLS)

Defendants.

Upon reading and considering the affirmation of James T. Potter, attorney for Avante International Technology, Inc, proposed Amicus Curiae, and all proceedings heretofore had herein, it is hereby

ORDERED that defendants and plaintiff show cause before a term of this Court to be held at the Federal Courthouse, _____, New York, on the _____ day of February, 2008, at ____o'clock in the ____noon of that day, or as soon thereafter as counsel may be heard, why the Court should not issue an order allowing the movant(s) to appear as Amici Curiae to update this court with respect to the vendor selection process and the state litigation concerning that process and further allowing Amici Curiae to petition the Court for an extension of time set forth for County Board of Election ranking of vendors as described in the schedule ordered by this Court (Docket #179, Exhibit C, line 38) and why such other and further relief should not be granted to Amici Curiae that to this Court may seem just and proper; and it is further

ORDERED that, in light of the exigent circumstances and short time frame involved in the return date, the Court will accept oral argument and additional evidence upon the hearing of this matter from all parties including the movant and no party is required to file additional papers unless and until directed by the Court.

Dated: February ___, 2008

_____

United States District Court Judge