

STATE OF NEW YORK
SUPREME COURT : COUNTY OF STEUBEN

n/c

In the Matter of the Application of the SIERRA CLUB;
PEOPLE FOR A HEALTHY ENVIRONMENT, INC.;
COALITION TO PROTECT NEW YORK; JOHN MARVIN;
THERESE FINNERAN; MICHAEL FINNERAN;
VIRGINIA HAUFF; and JEAN WOSINSKI,

~~JUDGE BRADSTREET~~
JUDGE LATHAM

Petitioners,

ORDER TO SHOW CAUSE

For a Judgment Pursuant to Article 78 of the Civil Practice
Laws and Rules

Index No. 2012-0810 CV

-against-

RJI No. _____

JUN 26 2012

THE VILLAGE OF PAINTED POST; PAINTED POST
DEVELOPMENT, LLC; SWEPI, LP; and the
WELLSBORO AND CORNING RAILROAD, LLC,

STEUBEN COUNTY FAMILY CT.
JUDGE'S CHAMBERS

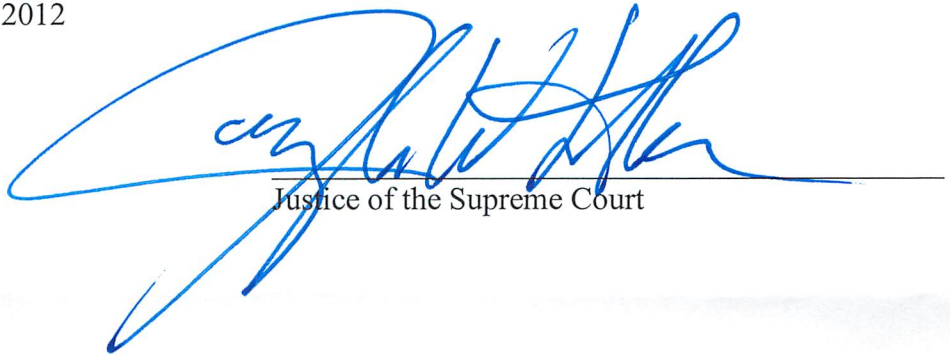
Respondents.

Upon reading the attorney's affidavit of Richard J. Lippes, Esq., one of the attorneys for
Petitioners herein, let the Respondents herein, or their attorneys, show cause at a special term of
this Court, at the courthouse located at 3 E. Putney Sq., in the ^{Village} Town of Bath,
County of Steuben, State of New York on the 23rd day of July, 2012 at 1:30 p.m.
why a judgment shall not be made herein granting the relief sought in the Verified Petition, and
in particular grant a preliminary injunction enjoining all further work in furtherance of the
construction of the transloading facility in Painted Post, New York, which is referenced in the
^Mattached Petition.

Further, let personal service of this Order to Show Cause and supporting papers on the
Clerk of the Village of Painted Post serve as adequate service upon both the Village of Painted
Post and Painted Post Development, LLC, let personal service upon CT Corporation System, the
registered agent in New York for SWEPI, LP serve as adequate service upon SWEPI, LP, and let

personal service upon Myles Group LLC, the parent company of Wellsboro & Corning Railroad, LLC, serve as adequate service upon Wellsboro & Corning Railroad, LLC. Personal service on each of the respondents to be made on or before July 10, 2012.

DATED: Bath, New York
June ~~25~~ 2012



Justice of the Supreme Court

ENTER