

JUDGE NESBITT

FILED

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WAYNE
54 Broad Street, Lyons NY 14489

INDEX #: 75906

2013 JUN 28 A 9:19

ORDER TO SHOW CAUSE WHY AND ORDER SHOULD NOT BE GIVEN DECLARING VILLAGE OF LYONS IN VIOLATION OF GML17-A, COMPELLING VILLAGE TO COMPLETE STATUTORY DUTY, AND AWARDING COSTS TO PETITIONERS.

PETITIONERS – appearing Pro Se;
Jack Bailey, Andrew DeWolf, Stephen Corcoran, Stephen VanDuyne, John Murtari

-against-

RESPONDENT;
Village of Lyons NY Board of Trustees

UPON THE ANNEXED AFFIDAVIT ON BEHALF OF ABOVE NAMED RESPONDENTS, SWORN TO ON JUNE 28, 2013; AND UPON ALL OF THE PAPERS AND PROCEEDINGS HEREIN:

LET THE RESPONDENTS SHOW CAUSE AT A TERM OF THE SUPREME COURT OF WAYNE COUNTY, 54 BROAD STREET LYONS NY 14489 ON July 23 2013 at 10:00 a.m., AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

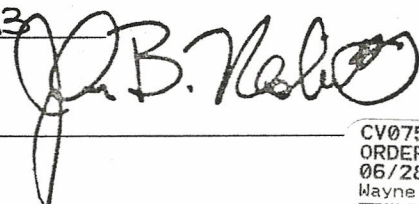
DECLARING VILLAGE OF LYONS IN VIOLATION OF GML17-A (DUTY TO PREPARE AND APPROVE A PROPOSED DISSOLUTION PLAN WITHIN 180 DAYS), COMPELLING VILLAGE TO APPROVE A PROPOSED DISSOLUTION PLAN WITHIN 2 WEEKS OR APPOINTMENT OF HEARING OFFICER TO COMPLETE PLAN, AWARDING REIMBURSEMENT OF PETITIONERS COSTS TO SEEK REMEDY.

SERVICE of a copy of this **ORDER TO SHOW CAUSE** and annexed AFFIDAVIT on the Village at 76 William St, Lyons NY 14489. By Personal Service by July 9, 2013.

PROOF of such service to be filed with the clerk before the return date of this **ORDER TO SHOW CAUSE**.

Petitioners (Pro SE):
Jack Bailey,
Andrew DeWolf,
Stephen Corcoran,
Stephen VanDuyne,
John Murtari.

Respondents:
Village of Lyons NY Board of Trustees
76 Williams St, Lyons NY 14489

DATED: 6/28/13


SO ORDERED: _____
JOHN B. NESBITT

CV075906
ORDER TO SHOW CAUSE
06/28/2013 09:31 AM
Wayne County, NY, Wayne County Clerk

SUPREME COURT JUDGE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WAYNE

Index #

.....X

Verification - Affidavit

75906

Each of the following states, deposes, and affirms that:

- 1). I am a resident and registered voter in the Village of Lyons who signed the original Elector Initiated Dissolution petition.
- 2). I have read the foregoing petition and know the contents thereof, and the same are true to my knowledge except as to matters stated to be alleged upon information and belief, and as to those matters I believe them to be true.

PETITIONERS

Jack Bailey: *Jack Bailey*

Andrew DeWolf: *Andrew DeWolf* 6/28/13

Stephen Corcoran: *Stephen Corcoran*

Stephen VanDuyn: *Stephen VanDuyn*


John Murtari: *John Murtari*

Sworn to this 28th day of June, 2013

Jane E. Mastracy
Notary Public

JAN E. MASTRACY
Notary Public, State of New York
Reg. No. 01MA5085058
Qualified in Wayne County
Commission Expires Sept. 15, 20 13

CV075906
 VERIFICATION AFFIDAVIT/PETITION
 06/28/2013 09:17 AM
 Wayne County, NY, Wayne County Clerk



①

Affidavit of Service

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WAYNE**

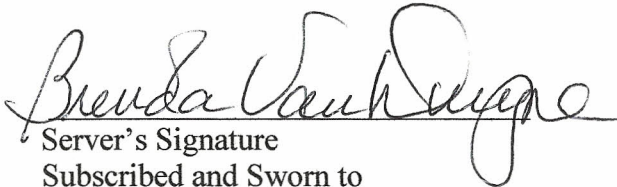
INDEX # 25906

I Brenda VanDuyne, being sworn, says I am not a party to the action, and am over 18 years of age. I reside at 36 Catherine Street, Lyons NY 14489.

On June 28, 2013, I served a true copy of the Article 78 Petition regarding a failure to discharge statutory duty required of an elector initiated dissolution on the Defendant:

. personally at Village of Lyons Offices, 76 William Street, Lyons NY 14489.

I served Denise BarCangelis who was the village representative at the Village of Lyons Offices.



Server's Signature
Subscribed and Sworn to
before me on

28 June 2013


NOTARY PUBLIC

SMOKOSKI MARYJO
Notary Public, State of New York
Wayne County Reg. #01SM 6156777
Commission Expires December 4, 2014

WAYNE COUNTY CLERKS OFFICE

2013 JUN 28 A 11:42

FILED