

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
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; )  
)  
Defendants. )  
\_\_\_\_\_ )

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

**NOTICE OF MOTION TO ENFORCE  
JUNE 2, 2006 REMEDIAL ORDER**

PLEASE TAKE NOTICE that, following the parties' conference with the Court on August 29, 2007, and upon the accompanying Declaration of Brian F. Heffernan, the Memorandum of the United States in Support of the United States' Motion and accompanying Exhibits, the United States will move before this Court, the Honorable Gary L. Sharpe at the United States District Court for the Northern District of New York, Federal Courthouse, 445 Broadway, Albany, New York 12207, on December 6, 2007 at 9:00 a.m., or at such other time as the Court may direct, pursuant to this Court's equitable authority to enforce its own lawful orders and Section 401 of HAVA, 42 U.S.C. 15511, for an Order:

- 1) Finding defendants in violation of the June 2, 2006 Remedial Order entered in this action and in continuing violation of Section 301 of HAVA, 42 U.S.C. 15301;
- 2) Enjoining defendants to take immediate and specific steps to carry out their extant obligations under that Order and HAVA;
- 3) Granting such additional and further relief as this Court deems proper and just.

Dated: November 5, 2007

GLENN T. SUDDABY  
United States Attorney

RENA J. COMISAC  
Acting Assistant Attorney General  
Civil Rights Division

JOHN K. TANNER  
Chief, Voting Section

By:

/s/

BARBARA D. COTTRELL  
Assistant United States Attorney  
James T. Foley U.S. Courthouse  
445 Broadway, Room 218  
Albany, NY 12207-2924  
(518) 431-0247 (telephone)  
(518) 431-0429 (facsimile)  
Bar Roll No. 101411

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T. CHRISTIAN HERREN JR  
BRIAN F. HEFFERNAN  
Bar Roll No. 513721  
Room 7254--NWB  
Voting Section  
Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
(202) 514-4755 (telephone)  
(202) 307-3961 (facsimile)