

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

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

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

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.)

ORDER

Upon the motion of the United States of America, and the Court having heard the parties in response thereto,

NOW, after due deliberation, it is

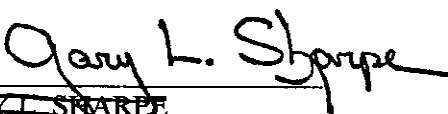
ORDERED, ADJUDGED and DECREED that:

1. The United States' Motion for Preliminary Injunction is GRANTED, to the extent set forth below.
2. The Defendant State Board of Elections is not yet fully in compliance with §§ 301 and 303(a) of the Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. 15301 et seq.
3. The Defendant State Board of Elections shall take all necessary actions to come into compliance with the requirements of Sections 301 and 303(a) of HAVA as soon as practicable, in accordance with a remedial plan to be approved by this Court.

4. The Defendant State Board of Elections shall file with this Court on or before April 10, 2006, a comprehensive plan for compliance with Sections 301 and 303(a) of HAVA. The United States shall file a response to the Defendant State Board of Elections' proposed compliance plan within 10 days after filing of the proposed plan.

5. Accordingly, in light of this Order, further briefing and scheduling are suspended, except as to the Motions to Intervene. If the parties are unable to come to agreement on a comprehensive plan for compliance with Sections 301 and 303(a) of HAVA, the Court will promptly schedule a hearing in this case on the Defendant State Board of Elections' proposed compliance plan as necessary to ensure a prompt resolution of this action.

ENTERED this 23rd day of March, 2006, at Albany, New York.


~~GARY L. SHARPE~~
UNITED STATES DISTRICT JUDGE