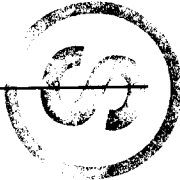


**U.S. DISTRICT COURT
N.D. OF N.Y.
FILED**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



DEC 28 2007

ROBERT L. SCHULZ, *et al.*,

Plaintiffs,

**LAWRENCE K. BAERMAN, CLERK
ALBANY**

-v.-

1:07-CV-0943
(LEK/DRH)

STATE OF NEW YORK, *et al.*,

Defendants.

ORDER¹

Plaintiffs have moved the Court, seeking an order to show cause that compels the State of Iowa and the Iowa Secretary of State (“Iowa Defendants”) to show cause why they should not be enjoined from conducting any presidential caucuses without the imposition of certain additional procedural requirements. Plaintiffs have filed this request today, on Friday, December 28, 2007. Because the Iowa caucuses are scheduled to take place on Thursday, January 3, 2008, such a hearing would need to be held before that date to avoid mootness. As the Federal Courts are closed on both Monday, December 31, 2007 and Tuesday, January 1, 2008, the only possible day such a hearing could take place is Wednesday, January 2, 2008, the next business day after today.

Such an abbreviated schedule simply does not give the Iowa Defendants sufficient time to prepare, or to respond to Plaintiffs’ allegations. Accordingly, in the interest of fairness, Plaintiff’s request for an order to show cause is denied.

This ruling has no bearing on the merits of the underlying case, which remains before this Court.

¹ For printed publication by the Federal Reporters.

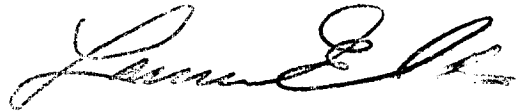
Based on the foregoing discussion, it is hereby

ORDERED, that Plaintiffs' request for an Order to show cause is **DENIED**; and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties.

IT IS SO ORDERED.

DATED: December 28, 2007
Albany, New York



HONORABLE LAWRENCE E. KAHN
United States District Judge