

SUPPLEMENTAL INTERIM ORDER

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: KAREN S. SMITH  
Justice

PART 44

MARIA CUBAS, ET AL.,  
Plaintiffs,

INDEX NO. 112371/2004

MOTION DATE \_\_\_\_\_

- v -

MOTION SEQ. NO. INTERIM ORDER

GEORGE E. PATAKI, and  
RAYMOND MARTINEZ,  
Defendants.

MOTION CAL. NO. \_\_\_\_\_

The following papers, numbered 1 to \_\_\_\_\_ were read on this motion to/for \_\_\_\_\_

	PAPERS NUMBERED
Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...	_____
Answering Affidavits — Exhibits _____	_____
Replying Affidavits _____	_____

Cross-Motion:  Yes  No

This court is concerned that portions of its prior interim order dated February 17, 2005 and entered February 18, 2005 are illegible. This supplemental interim order is being issued in typewritten form solely for the purpose of making the order legible. The court does not intend to amend or in any way modify the content of the prior interim order.

Plaintiffs' motion for a TRO is granted solely to the extent that defendants, their agents, representatives are hereby enjoined from denying renewal licenses to any of the plaintiffs in this action and other similarly situated persons on the basis of their failure to comply with DMV's legal presence and/or 1 year/6 month policy.

The court denies without prejudice that portion of the TRO seeking to enjoin the sending out of suspension letters for lack of social security number or its equivalent and for failure to comply with DMV's legal presence and/or 1 year/6 month policy contingent on defendants' notification of plaintiffs within 48 hours prior to the letters being sent out (said 48 hours to be during business days).

Plaintiffs shall serve the defendants with un-redacted affidavits of all current plaintiffs within 20 days of the defendants providing them with a written agreement: 1) not to use these affidavits or any other reference to these plaintiffs in anything other than this litigation, 2) not to share this information with any other agency unless by court order and 3) not to post this information on any electronic site which others not connected with the litigation may gain access. Failure by defendants to comply with such letter agreement relieves plaintiffs of obligation to send un-redacted affidavits.

Dated: 2/22/05

*KS* FILED  
Hon. Karen S. Smith, A.J.S.C. FEB 22 2005

Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION

Check if appropriate:  DO NOT POST

NEW YORK  
COUNTY CLERK'S OFFICE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):