



ORDERED that defendant, Phil Murphy, in his official capacity as Governor of New Jersey, and Tahesha Way, in her official capacity as New Jersey Secretary of State, appear and show cause before the Superior Court at the Morris County Courthouse in Morristown, New Jersey at \_\_\_\_ o'clock in the \_\_\_\_ noon or as soon thereafter as counsel can be heard, on the \_\_\_\_\_ day of September, 2020 why an order should not be issued:

A. permanently enjoining and restraining defendants, Phil Murphy, in his official capacity as Governor of New Jersey, and Tahesha Way, in her official capacity as Secretary of State from allowing any additional, printing, preparing, and mailing of General Election ballots of 2020 and provisional ballots which include the names of nominees chosen through the primary election of July 7, 2020 that was based on Executive Order 144 described in Petitioner's amended verified petition. Further designing, disseminating, publishing or sending to the Board of Elections or any printer or voter the machine, provisional, or any other general election ballot for the 2020 general election.

And it is further ORDERED that pending the return date herein, the defendant is enjoined and restrained from: A. Further designing, distributing, publishing, approving, or transmitting the general election ballot of 2020 to anyone, including but not limited to all County Board of Elections and/or any printer.

And it is further ORDERED that:

1. The defendant may move to dissolve or modify the temporary restraints herein contained on five (5) days notice to the plaintiff.

2. A copy of this order to show cause, amended verified petition, and any supporting affidavits or certifications submitted in support of this application be served upon the defendant [personally or alternate: describe form of substituted service] within \_\_\_ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

**DENIED**

3. The plaintiff must file with the court his/her/its proof of service of the pleadings on the defendant no later than three (3) days before the return date.

**DENIED**

4. Defendant shall file and serve a written response to this order to show cause and the request for entry of injunctive relief and proof of service by \_\_\_\_\_, 20\_\_ . The original documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at <http://www.judiciary.state.nj.us/prose/10165-depvclerklawref.pdf>. You must send a copy of your opposition papers directly to Judge \_\_\_\_\_, whose address is \_\_\_\_\_, New Jersey. You must also send a copy of your opposition papers to the plaintiff whose name and address appears above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$ \_\_\_\_\_ and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiff is seeking.

**DENIED**

5. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by \_\_\_\_\_, 20\_\_ . The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge \_\_\_\_\_.

**DENIED**

6. If the defendant does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, Revised 09/04/2012, CN 10308-English (Appendix JI-H) Page 2 of 4 provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

**DENIED**

7. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

**DENIED**

8. Defendant take notice that the plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The amended verified petition already submitted to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer to the complaint and proof of service within 35 days from the date of service of this order to show cause; not counting the day you received it. These documents must be filed with the Clerk of the Superior Court in the county listed above. A directory of these offices is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf). Include a \$\_\_\_\_\_ filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the order to show cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief plaintiff demands.

**DENIED**

9. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJLAW (1888-576-5529). If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf). Revised 09/04/2012, CN 10308-English (Appendix XII-H) Page 3 of 4 Revised 09/04/2012, CN 10308-English (Appendix XII-H) Page 4 of 4 10. The court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than \_\_\_ days before the return date. \_\_\_\_\_

**DENIED**

**IT IS ORDERED, that plaintiff's application for an order to show cause with temporary and preliminary restraints is denied in its entirety.**

**/s/ Stuart A. Minkowitz**

\_\_\_\_\_  
**Hon. Stuart A. Minkowitz, A.J.S.C.**

Opposed.

The Court has served a copy of this Order on all parties via eCourts and/or email.