

At a Special Term of the Supreme Court of the State of New York, held in and for Albany County at the Albany County Courthouse, Albany, New York, on the _____th day of _____, 2006

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

In the Matter of the Application of

**SAVE THE PINE BUSH Inc.; LYNNE JACKSON
REZSIN ADAMS; JOHN WOLCOTT; LUCY CLARK;
SANDRA CAMP; DAVE CAMP; LARRY LESSNER;
RUSSELL ZIEMBA; and ANNE SOMBOR,**

Petitioners,

Index No.

For a judgment pursuant to Article 78 of the CPLR

-Against-

**THE COMMON COUNCIL OF THE CITY OF ALBANY;
and THARALDSON DEVELOPMENT Co.**

Respondents

ORDER TO SHOW CAUSE

UPON the annexed Petition verified by Lynne Jackson, and the annexed Affirmation of Stephen F. Downs, Esq.; and the annexed Affidavit of Lynne Jackson together with accompanying Exhibits and Memorandum of Law,

LET the Respondents show cause before this Court at the Albany County Courthouse, Columbia and Eagle Streets, Albany, New York, on _____ 2006, at _____ why a judgment should not be entered in favor of Petitioners for the relief demanded in the Petition, and for such other and further relief as the court may deem proper; and

SERVICE of a copy of this order and a copy of the papers upon which it is granted may be made by personal service upon the Respondents on or before _____, 2006. Personal service on Respondent Tharaldson Development Co. may be made by personal service upon the law firm representing Tharaldson in this rezoning matter, Shanely, Sweeney, Reilly & Allen, P.C., 10 Thurlow Terrace, Albany, N.Y. 12203; and by mailing a copy of the papers, registered mail return receipt requested, to Tharaldson Development Co. at its principal place of business at 1202 Westrac Drive, Fargo, North Dakota, 58103.

SO ORDERED:

Dated: Albany, New York

J.S.C.