

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : THIRD JUDICIAL DEPARTMENT

In the Matter of the Application of  
THE CITY OF ITHACA, THE TOWN OF ITHACA,  
THE TOWN OF ULYSSES, THE VILLAGE OF  
UNION SPRINGS, JOHN V. DENNIS, Individually and as  
President of CAYUGA LAKE ENVIRONMENTAL  
ACTION NOW (CLEAN), an Unincorporated Association,  
ALFRED THOMAS VAWTER, JOSHUA J. and  
JENNIFER L. LAPENNA, RODNEY and CYNTHIA  
HOWELL, KENT and HEATHER STRUCK,  
JUDITH R. SCOTT, and WILLIAM HECHT,

**ORDER TO SHOW CAUSE**

Petitioners-Appellants,

Index No.: EF2017-0285  
(Tompkins County)

For a Judgment Pursuant to Article 78 of the  
New York Civil Practice Laws and Rules

vs.

Appeal No. 529392

THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION, and CARGILL INCORPORATED,

Respondents-Respondents.

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Upon reading the attorney Affirmation and the exhibits annexed thereto of Richard J. Lippes, Esq., attorney for the Petitioners-Appellants above-named.

Let the Respondents-Respondents' or their attorneys show cause at a Special Term of the Appellate Division, Third Department, at Robert Abrams Building for Law and Justice, State Street, Room 511, Albany, New York 12223, on the 3 day of September, 2020, at 9:30 o'clock in the forenoon of that day, why an Order shall not be entered indicating that the court shall take judicial notice of the documents attached to the Affirmation of Richard J. Lippes, Esq. Sufficient reason appearing therefore, it is;

ORDERED that personal or overnight mail service of a copy of this order to show cause and the papers upon which it is granted on or before the 28 day of August, 2020

shall be deemed good and sufficient service upon the Respondents' attorneys; KEVIN G. ROE, ESQ., Barclay Damon LLP, 125 E. Jefferson Street, Syracuse, New York 13202, and ~~LORETTA-MEREDITH LEE-CLARK, ESQ.~~ ~~MARIE SIMON, ESQ.~~, New York State Department of Law, Environmental Protect Bureau, The Capitol, Albany, New York 12224; and it is further

ORDERED that the motion brought on by this order to show cause shall not be orally argued unless counsel are notified to the contrary by the clerk of the Court.

DATED: August 28, 2020



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HON. Sharon A. M. Aarons  
Associate Justice  
Appellate Division  
Third Judicial Department