

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LAWYERS ALLIANCE FOR NEW YORK and
NONPROFIT COORDINATING COMMITTEE OF
NEW YORK,

Plaintiffs,

-against-

ERIC T. SCHNEIDERMAN, in his official capacity as
the Attorney General of the State of New York,

Defendants.

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No. 17-cv-1655 (RMB) (KHP)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>4/13/17</u>

STIPULATION AND ~~PROPOSED~~ ORDER

RMB

WHEREAS, plaintiffs Lawyers Alliance for New York ("Lawyers Alliance") and Nonprofit Coordinating Committee of New York ("NPCC") (Lawyers Alliance and NPCC are collectively referred to as "Plaintiffs") have filed this action that seeks, *inter alia*, a preliminary and permanent injunction enjoining the enforcement of New York Executive Law § 172-e (the "Nonprofit Disclosure Provision");

WHEREAS, Plaintiffs allege that the Nonprofit Disclosure Provision violates the First Amendment to the United States Constitution, as made applicable to the State of New York through the Fourteenth Amendment to the United States Constitution, an allegation which the Attorney General of the State of New York, named as a defendant herein in his official capacity ("AG"), disputes;

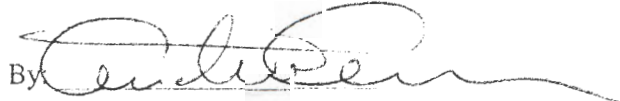
WHEREAS, the parties hereto seek to maintain the status quo pending this Court's decision on Plaintiffs' application for a preliminary injunction (the "PI Application"), and agree that it is not necessary for Plaintiffs to seek a temporary restraining order;

THHEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties listed below, that pending this Court's decision on the PI Application:

- (1) The AG shall not take any action to enforce, or direct the enforcement of, the Nonprofit Disclosure Provision in any respect;
- (2) Plaintiffs and members of NPCC as of the date of this Stipulation ("NPCC Members") shall not be required to take any action related to the Nonprofit Disclosure Provision prior to the date the Court renders a decision on the PI Application, including but not limited to maintaining, preparing, or filing records or reports, that would be required by the Nonprofit Disclosure Provision;
- (3) The AG shall not seek to hold Plaintiffs or NPCC Members liable for any alleged noncompliance with the Nonprofit Disclosure Provision with respect to reportable activities that occur up to and including thirty days after the date the Court renders a decision on the PI Application;
- (4) The Court, in consultation with the Parties, will set a case schedule going forward, including the schedule for Plaintiffs' PI Application, and the AG's time to answer or move against Plaintiffs' complaint is adjourned without date pending further order of the Court;
- (5) Nothing herein is intended, or shall be construed, to affect the AG's rights to raise any issue or defense with respect to Plaintiffs' standing; and
- (6) All of the terms of this stipulation and order shall remain in full force and effect during the pendency of Plaintiffs' PI Application, regardless of the schedule this Court sets and the time it takes for disposition of the PI Application.

Dated: New York, New York
April 12, 2017

ERIC T. SCHNEIDERMAN
Attorney General of the State of New York

By 

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Attorneys for Plaintiffs


SO ORDERED:


Hon. Richard M. Berman
