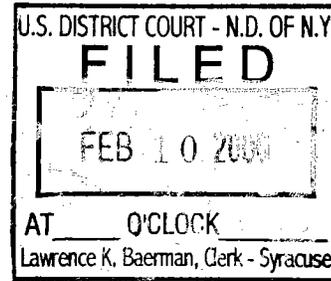


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
SYRACUSE DIVISION



TIMREE BROWN,

Plaintiff,

-against-

LINDA MACKAY, BRENDA FORREST, DR. PHILIP
GOVER, and CAYUGA COMMUNITY COLLEGE,

Defendants.

ORDER TO SHOW CAUSE

Civil Action No.: 5:06cv188

Judge FJS/GHL

Upon reading and filing the affidavits of Dennis G. O'Hara, Esq., sworn to on February 10, 2006, Frank S. Gattuso, Esq., sworn to on February 9, 2006, Robert Brown sworn to on February 8, 2006, and the plaintiff, Timree Brown, sworn to on February 3, 2006, and upon reading and filing the summons and verified complaint with papers annexed thereto, including plaintiff's application for a temporary restraining order that would require defendants to reinstate plaintiff as a student in the Cayuga Community College nursing program and for an order shortening the time for an expedited hearing on a motion for preliminary injunction, pursuant to FRCP Rule 65 and Local Rule 7.1(e) and (f), and upon reading plaintiff's Memorandum of Law in support thereof, and due deliberation having been had thereon,

LET THE DEFENDANTS SHOW CAUSE at a Special Term of this Court to be held in and for the United States District Court for the Northern District of New York at the United States District Court, James F. Hanley Federal Building and Courthouse,

100 S. Clinton Street in Syracuse, New York, before the Honorable Frederick J. Scullin, Jr.
on the 16th day of February 2006 at 10:00 o'clock in the forenoon of that day, or
as soon thereafter as counsel can be heard, why an order of this Court should not be
issued granting a preliminary injunction requiring the defendants to immediately offer the
plaintiff the opportunity to complete a five hour clinical to satisfy the requirements for
completion of the Nursing 101 program and, upon successful completion thereof, to
admit plaintiff to defendant CCC's Nursing 102 program pending a determination of this
action on the merits, and why plaintiff should not have such other and further relief as
this Court deems just and proper; and good cause appearing therefor, it is further

~~ORDERED that, until such time as counsel may be heard on plaintiff's
application for a preliminary injunction, defendants shall grant plaintiff the immediate
opportunity to complete the five hour clinical remaining in the Nursing 101 program and,
upon successful completion thereof, admit plaintiff as a student in defendant's Nursing
102 program; and it is further~~

~~ORDERED that, upon plaintiff's return to classes and until such time as counsel
may be heard on plaintiff's application for a preliminary injunction, the defendants shall
provide appropriate accommodations to the plaintiff in full compliance with the
Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and its
own policies regarding her medical conditions; and it is further~~

ORDERED that, pursuant to Local Rule 7.1 (e), the plaintiff shall file and serve
additional papers in support of her motion for a preliminary injunction, if any, no later
than 12:00 p.m. on February 15, 2006; and it is further

ORDERED that, pursuant to Local Rule 7.1 (e), the defendants shall file and serve their papers in opposition to plaintiff's motion for a preliminary injunction no later than 12:00 p.m. on February 14, 2006; and it is further

ORDERED that copies of the plaintiff's motion herein, including the affidavits, Exhibits and Memorandum of Law filed herein, be served on the defendants on or before 5:00 p.m. on February 10, 2006, and that such service shall constitute good and sufficient notice thereof.

Signed this 10th day of February 2006 at Syracuse, New York.

ENTER:



Judge of the United States District
Court in and for the Northern District
of New York