STATE OF NEW YORK
SUPREME COURT COUNTY OF LIVINGSTON

GLIDEDOWAN, LLC
d/b/a ALL-AMERICAN HOMECARE

Petitioner,

v.

NEW YORK STATE DEPARTMENT OF HEALTH, JAMES V. MCDONALD, in his official capacity as Commissioner of the New York State Department of Health, and MICHAEL LEWANDOWSKI, in his official capacity as a representative of the New York State Department of Health's Office of Health Insurance Programs,

Respondents.

ORDER TO SHOW CAUSE

Index No. 000009-2025

NOW, UPON reading the Petition of Petitioner GLIDEDOWAN, LLC d/b/a ALL-AMERICAN HOME CARE dated December 31, 2024, with exhibits thereto, the Affirmation of SEAN T. HANNA, ESQ., dated December 31, 2024, together with the exhibits attached thereto, and the Affidavit of MARCO C. ALTIERI, with exhibits thereto, and the accompanying Memorandum of Law; it is hereby

ORDERED that Respondents XXXXXXXXXXXXXXXXXXXXXXX show cause before the Hon. Kevin G. Van Allen *virtually, at the Livingston County Supreme Court, 2 Court Street Geneseo, New York on January 27, 2025, at 2:30 XXX/p.m., or as soon thereafter as counsel can be heard, why the relief sought in the Petition should not be issued, and awarding such other relief as the Court deems just and proper; and it is further

ORDERED that, pursuant to CPLR 6301 and 6313, pending this Court's adjudication of the Petition, Respondents shall be and hereby are temporarily restrained and enjoined from directing Petitioner to convey to any third party:

a) any data or records containing identifiable information of consumers served by Petitioner, and

b) any data or records containing identifiable information of personal assistants employed by Petitioner

c) any data or records contained in Petitioner's personal assistant personnel files, including but not limited to health assessment and immunization records

d) any notifications to consumers concerning an anticipated transition involving the Consumer Directed Personal Assistance Program

e) any notifications to personal assistants concerning a transition involving the Consumer Directed Personal Assistance Program; and it is further

ORDERED that this Order to Show Cause and copies of the papers submitted in support thereof shall be served on Respondents on or before January 10, 2025 with such service being deemed good and sufficient; and it is further

ORDERED that Respondents shall serve papers in opposition to the Petition, if any, upon Sean T. Hanna, Esq., so as to be received on or before January 21, 2025; and it is further

ORDERED that Petitioner shall serve reply papers in further support of the Petition, if any, upon Respondents so as to be received on or before January 24, 2025.

Dated: January 7, 2025

ENTER:

Hon. Kevin G. Van Allen
Acting Justice, Supreme Court