

SUPREME COURT OF THE STATE OF  
NEW YORK, COUNTY OF ALBANY

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In the Matter of the Application of  
The NEW YORK STATE COMMISSION  
ON JUDICIAL CONDUCT,

Petitioner,

For an Order Pursuant to Section 753 (A)(3) of the  
Judiciary Law,

-against-

GREGORY PEIREZ, ESQ., and  
SHAWN SMITH, ESQ.,

Respondents.

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**ORDER TO SHOW  
CAUSE SEEKING AN  
ORDER OF CONTEMPT**

Index No.: 8115-22



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**WARNING: YOUR FAILURE TO APPEAR IN COURT MAY RESULT IN YOUR IMMEDIATE ARREST AND IMPRISONMENT FOR CONTEMPT OF COURT. PLEASE TAKE NOTICE, that the purpose of the hearing hereby ordered is to punish Respondents for a contempt of court, and such punishment may consist of fine or imprisonment, or both, according to law.**

Upon the Decision and Order of Hon. Gerald W. Connolly, dated January 3, 2023 and entered January 9, 2023, the annexed affirmation of Denise Buckley, Senior Litigation Counsel of the New York State Commission on Judicial Conduct (“Commission”), affirmed on the 20<sup>th</sup> day of January 2023, the exhibits annexed thereto, the affirmation of Kathleen E. Klein, a Senior Attorney at the Commission,

affirmed on the 20<sup>th</sup> day of January 2023, the exhibits annexed thereto, and upon all prior pleadings and proceedings herein, let Respondents, Gregory Peirez, Esq., and Shawn Smith, Esq., personally appear and show cause at a Term of this Court to be held at Court Chambers, Albany Court House on the 14 day of Feb, 2023, at 10 o'clock, or as soon thereafter as counsel can be heard, why an order and judgment should not be made pursuant to Section 753 (A)(3) of the Judiciary Law against the Respondents in this matter for failing to comply with the Court's Decision and Order dated January 3, 2023, inasmuch as they failed to appear at the Commission's office at Corning Tower, Suite 2301, Empire State Plaza, Albany, New York, on a date set by the Commission, to give testimony under oath and to produce copies of all emails in their possession for the period June 20 to July 1, 2022 between "gpeirez@[REDACTED]" and [REDACTED] and between "smithlaw9@[REDACTED]" and [REDACTED]; and granting such other and further relief as the Court may deem just and proper.

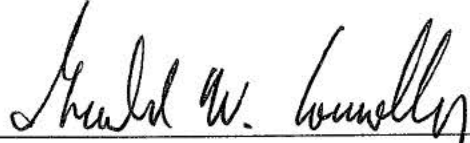
Sufficient reason appearing therefor, let service of a copy of this order and the papers on which it is based by personally delivering them to the attention of counsel for Respondents, Michelle Storm, Esq., at Monaco Cooper Lamme & Carr PLLC, 1881 Western Avenue, Suite 200, Albany, New York 12203 on or before the 27 day of Jan, 2023, and personal service as defined by §308 of the CPLR upon each individual Respondent be deemed sufficient service.

**ORDERED**, that answering papers, if any, shall be served so as to be by 1/27/23 GWC 1/20/23

received by the Petitioner, at Corning Tower, Suite 2301, Empire State Plaza,  
Albany, New York 12223, on or before the 9 day of Feb 2023;

**AND FURTHER ORDERED**, that this Order and its supporting papers be  
sealed pending further order of this Court.

Dated: January 20, 2023  
Albany, New York

  
\_\_\_\_\_  
Hon. Gerald Connolly  
Administrative Judge, 3<sup>rd</sup> Judicial District

TO: Michelle A. Storm, Esq.  
Monaco Cooper Lamme & Carr, PLLC  
Counsel for Respondents  
1881 Western Avenue  
Suite 200  
Albany, New York 12203