
**STATE OF NEW YORK
SUPREME COURT – COUNTY OF RICHMOND**

Index No. 85007/2022

Assigned Judge: Hon. Ralph J. Porzio

VITO J. FOSSELLA, NICHOLAS A. LANGWORTHY, JOSEPH BORELLI, NICOLE MALLIOTAKIS, ANDREW LANZA, MICHAEL REILLY, MICHAEL TANNOUSIS, INNA VERNIKOV, DAVID CARR, JOANN ARIOLA, VICKIE PALADINO, ROBERT HOLDEN, GERARD KASSAR, VERALIA MALLIOTAKIS, MICHAEL PETROV, WAFIK HABIB, PHILLIP YAN HING WONG, NEW YORK REPUBLICAN STATE COMMITTEE, and REPUBLICAN NATIONAL COMMITTEE,

Plaintiffs,

-against-

ERIC ADAMS, in his official capacity as Mayor of New York City, BOARD OF ELECTIONS IN THE CITY OF NEW YORK, CITY COUNCIL OF THE CITY OF NEW YORK,

Defendants.

PLAINTIFFS' RESPONSE TO STATEMENTS OF MATERIAL FACTS

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Pursuant to CPLR 3212 and Uniform Rule 202.8-g, Plaintiffs submit this Response to Statements of Material Facts in opposition to Defendants Mayor Eric Adams and the City Council of the City of New York’s motion for summary judgment (Motion No. 4, NYSCEF No. 61) and Defendant-Intervenors motion to dismiss for lack of standing and motion for summary judgment (Motion No. 6, NYSCEF No. 100).

RESPONSE TO DEFENDANTS MAYOR ERIC ADAMS AND CITY COUNCIL OF THE CITY OF NEW YORK’S STATEMENT OF UNDISPUTED MATERIAL FACTS (NYSCEF NO. 62)

5. Plaintiffs admit this fact.
6. Plaintiffs admit this fact.
7. Plaintiffs admit this fact.
8. Plaintiffs admit this fact.
9. Plaintiffs admit this fact.
10. Local Law No. 11 speaks for itself.
11. Local Law No. 11 speaks for itself.
12. Local Law No. 11 speaks for itself.
13. Local Law No. 11 speaks for itself.
14. Local Law No. 11 speaks for itself.
15. Local Law No. 11 speaks for itself.
16. Local Law No. 11 speaks for itself.
17. Local Law No. 11 speaks for itself.
18. Local Law No. 11 speaks for itself.
19. Local Law No. 11 speaks for itself.
20. Local Law No. 11 speaks for itself.

21. Local Law No. 11 speaks for itself.
22. Local Law No. 11 speaks for itself.
23. Local Law No. 11 speaks for itself.
24. Local Law No. 11 speaks for itself.
25. Local Law No. 11 speaks for itself.
26. Local Law No. 11 speaks for itself.
27. Plaintiffs admit that they filed their Complaint on January 10, 2022. Plaintiffs'

Complaint speaks for itself.

28. Plaintiffs admit this fact.
29. Plaintiffs admit this fact.
30. The cross claim of the Board of Elections in the City of New York speaks for itself.
31. Plaintiffs admit this fact.

**RESPONSE TO DEFENDANT-INTERVENORS' STATEMENT OF FACTS
(NYSCEF NO. 101)**

5. Plaintiffs admit this fact.
6. Plaintiffs admit this fact.
7. Plaintiffs admit this fact.
8. Plaintiffs admit this fact.
9. Plaintiffs admit this fact.
10. Local Law No. 11 speaks for itself.
11. Local Law No. 11 speaks for itself.
12. Plaintiffs' Complaint speaks for itself.
13. Plaintiffs admit this fact.
14. Plaintiffs admit this fact.

DATED: May 27, 2022

O'CONNELL AND ARONOWITZ

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