

STATE OF NEW YORK
SUPREME COURT : COUNTY OF NEW YORK

PAUL NICHOLS, GAVIN WAX, and GARY
GREENBERG,

Petitioners,

v.

GOVERNOR KATHY HOCHUL, SENATE
MAJORITY LEADER AND PRESIDENT PRO
TEMPORE OF THE SENATE ANDREA STEWART-
COUSINS, SPEAKER OF THE ASSEMBLY CARL
HEASTIE, NEW YORK STATE BOARD OF
ELECTIONS, and THE NEW YORK STATE
LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
RESEARCH AND REAPPORTIONMENT,

Respondents.

**NOTICE OF
MOTION**

Index No. 154213/2022

Assigned Justice:
Hon. Laurence L. Love

Upon the accompanying memorandum of law dated May 22, 2022; the accompanying affirmation of Steven B. Salcedo, Esq., dated May 22, 2022, with exhibits; the accompanying affidavits of William A. Barclay, Philip A. Palmesano, and Eric “Ari” Brown sworn to on May 19, 2022; the accompanying affidavits of Michael J. Norris, Michael J. Fitzpatrick, Angelo J. Morinello, Karl Brabenec, Stephen Hawley, Joseph M. Giglio, Christopher Tague, Brian D. Miller, Joseph Angelino, Joshua Jensen, Mary Beth Walsh, Edward Ra, Doug Smith, Jarett Gandolfo, Robert Smullen, John K. Mikulin, Kevin M. Burne, and Brian Manktelow sworn to on May 20, 2022; the accompanying affidavit of John Lemondes sworn to on May 22, 2022; and all papers and proceedings herein, Respondent Speaker of the Assembly Carl Heastie (the “Speaker”) will move the Supreme Court of the State of New York, New York County, at 60 Centre Street, New York, New

York 10007, in IAS Part 63, Room 355, on May 23, 2022 at 10:00 a.m., or as soon thereafter as counsel may be heard, for an Order under CPLR 404(a):

1. Dismissing the Petition in its entirety with prejudice; and
2. For such additional relief as this Court deems necessary and/or appropriate, including but not limited to an Order awarding the Speaker the costs and attorneys' fees he will have incurred on this motion, and an Order confirming and/or imposing the New York State Assembly district map enacted in Chapter 14, § 1, of the New York Laws of 2022.

Dated: New York, New York
May 22, 2022

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By: /s/ C. Daniel Chill
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Dated: Buffalo, New York
May 22, 2022

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THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
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