

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SARATOGA

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In the matter of
RICH AMEDURE,
ROBERT SMULLEN, WILLIAM FITZPATRICK,
NICK LANGWORTHY,
THE NEW YORK STATE REPUBLICAN PARTY,
GERARD KASSAR,
THE NEW YORK STATE CONSERVATIVE PARTY,
CARL ZIELMAN
THE SARATOGA COUNTY REPUBLICAN PARTY,
RALPH M. MOHR, AND ERIK HAIGHT,

No. 2022-2145

Petitioners,

[PROPOSED] VERIFIED
ANSWER OF
INTERVENOR-
RESPONDENTS

-against-

STATE OF NEW YORK, BOARD OF ELECTIONS
OF THE STATE OF NEW YORK,
GOVERNOR OF THE STATE OF NEW YORK,
SENATE OF THE STATE OF NEW YORK MAJORITY LEADER
AND PRESIDENT PRO TEMPORE OF THE SENATE
OF THE STATE OF NEW YORK, MINORITY LEADER OF THE
SENATE OF THE STATE OF NEW YORK,
ASSEMBLY OF THE STATE, OF NEW YORK,
MAJORITY LEADER OF THE ASSEMBLY
OF THE STATE OF NEW YORK,
MINORITY LEADER OF THE ASSEMBLY
OF THE STATE OF NEW YORK;
SPEAKER OF THE ASSEMBLY OF
THE STATE OF NEW YORK,

Respondents.

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Intervenor-Respondents DCCC, congressional candidate Jackie Gordon, the New York State Democratic Committee, New York State Democratic Committee Chairman Jay Jacobs, the Wyoming County Democratic Committee, Wyoming County Democratic Committee Chairwoman Cynthia Appleton, and New York voters Declan Taintor, Harris Brown, Christine Walkowicz, and Claire Ackerman (collectively, "Intervenors"), by and through their attorneys

Dreyer Boyajian LLP and Elias Law Group LLP, as and for an Answer to the Verified Petition, allege, upon information and belief, as follows:

1. Admit that Petitioners purport to bring this action pursuant to Article 16 of the Election Law and CPLR 3001. Paragraph 1 otherwise states legal conclusions and characterizations to which no response is required. To the extent a response is required. Intervenors deny all remaining allegations.

2. Admit that Petitioners purport to seek the relief identified in Paragraph 2. Paragraph 2 otherwise states legal conclusions and characterizations to which no response is required. To the extent a response is required, intervenors deny all remaining allegations.

3. Paragraph 3 states legal conclusions to which no response is required. To the extent a response is required, intervenors deny the allegations in Paragraph 3.

4. Admit that Petitioners purport to seek the relief identified in Paragraph 4. Paragraph 4 otherwise states legal conclusions and characterizations to which no response is required. To the extent a response is required, intervenors deny all remaining allegations.

5. Admit that Petitioners purport to seek the relief identified in Paragraph 5. Paragraph 5 otherwise states legal conclusions and characterizations to which no response is required. To the extent a response is required, intervenors deny all remaining allegations

6. Admit that Petitioners purport to seek the relief identified in Paragraph 6. Paragraph 6 otherwise states legal conclusions and characterizations to which no response is required. To the extent a response is required, intervenors deny all remaining allegations

7. Admit that Petitioners purport to seek the relief identified in Paragraph 2. Paragraph 7 otherwise states legal conclusions and characterizations to which no response is required. To the extent a response is required, intervenors deny all remaining allegations.

8. Intervenors deny knowledge or information sufficient to form a belief as to the truth

of the allegations in Paragraph 8.

9. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9.

10. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10.

11. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11.

12. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12.

13. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13.

14. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14.

15. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 15.

16. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 16.

17. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 17.

18. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18.

19. Paragraph 19 states a legal conclusion to which no response is required.

20. Admit.

21. Admit that the Board of Elections is charged with the administration and

supervision of the election process. Paragraph 21 otherwise contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Intervenors deny all remaining allegations.

22. Admit.

23. Admit.

24. Admit.

25. Admit.

26. Admit.

27. Admit.

28. Admit.

29. Admit.

30. Paragraph 30 states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 30.

31. Intervenors admit that Petitioners purport to bring this action pursuant to CPLR § 3001.

32. Paragraph 32 states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 32.

33. Paragraph 33 states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 33.

34. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegation that Petitioner Zeilman is a resident of Saratoga County. Paragraph 34 otherwise states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the remaining allegations in Paragraph 34.

35. Intervenors deny knowledge or information sufficient to form a belief as to the truth

of the allegation that Petitioners are all “voters.” Paragraph 35 otherwise contains mere legal conclusions and characterizations, to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 35.

36. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegation that “Plaintiffs-Petitioners who are Political Party Committee Chairmen and the party committees they represent will and intend to have poll watchers appointed for the canvass of ballots in the 2022 General Election.” Paragraph 36 otherwise states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the remaining allegations in Paragraph 36.

37. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegation that “Plaintiffs-Petitioners who are candidates for public office will and intend to have poll watchers appointed for the canvass of ballots in the 2022 General Election.” Paragraph 37 otherwise states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the remaining allegations in Paragraph 37.

38. Paragraph 38 contains mere legal conclusions and characterizations to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 38.

39. Paragraph 39 purports to quote Article II, § 2 of the New York Constitution, which speaks for itself. Paragraph 39 otherwise contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the remaining allegations in Paragraph 39.

40. Paragraph 40 states a legal conclusion to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 40.

41. Paragraph 41 purports to quote Article II, § 2 of the New York Constitution, which

speaks for itself. Paragraph 41 otherwise contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the remaining allegations in Paragraph 41.

42. Paragraph 42 purports to quote Article II, § 2 of the New York Constitution, which speaks for itself. Paragraph 42 otherwise contains mere legal conclusions, characterizations, or opinions to which no response is required.

43. Paragraph 43 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 43.

44. Paragraph 44 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 44.

45. Paragraph 45 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 45.

RESPONSE TO FIRST CAUSE OF ACTION

46. Paragraph 46 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 46.

47. Paragraph 47 contains mere legal conclusions, characterizations, or opinions to which no response is required.

48. Intervenors admit that Petitioners purport to seek relief under the cited provisions. Paragraph 48 otherwise contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the remaining

allegations in Paragraph 48.

49. Admit.

50. Admit.

51. Admit.

52. Admit.

53. Paragraph 53 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 53.

54. Paragraph 54 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 54.

55. Paragraph 55 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 55.

56. Paragraph 56 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 56.

57. Paragraph 57 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 57.

58. Paragraph 58 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 58.

59. Paragraph 59 contains mere legal conclusions, characterizations, or opinions to

which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 59.

60. Paragraph 60 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 60.

61. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 61.

62. Paragraph 62 contains mere legal conclusions, characterizations, or opinions to which no response is required.

63. Paragraph 63 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 63.

64. Paragraph 64 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 64.

65. Paragraph 65 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 65.

RESPONSE TO SECOND CAUSE OF ACTION

66. Intervenors repeat and reallege the above responses as if fully set forth herein.

67. Paragraph 67 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 67.

68. Intervenors admit that the quoted language appears in Article I, § 6 and Article I,

§ 11 of the New York Constitution. Paragraph 68 otherwise contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the remaining allegations in Paragraph 68.

69. Paragraph 69 states a legal conclusion to which no response is required.

70. Paragraph 70 states legal conclusions to which no response is required.

71. Paragraph 71 states legal conclusions to which no response is required.

72. Paragraph 72 states legal conclusions to which no response is required.

73. Paragraph 73 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 73.

74. Paragraph 74 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 74.

75. Paragraph 75 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 75.

76. Paragraph 76 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 76.

77. Paragraph 77 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 77.

78. Paragraph 78 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the

allegations in Paragraph 78.

79. Paragraph 79 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 79.

80. Paragraph 80 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 80.

RESPONSE TO THIRD CAUSE OF ACTION

81. Intervenors repeat and reallege the above responses as if fully set forth herein.

82. Paragraph 82 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 82.

83. Intervenors admit that each Commissioner of Elections takes an oath to enforce the Constitution and laws of the state.

84. Paragraph 84 states a legal conclusion to which no response is required.

85. Paragraph 85 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 85.

86. Paragraph 86 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 86.

87. Paragraph 87 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 87.

88. Paragraph 88 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 88.

RESPONSE TO FOURTH CAUSE OF ACTION

89. Intervenors repeat and reallege the above responses as if fully set forth herein.

90. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 90.

91. Paragraph 91 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 91.

92. Paragraph 92 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 92.

93. Paragraph 93 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 93.

94. Paragraph 94 contains mere characterizations or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 94.

95. Paragraph 95 contains mere characterizations or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 95.

96. Paragraph 96 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 96.

97. Paragraph 97 states a legal conclusion to which no response is required.

98. Paragraph 98 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 98.

99. Paragraph 99 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 99.

100. Paragraph 100 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 100.

101. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 101.

102. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 102.

103. Paragraph 103 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 103.

104. Paragraph 104 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 104.

105. Paragraph 105 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 105.

106. Paragraph 106 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the

allegations in Paragraph 106.

RESPONSE TO FIFTH CAUSE OF ACTION

107. Intervenors repeat and reallege the above responses as if fully set forth herein.

108. Paragraph 108 states a legal conclusion to which no response is required.

109. Paragraph 109 states a legal conclusion to which no response is required.

110. Paragraph 110 states a legal conclusion to which no response is required.

111. Paragraph 111 states a legal conclusion to which no response is required.

112. Paragraph 112 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 112.

113. Paragraph 113 purports to quote court decisions, which speak for themselves.

114. Paragraph 114 states a legal conclusion to which no response is required.

115. Paragraph 115 states a legal conclusion to which no response is required.

116. Paragraph 116 purports to quote a statute, which speaks for itself.

117. Paragraph 117 purports to quote a statute, which speaks for itself.

118. Paragraph 118 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 118.

119. Paragraph 119 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 119.

120. Paragraph 120 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 120.

121. Paragraph 121 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 121.

122. Paragraph 122 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 122.

123. Paragraph 123 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 123.

124. Paragraph 124 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 124.

RESPONSE TO SIXTH CAUSE OF ACTION

125. Intervenors repeat and reallege the above responses as if fully set forth herein.

126. Paragraph 126 states a legal conclusion to which no response is required.

127. Paragraph 127 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 127.

128. Paragraph 128 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 128.

129. Paragraph 129 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 129.

130. Paragraph 130 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 130.

RESPONSE TO SEVENTH CAUSE OF ACTION

131. Intervenors repeat and reallege the above responses as if fully set forth herein.

132. Paragraph 132 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 132.

133. Paragraph 133 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 133.

134. Paragraph 134 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 134.

135. Paragraph 135 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 135.

136. Paragraph 136 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 136.

137. Paragraph 137 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 137.

138. Paragraph 138 contains mere legal conclusions, characterizations, or opinions to

which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 138.

RESPONSE TO EIGHTH CAUSE OF ACTION

139. Intervenors repeat and reallege the above responses as if fully set forth herein.

140. Paragraph 140 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 140.

141. Paragraph 141 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 141.

142. Paragraph 142 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 142.

RESPONSE TO NINTH CAUSE OF ACTION

143. Intervenors repeat and reallege the above responses as if fully set forth herein.

144. Paragraph 144 states a legal conclusion to which no response is required.

145. Paragraph 145 states a legal conclusion to which no response is required.

146. Paragraph 146 states a legal conclusion to which no response is required.

147. Paragraph 147 states a legal conclusion to which no response is required.

148. Paragraph 148 purports to quote a statute, which speaks for itself.

149. Paragraph 149 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 149.

150. Paragraph 150 contains mere legal conclusions, characterizations, or opinions to

which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 150.

151. Paragraph 151 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 151.

152. Paragraph 152 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 152.

153. Paragraph 153 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 153.

154. Paragraph 154 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 154.

155. Paragraph 155 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 155.

156. Paragraph 156 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 156.

RESPONSE TO TENTH CAUSE OF ACTION

157. Intervenors repeat and reallege the above responses as if fully set forth herein.

158. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 158.

159. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 159.

160. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 160.

161. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 161.

162. Intervenors deny knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 162.

163. Paragraph 163 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 163.

164. Paragraph 164 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 164.

165. Paragraph 165 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 165.

166. Paragraph 166 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 166.

167. Paragraph 167 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 167.

168. Paragraph 168 contains mere legal conclusions, characterizations, or opinions to

which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 168.

169. Paragraph 169 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 169.

170. Denied.

171. Paragraph 171 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 171.

172. Paragraph 172 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 172.

173. Paragraph 173 is a request for relief to which no response is required. To the extent a response is required, Intervenors deny that Petitioners are entitled to any relief whatsoever.

174. Paragraph 174 is a request for relief to which no response is required. To the extent a response is required, Intervenors deny that Petitioners are entitled to any relief whatsoever.

175. Paragraph 175 is a request for relief to which no response is required. To the extent a response is required, Intervenors deny that Petitioners are entitled to any relief whatsoever.

RESPONSE TO ELEVENTH CAUSE OF ACTION

176. Intervenors repeat and reallege the above responses as if fully set forth herein.

177. Paragraph 177 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 177.

178. Paragraph 178 contains mere legal conclusions, characterizations, or opinions to

which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 178.

179. Paragraph 179 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph.

180. Paragraph 180 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 180.

181. Paragraph 181 states a legal conclusion to which no response is required.

182. Paragraph 182 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 182.

183. Paragraph 183 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 183.

184. Paragraph 184 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 184.

185. Paragraph 185 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 185.

186. Paragraph 186 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 186.

187. Paragraph 187 contains mere legal conclusions, characterizations, or opinions to which no response is required. To the extent a response is required, Intervenors deny the allegations in Paragraph 187.

188. Paragraph 188 is a request for relief to which no response is required. To the extent a response is required, Intervenors deny that Petitioners are entitled to any relief whatsoever.

FIRST AFFIRMATIVE DEFENSE

189. Petitioners' claims are barred in whole or part for failure to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

190. Petitioners' claims are barred in whole or in part by the equitable doctrine of laches.

THIRD AFFIRMATIVE DEFENSE

191. Petitioners' claims are barred in whole or in part by res judicata.

FOURTH AFFIRMATIVE DEFENSE

192. Petitioners' claims are barred by stare decisis.

FIFTH AFFIRMATIVE DEFENSE

193. Petitioners allege fraud without pleading particularized allegations of such alleged fraud.

SIXTH AFFIRMATIVE DEFENSE

194. Petitioners have failed to join necessary parties, including county boards of elections.

AFFIRMATIVE RESERVATION DEMAND

195. Intervenors reserve the right to amend this Answer, including through the addition

of affirmative defenses or objections in point of law.

WHEREFORE, the Intervenor-Respondents hereby demand judgment as follows:

- a) Dismissing the Verified Complaint / Petition;
- b) Awarding Respondents costs and disbursements incurred in this matter, together with such other and further relief as this Court may deem just and proper.

Dated: October 5, 2022

DREYER BOYAJIAN LLP

/s/ James R. Peluso

James R. Peluso
75 Columbia Street
Albany, NY 12210
Tel.: (518) 463-7784
jpeluso@dblawnny.com

ELIAS LAW GROUP LLP

/s/ Aria C. Branch

Aria C. Branch*
Justin Baxenberg*
Richard Alexander Medina
Aaron M. Mukerjee
Renata M. O'Donnell
10 G St NE, Ste 600
Washington, DC 20002
Tel.: (202) 968-4490
abranche@elias.law
jbaxenberg@elias.law
amukerjee@elias.law
rmedina@elias.law
rodonnell@elias.law

**Pro hac vice applications forthcoming*

ATTORNEY VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

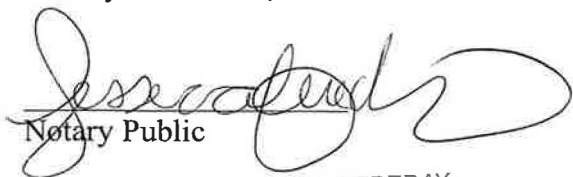
Richard Alexander Medina, being duly sworn, deposes and says:

The undersigned is an attorney duly admitted to the practice of law before the Courts of the State of New York, and counsel for the Intervenors, DCCC, congressional candidate Jackie Gordon, the New York State Democratic Committee, New York State Democratic Committee Chairman Jay Jacobs, the Wyoming County Democratic Committee, Wyoming County Democratic Committee Chairwoman Cynthia Appleton, and New York voters Declan Taintor, Harris Brown, Christine Walkowicz, and Claire Ackerman, in this action; deponent has reviewed the contents of this document and believes the same to be true; deponent has read the foregoing Verified Answer and know the contents thereof and the same is true of my own knowledge except as to matter therein stated to be alleged upon information and belief, and as to those matters, I believe it to be true; this verification is made by deponent, instead of by Intervenors, because the Intervenors are not within the county wherein deponent maintains his office; and the grounds for my belief as to all matters not stated upon deponent's knowledge are as follows: review of file and records, and communications with Intervenors and their officials.



Richard Alexander Medina

Sworn to before me this
5th day of October, 2022.



Notary Public

JESSICA FEREDAY
Notary Public, State of New York
No. 01FE6063103
Qualified in Rensselaer County
Commission Expires January 8, 2023