

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SARATOGA

In the matter of,

RICH AMEDURE, GARTH SNIDE, ROBERT
SMULLEN, EDWARD COX,
THE NEW YORK STATE REPUBLICAN PARTY,
GERARD KASSAR, THE NEW YORK STATE
CONSERVATIVE PARTY, JOSEPH WHALEN, THE
SARATOGA COUNTY REPUBLICAN PARTY,
RALPH M. MOHR, ERIK HAIGHT & JOHN
QUIGLEY,

NOTICE OF MOTION¹

Index No. 2023-2399

Petitioners/Plaintiffs,

v.

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/Defendants.

PLEASE TAKE NOTICE that upon the annexed Affirmation of Jennifer J. Corcoran, Assistant Attorney General; Affidavit of Danny McDonald; and Memorandum of Law, Respondents-Defendants State of New York and Governor Kathy Hochul will move at a Term of

¹ To the extent that the governing Order to Show Cause is deemed a motion for a preliminary injunction, and this application should be brought by cross-motion and/or with the notice required by CPLR 2214(b) (instead of in compliance with CPLR 403(b)), the State of New York and Governor Kathy Hochul respectfully request that the Court set a briefing schedule as it deems appropriate.

the Supreme Court, held in and for the County of Saratoga, at the Saratoga County Court House, Ballston Spa, New York on September 20, 2023 at 2:30 p.m., as directed by Order to Show Cause dated September 8, 2023, for an order pursuant to CPLR 403(b) and CPLR 3211(a)(8), dismissing the Petition-Complaint in its entirety and for any further relief that the Court deems just, proper and equitable.

Dated: Albany, New York
September 18, 2023

LETITIA JAMES
Attorney General, State of New York
Attorney for Respondents-Defendants State of
New York and Governor Kathy Hochul
The Capitol
Albany, New York 12224

By: *Jennifer J. Corcoran* _____
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TO: All Counsel of Record