

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

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ELISE STEFANIK, NICOLE MALLIOTAKIS,
NICHOLAS LANGWORTHY, CLAUDIA TENNEY,
ANDREW GOODELL, MICHAEL SIGLER, PETER
KING, GAIL TEAL, DOUGLAS COLETY, BRENT
BOGARDUS, MARK E. SMITH, THOMAS A.
NICHOLS, MARY LOU A. MONAHAN, ROBERT F.
HOLDEN, CARLA KERR STEARNS, JERRY
FISHMAN, NEW YORK REPUBLICAN STATE
COMMITTEE, CONSERVATIVE PARTY OF NEW
YORK STATE, NATIONAL REPUBLICAN
CONGRESSIONAL COMMITTEE, REPUBLICAN
NATIONAL COMMITTEE,

Plaintiffs,

-against-

KATHY HOCHUL, in her official capacity as Governor of
New York; NEW YORK STATE BOARD OF
ELECTIONS; PETER S. KOSINSKI, in his official
capacity as Co-Chair of the New York State Board of
Elections; DOUGLAS A. KELLNER, in his official
capacity as Co-Chair of the New York State Board of
Elections; and THE STATE OF NEW YORK,

Defendants.

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**NOTICE OF MOTION TO
INTERVENE AS
DEFENDANTS**

PLEASE TAKE NOTICE that upon the attached Affirmation of Marilyn Gabriela Robb, dated September 29, 2023, in support of the Motion to Intervene by DCCC, Senator Kirsten Gillibrand, Representatives Yvette Clarke, Grace Meng, Joseph Morelle, Ritchie Torres, and New York voters Janice Strauss, Geoff Strauss, Rima Liscum, Barbara Walsh, Michael Colombo, and Yvette Vasquez (collectively, “Proposed Intervenors”); the exhibits appended to that Affirmation; the Proposed Answer submitted herewith; and the accompanying

Memorandum of Law in Support of the Motion to Intervene, undersigned counsel for the Proposed Intervenors will move this Court, located at the Albany County Courthouse in Albany, New York, on Wednesday, October 11 at 10:00 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Rules 7802(d) of the New York Civil Practice Law and Rules granting the Proposed Intervenors leave to intervene in this matter for the purpose of protecting their and their members and constituents' ability to vote early by mail.

Date: September 29, 2023

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**Pro hac vice applications forthcoming*