

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BOARD OF ELECTIONS OF THE
STATE OF NEW YORK, et al.,

Defendants.

Case No. 1:25-cv-01338-MAD-PJE

**NOTICE OF MOTION
OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED
PEOPLE AND THE NAACP NEW YORK STATE CONFERENCE
TO INTERVENE AS DEFENDANTS**

The National Association for the Advancement of Colored People (“NAACP”) and the NAACP New York State Conference (“NAACP NYS”) (together, “Proposed Intervenors”) hereby move, through undersigned counsel, to intervene as defendants in this matter to defend their and their members’ significant interests, which are otherwise inadequately represented.

For the reasons discussed in the supporting memorandum filed alongside this Motion, Proposed Intervenors are entitled to intervene in this case as a matter of right under Federal Rule of Civil Procedure 24(a)(2). In the alternative, Proposed Intervenors request permissive intervention pursuant to Rule 24(b). Moreover, pursuant to Rule 24(c), Proposed Intervenors file a Proposed Answer attached to this Motion as a proposed pleading.¹

Consistent with Local Rule 7.1(a)(2), Proposed Intervenors have conferred with the existing parties over email. Defendants New York State Board of Elections Co-Executive Director

¹ Proposed Intervenors respectfully request leave to file a Rule 12(b) motion within the time period prescribed by the Federal Rules of Civil Procedure or pursuant to any schedule set by this Court.

Kristen Zebrowski Stavisky and Commissioners Henry Berger and Essma Bagnuola do not oppose. Defendants New York State Board of Elections Co-Executive Director Raymond Riley, III and Commissioners Peter Kosinski and Anthony Casale stated that they are unable to provide a position on this Motion until their legal representation is finalized. Defendant Board of Elections of the State of New York, *ipso facto*, has not taken a position. Defendant State of New York stated that it also takes no position. Plaintiff United States of America stated that it would likely oppose but would take a final stance upon review of any motion.²

WHEREFORE, Proposed Intervenor respectfully request that the Court grant them intervention in the above-captioned matter.

Respectfully submitted,
/s/ Andrew G. Celli, Jr.

Andrew G. Celli, Jr. (Bar No. 105255)
 Katherine Rosenfeld (Bar No. 511795)
 Daniel M. Eisenberg (Bar No. 706811)
EMERY CELLI BRINCKERHOFF ABADY
WARD & MAAZEL LLP
 One Rockefeller Plaza, 8th Floor
 New York, NY 10020
 T: (212) 763-5000
 F: (212) 763-5001
 acelli@ecbawm.com
 krosenfeld@ecbawm.com
 deisenberg@ecbawm.com

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Aria C. Branch*
 Christopher D. Dodge*
 Tina Meng Morrison*
 Omeed Alerasool*
ELIAS LAW GROUP LLP
 250 Massachusetts Ave. NW, Suite 400
 Washington, DC 20001
 T: (202) 968-4490
 F: (202) 968-4498
 abranch@elias.law
 cdodge@elias.law
 tmengmorrison@elias.law
 oalerasool@elias.law

* Application *pro hac vice* and Motion for Limited Admission forthcoming

Counsel for Proposed Intervenor

² Consistent with Local Civil Rule 7.1(a)(2), Proposed Intervenor are amenable to a court conference with the assigned Magistrate Judge.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 1st day of October, 2025, with a copy of this document via the Court's CM/ECF system.

/s/ Andrew G. Celli, Jr.
Andrew G. Celli, Jr.

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