

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

PAUL NICHOLS, GAVIN WAX, and GARY  
GREENBERG,

Petitioners,

Index No. \_\_\_\_\_

v.

**AFFIDAVIT OF**  
**PAUL NICHOLS**

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.

STATE OF NEW YORK     )

ss.:

COUNTY OF QUEENS     )

PAUL NICHOLS, being duly sworn, deposes and says:

1. I am a citizen of the State of New York residing in Queens County. I am registered to vote in the State of New York.

2. I am a candidate for Governor of the State of New York.

3. I previously circulated and filed a designating petition with the New York State Board of Elections in an attempt to qualify to appear on the ballot as a candidate for Governor in the upcoming Democratic primary election, currently scheduled to be held on June 28, 2022. However, the Board of Elections removed me from the ballot after determining that my designating petition contained invalid signatures.

4. I intend to circulate an independent nominating petition so that I can appear on the

ballot as a third-party candidate for Governor of the State of New York in the November 8, 2022, general election.

5. The redistricting process, and the ongoing litigation related thereto, has interfered with my ability to circulate petitions to appear as a candidate on a third-party line in the November 8, 2022, general election.

6. Further, the redistricting process, along with the previously held unconstitutionally drawn congressional district lines, impeded my ability to properly review and challenge the congressional district requirements of the statewide petitions to ensure that statewide candidates fulfilled their legal requirements with constitutionally drawn congressional districts.

7. If I do not secure a third-party line in connection with my candidacy for Governor, then I will not be on the ballot at all. If I do not make the ballot, registered voters in the State of New York who support me will not be able to vote for me at any time this election cycle.


8. If, moreover, the designating petition period is reopened, I intend to obtain new signatures and file a new designating petition with the Board of Elections to qualify to appear on the primary ballot for Governor in the Democratic primary election.

9. I bring this action so that my rights as a voter and a candidate will be protected.

  
Paul Nichols

Sworn to and subscribed before me

this 16<sup>th</sup> day of May 2022.

  
A Notary Public

