

STATE OF NEW YORK
SUPREME COURT : COUNTY OF NEW YORK

PAUL NICHOLS, GAVIN WAX, AND GARY GREENBERG

Petitioners,

-against-

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,

AFFIDAVIT OF
ASSEMBLYMAN
JOSEPH M. GIGLIO

Index No.
154213/2022

Respondents.

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

JOSEPH M. GIGLIO, being duly sworn, deposes and
says:

1. I am a Minority member of the New York State
Assembly, representing the 148th Assembly District. My
District includes all of Cattaraugus and Allegany counties, and
parts of Steuben County.

2. I was first elected to the Assembly in 2013 and have
served as a member of the Assembly ever since.

3. I currently serve as the Ranking Minority member
on the Corrections Committee and as a member of several
Assembly standing committees.

4. I make this affidavit based on my personal
knowledge.

Bipartisan Enactment of the Assembly Map

5. On January 24, 2022, the Independent Redistricting
Commission announced it would not submit a second set of
proposed legislative-district maps, despite its constitutional
obligation to do so.

6. In response, on February 3, 2022, the Assembly

passed Bill Number A09040A (the "Bill"), which established the Assembly and State Senate district maps for the 2022 and subsequent elections.

7. The Bill passed in the Assembly by a vote of 118 to 29.

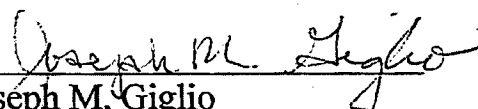
8. I voted in favor of the Bill, as did 14 of my Republican colleagues: Representatives Angelino, Barclay, Brabenec, Fitzpatrick, Goodell, Hawley, Jensen, Lalor, Lemondes, Miller, Morinello, Norris, and Tague. Thus, the Bill was enacted with bipartisan support in the Assembly.

9. I voted in favor of the Bill because I believe the Assembly district maps contained therein to be fair.

10. When I voted for the Bill, I recognized the possibility that a lawsuit would be filed challenging the Senate and Congressional maps. I was unaware of any intention for a lawsuit to challenge the Assembly map.

11. I make this affidavit in support of the respondents' Motion to Dismiss.

Dated: Albany, New York
May 20, 2022


Joseph M. Giglio

Sworn to before me this
20th day of May, 2022

This remote notarial act involved the use of communication technology


Notary Public

Adam Fusco, Esq.
NOTARY PUBLIC, State of New York
Qualified in Fulton County
No. 02FU6325525
MCE 5-26-2023