

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
JARETT GANDOLFO

Index No.
154213/2022

Respondents.

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

JARETT GANDOLFO, being duly sworn, deposes
and says:

1. I am a Minority member of the New York State
Assembly, representing the 7th Assembly District. My District
includes portions of Suffolk County.

2. I was first elected to the Assembly in November
2020 and have served as a member of the Assembly ever since.

3. I am currently the Ranking Minority Member on the
Mental Health Committee and serve as a member on several
other 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 against the Bill, as did 28 of my Republican colleagues. While I voted against the bill; I did so due to concerns regarding the redistricting process.

9. Nonetheless, I believe the Assembly district maps contained therein to be fair.

10. When I voted on 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


Jarett Gandolfo

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