

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
ANGELO J.
MORINELLO**

Index No.
154213/2022

Respondents.

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

ANGELO J. MORINELLO, being duly sworn, deposes and says:

1. I am a Minority member of the New York State Assembly,
representing the 145th Assembly District. My District includes parts of Niagara and Erie
counties.

2. I was first elected to the Assembly in November 2016 and re-elected in
2018 and again in 2020.

3. I am currently the Ranking Minority Member Codes Committee and serve as member of 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.

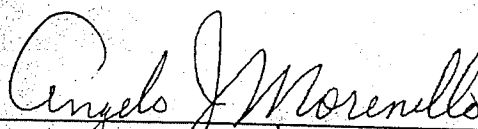
8. I voted in favor of the Bill, as did 14 of my Republican colleagues: Representatives Angelino, Barclay, Brabenec, Fitzpatrick, Giglio, Goodell, Hawley, Jensen, Lalor, Lemondes, Miller, Norris, and Tague. Thus, the Bill was enacted with bipartisan support in the Assembly.

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.

Motion to Dismiss.

Dated: Albany, New York
May 20th, 2022


Angelo J. Morinello

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