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**Nick Reisman** @NickReisman · Feb 3

Redistricting lawsuit filed against Gov. Hochul, state lawmakers and LATFOR by 14 residents

ROWLEY, JOSEPHINE THOMAS, and MARIANNE VOLANTE,

Plaintiffs,

-against-

GOVERNOR KATHY HOCHUL, LIEUTENANT GOVERNOR AND PRESIDENT OF THE SENATE BRIAN A. BENJAMIN, 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

Plaintiffs Tim Hakenwider, Guy C. Brought, Lawrence Canning, Patricia Ciarino, George Dooler, Jr., Stephen Evans, Linda Fantes, Irvy Fishman, Jay Frantz, Lawrence Garvey, Alan Naphen, Susan Rowley, Josephine Thomas, and Marianne Volante, by their counsel, Kayser Maloney & Wincer LLP, and Troutman Pepper Hamilton Sanders LLP, for their Petition against Respondents Governor Kathy Hochul, Lieutenant Governor and President of the Senate Brian A. Benjamin, Senate Majority Leader and President Pro Tempore of the Senate Andrea Stewart-Cousins, Speaker of the Assembly Carl E. Heastie, the New York State Board of Elections, and the New York State Legislative Task Force on Demographic Research and Reapportionment, allege as follows:

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR 202.4-b)(4)(iii)(c)) which, on the date of its filing, from the court's e-filing system, had not yet been reviewed and approved by the court clerk. Parties must note (a) this e-filing mechanism and court clerk review process are subject to change and parties should be aware that documents filed via e-filing are not automatically accepted by the court clerk.

(Caption: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY THE COURT CLERK. (Date below))

INDEX NO. UNRECORDED

NYSCEF DOC. NO. 1 RECEIVED NYSCEF: 02/03/2022

PRELIMINARY STATEMENT

I. The People of New York in 2014 enshrined in the New York Constitution an exclusive process for enacting replacement congressional and state legislative districts, while also prohibiting partisan and incumbent-protection gerrymandering. Yet, in the very first redistricting cycle after these landmark constitutional amendments, the Democratic Party politicians who

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**Gary Greenberg** @GAGreenberg · Feb 3

The courts must 🚫 this blatant attempt to prevent all who want to participate in running for office with fair & competitive districts. The people voted for Independent Redistricting Commission not legislators creating maps so they can be re-elected in gerrymandered districts.

[twitter.com/bern_hogan/sta...](https://twitter.com/bern_hogan/status/1500000000000000000)



Gary Greenberg @GAGreenberg · Feb 3

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Upstate Dem Senators sold out upstate constituents by voting for plan where 2 NYC left wing seats are put in place over 2 existing upstate seats . I hoped current leadership in Senate would bring a new "Albany " by letting an independent comm. set maps .Instead we got same -same.



Zack Fink ✓ @ZackFinkNews · Feb 3

The @NYSenate has passed the legislative district lines by a strict partisan vote of 43 -20

This legislation, along with Congressional district lines passed yesterday, now goes to @GovKathyHochul who is expected to sign off on the new maps, which will be in place for next decade



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To say we have to fix gerrymandering with more gerrymandering is ludicrous. Millions of 🗳️ were wasted on a commission that was set up to draw maps by state constitution changes approved by voters twice .
• Instead we get legislators who voted for protection plan for themselves. 🤔



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Republicans lay groundwork for potential legal challenge.



spectrumlocalnews.com

Redistricting fight in New York shifts to courts

Democrats insist the process was fair.





Gary Greenberg @GAGreenberg · Feb 3

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NYC gets 2 more Albany seats at expense of upstate GOP under redistricting nypost.com/2022/02/03/nyc... via [@nypmetro](#)



nypost.com

NYC gets 2 more Albany seats at expense of upstate GOP under...

New York City will gain two new state Senate seats in 2023 under the redrawn district lines by Democratic lawmakers, the move coming at ...



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Michael Li 李之樸 @mcpli · Feb 3

And redistricting in New York is done - now for the litigation.



Bill Mahoney @mahoneyw · Feb 3

Hochul has signed the redistricting bills

NEW YORK STATE
ALBANY 12224APPROVAL # 2
CHAPTER # 13

February 3, 2022

MEMORANDUM filed with Assembly Bill 9039-A, entitled:

"AN ACT to amend the state law, in relation to creation of congressional districts; and to repeal article 7 of such law relating thereto"

MEMORANDUM filed with Assembly Bill 9040-A, entitled:

"AN ACT to amend the state law, in relation to establishing assembly and senate districts; and to repeal article 8 of such law relating thereto"

MEMORANDUM filed with Assembly Bill 9167, entitled:

"AN ACT to amend the state law, in relation to congressional districts"

MEMORANDUM filed with Assembly Bill 9168, entitled:

"AN ACT to amend the state law, in relation to assembly and senate districts"

APPROVED

These bills are necessary to reapportion districts and to provide certainty and clarity regarding such districts in a timely manner, allowing for efficient administration of the electoral process.

The enactment of these bills marks the culmination of the legal process of redistricting for congressional and State legislative districts in New York State. These bills create new congressional districts and State Senate and Assembly districts, based on the 2020 United States Census, and as required by the State and federal constitutions.

Signing these bills will allow the boards of elections to begin the process of administering elections with these new district maps, and will ensure that New Yorkers and candidates for elected office have the information they need with as much notice as possible to exercise their right to vote and participate in our democracy.

This bill is approved.



Gary Greenberg @GAGreenberg · Feb 4

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Assigned Judge: 🗳️ Patrick F Mcallister Redistricting case filed in Steuben County State Supreme Court.

Judge is a former Republican Steuben County Legislator well versed on redistricting issues.

The screenshot shows a legal document filing interface. On the left is a sidebar with navigation options like 'Home', 'My Documents', 'My Cases', 'My Filings', 'My Calendar', 'My Settings', and 'My Profile'. The main area displays a list of documents for a case. The documents are listed in a table with columns for 'Document Type', 'Document Name', 'Filing Date', 'Filing Time', 'Filing User', and 'Filing Status'. The documents are as follows:

Document Type	Document Name	Filing Date	Filing Time	Filing User	Filing Status
EXHIBIT - A	NY 422-Cases, Art 22, v 8	05/18/2022	10:00:00	McAllister, Patrick F	Completed
EXHIBIT - B	Unrecorded, 4/26/22, 4/22/22	05/18/2022	10:00:00	McAllister, Patrick F	Completed
EXHIBIT - C	2022 Political Calendar	05/18/2022	10:00:00	McAllister, Patrick F	Completed
EXHIBIT - D	A. 6539	05/18/2022	10:00:00	McAllister, Patrick F	Completed
EXHIBIT - E	A. 6537	05/18/2022	10:00:00	McAllister, Patrick F	Completed
EXHIBIT - F	S. 6538	05/18/2022	10:00:00	McAllister, Patrick F	Completed
EXHIBIT - G	NY 422-Cases, Art 22, v 8	05/18/2022	10:00:00	McAllister, Patrick F	Completed

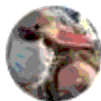
Seventh Judicial District of New York. The Multi-Bench in Steuben County includes its County, Family, and Surrogates Courts. Judge McAllister was elected to the bench in 2018.

He is a registered Republican.

He received his B.A. from Niagara University in 1976. McAllister went on to earn a J.D. from California Western School of Law in 1981. Shortly after graduating from law school, he joined the Steuben County District Attorneys Office where he worked as an assistant district attorney from 1982 to 1985. McAllister also entered into solo practice at his own law firm in 1982. He remained in private practice until his election to the bench.

In addition to his law practice, he served as an assistant county attorney with the Steuben





Gary Greenberg @GAGreenberg · Feb 6



EDITORIAL: So much for fair and open elections | Opinion | niagara-gazette.com niagara-gazette.com/opinion/editor...



niagara-gazette.com

niagara-gazette.com





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ny redistricting | Newsday



newsday.com

New York's redistricting failures need to be reformed

A new constitutional amendment must create a fairer process.





Gary Greenberg @GAGreenberg · Feb 6

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EDITORIAL: Surprise! Politics again rules redistricting – The Daily Gazette



[dailygazette.com](https://www.dailygazette.com)

EDITORIAL: Surprise! Politics again rules redistricting – The Daily Gaz...

Politics is all about opportunism in the pursuit of victory. If you can get an advantage over the other political party you don't hesitate to take i...





Gary Greenberg @GAGreenberg · Feb 9

Local political committees should not endorse candidates until the court case is decided . 🗳️ State Senate lines will also face legal challenge in NY



[spectrumlocalnews.com](https://www.spectrumlocalnews.com)

State Senate districts will also face legal challenge in New York
House lines already facing lawsuit.



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Nick Reisman ✓ @NickReisman · Feb 9

State Senate districts will also face legal challenge in New York



nystateofpolitics.com

State Senate districts will also face legal challenge in New York
House lines already facing lawsuit.



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Gary Greenberg @GAGreenberg · Feb 10

The process to be on ballot can be modified by state legislature and Gov. Primary can be moved to new date . It's not rationale to uphold gerrymandered maps for incumbents. We live in a democracy where as it states in NY constitution fair and competitive elections must be held!



Dave Wasserman ✓ @Redistrict · Feb 10

A reason Dems' new NY lines are likely to be upheld: the same rationale of "too close to the election to change the rules" SCOTUS applied in the Alabama stay could be applied by NY courts, b/c petitioning will already be underway. [twitter.com/NYElectionNews...](https://twitter.com/NYElectionNews)



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Gary Greenberg @GAGreenberg · Feb 16

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New York redistricting: Republican megadonors raise money for legal fight



cnbc.com

Republican megadonors aim to raise up to \$3 milli...

Republican megadonors are aiming to raise up to \$3 million in a legal battle against New York's ...



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Ryan Whalen @RyanWhalenCT · Mar 3

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Judge McAllister says the courts have decided legislators do NOT have absolute privilege. He is granting expedited discovery. It needs to be completed by March 12. Legislators specifically can be questioned about any partisanship and the public process.



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Judge won't delay NY elections over gerrymandering, but still considering constitutionality | Govt-and-politics | buffalonews.com
buffalonews.com/news/state-and...

THE BUFFALO NEWS

buffalonews.com

buffalonews.com | Read the latest Buffalo, NY, and Erie County news ...
Read the latest Buffalo, NY, and Erie County news from the Buffalo News. Get headlines on local weather, entertainment, and events.



Gary Greenberg @GAGreenberg · Mar 9

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"It's definitely skewed towards Democrats significantly," Rakich said. "I think the insistence that you saw from a lot of state legislators, 'Oh, it was a fair map, Oh, we didn't draw it for partisan gain,' is just pretty clearly not true."



wbfo.org

NY misses the mark on independent legislative red...
The task of drawing state and congressional legislative lines traditionally falls to state ...



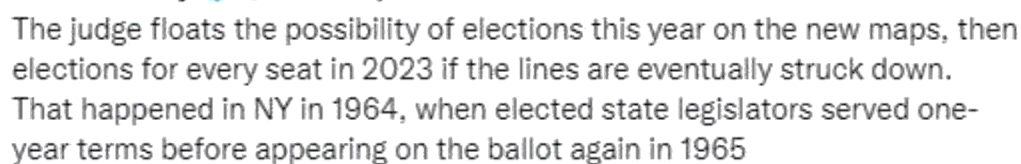
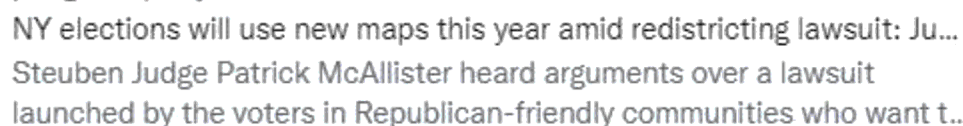
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Congressional Districts

Upstate New York



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Judge McAllister also denies a motion to dismiss the case on lack of standing ruling every citizen has a right to challenge the redistricting.



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State Supreme Court Justice Patrick McAllister grants the petitioners leave to amend the petition to add the state Senate map to the petition so long as it is submitted by March 10.



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Ryan Whalen  @RyanWhalenCT · Mar 3

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McAllister says he will not suspend elections pointing out the petitioners have a very high burden of proof and suspending elections would likely leave the state without duly elected members of Congress - instead if petitioners win he would order new elections next year.



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