1 SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY: CIVIL TERM : PART 63
2 ----------x
PAUL NICHOLS, GAVIN WAX, AND GARY GREENBERG,
3 INDEX NO.
154213-2022
4 Petitioners,

5 V.

6 GOVERNOR KATHY HOCHUL; SENATE MAJORITY LEADER
AND PRESIDENT PRO TEMPORE OF THE SENATE, ANDREA
7 STEWART COUSINS; SPEAKER OF THE ASSEMBLY, CARL
HEASTIE; NEW YORK STATE BOARD OF ELECTIONS, AND
8 THE NEW YORK STATE LEGISLATIVE TASK FORCE ON
DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT,
9
Respondents.
10 ----------x
60 Centre Street
11 New York, New York

12 September 16, 2022

13
B E F O R E: HONORABLE LAURENCE L. LOVE,
14 J U S T I C E

15
A P P E A R A N C E S:
16

17 WALDEN MACHT & HARAN LLP
Attorneys for the petitioners-Nichols and Greenberg
18 250 Vesey Street, 27th Floor
New York, NY 10281
19 BY: Jim Walden, Esq.
Peter Devlin, Esq.
20

21 LAW OFFICE OF AARON S. FOLDENAUER
Attorneys for petitioner-Wax
22 30 Wall Street, 8th Floor
New York, NY 10005
23 BY: Aaron Foldenauer, Esq.

24

25

1 APPEARANCES CONTINUED:

2

PHILLIPS LYTE LLP
3 Attorneys for Assembly Speaker Heastie
One Canalside
4 125 Main Street
Buffalo, NY 14203-2887
5 BY: Craig R. Bucki, Esq.

6

7 DEPUTY SECTION CHIEF LITIGATION BUREAU
Attorneys for Governor Kathy Hochul
8 28 Liberty Street
New York, NY 10005
9 BY: Seth Farber, Esq.

10

CUTI HECKER WANG LLP
11 Attorneys for Senate Majority Leader
305 Broadway, Suite 607
12 New York, NY 10007
BY: Eric Hecker, Esq.
13

14 JENNER & BLOCK
Attorneys for Commissioners (Imamura, Frazier, Cuevas-Molina)
15 1099 New York Avenue NW Suite 900
Washington DC, 20001
16 BY: Jessica Ring Amunson, Esq.
Jeremy Ershow, Esq.
17

18

MESSINA PERILLO HILL
19 Attorneys for Commissioners
(Brady, Conway, Harris, Stephens, Nesbit)
20 285 W. Main Street, Ste. 203
Sayville, NY 11782
21 BY: Timothy Hill, Esq.

22

23

24 Alecia Hines,
Senior Court Reporter
25

AH

1 COURT OFFICER: Come to order.
2 THE COURT: Good morning. Please be seated.
3 Good morning, all. I see we have a slightly fuller house
4 than last time which makes sense under the circumstances.
5 But we're here again in the action of Paul Nichols, et al.,
6 versus Governor Kathy Hochul, et al., index 154213 of 2022.
7 I just want to again just get clear for the record,
8 first, counsel for the petitioner, just have your
9 appearance.
10 MR. DEVLIN: Peter Devlin for Walden, Macht and
11 Haran.
12 MR. WALDEN: Jim Walden for Walden, Macht and Haran.
13 Good morning, Judge.
14 THE COURT: Good morning.
15 MR. FOLDENAUER: Aaron Foldenauer. Law office of
16 Aaron S. Foldenauer for petitioner, Gavin Wax.
17 THE COURT: And on behalf respondents.
18 MR. BUCKI: Yes, good morning, your Honor. Craig
19 Bucki from Phillips Lyte, LLP, in Buffalo, New York on
20 behalf of Assembly Speaker Heastie. And I should say that
21 in the gallery with me today are my co-counsel, also
22 representing Speaker Heastie, C. Daniel Chill, and Elaine
23 Reich from the Graubard Miller Law Firm, also on behalf of
24 the Speaker.
25 MR. FARBER: Good morning, your Honor. Seth Farber

1 with the Attorney General's Office for Governor Hochul.
2 MR. HECKER: Eric Hecker from Cuti, Hecker, Wang, on
3 behalf of the senate majority leader.
4 THE COURT: And I know notices of appearance were
5 uploaded yesterday on behalf of additional respondents
6 related to the order to show cause that is the subject of
7 today's appearance.
8 Can I just have counsel who filed the notice of
9 appearances identify themselves.
10 MR. ERSHOW: Yes, your Honor. My name is Jeremy
11 Ershow. I'm here on behalf of Commissioners Imamura, Elaine
12 Frazier and Cuevas-Molina. I've moved for the pro hac
13 admission of my colleague, Jess Amunson, who's here with me
14 today. If your Honor would like to correct that motion,
15 Ms. Amunson is prepared to speak today as the primary
16 speaker on behalf of those parties.
17 THE COURT: Understood. And, Counsel, I think you
18 also filed a similar motion on behalf of attorney Samuel
19 Hirsch, is that accurate?
20 MR. ERSHOW: Yes, your Honor.
21 THE COURT: All right. We'll certainly get to the
22 that momentarily. I notice, notice of appearance was also
23 filed on behalf of some of the other commissioners.
24 MR. HILL: That's correct, your Honor. Good
25 morning.

1 Timothy Hill for the commissioners Conway, Harris, Nesbit,
2 Stephens, and Brady.
3 THE COURT: Just to clarify. I know there was one
4 other commissioner that was listed within the affidavit of
5 service which was a Eugene Benger. I did not see anyone who
6 had filed a notice of appearances on behalf of that
7 commissioner. If you can speak to that?
8 MR. ERSHOW: Yes. I can speak to that, your Honor.
9 Mr. Benger was previously a member of the commission. He is
10 no longer a member of the commission as of one or two weeks
11 ago. His replacement has been named a commissioner,
12 Mr. Yovan Collado.
13 THE COURT: Do you or your colleague have the
14 spelling?
15 MR. ERSHOW: Yes, we do. C-O-L-L-A-D-O.
16 THE COURT: All right. Thank you, counselor. All
17 right, good morning to all counsel. Obviously, we're here
18 related to the --
19 I'm not going to rehash everything all over again
20 because we've obviously been through it at prior
21 appearances. But just a short version.
22 Again, back on June 10th of this year the Appellate
23 Division modified my earlier decision which went back to
24 May 27th of this year, essentially, remanding the case back
25 to me to address the issue of how best to proceed per the

1 state constitutional requirements in terms of procedurally
2 redistricting of the assembly lines for the 2024 election
3 cycle.
4 Based on that, everyone was here before me back on
5 August 24th, and I received, both, written positions as well
6 as oral argument from the petitioners and respondents at
7 that time. The respondents had, as part of that process,
8 sought --
9 It was their belief that the Court should be adding an
10 independent redistricting commission as a party to the
11 action.
12 I heard the views of both sides on that date. I
13 received proposed language for that order to show cause.
14 And as both parties are aware, on to following day, on
15 August 25th, I did sign off on an order to show cause which
16 kept things, frankly, relatively limited just in terms of
17 essentially putting before the Court of whether the
18 independent redistricting commission should be added to
19 these proceedings. I know everyone was properly served, and
20 the affidavit of service was appropriately filed on
21 August 26th.
22 Following that process, I know a number of documents
23 were uploaded to NYSCEF yesterday. It rant from document
24 number 122 to 168. So before we get into the substance of
25 the order to show cause, I know within those filings there

1 were two separate motions filed by counsel on behalf of
2 several of the commissioners seeking to have, both, and I
3 apologize if I mispronounce it. Is it Amunson?
4 MS. AMUNSON: Yes, Amunson.
5 THE COURT: Ms. Amunson, as well as motion sequence
6 number five to add Mr. Hirsch, both, to serve to be able to
7 appear pro hac vice in this matter.
8 I know everything was obviously literally just filed
9 yesterday, but was there any objection from any parties to
10 the Court granting that.
11 MR. DEVLIN: Your Honor, no objection from
12 petitioners.
13 THE COURT: And respondents?
14 MR. BUCKI: No objection on behalf of the Speaker.
15 THE COURT: All right. So based on that,
16 obviously, there will be a written order which will be
17 uploaded, but I can clarify for the bench here now that the
18 Court is going to grant pro hac vice status to both of those
19 individuals.
20 So with that said, Counsel, if you want to put your
21 appearance on the record, I'll let you.
22 MS. AMUNSON: Thank you, your Honor. Good morning.
23 Jessica Ring Amunson from Jenner and Block for commissioners
24 Imamura, Frazier, Cuevas-Molina.
25 Thank you.

1 THE COURT: All right. Good morning.
2 all right, so let me do this, because we're obviously
3 kind-of covering several different items here.
4 First, I think --
5 Let me hear first, if I could, from counsel on behalf
6 of the three commissioners, the Chair and Ms. Frazier and
7 Cuevas-Molina.
8 So, Counsel, if you can just --
9 I do know what was filed, but if you want to just
10 share, and clarify what the position is of your client.
11 MS. AMUNSON: Yes, your Honor. My clients do not
12 oppose the commission being named as a respondent to this
13 matter, which was the subject of your Honor's order to show
14 cause. They, additionally, suggest that your Honor also
15 name as additional respondents the individual commissioners.
16 And along with our filing, we submitted affidavits from two
17 commissioners who were not named in your Honor's order to
18 show cause, but who are members of the commission, and who,
19 if named as respondents, would intend to retain us as their
20 counsel, and to join commissioners Imamura, Frazier, and
21 Cuevas-Molina in position that they have taken before this
22 Court.
23 THE COURT: All right. And, Counsel, I did see
24 those affidavits was were uploaded as well. But, again, for
25 the record, if you can just clarify who those two

1 individuals are.
2 MS. AMUNSON: Of course, your Honor. It's
3 Dr. John Flateau, and Yovan Collado.
4 THE COURT: All right.
5 And I know Dr. Flateau was previously a commissioner,
6 and then was recently appointed by the senate majority on
7 August 1st, right?
8 MS. AMUNSON: That's correct, your Honor. He served
9 throughout the 2020 redistricting cycle three, then
10 resigned, then was reappointed on August 1st.
11 THE COURT: Okay. Thank you, Counsel.
12 All right. And I'll turn next to counsel for the
13 remaining commissioners. I know that you did file a notice
14 of appearance on behalf of those individuals. I did not see
15 anything else that had been filed, so I'll hear from you at
16 this time.
17 MR. HILL: That's correct. Thank you, your Honor.
18 So on behalf of commissioners, we do not oppose relief
19 sought by the order to show cause which was to add the
20 commission as a respondent. If that also means that the
21 individual commissioners would be added, I think that makes
22 sense.
23 THE COURT: Yes. I wanted to clarify that, as
24 well.
25 Would you have any objection if the individual

1 commissioners were included in that?
2 MR. HILL: No.
3 THE COURT: Thank you. So with that said, I guess
4 we'll turn back to the petitioner's side.
5 Was there anything from anyone of you? We obviously
6 went through things in detail in the last appearance in
7 terms of some substantive matters. But with that said, is
8 there anything you wanted to add based on today's
9 proceedings?
10 MR. DEVLIN: Thank you, your Honor.
11 Peter Devlin on behalf of the petitioners. I want to
12 first note that it does not seem we have the entire IRC
13 before us today, so it is premature to hear all of their
14 views. We urge the Court to --
15 THE COURT: Who are we missing?
16 MR. DEVLIN: We're missing two of the members, I
17 believe. Have they been added now as respondents, and
18 appear --
19 THE COURT: Well, just to be clear, the order to
20 show cause that I signed was specifically for the
21 commission, itself, without listing the specific individual
22 commissioners as named parties. But, obviously, all of
23 those commissioners were served for the proceedings at this
24 time, heard from the two counsels, or between the two of
25 them represented, you know, indicate that they represent all

1 of those commissioners, and that they have no objection to
2 adding individually as well as the commission, itself, being
3 added as a party.
4 MR. DEVLIN: Understood. And we only urge the
5 Court to hear their views on the constitutionality of the
6 remedy that respondents seek here before making a ruling.
7 THE COURT: Well, Counsel, I'm still --
8 As we discussed last time, I'm following the Appellate
9 Division's previous order which was for me to issue a new
10 order to follow what I believe is the constitutional
11 requirement. So I'm taking it as a given that the
12 commission, if they're asked to do so, they will follow
13 their constitutional duties as members of the commission.
14 MR. DEVLIN: I take that as a given, as well.
15 THE COURT: Right.
16 MR. DEVLIN: And with respect to the commission's
17 positions, I just want to point out that five of the members
18 have taken a position that the remedy that respondents seek
19 here for the IRC to convene and redraw the map, and submit
20 it to the legislature is not a constitutional remedy. So I
21 want to make that clear for the record. They made this
22 position up in the Albany case.
23 THE COURT: I was just gonna say, you're referring
24 to the Albany litigation that I believe the judge issued a
25 decision on this past Monday, I believe, dismissing that

1 action.
2 MR. DEVLIN: Yes, your Honor.
3 THE COURT: All right. And that was --
4 Well, you know, obviously, I'm aware of that litigation,
5 and everything that was filed in it by concluding the
6 position of some commission members. But, frankly, I don't
7 see the two cases as related. And they were addressing much
8 different issues, in that case that the Albany case was
9 dealing with the congressional and state senate lines that
10 the Court of Appeals had already clearly spoken to. And,
11 you know, that process, obviously, was already completed
12 Specifically, for the situation with the assembly
13 lines, we're dealing with the decision. So thus far of what
14 the Court of Appeals has said, and Appellate Division are
15 matters of record at this stage, as well.
16 So but with that said, I'm certainly aware of what
17 transpired in that case.
18 MR. DEVLIN: Yes, your Honor. I agree that there
19 are some differences between the cases, but the relevant
20 similarities apply to the position that this commission has
21 taken which is that the respondents there asked for the IRC
22 to reconvene and redraw the map. And what the five
23 commissioners said, and I'll quote from their brief,
24 "The arguments suggested by the instant petition have
25 already been thoroughly foreclosed, not only by the plain

1 language in the constitution, but by no lesser authority
2 than the Court of Appeals. The last date that the IRC could
3 have possibly, and lawfully submitted a second set of maps
4 the legislature was under the explicit language of the
5 constitution February 28, 2022, six months ago. This
6 deadline, as the Court of Appeals emphatically noted, has
7 long since passed."
8 So we with just want to emphasize that if they take a
9 contrary position in this Court that there is a
10 contradiction between the position that they've taken in the
11 of Hoffman case.
12 THE COURT: Understood, Counsel. Thank you.
13 MR. DEVLIN: Thank you.
14 MR. FOLDENAUER: Aaron Foldenauer on behalf of
15 petitioner Gavin Wax.
16 Petitioner Gavin Wax objects to the addition of the
17 IRC and its members as a party as a necessary because
18 petitioners respectfully submit that the IRC should not
19 reconvene and draw the maps.
20 Of course, even if they are added as a party, the
21 question still stands, Should the IRC actually redraw the
22 maps?
23 And, of course, there was a hearing a month ago, and
24 we stand on the arguments we submitted on paper, and that
25 were made by my co-counsel, Mr. Jim Walden. In particular,

1 Section 4(e) of New York City State constitution which
2 clearly states that a court-ordered remedy is required at
3 this juncture. And we believe that Justice Lynch's decision
4 in the Albany action is highly relevant.
5 What Justice Lynch refers to at the end of his
6 decision is, quote, stability in the election process,
7 unquote. And we respectfully submit that having the IRC
8 reconvene now would undermine stability in the election
9 process. Because in the future 10 years from now, the IRC
10 will again be incentivize to punt, not reach an agreement
11 because they will know that a court is then willing to give
12 the IRC, quote, unquote, another chance.
13 THE COURT: Counsel, I suspect--although I've been
14 surprised before--but I suspect that before the next
15 election cycle post, the next census occurs that there
16 potentially might be some tweaking to the current
17 constitutional provisions governing the IRC.
18 I'm obviously not privy to that, and I'm not looking
19 to be privy to that. But what may occur --
20 You know, we're dealing with essentially a one-off
21 situation, and a very clear unique set of facts based on the
22 decisions that have been made between the Appellate
23 Division, and Court of Appeals where I'm solely looking at
24 the election for lines to be drawn for the 2024-election
25 cycle that would then obviously be in place for the

1 remainder of this 10-year time period that I guess --
2 eight-year time period by the time we get to put it
3 into place. But what may happen in the future redistricting
4 situations, I suspect some others may have something to say
5 including, frankly, all of the people of the State of New
6 York. It would not surprise me if somebody has some
7 constitutional amendments proposed to that process before we
8 go through this all again. But with that said, I certainly
9 understand the concerns if everything does stay exactly as
10 it is currently constituted.
11 MR. FOLDENAUER: I appreciate that, your Honor. And
12 of course there may be changes to the constitution. But of
13 course we have to assume that we have to work with the
14 constitution that we have today.
15 THE COURT: Agreed.
16 MR. FOLDENAUER: And the process was set up with
17 five republicans and five democrats where they would be
18 forced to reach on agreement. I an am worried about the
19 incentives that this would cause for the commission to,
20 again, kick the can down the road because a Court would
21 then, okay, say give you another chance. Give them another
22 chance.
23 And I think there are also practical problems with
24 reconvening the IRC. The IRC had a hard time getting
25 funding last year, and ended up with $4 million in funding

1 for its staff and other expenses. So for the IRC to
2 reconvene, that would result in a significant expense to the
3 taxpayer, a much more significant expense than hiring a
4 special master like Dr. Cervas who's very familiar with the
5 state, and the districts as they are, and could readily
6 redraw the lines.
7 Third, reconvening the IRC would be futile at this
8 juncture. And that's a point that Justice Lynch made in his
9 decision. He noted, quote, the record demonstration of the
10 IRC's inherent ability to reach a consensus on a bipartisan
11 plan, unquote, then concluding that for the IRC to submit,
12 quote, a second plan would be futile. Exclamation point.
13 And, of course, your Honor, I don't see exclamation points
14 in court decisions very often.
15 And I would remind everyone here, and remind the
16 Court, moving on to my third point, is that the futility of
17 reconvening the IRC as demonstrated by an op-ed written by
18 the chair, Mr. Imamura of IRC, himself.
19 And we'll remember when we were here several months
20 ago, counsel for the speaker made a lot of hay out of tweets
21 by my client, Gavin Wax, who is here today in the peach tie,
22 and also by Gary Greenberg concerning their knowledge of the
23 litigation. And that was one of the reasons I believe that
24 the Court initially denied the relief that we requested.
25 So in order to be fair, we also have to look to the

1 statements of the IRC, itself, as to whether it even makes
2 sense for IRC to reconvene.
3 And in City and State, which is a prestigious
4 political publication here in New York, Mr. Imamura, and we
5 submitted this to the Court last night, made several key
6 very important statements.
7 He first said that, quote, The new process fails
8 spectacularly, unquote. He said further, quote, It is the
9 commission's structure established by the state's
10 constitution that is actually to blame. Unquote. He
11 further noted that because there were five democrats and
12 five republicans on the commission, he said, and I quote,
13 The commission essentially could not buy pens or paperclips
14 with all 10 commissioners agreeing, unquote. He said that
15 the commission had very different views on how a district
16 should be drawn.
17 And then most critically, and this is towards the
18 bottom of page two on the copy that was submitted to the
19 Court yesterday, Mr. Imamura, again, the chair of the IRC
20 said, and I quote, New York's current redistricting process
21 is doomed to fail. A politically appointed evenly divided
22 redistricting commission will never be able to come up with
23 a single set of maps, unquote.
24 Your Honor, we believe that the constitution is clear
25 for the reasons previously submitted. And then on top of

1 that, you have the practical problems, and the admitted
2 futility of this process by the chair, Mr. Imamura.
3 THE COURT: Counsel, I'm aware of it. I saw the
4 article that was uploaded with the quotes. I will note, I
5 believe that article which came out, I think, in early May
6 of 2022 was referring to all of the maps collectively in
7 terms of the, at that time, the congressional senate and
8 assembly.
9 Certainly, whatever may be filed in the future in
10 this matter, or not, and how things play out, and obviously
11 I have not issued a written decision yet, and, frankly, I'm
12 going to be endeavoring to issue a decision as quickly as
13 possible so that everyone knows how to move forward in this
14 matter, but the fact that the commission will solely be
15 potential relief if they are given the job to do again would
16 only be addressing the assembly maps rather than issues that
17 they had to deal with the congressional and state senate
18 maps.
19 I would certainly hope if they are given that task
20 again, that even five democrats and five republicans will
21 somehow figure out a way to do what they were charged to do.
22 And, frankly, if they don't, then as we discussed, you know,
23 at the prior appearance, if they don't do that, it will at
24 that point certainly end up back before the Court and, you
25 know, other remedies will have to come into place if it gets

1 to that, if that is the way that I ultimately rule.
2 But I certainly appreciate and understand the concerns
3 that you have with how the process failed to work the first
4 time around, and, obviously, everything that flowed from
5 that. But I do understand.
6 MR. FOLDENAUER: I appreciate, your Honor. And it's
7 a note of caution for the Court because then this Court owns
8 the process by whatever process this Court launches.
9 And I would note the assembly has more districts than
10 any of the other state senate and congressional. There is
11 150 districts to argue.
12 THE COURT: I understand that. I appreciate that.
13 MR. FOLDENAUER: I appreciate that. And two other
14 points, your Honor, and that might be it subject to the
15 Court's comments.
16 THE COURT: Hopefully, it will.
17 MR. FOLDENAUER: Yes. Number one, I actually
18 haven't even heard the actual substantive position of any of
19 the 10 commissioners as far as whether the commission should
20 be asked to redraw the lines. I've heard them say today
21 that they don't object to them being added as parties, but
22 that's very different than should. And that might be
23 helpful to the Court particularly in light of this article.
24 There's no evidence, or even suggestion that they actually
25 want to take on this task, or would be effective. So

1 without that, I feel like this, what we see here in black
2 and white in this article would govern.
3 And then I would urge the Court, in whatever order
4 that the Court issues to outline what would happen next.
5 Let's assume--and, again, we argue that special master
6 should--but what if the IRC --
7 What if the Court orders the IRC to reconvene, and
8 then they fail to reach an agreement, then it definitely
9 should be a special master at that point, the petitioner
10 would submit. Because then you get to the point where
11 you're giving the legislature a second chance which isn't
12 outlined anywhere in the constitution.
13 THE COURT: I understand. Thank you.
14 MR. FOLDENAUER: Thank you, your Honor.
15 THE COURT: Thank you.
16 MR. WALDEN: I apologize, your Honor. I swore to
17 the nice court reporter I was going to do my best to keep
18 mouth shut. May I just be heard very briefly?
19 THE COURT: Briefly.
20 MR. WALDEN: Very briefly. And may I stay seated,
21 your Honor? I'm have some back problems. I don't mean any
22 disrespect to the Court.
23 THE COURT: You may.
24 MR. WALDEN: Three minutes or less, your Honor.
25 The respondents are now taking the position that the

1 judicial oversight and creation of the new map is
2 unconstitutional, right. So you have two choices; one, is
3 clearly all of the parties agree that would be
4 constitutional. They advise against it. But there's the
5 second path that you're thinking about, your Honor. And I
6 just want to be clear that the First Department --
7 What we're gonna do is we're gonna submit the Albany
8 litigation. It is on all fours, right. The issue that they
9 conceded in that litigation is on all fours.
10 And so, your Honor, I just can you to do three things
11 because I think these three things ultimately would be the
12 procedural reason that First Department sends it back to you
13 anyway. And so the three things are as follows:
14 Not the attorney general's office, nor the IRC has
15 opined on the constitutionality of reconvening. We say that
16 it is not appropriate. We say that the Court, respectfully,
17 is misreading or is taking out of context the small little
18 reference in the Appellate Division's order.
19 THE COURT: It's a relatively short order.
20 MR. WALDEN: It is a relatively short order, your
21 Honor. And, your Honor, I understand that Court's position.
22 I'm not gonna reargue it. But without the attorney
23 general's position, and the IRC's position on the
24 constitutionality of reconvening, the First Department is
25 just doing to send it back here for that in any event

1 because that was the whole reason that we, although
2 maintaining our objections, wanted to participate in this
3 process because we believed that the IRC would say sorry,
4 but we can't do this under the constitution, that's number
5 one;
6 Number two, before your Honor issues an order, I want
7 to be clear, your Honor, that Mr. Foldenauer's point of
8 futility is critical. We want Mr. Imamura in a chair. We
9 want to examine him because it is a waste of the Court's
10 time, a waste of taxpayer money --
11 All of these people are being paid on the respondents'
12 side with public money. And it's a waste of time to prolong
13 this through a process that IRC, itself, has said is doomed
14 to fail.
15 Third, your Honor, when you eventually get to whatever
16 your order is, you know, ample finding as Mr. Foldenauer
17 said, please, your Honor, make sure it's clear who owns the
18 process because they're trying to be clever by having you
19 invoke the constitution with the idea that the legislature's
20 vote is the end of the process. And that can't be right.
21 That would be an automatic reversal.
22 Even if the Court essentially, the way I'm looking at
23 this, using the IRC as the first cut, but ultimately, you
24 have to oversee and approve the map. There has to be
25 briefing by the parties, and then the decision is gonna come

1 from you. And ultimately, it's gonna be your map, your
2 Honor. And if that's not clear in your order, I'd ask that
3 you make that clear because we think that, that is a
4 critically important part of the process for everyone.
5 THE COURT: Thank you.
6 MR. WALDEN: Is that short enough, your Honor?
7 THE COURT: You did a good job.
8 MR. WALDEN: Thank you.
9 THE COURT: All right, with that, I'll turn to the
10 respondent.
11 MR. BUCKI: Yes, your Honor. But with respect to
12 the process, we would submit the process should be what is
13 prescribed in Article 3, Sections 4 and 5-b. And in as much
14 as Mr. Walden may wish this were not the case, there is a
15 role for the legislature to play.
16 And now we do recognize that once a plan is enacted by
17 the legislature after the commission does its work, if the
18 petitioners want to raise a substantive challenge to that
19 map, they are certainly free to do so. But that should be
20 hashed out at that time.
21 Right now, rather than doing what Mr. Walden suggests,
22 the commission should simply be directed to do the work that
23 is required to do, and that the legislature, likewise,
24 should react to whatever the commission does in response to
25 its duties under Article 3, Section 4 of the constitution.

1 And that would be how I submit the Court should proceed.
2 THE COURT: Counsel, assuming you would concede
3 that, and assuming I give the commission the opportunity to
4 essentially get a second bite at the apple to do what they
5 are charged to do under the constitution, and it follows
6 through that process with the role of the legislature, if
7 that process breaks down again, as it obviously did the
8 first time around, I assume you would concede as per what's
9 already been laid out from the Court of Appeals, etcetera,
10 that it would in all likelihood at that juncture come back
11 to me to in all likelihood utilize the special master, and
12 do that work on an individual basis rather than the full
13 commission with going through their roles --
14 MR. BUCKI: What I can say based upon the
15 Harkenrider decision is that if there were a breakdown in
16 the process such that there would not be from a procedural
17 matter two sets of maps issued by the IRC, and further that
18 there would not be enough time left for the IRC to do its
19 work, which was precisely the problem with the congressional
20 map, and senate map, and there was no time for IRC to fix
21 the procedural issue, then in that instance, because it was
22 required, given the exigencies of time, then yes, a special
23 master needed to be appointed in that circumstance. But I
24 would submit the circumstance in which we find ourselves
25 with respect to the assembly map is very different.

1 First of all, your Honor can retain jurisdiction over
2 this matter and supervise the work of the IRC such that if
3 there is a break down in the process, you Honor can be
4 present to try to get all the commissioners in a room and
5 move the process along to try to get them to be able to
6 agree upon a map which that was not the case back in January
7 and February. There was no judge overseeing the process.
8 And indeed in the Harkenrider decision reference was made by
9 Judge DiFiore to the fact that mandamus could have been
10 sought against the commissioners to compel them to issue a
11 new map here. As long as the Court retains jurisdiction,
12 the Court can simply continue supervising the process.
13 In addition, in January and February the independent
14 redistricting commission thought, I think, that the matter
15 would go back to the legislature if they couldn't agree
16 because the legislature in the fall of 2021 had enacted a
17 statute that provided for the legislature to be able to act
18 if there was, in fact, a breakdown in the commission
19 structure.
20 And so it was pursuant to that statute that the
21 legislature acted. That statute was determined later on in
22 the Harkenrider decision to be invalidated. And so now the
23 IRC knows the state of play. It isn't so new anymore such
24 that the IRC knows that if there is a breakdown, the
25 likelihood goes up that the Court will have to draw the map

1 instead of the legislature having any role.
2 And further, in January and February, you had three
3 maps at issue, congress, senate and assembly. Here, we're
4 only talking about the assembly. And I'm privy to what the
5 discussions were between and among the commissioners. But
6 who knows what kind of trading or discussions were taking
7 place between and among them viewing all of these three maps
8 together in totality whereas now, pursuant to a new process,
9 the IRC could simply focus on the assembly map, and the
10 assembly map only.
11 And so for all those reasons, I would submit that all
12 of the parade of horribles that Mr. Foldenauer complains
13 about, that this is going to be a process doomed to fail,
14 that is not necessarily true. And, in fact, Mr. Foldenauer
15 knows that it isn't true because in response to the letter
16 that he filed last night, it's my understanding, first of
17 all, Commissioner Imamura, Mr. Foldenauer knows what
18 Commissioner Imamura's position is going to be because on
19 September 13th which was Tuesday earlier this week, there
20 was a CLE program sponsored by the Bar Association of the
21 City of New York. And the title of that CLE program was New
22 York Redistricting. What happened? What's next? And would
23 be of the panelists at that CLE was Commissioner Imamura.
24 And it's my understanding, and we can certainly, I'm sure
25 because it was that virtual program, get a copy of the video

1 of that program. And it's my understanding that
2 Commissioner Imamura said at that CLE that he believes that
3 there would not be a breakdown in the process if the
4 commission were charged with considering only the assembly
5 maps, and that his position with respect to the assembly
6 maps is very different from the position that he took in the
7 city and state op-ed article.
8 And you want to know, Judge, Mr. Foldenauer was there
9 as the CLE. We have friends in many different places. And
10 so it's disingenuous for Mr. Foldenauer to come before this
11 Court and misrepresent the position of Commissioner Imamura.
12 THE COURT: Well, what I will say is this,
13 obviously, something that, you know --
14 quotes in an article what may have been said at a CLE
15 program or, you know, any other kind of function is much
16 different than something that may be put in a formal
17 affidavit, you know, before the Court, or in any proceeding
18 before the Court.
19 So I understand the descriptions of, you know, that
20 both sides in terms of some individuals, but I'm obviously
21 going to stick to what's actually put in appropriate papers
22 by any of those individuals if it comes to it.
23 MR. BUCKI: And so I would say to the extent that
24 the Court may choose to give any credence to anything
25 Mr. Foldenauer represents, we would like an opportunity on a

1 reasonable time frame to be able to respond in writing, but
2 of course, we land that to the Court's discretion.
3 What I am prepared to say, though, concerning legal
4 arguments is that, and I think we would be happy to brief
5 this as well should the Court find it necessary, but the
6 Hoffman case and this case are totally different cases.
7 They're like comparing apples and oranges because in Hoffman
8 what was requested was to replace a map that had been
9 drafted by Dr. Cervas, the special master in Steuben County,
10 and that had been so-ordered by Justice MacAlister. And
11 petitioners in Hoffman were looking to replace a map that
12 had already been imposed as a remedy for the constitutional
13 violation identified in Harkenrider.
14 Here, there is no remedial map on the table because
15 under the First Department order, it was the First
16 Department that directed this Court to determine what should
17 be the proper map remedy consistent with Article 3,
18 Section 5-b. And as we already argued on August 24th, we
19 would submit Section 5-b provides for the commission process
20 whereby then the legislature has the role that it does
21 constitutionally to approve or disapprove the maps that are
22 produced by the commission.
23 Second of all, in the Hoffman case, the petitioners
24 were looking to resume the constitutional process that had
25 been suspended in the January/February time frame when no

1 second set of maps was issued.
2 Here, what we're asking for the Court to do is to
3 begin the process anew because we would submit under the
4 first sentence of Article 3, Section 5-b of the state
5 constitution, that is the circumstance that would trigger
6 the commission's involvement in this instance.
7 And, also, we do have the benefit of time. While not
8 looking to waste time, and I think that the process should
9 proceed expeditiously, there is no need for assembly map
10 until the winter of 2024 because the elections this year are
11 taking place under the map that was enacted in 2022. Such
12 that if there is some breakdown in the commission process,
13 there will be plenty of time for this Court to step in to
14 get the commission back on track. And if a map is enacted,
15 say, in the spring of 2023, or sooner, or even a little
16 later, then if there are substantive challenges to what that
17 map would happen to be, the petitioners are welcome to bring
18 those challenges at the appropriate time.
19 So we would submit that this case is very different
20 from the Hoffman case. And, further, petitioners should not
21 put words into the mouth of the republican commissioners.
22 They are represented by counsel. They are here today. And
23 I have no doubt that their counsel can, in response to your
24 Honor's questioning, state what their true position is with
25 respect to this case. And we should not leave it to the

1 petitioners to prognosticate what their position is, or for
2 what it should be.
3 And, finally, there is no reason to submit that it
4 would be premature to have the members of the commission
5 joined. We have a full compliment of the commissioners.
6 All 10 have been appointed. Their counsel are here.
7 They've already demonstrated to your Honor that they do not
8 have any objection to being named. And with respect to the
9 two commissioners, Dr. Flateau, and Commissioner Collado,
10 who were named commissioners very recently but who are not
11 named in the Court's order to show cause, they have offered
12 affidavits to this Court stating that they know about to the
13 proceeding, that they recognize that they are commissioners,
14 and that they consent to being named as respondents.
15 So we have the positions of all 10 commissioners, all
16 of whom are willing to be named as respondents in this
17 proceeding. We submit that they should be named a
18 respondents in this proceeding. They should be joined. And
19 that the commission process should proceed as is required by
20 the constitution.
21 And further, that Mr. Foldenauer talks a lot about
22 Dr. Cervas, how he would be a good special master, I just
23 want to highlight the amicus letter, quote, unquote, that
24 was offered by Susan Lerner from Common Cause, and she had a
25 lot of criticism for the Dr. Cervas. She said that he was

1 somebody who only assisted a special master before, and that
2 he had, quote, no first-hand familiarity with any part of
3 New York.
4 I would submit that people that do have first-hand
5 familiarity with New York would be the 10 commissioners who
6 are New York residents, and then the legislators who are
7 elected by the constituents to be the voice of the people in
8 the legislature. And that is the way that the process
9 should work. And now it can take place with your Honor's
10 supervision. And that's what we submit should happen here.
11 THE COURT: Thank you, Counsel.
12 With that said, I'll just turn further to counsel for
13 the various commissioners. Having heard from both sides, I
14 guess that will start with you based on what you've heard or
15 can add.
16 MS. AMUNSON: Yes. Thank you, your Honor.
17 I agree with your Honor that the Court should not be
18 relying on statements in op-eds or CLEs, etcetera.
19 Mr. Imamura is prepared to submit an affidavit if the Court
20 so requests. However, his position is already on the record
21 in what is filed here as well as the positions of
22 Ms. Frazier, Dr. Cuevas-Molina, Dr. Flateau, and Mr. Collado
23 that they do not object to being named as respondents, and
24 further that they do not object to the relief that has been
25 requested by the speaker, and that they are prepared to

1 undertake the of redrawing the assembly map in order to do
2 so by this Court, and that they are prepared to do so
3 expeditiously.
4 MR. HILL: As a participant in the Hoffman
5 litigation, the distinction that your Honor and counsel made
6 are accurate that, that was a Article-75 proceeding
7 specifically asking for mandate to compel the commissioners
8 to do a very specific act as a very specific effectively
9 fictitious time in the past to go back and do something
10 within a time period in January and February of 2020.
11 In the process that went through the judicial remedy
12 under the constitution Section 4(e) and completed that
13 process. So there was a temporal problem, and there was a
14 constitutional problem that it had fully exhausted that
15 remedy and what was being sought, a very narrow and specific
16 mandate of relief that was being sought there was an
17 impossibility. So there is not an inconsistency in the
18 positions.
19 As far as this proceeding, if the Court orders it,
20 that's the only constitutional way we see that the IRC could
21 be compelled to act.
22 THE COURT: Well, Counsel, just to clarify, because
23 I know in terms of formal documents had been filed on behalf
24 of the commissioners you're representing essentially, the
25 only thing that was filed was a notice of appearance. So

1 are you in a position at this stage as an officer of the
2 court to indicate one way or the other if the Court does
3 issue an order allowing the independent redistricting
4 commission essentially to get a second bite at the apple
5 solely related to the assembly maps, do you believe your
6 clients' views that they believe they could undertake?
7 MR. HILL: Yes, I think the accurate way to phrase
8 it is that if the Court orders that, that is the road that
9 they will take. And I'm sure they are all acting in good
10 faith in executing the Court's directive.
11 I would just say that, you know, the order to show
12 cause was specifically to the singular commission --
13 THE COURT: Right, which I readily understand. And
14 I think on a lot of what we're going through is new ground,
15 frankly, for everyone on all sides of the issue. So on one
16 side I want to make sure that everything is clarified in
17 terms of everyone's positions. And, although, we obviously
18 have what would appear at this point to be a descent amount
19 of time to get this right for the 2024 election. On the
20 other hand, two years certainly look like a very short
21 period of time if things do not go smoothly. So I'd like to
22 think things would go smoothly. They just rarely seem to.
23 So hopefully that will not be an issue this time
24 around. But I do appreciate your clarification that those
25 commissioners, along with the others, will obviously follow

1 the directives of this Court, and we'll go from there.
2 Thank you.
3 MR. HILL: Thank you.
4 We also did notice that your Honor struck out the
5 other two requested relief in the order to show cause. And
6 so if your Honor were to grant the directive making us
7 respondents, I don't know at the time that the commission
8 comes back together collectively it may want to have some
9 input into the process.
10 THE COURT: Understood. And as I said at the
11 outset, I am aware that, you know, obviously that I struck
12 out certain proposed language within the order to show
13 cause. Frankly, it was my view that at this stage wanted to
14 keep things as clean and as simple as possible. But,
15 obviously, if I do, in fact, order that the commission
16 proceed with the process, I would anticipate that, you know,
17 I would obviously be retaining jurisdiction over this
18 matter, and would be getting as involved as necessary to
19 help things along.
20 So my hope, my very sincere hope would be that if the
21 commission is given an opportunity to do this again where
22 it's just on the assembly maps, and with all the knowledge
23 that they now have of how the Court of Appeals has ruled in
24 this matter previously, that the commission will be able to
25 successfully complete their task. I have no idea what the

1 maps may look like, but hopefully they will follow the
2 constitutional requirements and things will proceed the way
3 they were meant to by the last time around. If they don't,
4 obviously, we'll cross that bridge when we get to it. But
5 those are all parts of the reason that I did not want to
6 start with the order to show cause, itself, getting bogged
7 down too much with specifics of what the commission should
8 or should not be doing.
9 But I would certainly hope from the proceedings, and
10 from what --
11 I think there will be a written decision that I intend
12 to enter relatively soon that will be a clear road map for
13 all sides on how to proceed, and that we can go from there.
14 All right. With that said, I believe it was addressed
15 in terms of the earlier statements from both counsel, but
16 just to be clear, again, I believe --
17 So on behalf of all 10 individual members of the
18 commission, it's your joining representation that they
19 consent to being added as parties individually to this
20 matter, is that correct?
21 MR. HILL: On behalf of the five that I represent,
22 that's accurate, yes.
23 MS. AMUNSON: And on behalf of the three that I
24 represent as well as the two who have submitted affidavits,
25 and who presumably will be certified for representation if

1 they are added as respondents, I concur, your Honor.
2 THE COURT: Okay. See, we already have republicans
3 and democrats agreeing.
4 MR. WALDEN: Judge, I'm so happy that you made that
5 segue because I want to make the record clear, because I
6 didn't hear any opposition to any of the three things. In
7 fact, I heard consent. So maybe we're heading in the right
8 direction.
9 The first was if you're going to add the IRS as a
10 party, regardless of the individual commissioners, the Court
11 is owed an opinion from the IRC concerning whether or not
12 what you propose to do is constitutional. I think that you
13 won't even get a single submission from them. They won't be
14 able to agree on the constitutionality of this, and they
15 though that you probably guessed that they already have
16 correspondence on this, your Honor.
17 THE COURT: Counsel, with all due respect --
18 MR. WALDEN: Yes, sir.
19 THE COURT: If I issue an order indicating that the
20 commission is supposed to do something, and the commission
21 fails to do it, there will be repercussions to that one way
22 or the other. I'm not gonna predetermine how things may go
23 forward.
24 MR. WALDEN: I apologize, your Honor. I must have
25 not clearly articulated what I meant to be in conveying

1 which is simply that I humbly suggest, your Honor, that the
2 first stage in the process is getting what the record lacks
3 right now which is the attorney general's position, and the
4 IRC's position on whether or not it is constitutionally
5 permissible for you to issue the order that you're
6 contemplating.
7 We've taken the position that, that is not
8 constitutional. Right. They have not taken a position at
9 all. The only entity or party that's taken a position is
10 Mr. Heastie. So given the fact that they are IRC, and that
11 they --
12 You should know whether or not that 10 commissioners
13 can come to a single position on whether or not the order
14 that you anticipate issuing is constitutional. This would
15 be a really important moment for you to test that, but also
16 to get the position on the record; that's number one.
17 Number two, your Honor, I heard--I apologize. Your
18 last name is?
19 MS. AMUNSON: Amunson.
20 MR. WALDEN: Amunson. I just didn't want to
21 mispronounce it.
22 I heard Ms. Amunson say that Mr. Imamura would
23 prepared to submit an affidavit. So it sounds like he's
24 willing to testify. And we believe that, putting aside the
25 CLE, the op-ed, and the position taken by the republicans

1 raises a fair question that Mr. Aaron Foldenauer has put
2 into the record on futility of this whole process. So we
3 would like a hearing on futility. We're prepared to brief
4 that if you'd like, your Honor, and submit whatever.
5 To Mr. Bucki's point, there were technical problems on
6 that CLE, they don't have the audio unfortunately. I asked
7 for it, and they had technical problems which was why I
8 couldn't dial in remotely because I was interested in what
9 Imamura was gonna say.
10 And third, your Honor, and this is super important so
11 I just want to make sure that we're all on the same page. I
12 heard Mr. Bucki consent to what I had said was an important
13 part of any order that your Honor issues even preserving our
14 objections, and that's, that the map comes from the Court.
15 Right, so --
16 MR. BUCKI: That is not true, your Honor. I never
17 said that.
18 MR. WALDEN: That's why I am raising it now so that
19 I can make sure Mr. Bucki's interruption is not welcome.
20 my only point, your Honor, was the words he used--I don't
21 want to be accused of misquoting him--are retain
22 jurisdiction and supervise the IRC.
23 Now, putting aside whatever questions that might
24 raise, those were the words that he used. He envisions that
25 you would be essentially the special master--I know that's a

1 popular phrase these days--essentially, the IRC, but at the
2 end of that process, your Honor, if you're in Section 5,
3 right, if the basis of your jurisdiction here is Section 5,
4 Section 5 is clearly a judicial remedy. So they can't have
5 it both ways. Right. Either we're in Section 5, and this
6 is a judicial process which is what he's now invited because
7 he said retain jurisdiction and supervise the IRC, or we're
8 back in Section 3. Right. So that's why I feel like
9 there's some clever lawyering going on here, your Honor.
10 THE COURT: Counsel, let me be clear. I know
11 exactly what counsel said on the record; and, obviously, I
12 have the record to refer back to but, you know, I believe
13 counsel had indicated that they agreed that this Court would
14 be retaining jurisdiction on this entire matter.
15 MR. WALDEN: And supervising the IRC.
16 THE COURT: Well, the word supervision brings a lot
17 of connotations to it in terms of what that might mean on a
18 legal process. I will just say this, and I think we can
19 leave it at that, I will be issuing a very, what I believe
20 will be a very clear written order on what I believe should
21 be occurring based on the direction I received from the
22 First Department, and my order will say what it says.
23 And I believe that once that order is issued, and
24 reviewed by all the parties, my hope would be that everyone
25 simply says it's a wonderful order and follows through with

1 it. And if somebody happens to disagree with it, I suspect
2 that the First Department will be relatively quick to
3 express their opinion. And if for some reason somebody
4 disagrees with their views on the matter, and it would not
5 surprise me if the Court of Appeals may have an opportunity
6 to share their further views on it.
7 So as well we all know, there's a process. We'll
8 follow the process, and hopefully the end result one way or
9 the other--I shouldn't say hopefully--I know the final
10 result one way or the other, there will be assembly lines in
11 place for the 2024 election, and life will go on from that
12 stage.
13 So with that, at this juncture, I'm going to go
14 ahead --
15 MR. FOLDENAUER: Your Honor, one problem with the
16 IRC the first time around is that they did not have funding
17 from the legislature, and they had to coax the legislature
18 to get adequate funding. I presume right now that there is
19 no funding available for this next stage of the IRC. And
20 the legislature does not reconvene until January of next
21 year. And it would take matters of months for that to
22 happen.
23 THE COURT: I do not intend, or anticipate getting
24 into the budgetary process of how, or if the IRC needs
25 funding to do the things they need to do. I do not believe

1 that's a role I need to get involved in at this point. And
2 I'll leave it at that.
3 And with that said, I'm going to go ahead and close
4 the proceedings at this time. It is my sincere hope that
5 once I do issue the order, I anticipate issuing that.
6 Hopefully I do not see any of you again, at least, on this
7 matter for some time, or maybe not at all.
8 MR. BUCKI: If I may just add, your Honor, my
9 understanding is that there is funding that's allocated.
10 And whatever funding the commission needs, I have no doubt
11 the assembly will take it up.
12 THE COURT: All right. Thank you, all. In
13 conclusion, I will just ask the parties to order a
14 transcript of today's proceedings so they are part of the
15 record, as well.
16 Thank you.
17 **********
18 Certified to be a true and accurate transcript of
19 the stenographic minutes taken within.
20
21
22 Alecia Hines
Alecia Hines, RPR
Senior Court Reporter
23
24
25

AH

1

10 [8] - 14:9, 17:14, 19:19, 30:6, 30:15, 31:5, 35:17, 37:12
10-year [1] - 15:1
10005 [1] - 2:8
10007 [1] - 2:12
1099 [1] - 2:15
10th [1] - 5:22
11782 [1] - 2:20
122 [1] - 6:24
125 [1] - 2:4
13th [1] - 26:19
14203-2887 [1] - 2:4
150 [1] - 19:11
154213 [1] - 3:6
168 [1] - 6:24
1st [2] - 9:7, 9:10

2

20001 [1] - 2:15
2020 [2] - 9:9, 32:10
2021 [1] - 25:16
2022 [4] - 3:6, 13:5, 18:6, 29:11
2023 [1] - 29:15
2024 [4] - 6:2, 29:10, 33:19, 40:11
2024-election [1] - 14:24
203 [1] - 2:20
24th [2] - 6:5, 28:18
25th [1] - 6:15
26th [1] - 6:21
27th [1] - 5:24
28 [2] - 2:8, 13:5
285 [1] - 2:20

3

3 [5] - 23:13, 23:25, 28:17, 29:4, 39:8
305 [1] - 2:11

4

4 [3] - 15:25, 23:13, 23:25
4(e [2] - 14:1, 32:12

5

5 [4] - 39:2, 39:3, 39:4, 39:5
5-b [4] - 23:13, 28:18, 28:19, 29:4

6

607 [1] - 2:11

9

900 [1] - 2:15

A

Aaron [4] - 3:15, 3:16, 13:14, 38:1
ability [1] - 16:10
able [7] - 7:6, 17:22, 25:5, 25:17, 28:1, 34:24, 36:14
accurate [5] - 4:19, 32:6, 33:7, 35:22, 41:18
accused [1] - 38:21
act [3] - 25:17, 32:8, 32:21
acted [1] - 25:21
acting [1] - 33:9
action [4] - 3:5, 6:11, 12:1, 14:4
actual [1] - 19:18
add [6] - 7:6, 9:19, 10:8, 31:15, 36:9, 41:8
added [8] - 6:18, 9:21, 10:17, 11:3, 13:20, 19:21, 35:19, 36:1
adding [2] - 6:9, 11:2
addition [2] - 13:16, 25:13
additional [2] - 4:5, 8:15
additionally [1] - 8:14
address [1] - 5:25
addressed [1] - 35:14
addressing [2] - 12:7, 18:16
adequate [1] - 40:18
admission [1] - 4:13
admitted [1] - 18:1
advise [1] - 21:4
affidavit [5] - 5:4, 6:20, 27:17, 31:19, 37:23
affidavits [4] - 8:16, 8:24, 30:12, 35:24
ago [4] - 5:11, 13:5, 13:23, 16:20
agree [6] - 12:18, 21:3, 25:6, 25:15, 31:17, 36:14
agreed [2] - 15:15, 39:13
agreeing [2] - 17:14, 36:3
agreement [3] - 14:10, 15:18, 20:8
ahead [2] - 40:14, 41:3
al [2] - 3:5, 3:6
Albany [5] - 11:22, 11:24, 12:8, 14:4, 21:7
Alecia [2] - 2:24, 41:22
allocated [1] - 41:9
allowing [1] - 33:3
amendments [1] - 15:7
amicus [1] - 30:23
amount [1] - 33:18
ample [1] - 22:16
AMUNSON [8] - 7:4, 7:22, 8:11, 9:2, 9:8, 31:16, 35:23, 37:19
Amunson [10] - 2:16, 4:13, 4:15, 7:3, 7:4, 7:5, 7:23, 37:19, 37:20, 37:22
anew [1] - 29:3
anticipate [4] - 34:16, 37:14, 40:23, 41:5
anyway [1] - 21:13
apologize [4] - 7:3, 20:16, 36:24, 37:17
Appeals [8] - 12:10, 12:14, 13:2, 13:6, 14:23, 24:9, 34:23, 40:5
appear [3] - 7:7, 10:18, 33:18
appearance [9] - 3:9, 4:4, 4:7, 4:22, 7:21, 9:14, 10:6, 18:23, 32:25
appearances [3] - 4:9, 5:6, 5:21
APPEARANCES [1] - 2:1
Appellate [5] - 5:22, 11:8, 12:14, 14:22, 21:18
apple [2] - 24:4, 33:4
apples [1] - 28:7
apply [1] - 12:20
appointed [4] - 9:6, 17:21, 24:23, 30:6
appreciate [6] - 15:11, 19:2, 19:6, 19:12, 19:13, 33:24
appropriate [3] - 21:16, 27:21, 29:18
appropriately [1] - 6:20
approve [2] - 22:24, 28:21
argue [2] - 19:11, 20:5
argued [1] - 28:18
argument [1] - 6:6
arguments [3] - 12:24, 13:24, 28:4
article [6] - 18:4, 18:5, 19:23, 20:2, 27:7, 27:14
Article [4] - 23:13, 23:25, 28:17, 29:4
Article-75 [1] - 32:6
articulated [1] - 36:25
aside [2] - 37:24, 38:23
Assembly [2] - 2:3, 3:20
assembly [18] - 6:2, 12:12, 18:8, 18:16, 19:9, 24:25, 26:3, 26:4, 26:9, 26:10, 27:4, 27:5, 29:9, 32:1, 33:5, 34:22, 40:10, 41:11
assisted [1] - 31:1
Association [1] - 26:20
assume [3] - 15:13, 20:5, 24:8
assuming [2] - 24:2, 24:3
Attorney [1] - 4:1
attorney [4] - 4:18, 21:14, 21:22, 37:3
attorneys [4] - 2:3, 2:11, 2:14, 2:19
Attorneys [1] - 2:7
audio [1] - 38:6
August [6] - 6:5, 6:15, 6:21, 9:7, 9:10, 28:18
authority [1] - 13:1
automatic [1] - 22:21
available [1] - 40:19
Avenue [1] - 2:15
aware [5] - 6:14, 12:4, 12:16, 18:3, 34:11

B

Bar [1] - 26:20
Based [1] - 6:4
based [6] - 7:15, 10:8, 14:21, 24:14, 31:14, 39:21
basis [2] - 24:12, 39:3
begin [1] - 29:3
behalf [21] - 3:17, 3:20, 3:23, 4:3, 4:5, 4:11, 4:16, 4:18, 4:23, 5:6, 7:1, 7:14, 8:5, 9:14, 9:18, 10:11, 13:14, 32:23, 35:17, 35:21, 35:23
belief [1] - 6:9
believes [1] - 27:2
bench [1] - 7:17
benefit [1] - 29:7
Benger [2] - 5:5, 5:9
best [2] - 5:25, 20:17
between [6] - 10:24, 12:19, 13:10, 14:22, 26:5, 26:7
bipartisan [1] - 16:10
bite [2] - 24:4, 33:4
black [1] - 20:1
blame [1] - 17:10
BLOCK [1] - 2:14
Block [1] - 7:23
bogged [1] - 35:6
bottom [1] - 17:18
Brady [2] - 2:19, 5:2
break [1] - 25:3
breakdown [5] - 24:15, 25:18, 25:24, 27:3, 29:12
breaks [1] - 24:7
bridge [1] - 35:4
brief [3] - 12:23, 28:4, 38:3
briefing [1] - 22:25
briefly [3] - 20:18, 20:19, 20:20
bring [1] - 29:17
brings [1] - 39:16
Broadway [1] - 2:11
BUCKI [7] - 3:18, 7:14, 23:11, 24:14, 27:23, 38:16, 41:8
Bucki [3] - 2:5, 3:19, 38:12
Bucki's [2] - 38:5, 38:19
budgetary [1] - 40:24
buffalo [1] - 2:4
Buffalo [1] - 3:19
BUREAU [1] - 2:7
buy [1] - 17:13
BY [5] - 2:5, 2:9, 2:12, 2:16, 2:21

C

C-O-L-L-A-D-O [1] - 5:15
Canalside [1] - 2:3
case [14] - 5:24, 11:22, 12:8, 12:17, 13:11, 23:14, 25:6, 28:6, 28:23, 29:19, 29:20, 29:25

cases [3] - 12:7, 12:19, 28:6
caution [1] - 19:7
census [1] - 14:15
certain [1] - 34:12
Certainly [1] - 18:9
certainly [10] - 4:21, 12:16, 15:8, 18:19, 18:24, 19:2, 23:19, 26:24, 33:20, 35:9
certified [1] - 35:25
Certified [1] - 41:18
Cervas [4] - 16:4, 28:9, 30:22, 30:25
Chair [1] - 8:6
chair [4] - 16:18, 17:19, 18:2, 22:8
challenge [1] - 23:18
challenges [2] - 29:16, 29:18
chance [4] - 14:12, 15:21, 15:22, 20:11
changes [1] - 15:12
charged [3] - 18:21, 24:5, 27:4
CHIEF [1] - 2:7
Chill [1] - 3:22
choices [1] - 21:2
choose [1] - 27:24
circumstance [3] - 24:23, 24:24, 29:5
circumstances [1] - 3:4
City [3] - 14:1, 17:3, 26:21
city [1] - 27:7
clarification [1] - 33:24
clarified [1] - 33:16
clarify [6] - 5:3, 7:17, 8:10, 8:25, 9:23, 32:22
CLE [8] - 26:20, 26:21, 26:23, 27:2, 27:9, 27:14, 37:25, 38:6
clean [1] - 34:14
clear [15] - 3:7, 10:19, 11:21, 14:21, 17:24, 21:6, 22:7, 22:17, 23:2, 23:3, 35:12, 35:16, 36:5, 39:10, 39:20
clearly [5] - 12:10, 14:2, 21:3, 36:25, 39:4
CLEs [1] - 31:18
clever [2] - 22:18, 39:9
client [2] - 8:10, 16:21
clients [1] - 8:11
clients' [1] - 33:6
close [1] - 41:3
co [2] - 3:21, 13:25
co-counsel [2] - 3:21, 13:25
coax [1] - 40:17
Collado [4] - 5:12, 9:3, 30:9, 31:22
colleague [2] - 4:13, 5:13
collectively [2] - 18:6, 34:8
comments [1] - 19:15
commission [45] - 5:9, 5:10, 6:10, 6:18, 8:12, 8:18, 9:20, 10:21, 11:2, 11:12, 11:13, 12:6, 12:20, 15:19, 17:12, 17:13, 17:15, 17:22, 18:14, 19:19, 23:17, 23:22, 23:24, 24:3, 24:13, 25:14, 25:18, 27:4, 28:19, 28:22, 29:12, 29:14, 30:4, 30:19, 33:4, 33:12, 34:7, 34:15, 34:21, 34:24, 35:7, 35:18, 36:20, 41:10
commission's [3] - 11:16, 17:9, 29:6
commissioner [4] - 5:4, 5:7, 5:11, 9:5
Commissioner [6] - 26:17, 26:18, 26:23, 27:2, 27:11, 30:9
Commissioners [3] - 2:14, 2:19, 4:11
commissioners [34] - 4:23, 5:1, 7:2, 7:23, 8:6, 8:15, 8:17, 8:20, 9:13, 9:18, 9:21, 10:1, 10:22, 10:23, 11:1, 12:23, 17:14, 19:19, 25:4, 25:10, 26:5, 29:21, 30:5, 30:9, 30:10, 30:13, 30:15, 31:5, 31:13, 32:7, 32:24, 33:25, 36:10, 37:12
Common [1] - 30:24
comparing [1] - 28:7
compel [2] - 25:10, 32:7
compelled [1] - 32:21
complains [1] - 26:12
complete [1] - 34:25
completed [2] - 12:11, 32:12
compliment [1] - 30:5
concede [2] - 24:2, 24:8
conceded [1] - 21:9
concerning [3] - 16:22, 28:3, 36:11
concerns [2] - 15:9, 19:2
concluding [2] - 12:5, 16:11
conclusion [1] - 41:13
concur [1] - 36:1
congress [1] - 26:3
congressional [5] - 12:9, 18:7, 18:17, 19:10, 24:19
connotations [1] - 39:17
consensus [1] - 16:10
consent [4] - 30:14, 35:19, 36:7, 38:12
considering [1] - 27:4
consistent [1] - 28:17
constituents [1] - 31:7
constituted [1] - 15:10
constitution [15] - 13:1, 13:5, 14:1, 15:12, 15:14, 17:10, 17:24, 20:12, 22:4, 22:19, 23:25, 24:5, 29:5, 30:20, 32:12
constitutional [15] - 6:1, 11:10, 11:13, 11:20, 14:17, 15:7, 21:4, 28:12, 28:24, 32:14, 32:20, 35:2, 36:12, 37:8, 37:14
constitutionality [4] - 11:5, 21:15, 21:24, 36:14
constitutionally [2] - 28:21, 37:4
contemplating [1] - 37:6
context [1] - 21:17
continue [1] - 25:12
CONTINUED [1] - 2:1
contradiction [1] - 13:10
contrary [1] - 13:9
convene [1] - 11:19
conveying [1] - 36:25
Conway [2] - 2:19, 5:1
copy [2] - 17:18, 26:25
correct [5] - 4:14, 4:24, 9:8, 9:17, 35:20
correspondence [1] - 36:16
Counsel [9] - 4:17, 7:20, 8:8, 8:23, 9:11, 11:7, 13:12, 31:11, 32:22
counsel [23] - 3:8, 3:21, 4:8, 5:17, 7:1, 8:5, 8:20, 9:12, 13:25, 14:13, 16:20, 18:3, 24:2, 29:22, 29:23, 30:6, 31:12, 32:5, 35:15, 36:17, 39:10, 39:11, 39:13
counselor [1] - 5:16
counsels [1] - 10:24
County [1] - 28:9
course [7] - 9:2, 13:20, 13:23, 15:12, 15:13, 16:13, 28:2
Court [57] - 2:24, 6:9, 6:17, 7:10, 7:18, 8:22, 10:14, 11:5, 12:10, 12:14, 13:2, 13:6, 13:9, 14:23, 15:20, 16:16, 16:24, 17:5, 17:19, 18:24, 19:7, 19:8, 19:23, 20:3, 20:4, 20:7, 20:22, 21:16, 22:22, 24:1, 24:9, 25:11, 25:12, 25:25, 27:11, 27:17, 27:18, 27:24, 28:5, 28:16, 29:2, 29:13, 30:12, 31:17, 31:19, 32:2, 32:19, 33:2, 33:8, 34:1, 34:23, 36:10, 38:14, 39:13, 40:5, 41:22
court [5] - 14:2, 14:11, 16:14, 20:17, 33:2
COURT [52] - 3:1, 3:2, 3:14, 3:17, 4:4, 4:17, 4:21, 5:3, 5:13, 5:16, 7:5, 7:13, 7:15, 8:1, 8:23, 9:4, 9:11, 9:23, 10:3, 10:15, 10:19, 11:7, 11:15, 11:23, 12:3, 13:12, 14:13, 15:15, 18:3, 19:12, 19:16, 20:13, 20:15, 20:19, 20:23, 21:19, 23:5, 23:7, 23:9, 24:2, 27:12, 31:11, 32:22, 33:13, 34:10, 36:2, 36:17, 36:19, 39:10, 39:16, 40:23, 41:12
Court's [6] - 19:15, 21:21, 22:9, 28:2, 30:11, 33:10
court-ordered [1] - 14:2
covering [1] - 8:3
Craig [1] - 3:18
craig [1] - 2:5
creation [1] - 21:1
credence [1] - 27:24
critical [1] - 22:8
critically [2] - 17:17, 23:4
criticism [1] - 30:25
cross [1] - 35:4
Cuevas [6] - 2:14, 4:12, 7:24, 8:7, 8:21, 31:22
Cuevas-Molina [6] - 2:14, 4:12, 7:24, 8:7, 8:21, 31:22
current [2] - 14:16, 17:20
cut [1] - 22:23
Cuti [1] - 4:2
CUTI [1] - 2:10
cycle [4] - 6:3, 9:9, 14:15, 14:25

D

Daniel [1] - 3:22
date [2] - 6:12, 13:2
days [1] - 39:1
DC [1] - 2:15
deadline [1] - 13:6
deal [1] - 18:17
dealing [3] - 12:9, 12:13, 14:20
decision [13] - 5:23, 11:25, 12:13, 14:3, 14:6, 16:9, 18:11, 18:12, 22:25, 24:15, 25:8, 25:22, 35:11
decisions [2] - 14:22, 16:14
definitely [1] - 20:8
democrats [4] - 15:17, 17:11, 18:20, 36:3
demonstrated [2] - 16:17, 30:7
demonstration [1] - 16:9
denied [1] - 16:24
Department [7] - 21:6, 21:12, 21:24, 28:15, 28:16, 39:22, 40:2
DEPUTY [1] - 2:7
descent [1] - 33:18
descriptions [1] - 27:19
detail [1] - 10:6
determine [1] - 28:16
determined [1] - 25:21
DEVLIN [10] - 3:10, 7:11, 10:10, 10:16, 11:4, 11:14, 11:16,

12:2, 12:18, 13:13
Devlin [2] - 3:10, 10:11
dial [1] - 38:8
differences [1] - 12:19
different [10] - 8:3, 12:8, 17:15, 19:22, 24:25, 27:6, 27:9, 27:16, 28:6, 29:19
DiFiore [1] - 25:9
directed [2] - 23:22, 28:16
direction [2] - 36:8, 39:21
directive [2] - 33:10, 34:6
directives [1] - 34:1
disagree [1] - 40:1
disagrees [1] - 40:4
disapprove [1] - 28:21
discretion [1] - 28:2
discussed [2] - 11:8, 18:22
discussions [2] - 26:5, 26:6
disingenuous [1] - 27:10
dismissing [1] - 11:25
disrespect [1] - 20:22
distinction [1] - 32:5
district [1] - 17:15
districts [3] - 16:5, 19:9, 19:11
divided [1] - 17:21
Division [3] - 5:23, 12:14, 14:23
Division's [2] - 11:9, 21:18
document [1] - 6:23
documents [2] - 6:22, 32:23
doomed [3] - 17:21, 22:13, 26:13
doubt [2] - 29:23, 41:10
down [4] - 15:20, 24:7, 25:3, 35:7
Dr [9] - 9:3, 9:5, 16:4, 28:9, 30:9, 30:22, 30:25, 31:22
drafted [1] - 28:9
draw [2] - 13:19, 25:25
drawn [2] - 14:24, 17:16
due [1] - 36:17
duties [2] - 11:13, 23:25

E

early [1] - 18:5
ed [3] - 16:17, 27:7, 37:25
eds [1] - 31:18
effective [1] - 19:25
effectively [1] - 32:8
eight [1] - 15:2
eight-year [1] - 15:2
either [1] - 39:5
Elaine [2] - 3:22, 4:11
elected [1] - 31:7
election [7] - 6:2, 14:6, 14:8, 14:15, 14:24, 33:19, 40:11
elections [1] - 29:10
emphasize [1] - 13:8
emphatically [1] - 13:6
enacted [4] - 23:16, 25:16, 29:11, 29:14
end [5] - 14:5, 18:24, 22:20, 39:2, 40:8
endeavoring [1] - 18:12
ended [1] - 15:25
enter [1] - 35:12
entire [2] - 10:12, 39:14
entity [1] - 37:9
envisions [1] - 38:24
Eric [2] - 2:12, 4:2
ERSHOW [4] - 4:10, 4:20, 5:8, 5:15
Ershow [2] - 2:16, 4:11
Esq [6] - 2:5, 2:9, 2:12, 2:16, 2:16, 2:21
essentially [10] - 5:24, 6:17, 14:20, 17:13, 22:22, 24:4, 32:24, 33:4, 38:25, 39:1
established [1] - 17:9
et [2] - 3:5, 3:6
etcetera [2] - 24:9, 31:18
Eugene [1] - 5:5
evenly [1] - 17:21
event [1] - 21:25
eventually [1] - 22:15
evidence [1] - 19:24
exactly [2] - 15:9, 39:11
examine [1] - 22:9
exclamation [2] - 16:12, 16:13
executing [1] - 33:10
exhausted [1] - 32:14
exigencies [1] - 24:22
expeditiously [2] - 29:9, 32:3
expense [2] - 16:2, 16:3
expenses [1] - 16:1
explicit [1] - 13:4
express [1] - 40:3
extent [1] - 27:23

F

fact [7] - 18:14, 25:9, 25:18, 26:14, 34:15, 36:7, 37:10
facts [1] - 14:21
fail [4] - 17:21, 20:8, 22:14, 26:13
failed [1] - 19:3
fails [2] - 17:7, 36:21
fair [2] - 16:25, 38:1
faith [1] - 33:10
fall [1] - 25:16
familiar [1] - 16:4
familiarity [2] - 31:2, 31:5
far [3] - 12:13, 19:19, 32:19
FARBER [1] - 3:25
Farber [2] - 2:9, 3:25
February [5] - 13:5, 25:7, 25:13, 26:2, 32:10
fictitious [1] - 32:9
figure [1] - 18:21
file [1] - 9:13
filed [15] - 4:8, 4:18, 4:23, 5:6, 6:20, 7:1, 7:8, 8:9, 9:15, 12:5, 18:9, 26:16, 31:21, 32:23, 32:25
filing [1] - 8:16
filings [1] - 6:25
final [1] - 40:9
finally [1] - 30:3
Firm [1] - 3:23
first [14] - 3:8, 8:5, 10:12, 17:7, 19:3, 22:23, 24:8, 26:16, 29:4, 31:2, 31:4, 36:9, 37:2, 40:16
First [9] - 8:4, 21:6, 21:12, 21:24, 25:1, 28:15, 39:22, 40:2
first-hand [2] - 31:2, 31:4
five [10] - 7:6, 11:17, 12:22, 15:17, 17:11, 17:12, 18:20, 35:21
fix [1] - 24:20
Flateau [4] - 9:3, 9:5, 30:9, 31:22
flowed [1] - 19:4
focus [1] - 26:9
FOLDENAUER [9] - 3:15, 13:14, 15:11, 15:16, 19:6, 19:13, 19:17, 20:14, 40:15
Foldenauer [12] - 3:15, 3:16, 13:14, 22:16, 26:12, 26:14, 26:17, 27:8, 27:10, 27:25, 30:21, 38:1
Foldenauer's [1] - 22:7
follow [5] - 11:10, 11:12, 33:25, 35:1, 40:8
following [2] - 6:14, 11:8
Following [1] - 6:22
follows [3] - 21:13, 24:5, 39:25
forced [1] - 15:18
foreclosed [1] - 12:25
formal [2] - 27:16, 32:23
forward [2] - 18:13, 36:23
fours [2] - 21:8, 21:9
frame [2] - 28:1, 28:25
frankly [7] - 6:16, 12:6, 15:5, 18:11, 18:22, 33:15, 34:13
Frazier [6] - 2:14, 4:12, 7:24, 8:6, 8:20, 31:22
free [1] - 23:19
friends [1] - 27:9
full [2] - 24:12, 30:5
fuller [1] - 3:3
fully [1] - 32:14
function [1] - 27:15
funding [8] - 15:25, 40:16, 40:18, 40:19, 40:25, 41:9, 41:10
futile [2] - 16:7, 16:12
futility [5] - 16:16, 18:2, 22:8, 38:2, 38:3
future [3] - 14:9, 15:3, 18:9

G

gallery [1] - 3:21
Gary [1] - 16:22
Gavin [4] - 3:16, 13:15, 13:16, 16:21
general's [3] - 21:14, 21:23, 37:3
General's [1] - 4:1
given [7] - 11:11, 11:14, 18:15, 18:19, 24:22, 34:21, 37:10
gonna [8] - 11:23, 21:7, 21:22, 22:25, 23:1, 36:22, 38:9
govern [1] - 20:2
governing [1] - 14:17
Governor [3] - 2:7, 3:6, 4:1
grant [2] - 7:18, 34:6
granting [1] - 7:10
Graubard [1] - 3:23
Greenberg [1] - 16:22
ground [1] - 33:14
guess [3] - 10:3, 15:1, 31:14
guessed [1] - 36:15

H

hac [3] - 4:12, 7:7, 7:18
hand [3] - 31:2, 31:4, 33:20
happy [2] - 28:4, 36:4
Haran [2] - 3:11, 3:12
hard [1] - 15:24
Harkenrider [4] - 24:15, 25:8, 25:22, 28:13
Harris [2] - 2:19, 5:1
hashed [1] - 23:20
hay [1] - 16:20
heading [1] - 36:7
hear [5] - 8:5, 9:15, 10:13, 11:5, 36:6
heard [11] - 6:12, 10:24, 19:18, 19:20, 20:18, 31:13, 31:14, 36:7, 37:17, 37:22, 38:12
hearing [2] - 13:23, 38:3
Heastie [4] - 2:3, 3:20, 3:22, 37:10
HECKER [2] - 2:10, 4:2
Hecker [3] - 2:12, 4:2
help [1] - 34:19
helpful [1] - 19:23
highlight [1] - 30:23
highly [1] - 14:4
HILL [8] - 2:18, 4:24, 9:17, 10:2, 32:4, 33:7, 34:3, 35:21
Hill [2] - 2:21, 5:1

himself [1] - 16:18
Hines [2] - 2:24, 41:22
hiring [1] - 16:3
Hirsch [2] - 4:19, 7:6
Hochul [3] - 2:7, 3:6, 4:1
Hoffman [7] - 13:11, 28:6, 28:7, 28:11, 28:23, 29:20, 32:4
Honor [59] - 3:18, 3:25, 4:10, 4:14, 4:20, 4:24, 5:8, 7:11, 7:22, 8:11, 8:14, 9:2, 9:8, 9:17, 10:10, 12:2, 12:18, 15:11, 16:13, 17:24, 19:6, 19:14, 20:14, 20:16, 20:21, 20:24, 21:5, 21:10, 21:21, 22:6, 22:7, 22:15, 22:17, 23:2, 23:6, 23:11, 25:1, 25:3, 30:7, 31:16, 31:17, 32:5, 34:4, 34:6, 36:1, 36:16, 36:24, 37:1, 37:17, 38:4, 38:10, 38:13, 38:16, 38:20, 39:2, 39:9, 40:15, 41:8
Honor's [4] - 8:13, 8:17, 29:24, 31:9
hope [6] - 18:19, 34:20, 35:9, 39:24, 41:4
hopefully [6] - 19:16, 33:23, 35:1, 40:8, 40:9, 41:6
horribles [1] - 26:12
house [1] - 3:3
humbly [1] - 37:1

I

idea [2] - 22:19, 34:25
identified [1] - 28:13
identify [1] - 4:9
Imamura [16] - 2:14, 4:11, 7:24, 8:20, 16:18, 17:4, 17:19, 18:2, 22:8, 26:17, 26:23, 27:2, 27:11, 31:19, 37:22, 38:9
Imamura's [1] - 26:18
important [5] - 17:6, 23:4, 37:15, 38:10, 38:12
imposed [1] - 28:12
impossibility [1] - 32:17
incentives [1] - 15:19
incentivize [1] - 14:10
included [1] - 10:1
including [1] - 15:5
inconsistency [1] - 32:17
indeed [1] - 25:8
independent [4] - 6:10, 6:18, 25:13, 33:3
index [1] - 3:6
indicate [2] - 10:25, 33:2
indicated [1] - 39:13
indicating [1] - 36:19
individual [7] - 8:15, 9:21, 9:25, 10:21, 24:12, 35:17, 36:10
individually [2] - 11:2, 35:19
individuals [5] - 7:19, 9:1, 9:14, 27:20, 27:22
inherent [1] - 16:10
input [1] - 34:9
instance [2] - 24:21, 29:6
instant [1] - 12:24
instead [1] - 26:1
intend [3] - 8:19, 35:11, 40:23
interested [1] - 38:8
interruption [1] - 38:19
invalidated [1] - 25:22
invited [1] - 39:6
invoke [1] - 22:19
involved [2] - 34:18, 41:1
involvement [1] - 29:6
IRC [44] - 10:12, 11:19, 12:21, 13:2, 13:17, 13:18, 13:21, 14:7, 14:9, 14:12, 14:17, 15:24, 16:1, 16:7, 16:11, 16:17, 16:18, 17:1, 17:2, 17:19, 20:6, 20:7, 21:14, 22:3, 22:13, 22:23, 24:17, 24:18, 24:20, 25:2, 25:23, 25:24, 26:9, 32:20, 36:11, 37:10, 38:22, 39:1, 39:7, 39:15, 40:16, 40:19, 40:24
IRC's [3] - 16:10, 21:23, 37:4
IRS [1] - 36:9
issue [13] - 5:25, 11:9, 18:12, 21:8, 24:21, 25:10, 26:3, 33:3, 33:15, 33:23, 36:19, 37:5, 41:5
issued [5] - 11:24, 18:11, 24:17, 29:1, 39:23
issues [5] - 12:8, 18:16, 20:4, 22:6, 38:13
issuing [3] - 37:14, 39:19, 41:5
items [1] - 8:3
itself [5] - 10:21, 11:2, 17:1, 22:13, 35:6

J

January [5] - 25:6, 25:13, 26:2, 32:10, 40:20
January/February [1] - 28:25
JENNER [1] - 2:14
Jenner [1] - 7:23
Jeremy [2] - 2:16, 4:10
Jess [1] - 4:13
Jessica [2] - 2:16, 7:23
Jim [2] - 3:12, 13:25
job [2] - 18:15, 23:7
john [1] - 9:3
join [1] - 8:20
joined [2] - 30:5, 30:18
joining [1] - 35:18
judge [3] - 11:24, 25:7, 36:4
Judge [3] - 3:13, 25:9, 27:8
judicial [4] - 21:1, 32:11, 39:4, 39:6
juncture [4] - 14:3, 16:8, 24:10, 40:13
June [1] - 5:22
jurisdiction [7] - 25:1, 25:11, 34:17, 38:22, 39:3, 39:7, 39:14
Justice [4] - 14:3, 14:5, 16:8, 28:10

K

Kathy [2] - 2:7, 3:6
keep [2] - 20:17, 34:14
kept [1] - 6:16
key [1] - 17:5
kick [1] - 15:20
kind [3] - 8:3, 26:6, 27:15
kind-of [1] - 8:3
knowledge [2] - 16:22, 34:22
knows [6] - 18:13, 25:23, 25:24, 26:6, 26:15, 26:17

L

lacks [1] - 37:2
laid [1] - 24:9
land [1] - 28:2
language [4] - 6:13, 13:1, 13:4, 34:12
last [9] - 3:4, 10:6, 11:8, 13:2, 15:25, 17:5, 26:16, 35:3, 37:18
launches [1] - 19:8
Law [2] - 3:15, 3:23
lawfully [1] - 13:3
lawyering [1] - 39:9
Leader [1] - 2:11
leader [1] - 4:3
least [1] - 41:6
leave [3] - 29:25, 39:19, 41:2
left [1] - 24:18
legal [2] - 28:3, 39:18
legislators [1] - 31:6
legislature [17] - 11:20, 13:4, 20:11, 23:15, 23:17, 23:23, 24:6, 25:15, 25:16, 25:17, 25:21, 26:1, 28:20, 31:8, 40:17, 40:20
legislature's [1] - 22:19
Lerner [1] - 30:24
less [1] - 20:24
lesser [1] - 13:1
letter [2] - 26:15, 30:23
Liberty [1] - 2:8
life [1] - 40:11
light [1] - 19:23
likelihood [3] - 24:10, 24:11, 25:25
likewise [1] - 23:23
limited [1] - 6:16
lines [7] - 6:2, 12:9, 12:13, 14:24, 16:6, 19:20, 40:10
listed [1] - 5:4
listing [1] - 10:21
literally [1] - 7:8
litigation [6] - 11:24, 12:4, 16:23, 21:8, 21:9, 32:5
LITIGATION [1] - 2:7
LLP [3] - 2:2, 2:10, 3:19
look [3] - 16:25, 33:20, 35:1
looking [6] - 14:18, 14:23, 22:22, 28:11, 28:24, 29:8
Lynch [2] - 14:5, 16:8
Lynch's [1] - 14:3
Lyte [1] - 3:19
LYTE [1] - 2:2

M

MacAlister [1] - 28:10
Macht [2] - 3:10, 3:12
Main [2] - 2:4, 2:20
maintaining [1] - 22:2
Majority [1] - 2:11
majority [2] - 4:3, 9:6
mandamus [1] - 25:9
mandate [2] - 32:7, 32:16
map [25] - 11:19, 12:22, 21:1, 22:24, 23:1, 23:19, 24:20, 24:25, 25:6, 25:11, 25:25, 26:9, 26:10, 28:8, 28:11, 28:14, 28:17, 29:9, 29:11, 29:14, 29:17, 32:1, 35:12, 38:14
maps [17] - 13:3, 13:19, 13:22, 17:23, 18:6, 18:16, 18:18, 24:17, 26:3, 26:7, 27:5, 27:6, 28:21, 29:1, 33:5, 34:22, 35:1
master [9] - 16:4, 20:5, 20:9, 24:11, 24:23, 28:9, 30:22, 31:1, 38:25
matter [13] - 7:7, 8:13, 18:10, 18:14, 24:17, 25:2, 25:14, 34:18, 34:24, 35:20, 39:14, 40:4, 41:7
matters [3] - 10:7, 12:15, 40:21
mean [2] - 20:21, 39:17
means [1] - 9:20
meant [2] - 35:3, 36:25
member [2] - 5:9, 5:10
members [8] - 8:18, 10:16, 11:13, 11:17, 12:6, 13:17, 30:4, 35:17
MESSINA [1] - 2:18

might [5] - 14:16, 19:14, 19:22, 38:23, 39:17
Miller [1] - 3:23
million [1] - 15:25
minutes [2] - 20:24, 41:19
mispronounce [2] - 7:3, 37:21
misquoting [1] - 38:21
misreading [1] - 21:17
misrepresent [1] - 27:11
missing [2] - 10:15, 10:16
modified [1] - 5:23
Molina [6] - 2:14, 4:12, 7:24, 8:7, 8:21, 31:22
moment [1] - 37:15
momentarily [1] - 4:22
Monday [1] - 11:25
money [2] - 22:10, 22:12
month [1] - 13:23
months [3] - 13:5, 16:19, 40:21
morning [10] - 3:2, 3:3, 3:13, 3:14, 3:18, 3:25, 4:25, 5:17, 7:22, 8:1
most [1] - 17:17
motion [3] - 4:14, 4:18, 7:5
motions [1] - 7:1
mouth [2] - 20:18, 29:21
move [2] - 18:13, 25:5
moved [1] - 4:12
moving [1] - 16:16
MR [52] - 3:10, 3:12, 3:15, 3:18, 3:25, 4:2, 4:10, 4:20, 4:24, 5:8, 5:15, 7:11, 7:14, 9:17, 10:2, 10:10, 10:16, 11:4, 11:14, 11:16, 12:2, 12:18, 13:13, 13:14, 15:11, 15:16, 19:6, 19:13, 19:17, 20:14, 20:16, 20:20, 20:24, 21:20, 23:6, 23:8, 23:11, 24:14, 27:23, 32:4, 33:7, 34:3, 35:21, 36:4, 36:18, 36:24, 37:20, 38:16, 38:18, 39:15, 40:15, 41:8
MS [8] - 7:4, 7:22, 8:11, 9:2, 9:8, 31:16, 35:23, 37:19
must [1] - 36:24

N

name [3] - 4:10, 8:15, 37:18
named [12] - 5:11, 8:12, 8:17, 8:19, 10:22, 30:8, 30:10, 30:11, 30:14, 30:16, 30:17, 31:23
narrow [1] - 32:15
necessarily [1] - 26:14
necessary [3] - 13:17, 28:5, 34:18
need [3] - 29:9, 40:25, 41:1
needed [1] - 24:23
needs [2] - 40:24, 41:10
Nesbit [2] - 2:19, 5:1
never [2] - 17:22, 38:16
New [13] - 2:8, 2:12, 2:15, 3:19, 14:1, 15:5, 17:4, 17:20, 26:21, 31:3, 31:5, 31:6
new [7] - 11:9, 17:7, 21:1, 25:11, 25:23, 26:8, 33:14
next [7] - 9:12, 14:14, 14:15, 20:4, 26:22, 40:19, 40:20
nice [1] - 20:17
Nichols [1] - 3:5
night [2] - 17:5, 26:16
note [4] - 10:12, 18:4, 19:7, 19:9
noted [3] - 13:6, 16:9, 17:11
notice [7] - 4:8, 4:22, 5:6, 9:13, 32:25, 34:4
notices [1] - 4:4
Number [3] - 19:17, 22:6, 37:17
number [5] - 6:22, 6:24, 7:6, 22:4, 37:16
NW [1] - 2:15
NY [4] - 2:4, 2:8, 2:12, 2:20
NYSCEF [1] - 6:23

O

object [3] - 19:21, 31:23, 31:24
objection [6] - 7:9, 7:11, 7:14, 9:25, 11:1, 30:8
objections [2] - 22:2, 38:14
objects [1] - 13:16
obviously [23] - 5:17, 5:20, 7:8, 7:16, 8:2, 10:5, 10:22, 12:4, 12:11, 14:18, 14:25, 18:10, 19:4, 24:7, 27:13, 27:20, 33:17, 33:25, 34:11, 34:15, 34:17, 35:4, 39:11
occur [1] - 14:19
occurring [1] - 39:21
occurs [1] - 14:15
offered [2] - 30:11, 30:24
office [2] - 3:15, 21:14
Office [1] - 4:1
officer [1] - 33:1
OFFICER [1] - 3:1
often [1] - 16:14
once [3] - 23:16, 39:23, 41:5
one [15] - 2:3, 5:3, 5:10, 14:20, 16:23, 19:17, 21:2, 22:5, 33:2, 33:15, 36:21, 37:16, 40:8, 40:10, 40:15
one-off [1] - 14:20
op [4] - 16:17, 27:7, 31:18, 37:25
op-ed [3] - 16:17, 27:7, 37:25
op-eds [1] - 31:18
opined [1] - 21:15
opinion [2] - 36:11, 40:3
opportunity [4] - 24:3, 27:25, 34:21, 40:5
oppose [2] - 8:12, 9:18
opposition [1] - 36:6
oral [1] - 6:6
oranges [1] - 28:7
order [39] - 3:1, 4:6, 6:13, 6:15, 6:25, 7:16, 8:13, 8:17, 9:19, 10:19, 11:9, 11:10, 16:25, 20:3, 21:18, 21:19, 21:20, 22:6, 22:16, 23:2, 28:15, 30:11, 32:1, 33:3, 33:11, 34:5, 34:12, 34:15, 35:6, 36:19, 37:5, 37:13, 38:13, 39:20, 39:22, 39:23, 39:25, 41:5, 41:13
ordered [2] - 14:2, 28:10
orders [3] - 20:7, 32:19, 33:8
ourselves [1] - 24:24
outline [1] - 20:4
outlined [1] - 20:12
outset [1] - 34:11
oversee [1] - 22:24
overseeing [1] - 25:7
oversight [1] - 21:1
owed [1] - 36:11
owns [2] - 19:7, 22:17

P

page [2] - 17:18, 38:11
paid [1] - 22:11
panelists [1] - 26:23
paper [1] - 13:24
paperclips [1] - 17:13
papers [1] - 27:21
parade [1] - 26:12
part [5] - 6:7, 23:4, 31:2, 38:13, 41:14
participant [1] - 32:4
participate [1] - 22:2
particular [1] - 13:25
particularly [1] - 19:23
parties [10] - 4:16, 6:14, 7:9, 10:22, 19:21, 21:3, 22:25, 35:19, 39:24, 41:13
parts [1] - 35:5
party [6] - 6:10, 11:3, 13:17, 13:20, 36:10, 37:9
passed [1] - 13:7
past [2] - 11:25, 32:9
path [1] - 21:5
Paul [1] - 3:5
peach [1] - 16:21
pens [1] - 17:13
people [4] - 15:5, 22:11, 31:4, 31:7
per [2] - 5:25, 24:8
PERILLO [1] - 2:18
period [4] - 15:1, 15:2, 32:10, 33:21
permissible [1] - 37:5
Peter [2] - 3:10, 10:11
petition [1] - 12:24
petitioner [4] - 3:8, 3:16, 13:15, 20:9
Petitioner [1] - 13:16
petitioner's [1] - 10:4
petitioners [10] - 6:6, 7:12, 10:11, 13:18, 23:18, 28:11, 28:23, 29:17, 29:20, 30:1
Phillips [1] - 3:19
PHILLIPS [1] - 2:2
phrase [2] - 33:7, 39:1
place [7] - 14:25, 15:3, 18:25, 26:7, 29:11, 31:9, 40:11
places [1] - 27:9
plain [1] - 12:25
plan [3] - 16:11, 16:12, 23:16
play [3] - 18:10, 23:15, 25:23
plenty [1] - 29:13
point [12] - 11:17, 16:8, 16:12, 16:16, 18:24, 20:9, 20:10, 22:7, 33:18, 38:5, 38:20, 41:1
points [2] - 16:13, 19:14
political [1] - 17:4
politically [1] - 17:21
popular [1] - 39:1
position [29] - 8:10, 8:21, 11:18, 11:22, 12:6, 12:20, 13:9, 13:10, 19:18, 20:25, 21:21, 21:23, 26:18, 27:5, 27:6, 27:11, 29:24, 30:1, 31:20, 33:1, 37:3, 37:4, 37:7, 37:8, 37:9, 37:13, 37:16, 37:25
positions [6] - 6:5, 11:17, 30:15, 31:21, 32:18, 33:17
possible [2] - 18:13, 34:14
possibly [1] - 13:3
post [1] - 14:15
potential [1] - 18:15
potentially [1] - 14:16
practical [2] - 15:23, 18:1
precisely [1] - 24:19
predetermine [1] - 36:22
premature [2] - 10:13, 30:4
prepared [7] - 4:15, 28:3, 31:19, 31:25, 32:2, 37:23, 38:3
prescribed [1] - 23:13
present [1] - 25:4
preserving [1] - 38:13
prestigious [1] - 17:3
presumably [1] - 35:25
presume [1] - 40:18

AH

previous [1] - 11:9
previously [4] - 5:9, 9:5, 17:25, 34:24
primary [1] - 4:15
privy [3] - 14:18, 14:19, 26:4
pro [3] - 4:12, 7:7, 7:18
problem [4] - 24:19, 32:13, 32:14, 40:15
problems [5] - 15:23, 18:1, 20:21, 38:5, 38:7
procedural [3] - 21:12, 24:16, 24:21
procedurally [1] - 6:1
proceed [7] - 5:25, 24:1, 29:9, 30:19, 34:16, 35:2, 35:13
proceeding [6] - 27:17, 30:13, 30:17, 30:18, 32:6, 32:19
proceedings [6] - 6:19, 10:9, 10:23, 35:9, 41:4, 41:14
process [49] - 6:7, 6:22, 12:11, 14:6, 14:9, 15:7, 15:16, 17:7, 17:20, 18:2, 19:3, 19:8, 22:3, 22:13, 22:18, 22:20, 23:4, 23:12, 24:6, 24:7, 24:16, 25:3, 25:5, 25:7, 25:12, 26:8, 26:13, 27:3, 28:19, 28:24, 29:3, 29:8, 29:12, 30:19, 31:8, 32:11, 32:13, 34:9, 34:16, 37:2, 38:2, 39:2, 39:6, 39:18, 40:7, 40:8, 40:24
produced [1] - 28:22
prognosticate [1] - 30:1
program [5] - 26:20, 26:21, 26:25, 27:1, 27:15
prolong [1] - 22:12
proper [1] - 28:17
properly [1] - 6:19
propose [1] - 36:12
proposed [3] - 6:13, 15:7, 34:12
provided [1] - 25:17
provides [1] - 28:19
provisions [1] - 14:17
public [1] - 22:12
publication [1] - 17:4
punt [1] - 14:10
pursuant [2] - 25:20, 26:8
put [6] - 7:20, 15:2, 27:16, 27:21, 29:21, 38:1
putting [3] - 6:17, 37:24, 38:23

Q

questioning [1] - 29:24
questions [1] - 38:23
quick [1] - 40:2
quickly [1] - 18:12
quote [11] - 12:23, 14:6, 14:12, 16:9, 16:12, 17:7, 17:8, 17:12, 17:20, 30:23, 31:2
quotes [2] - 18:4, 27:14

R

raise [2] - 23:18, 38:24
raises [1] - 38:1
raising [1] - 38:18
rant [1] - 6:23
rarely [1] - 33:22
rather [3] - 18:16, 23:21, 24:12
reach [4] - 14:10, 15:18, 16:10, 20:8
react [1] - 23:24
readily [2] - 16:5, 33:13
really [1] - 37:15
reappointed [1] - 9:10
reargue [1] - 21:22
reason [5] - 21:12, 22:1, 30:3, 35:5, 40:3
reasonable [1] - 28:1
reasons [3] - 16:23, 17:25, 26:11
received [3] - 6:5, 6:13, 39:21
recently [2] - 9:6, 30:10
recognize [2] - 23:16, 30:13
reconvene [7] - 12:22, 13:19, 14:8, 16:2, 17:2, 20:7, 40:20
reconvening [5] - 15:24, 16:7, 16:17, 21:15, 21:24
record [14] - 3:7, 7:21, 8:25, 11:21, 12:15, 16:9, 31:20, 36:5, 37:2, 37:16, 38:2, 39:11, 39:12, 41:15
redistricting [9] - 6:2, 6:10, 6:18, 9:9, 15:3, 17:20, 17:22, 25:14, 33:3
Redistricting [1] - 26:22
redraw [5] - 11:19, 12:22, 13:21, 16:6, 19:20
redrawing [1] - 32:1
refer [1] - 39:12
reference [2] - 21:18, 25:8
referring [2] - 11:23, 18:6
refers [1] - 14:5
regardless [1] - 36:10
rehash [1] - 5:19
Reich [1] - 3:23
related [4] - 4:6, 5:18, 12:7, 33:5
relatively [5] - 6:16, 21:19, 21:20, 35:12, 40:2
relevant [2] - 12:19, 14:4
relief [6] - 9:18, 16:24, 18:15, 31:24, 32:16, 34:5
relying [1] - 31:18
remainder [1] - 15:1
remaining [1] - 9:13
remanding [1] - 5:24
remedial [1] - 28:14
remedies [1] - 18:25
remedy [9] - 11:6, 11:18, 11:20, 14:2, 28:12, 28:17, 32:11, 32:15, 39:4
remember [1] - 16:19
remind [2] - 16:15
remotely [1] - 38:8
repercussions [1] - 36:21
replace [2] - 28:8, 28:11
replacement [1] - 5:11
reporter [1] - 20:17
Reporter [2] - 2:24, 41:22
represent [3] - 10:25, 35:21, 35:24
representation [2] - 35:18, 35:25
represented [2] - 10:25, 29:22
representing [2] - 3:22, 32:24
represents [1] - 27:25
republican [1] - 29:21
republicans [5] - 15:17, 17:12, 18:20, 36:2, 37:25
requested [4] - 16:24, 28:8, 31:25, 34:5
requests [1] - 31:20
required [4] - 14:2, 23:23, 24:22, 30:19
requirement [1] - 11:11
requirements [2] - 6:1, 35:2
residents [1] - 31:6
resigned [1] - 9:10
respect [7] - 11:16, 23:11, 24:25, 27:5, 29:25, 30:8, 36:17
respectfully [3] - 13:18, 14:7, 21:16
respond [1] - 28:1
respondent [3] - 8:12, 9:20, 23:10
respondents [18] - 3:17, 4:5, 6:6, 6:7, 7:13, 8:15, 8:19, 10:17, 11:6, 11:18, 12:21, 20:25, 30:14, 30:16, 30:18, 31:23, 34:7, 36:1
respondents' [1] - 22:11
response [3] - 23:24, 26:15, 29:23
result [3] - 16:2, 40:8, 40:10
resume [1] - 28:24
retain [4] - 8:19, 25:1, 38:21, 39:7
retaining [2] - 34:17, 39:14
retains [1] - 25:11
reversal [1] - 22:21
reviewed [1] - 39:24
Ring [2] - 2:16, 7:23
road [3] - 15:20, 33:8, 35:12
role [5] - 23:15, 24:6, 26:1, 28:20, 41:1
roles [1] - 24:13
room [1] - 25:4
RPR [1] - 41:22
rule [1] - 19:1
ruled [1] - 34:23
ruling [1] - 11:6

S

Samuel [1] - 4:18
saw [1] - 18:3
Sayville [1] - 2:20
seated [2] - 3:2, 20:20
Second [1] - 28:23
second [7] - 13:3, 16:12, 20:11, 21:5, 24:4, 29:1, 33:4
SECTION [1] - 2:7
Section [11] - 14:1, 23:25, 28:18, 28:19, 29:4, 32:12, 39:2, 39:3, 39:4, 39:5, 39:8
Sections [1] - 23:13
see [10] - 3:3, 5:5, 8:23, 9:14, 12:7, 16:13, 20:1, 32:20, 36:2, 41:6
seek [2] - 11:6, 11:18
seeking [1] - 7:2
seem [2] - 10:12, 33:22
segue [1] - 36:5
Senate [1] - 2:11
senate [8] - 4:3, 9:6, 12:9, 18:7, 18:17, 19:10, 24:20, 26:3
send [1] - 21:25
sends [1] - 21:12
Senior [2] - 2:24, 41:22
sense [3] - 3:4, 9:22, 17:2
sentence [1] - 29:4
separate [1] - 7:1
September [1] - 26:19
sequence [1] - 7:5
serve [1] - 7:6
served [3] - 6:19, 9:8, 10:23
service [2] - 5:5, 6:20
set [5] - 13:3, 14:21, 15:16, 17:23, 29:1
Seth [2] - 2:9, 3:25
sets [1] - 24:17
several [4] - 7:2, 8:3, 16:19, 17:5
share [2] - 8:10, 40:6
short [5] - 5:21, 21:19, 21:20, 23:6, 33:20
show [13] - 4:6, 6:13, 6:15, 6:25, 8:13, 8:18, 9:19, 10:20, 30:11, 33:11, 34:5, 34:12, 35:6
shut [1] - 20:18
side [3] - 10:4, 22:12,

33:16
sides [5] - 6:12, 27:20, 31:13, 33:15, 35:13
sign [1] - 6:15
signed [1] - 10:20
significant [2] - 16:2, 16:3
similar [1] - 4:18
similarities [1] - 12:20
simple [1] - 34:14
simply [5] - 23:22, 25:12, 26:9, 37:1, 39:25
sincere [2] - 34:20, 41:4
single [3] - 17:23, 36:13, 37:13
singular [1] - 33:12
situation [2] - 12:12, 14:21
situations [1] - 15:4
six [1] - 13:5
slightly [1] - 3:3
small [1] - 21:17
smoothly [2] - 33:21, 33:22
so-ordered [1] - 28:10
solely [3] - 14:23, 18:14, 33:5
soon [1] - 35:12
sooner [1] - 29:15
sorry [1] - 22:3
sought [5] - 6:8, 9:19, 25:10, 32:15, 32:16
sounds [1] - 37:23
Speaker [5] - 2:3, 3:20, 3:22, 3:24, 7:14
speaker [3] - 4:16, 16:20, 31:25
special [9] - 16:4, 20:5, 20:9, 24:11, 24:22, 28:9, 30:22, 31:1, 38:25
specific [4] - 10:21, 32:8, 32:15
specifically [3] - 10:20, 32:7, 33:12
Specifically [1] - 12:12
specifics [1] - 35:7
spectacularly [1] - 17:8
spelling [1] - 5:14
spoken [1] - 12:10
sponsored [1] - 26:20
spring [1] - 29:15
stability [2] - 14:6, 14:8
staff [1] - 16:1
stage [6] - 12:15, 33:1, 34:13, 37:2, 40:12, 40:19
stand [1] - 13:24
stands [1] - 13:21
start [2] - 31:14, 35:6
state [9] - 6:1, 12:9, 16:5, 18:17, 19:10, 25:23, 27:7, 29:4, 29:24
State [3] - 14:1, 15:5, 17:3
state's [1] - 17:9
statements [4] - 17:1, 17:6, 31:18, 35:15
states [1] - 14:2
stating [1] - 30:12
status [1] - 7:18
statute [3] - 25:17, 25:20, 25:21
stay [2] - 15:9, 20:20
Ste [1] - 2:20
stenographic [1] - 41:19
step [1] - 29:13
Stephens [2] - 2:19, 5:2
Steuben [1] - 28:9
stick [1] - 27:21
still [2] - 11:7, 13:21
Street [3] - 2:4, 2:8, 2:20
struck [2] - 34:4, 34:11
structure [2] - 17:9, 25:19
subject [3] - 4:6, 8:13, 19:14
submission [1] - 36:13
submit [20] - 11:19, 13:18, 14:7, 16:11, 20:10, 21:7, 23:12, 24:1, 24:24, 26:11, 28:19, 29:3, 29:19, 30:3, 30:17, 31:4, 31:10, 31:19, 37:23, 38:4
submitted [7] - 8:16, 13:3, 13:24, 17:5, 17:18, 17:25, 35:24
substance [1] - 6:24
substantive [4] - 10:7, 19:18, 23:18, 29:16
successfully [1] - 34:25
suggest [2] - 8:14, 37:1
suggested [1] - 12:24
suggestion [1] - 19:24
suggests [1] - 23:21
Suite [2] - 2:11, 2:15
super [1] - 38:10
supervise [3] - 25:2, 38:22, 39:7
supervising [2] - 25:12, 39:15
supervision [2] - 31:10, 39:16
supposed [1] - 36:20
surprise [2] - 15:6, 40:5
surprised [1] - 14:14
Susan [1] - 30:24
suspect [4] - 14:13, 14:14, 15:4, 40:1
suspended [1] - 28:25
swore [1] - 20:16

T

table [1] - 28:14
talks [1] - 30:21
task [3] - 18:19, 19:25, 34:25
taxpayer [2] - 16:3, 22:10
technical [2] - 38:5, 38:7
temporal [1] - 32:13
terms [9] - 6:1, 6:16, 10:7, 18:7, 27:20, 32:23, 33:17, 35:15, 39:17
test [1] - 37:15
testify [1] - 37:24
THE [51] - 3:2, 3:14, 3:17, 4:4, 4:17, 4:21, 5:3, 5:13, 5:16, 7:5, 7:13, 7:15, 8:1, 8:23, 9:4, 9:11, 9:23, 10:3, 10:15, 10:19, 11:7, 11:15, 11:23, 12:3, 13:12, 14:13, 15:15, 18:3, 19:12, 19:16, 20:13, 20:15, 20:19, 20:23, 21:19, 23:5, 23:7, 23:9, 24:2, 27:12, 31:11, 32:22, 33:13, 34:10, 36:2, 36:17, 36:19, 39:10, 39:16, 40:23, 41:12
themselves [1] - 4:9
they've [2] - 13:10, 30:7
thinking [1] - 21:5
Third [2] - 16:7, 22:15
third [2] - 16:16, 38:10
thoroughly [1] - 12:25
three [10] - 8:6, 9:9, 20:24, 21:10, 21:11, 21:13, 26:2, 26:7, 35:23, 36:6
throughout [1] - 9:9
tie [1] - 16:21
Timothy [2] - 2:21, 5:1
title [1] - 26:21
today [8] - 3:21, 4:14, 4:15, 10:13, 15:14, 16:21, 19:20, 29:22
today's [3] - 4:7, 10:8, 41:14
together [2] - 26:8, 34:8
took [1] - 27:6
top [1] - 17:25
totality [1] - 26:8
totally [1] - 28:6
towards [1] - 17:17
track [1] - 29:14
trading [1] - 26:6
transcript [2] - 41:14, 41:18
transpired [1] - 12:17
trigger [1] - 29:5
true [5] - 26:14, 26:15, 29:24, 38:16, 41:18
try [2] - 25:4, 25:5
trying [1] - 22:18
Tuesday [1] - 26:19
turn [4] - 9:12, 10:4, 23:9, 31:12
tweaking [1] - 14:16
tweets [1] - 16:20
two [18] - 5:10, 7:1, 8:16, 8:25, 10:16, 10:24, 12:7, 17:18, 19:13, 21:2, 22:6, 24:17, 30:9, 33:20, 34:5, 35:24, 37:17

U

ultimately [4] - 19:1, 21:11, 22:23, 23:1
unconstitutional [1] - 21:2
under [9] - 3:4, 13:4, 22:4, 23:25, 24:5, 28:15, 29:3, 29:11, 32:12
undermine [1] - 14:8
understood [4] - 4:17, 11:4, 13:12, 34:10
undertake [2] - 32:1, 33:6
unfortunately [1] - 38:6
unique [1] - 14:21
unquote [8] - 14:7, 14:12, 16:11, 17:8, 17:10, 17:14, 17:23, 30:23
up [7] - 11:22, 15:16, 15:25, 17:22, 18:24, 25:25, 41:11
uploaded [5] - 4:5, 6:23, 7:17, 8:24, 18:4
urge [3] - 10:14, 11:4, 20:3
utilize [1] - 24:11

V

various [1] - 31:13
version [1] - 5:21
versus [1] - 3:6
vice [2] - 7:7, 7:18
video [1] - 26:25
view [1] - 34:13
viewing [1] - 26:7
views [7] - 6:12, 10:14, 11:5, 17:15, 33:6, 40:4, 40:6
violation [1] - 28:13
virtual [1] - 26:25
voice [1] - 31:7
vote [1] - 22:20

W

Walden [6] - 3:10, 3:12, 13:25, 23:14, 23:21
WALDEN [13] - 3:12, 20:16, 20:20, 20:24, 21:20, 23:6, 23:8, 36:4, 36:18, 36:24, 37:20, 38:18, 39:15
Wang [1] - 4:2
WANG [1] - 2:10
Washington [1] - 2:15
waste [4] - 22:9, 22:10, 22:12, 29:8
Wax [4] - 3:16, 13:15, 13:16, 16:21
ways [1] - 39:5
week [1] - 26:19
weeks [1] - 5:10
welcome [2] - 29:17, 38:19
whereas [1] - 26:8
whereby [1] - 28:20
white [1] - 20:2
whole [2] - 22:1, 38:2
willing [3] - 14:11, 30:16, 37:24
winter [1] - 29:10
wish [1] - 23:14

wonderful [1] - 39:25
word [1] - 39:16
words [3] - 29:21, 38:20, 38:24
worried [1] - 15:18
writing [1] - 28:1
written [6] - 6:5, 7:16, 16:17, 18:11, 35:11, 39:20

Y

year [6] - 5:22, 5:24, 15:2, 15:25, 29:10, 40:21
years [2] - 14:9, 33:20
yesterday [4] - 4:5, 6:23, 7:9, 17:19
York [12] - 2:8, 2:12, 2:15, 3:19, 14:1, 15:6, 17:4, 26:21, 26:22, 31:3, 31:5, 31:6
York's [1] - 17:20
Yovan [2] - 5:12, 9:3

AH