

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

PAUL NICHOLS, GAVIN WAX, and GARY GREENBERG,

Petitioners,

Index No. 154213/2022

v.

NOTICE OF APPEAL

GOVERNOR KATHY HOCHUL, SENATE MAJORITY LEADER AND PRESIDENT PRO TEMPORE OF THE SENATE ANDREA STEWART-COUSINS, SPEAKER OF THE ASSEMBLY CARL HEASTIE, NEW YORK STATE BOARD OF ELECTIONS, THE NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT, NEW YORK STATE INDEPENDENT REDISTRICTING COMMISSION, DAVID IMAMURA, JOHN FLATEAU, YOVAN SAMUEL COLLADO, IVELISSE CUEVAS-MOLINA, ELAINE FRAZIER, ROSS BRADY, JOHN CONWAY III, LISA HARRIS, CHARLES NESBITT, and WILLIS H. STEVEN,

Respondents.

PLEASE TAKE NOTICE that Petitioners Paul Nichols, Gavin Wax, and Gary Greenberg, pursuant to CPLR § 5701(a), hereby appeal to the Appellate Division, First Department, from the Decision and Order on Motion (Amended) of the Supreme Court of the State of New York, New York County (Love, *J.*), dated September 29, 2022, duly entered in the Clerk’s Office of the Supreme Court on October 12, 2022, *see* NYSCEF No. 174, and attached hereto as Exhibit 1. This appeal is taken from every part of the Decision.

Dated: New York, NY
October 17, 2022

Respectfully submitted,

WALDEN MACHT & HARAN LLP

By: /s/ Jim Walden

Jim Walden
Peter A. Devlin
250 Vesey Street, 27th Floor
New York, NY 10281
Tel: (212) 335-2030
jwalden@wmhllaw.com
pdevlin@wmhllaw.com

*Attorneys for Petitioners Paul Nichols and Gary
Greenberg*

LAW OFFICE OF AARON S. FOLDENAUER

By: /s/ Aaron S. Foldenauer

Aaron S. Foldenauer
30 Wall Street, 8th Floor
New York, NY 10005
Tel: (212) 961-6505
aaron@nyelectionlaw.com
Attorney for Petitioner Gavin Wax

TO: LETITIA JAMES, NEW YORK ATTORNEY GENERAL

Attorneys for Respondent Governor Kathy Hochul

Seth Farber

Special Litigation Counsel

28 Liberty Street

New York, NY 10005

(212) 416 – 8029

seth.farber@ag.ny.gov

CUTI HECKER WANG LLP

Attorneys for Respondent Senate Majority Leader Andrea Stewart-Cousins

Eric J. Hecker

Alexandra Goldenberg

Alice G. Reiter

305 Broadway, Suite 607

New York, New York 10007

(212) 620-2600
echecker@chwllp.com
agoldenberg@chwllp.com
areiter@chwllp.com

GRAUBARD MILLER

Attorneys for Respondent Speaker of the Assembly Carl Heastie

C. Daniel Chill
Joseph H. Lessem
Elaine M. Reich
The Chrysler Building
405 Lexington Avenue, 11th Floor
New York, New York 10174
(212) 818-8800
dchill@graubard.com
jlessem@graubard.com
ereich@graubard.com

PHILLIPS LYTLE LLP

Attorneys for Respondent Speaker of the Assembly Carl Heastie

Craig R. Bucki
Steven B. Salcedo
Rebecca A. Valentine
One Canalside
125 Main Street
Buffalo, New York 14203-2887
Telephone No. (716) 847-8400
cbucki@phillipslytle.com
ssalcedo@phillipslytle.com
rvalentine@phillipslytle.com

NEW YORK STATE BOARD OF ELECTIONS

Attorneys for Respondent

Kevin G. Murphy
Brian Lee Quail
Aaron K. Suggs
New York State Board of Elections
40 N. Pearl Street, Suite 5
Albany, New York 12207
(518) 474-2063
kevin.murphy@elections.ny.gov
brian.quail@elections.ny.gov
aaron.suggs@elections.ny.gov

MESSINA PERILLO HILL LLP

Attorneys for Ross Brady, John Conway III, Lisa Harris, Charles Nesbitt, and Willis H. Stephens

Timothy Hill
285 West Main Street, Suite 203
Sayville, New York 11782
(613) 582-9422
thill@mphlawgroup.com

JENNER & BLOCK LLP

Attorneys for David Imamura, Ivelisse Cuevas-Molina, Elaine Frazier, Yovan Samuel Collado, and John Flateau

Jeremy H. Ershow
Allison N. Dougliis
1155 Avenue of the Americas
New York, NY 10036
(212) 891-1600
jershow@jenner.com
adougliis@jenner.com
Jessica R. Amunson
Samuel Hirsch
1099 New York Avenue, NW, Suite 900
Washington, DC 20001
(202) 639-6000
jamunson@jenner.com
shirsch@jenner.com