

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF STEUBEN

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TIM HARKENRIDER, GUY C. BROUGHT,  
LAWRENCE CANNING, PATRICIA CLARINO,  
GEORGE DOOHER, JR., STEPHEN EVANS, LINDA  
FANTON, JERRY FISHMAN, JAY FRANTZ,  
LAWRENCE GARVEY, ALAN NEPHEW, SUSAN  
ROWLEY, JOSEPHINE THOMAS, and MARIANNE  
VOLANTE,

Petitioners,

-against-

GOVERNOR KATHY HOCHUL, LIEUTENANT  
GOVERNOR AND PRESIDENT OF THE SENATE  
BRIAN A. BENJAMIN, SENATE MAJORITY  
LEADER AND PRESIDENT PRO TEMPORE OF  
THE SENATE ANDREA STEWART-COUSINS,  
SPEAKER OF THE ASSEMBLY CARL HEASTIE,  
NEW YORK STATE BOARD OF ELECTIONS, and  
THE NEW YORK STATE LEGISLATIVE TASK  
FORCE ON DEMOGRAPHIC RESEARCH AND  
REAPPORTIONMENT,

Respondents.

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**AFFIDAVIT OF  
ASSEMBLYMAN  
WILLIAM A.  
BARCLAY**

Index No.  
E2022-0116CV

Assigned Justice:  
Hon. Patrick F.  
McAllister, A.J.S.C.

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

WILLIAM A. BARCLAY, being duly sworn, deposes and says:

1. I am a Republican member of the New York State Assembly, representing the 120th Assembly District. My District includes parts of Oswego, Onondaga, and Jefferson Counties.

2. I was first elected to the Assembly in November 2002 and have served as Assemblyman ever since.

3. In January 2020, I was elected unanimously by my colleagues as the Leader of the Assembly Minority Conference, a position I still hold today.

4. I make this affidavit based on my personal knowledge.

### Bipartisan Enactment of the Assembly Map

5. On January 24, 2022, the Independent Redistricting Commission announced it would not submit a second set of proposed legislative-district maps, despite its constitutional obligation to do so.

6. In response, on February 3, 2022, the Assembly passed Bill Number A09040A (the "Bill"), which established the Assembly and State Senate district maps for the 2022 and subsequent elections.


7. The Bill passed in the Assembly by a vote of 118 to 29.

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

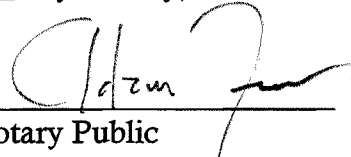
9. I voted in favor of the Bill because I believe the Assembly map is fair. I do not believe it was drawn with the purpose of favoring or disfavoring incumbents or other particular candidates or political parties, or to discourage competition.

10. When I voted for the Bill, I recognized the possibility that this lawsuit would be filed. I am unaware of any intention for the lawsuit to challenge the Assembly map.

Dated: Albany, New York  
May 5, 2022

  
\_\_\_\_\_  
William A. Barclay

Sworn to before me this  
5<sup>th</sup> day of May, 2022

  
\_\_\_\_\_  
Notary Public

Adam Fusco, Esq.  
NOTARY PUBLIC, State of New York  
Qualified in Fulton County  
No. 02FU6325525  
MCE 5-26-2023