

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

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Anthony S. Hoffmann et al.

Petitioners,

-against-

Index No. 904972-22

Hon. Peter A. Lynch

The New York State Independent Redistricting
Commission et al.,

**AFFIDAVIT OF DAVID
IMAMURA**

Respondents

-and-

Tim Harkenrider et al.

*Intervenors-
Respondents.*

COUNTY OF WESTCHESTER)

STATE OF NEW YORK) SS:

DAVID IMAMURA, of full age, being duly sworn, hereby deposes and says as follows:

1. I was appointed to the New York State Independent Redistricting Commission (“IRC”) by Senate Majority Leader and Temporary President Andrea Stewart-Cousins in January 2020, and was unanimously elected Chair of the Commission by all commissioners in May 2021. I continue to serve as Chair of the IRC.

2. The Independent Redistricting Commission (“IRC”) continues to be fully constituted with all ten commissioners, including two new commissioners appointed to replace commissioners who resigned after the IRC submitted its maps to the Legislature in January 2022. Lisa Harris was appointed to replace Vice-Chair Jack Martins after Vice-Chair Martins resigned

from the Commission and announced his candidacy for New York State Senate District 7.

Moreover, on September 6, 2022, Speaker Carl Heastie appointed Yovan Samuel Collado to serve on the Commission to replace Eugene Bengier, who resigned on September 2, 2022. A copy of the appointment letter signed by Speaker Heastie, effective as of its signing, is attached as Exhibit A.

3. Commissioner John Flateau was reappointed to the IRC on August 1, 2022, after previously resigning from the Commission. A copy of the reappointment letter signed by Senate Majority Leader and Temporary President Andrea Stewart-Cousins is attached as Exhibit B.

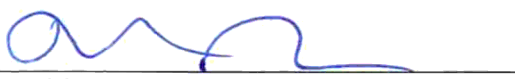
4. Following Mr. Flateau's re-appointment and the appointment of Ms. Harris and Mr. Collado, as discussed above, all ten commissioners are in place.

5. There are no current staffing vacancies that would preclude the IRC from expeditiously undertaking the task of submitting a second round of proposed congressional districting plans for consideration by the Legislature if the IRC were ordered to do so by this Court.

6. It is not the case that the IRC declared a decision to violate its constitutional duties on January 24, 2022. On January 24, 2022, Respondents Frazier and Cuevas-Molina, Commissioner Flateau, then-Commissioner Bengier and I released a public statement stating: "We have repeatedly attempted to schedule a meeting by [January 25, 2022], and our Republican colleagues have refused. This is the latest in a repeated pattern of Republicans obstructing the Commission doing its job." It also stated: "We have negotiated with our Republican colleagues in good faith for two years to achieve a single consensus plan. At every step, they have refused to agree to a compromise." That statement was reproduced in various news sources, such as the one quoted in Paragraph 38 of the Amended Petition ([Dkt. No. 47](#)).


7. Consistent with the above-referenced Respondents' Verified Answer ([Dkt. No. 105](#)), the above-referenced Respondents do not oppose the relief identified in the first paragraph of Petitioners' prayer for relief as set forth in the Amended Petition.

DATED: September 8, 2022
White Plains, New York



David Imamura

Sworn to before me this
8 Day of September, 2022



Notary Public

TAMMY MARIE MAZZULLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01MA6301698
Qualified in Westchester County
Commission Expires April 21, 2026