



protected.

5. I seek to intervene as of right as my interests are not adequately represented by the present parties and since I may be bound by any judgment rendered herein. NY CPLR § 1012(a)(2) (“Upon timely motion, any person shall be permitted to intervene in any action...when the representation of the person’s interest by the parties is or may be inadequate and the person is or may be bound by the judgment.”)
6. In the alternative, I seek to intervene by permission in this action, on the ground that CPLR 1013 permits intervention “when the person’s claim or defense and the main action have a common question of law or fact.” The Legislature’s unconstitutional redistricting has harmed voters’ and candidates’ interests in fair representation.
7. To collect 45,000 valid signatures, my campaign hopes to submit 70,000, in order to ensure validity. I am also required to have at least 500 signatures in each of 13 congressional districts, which of this writing do not exist. In the best case scenario, the new lines will be drawn and issued on May 20. The filing deadline is May 31.
8. My petition clerks, who, among other things, look up the signatures and determine which district each voter is in, *may* have access to shape files by May 21, 2022, so that the new districts can be looked up digitally. It would be impossible to comply with the 500 voter per congressional district rule because as many as 70,000 signatures would have to be checked for their respective district, and then, if there were shortfalls in a given district, petitioners would then have to go to those areas to make up for the shortfall.
9. A petition clerk can look up 30 signatures per hour at a maximum. To go through 70,000 signatures would take 2333 hours. At 40 hours per week, that's 58 weeks. If an independent candidate had 10 people who each clerk signatures at that rate, and can spend 40 hours per week doing it, looking up that number of voters will take nearly six weeks -- the entire petitioning period. This doesn't allow time to remedy the short fall and gather more signatures where needed.
10. If an independent candidate were "only" to review 40,000 signatures to find congressional districts, that is still 1333 man-hours of labor, which has to be accomplished in 9 days. To place this demand on

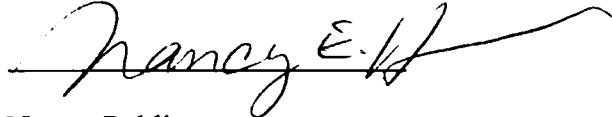
an independent candidacy, such as my own, which does not have the resources of any national party organization, is to eliminate the possibility of ballot access for my campaign.

- 11. The redrawing of district lines makes it likely that the signatures candidates must gather will not meet the statutory requirements and sufficient signatures cannot be gathered between issuance of the redrawn maps on May 20, 2022 and the deadline for petitioning on May 31, 2022. What's more, this is the first election cycle candidates of non-recognized parties face a trebling of the signature requirement, from 15,000 to 45,000.
- 12. Unless the Court applies a remedy by waiving the 500 signature requirement for 50% of congressional districts, or reduces the 45,000 signature requirement and extends the period for petitioning beyond the May 31, 2022 deadline, independent candidates and their supporters will face the impossible task of having at most 11 days to gather the requisite signatures after the congressional, state senate and perhaps assembly lines are redrawn and issued, with fewer petition gatherers due to health concerns and venue restrictions related to Covid-19.
- 13. I have not submitted any prior application for this relief.

  
 Diane Sare

Sworn to and subscribed before me

This 10 day of 5 2022.



Notary Public

**NANCY E KAUFER.**  
**NOTARY PUBLIC - STATE OF NEW YORK**  
**No. 01KA6352897**  
**Qualified in Orange County**  
**My Commission Expires 01/09/2025**