

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

Anthony S. Hoffmann; Marco Carrion; Courtney Gibbons;
Lauren Foley; Mary Kain; Kevin Meggett; Clinton Miller;
Seth Pearce; Verity Van Tassel Richards; and Nancy Van
Tassel,

Petitioners,

For an Order and Judgement Pursuant to Article 78 of the
New York Civil Practice Law and Rules

- against -

The New York State Independent Redistricting
Commission; Independent Redistricting Commission
Chairperson David Imamura; Independent Redistricting
Commissioner Ross Brady; Independent Redistricting
Commissioner John Conway III; Independent Redistricting
Commissioner Ivelisse Cuevas-Molina; Independent
Redistricting Commissioner Elaine Frazier; Independent
Redistricting Commissioner Lisa Harris; Independent
Redistricting Commissioner Charles Nesbitt; and
Independent Redistricting Commissioner Willis H.
Stephens,

Respondents.

Index No.: 904972/22

AFFIRMATION IN
OPPOSITION TO
ORDER TO SHOW CAUSE

Timothy Hill, Esq., an attorney duly admitted to practice law before the Courts of the State
of New York, hereby affirms the following statement:

1. I am a partner at the firm Messina Perillo Hill LLP, attorneys of record for
Respondents, COMMISSIONER ROSS BRADY, COMMISSIONER JOHN CONWAY III,
COMMISSIONER LISA HARRIS, COMMISSIONER CHARLES NESBITT, and
COMMISSIONER WILLIS H. STEPHENS (the "Moving Respondents"). As such, I am fully
familiar with the facts and circumstances set forth herein.

2. This Affirmation, together with the accompanying Memorandum of Law, is
submitted in opposition to Petitioners' Order to Show Cause seeking that the Court grant judgment

pursuant to CPLR Article 78, compelling the New York State Redistricting Commission and its commissioners to submit a second round of proposed redistricting plans for consideration by the Legislature.

3. The Moving Respondents are filing, simultaneously with this Affirmation in Opposition, a Motion to Dismiss the Amended Verified Petition pursuant to CPLR 7803, 7804(f), CPLR 3211(a)(5) and (7). The Memorandum is submitted both in support of the Moving Respondents' motion to dismiss, as well as in opposition to the Petitioners' Order to Show Cause.

4. Moving Respondents hereby incorporate and reassert, as if fully set forth herein, in opposition to the Petitioners Order to Show Cause, all of the factual and legal arguments set forth in their Memorandum of Law dated August 26, 2022.

WHEREFORE, it is respectfully submitted that the Order to Show Cause be denied in its entirety, together with such other and further relief as the Court deems just and proper.

Dated: Sayville, New York
August 26, 2022

Timothy Hill /s/
TIMOTHY HILL
MESSINA PERILLO HILL, LLP
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Sayville, New York 11782
thill@mphlawgroup.com
Attorneys for Moving Respondents

To: All counsel via NYSECF

CERTIFICATION PURSUANT TO 22 NYCRR § 202.8-b

I, Timothy Hill, Esq., an attorney duly admitted to practice law before the Courts of the State of New York, hereby certify that the within Affirmation dated August 26, 2022 submitted and filed in the above-captioned proceeding contains 509 words, excluding the parts exempted by § 202.8-b(b) and, as such, complies with the word count limits set forth in 22 NYCRR § 202.8-b.

In preparing this certification, I relied on the word count of the word processing system (Microsoft Word) used to prepare the document.

Dated: Sayville, New York
August 26, 2022

Timothy Hill
Timothy Hill