

**Phillips Lytle** LLP

Via NYSCEF

May 18, 2022

Hon. Patrick F. McAllister
Acting New York State Supreme Court Justice
Steuben County Supreme Court
3 East Pulteney Square
Bath, New York 14810

Re: *Matter of Harkenrider v. Hochul* (Steuben County Index No. E2022-0116CV)

Dear Justice McAllister:

As co-counsel to New York State Assembly Speaker Carl Heastie, we oppose the motion to intervene filed by Larry Sharpe, Diane Sare, and William Cody Anderson (the "Sharpe Motion") (Dkt. No. 528). The motion is untimely, and the Speaker reiterates the timeliness arguments he made in opposition to the three motions to intervene filed by Gavin Wax, Gary Greenberg, Benjamin Carlisle, and others from May 1 through 3, 2022 (Dkt. Nos. 325, 326, 360).

This Court denied those three motions as untimely (Dkt. No. 520, at pp. 4-5), and the Sharpe Motion is even less timely. Particularly relevant is the unsuccessful motion filed by Mr. Carlisle, Emin Eddie Egriu, Michael Rakebrandt, Jonathan Howe, and Howard Rabin (Dkt. No. 326). That motion did not challenge an additional map; rather, it sought to influence the rules governing this year's primaries. The Sharpe Motion seeks to do likewise, and should be denied for the same reasons.

Respectfully,

Phillips Lytle LLP

by 

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