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May 31 Roundtable Update

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NEW YORK REDISTRICTING ROUNDTABLE UPDATE

New York State Redistricting Update: *Harkenrider et al. v. Hochul et al.*

On **May 26**, oral arguments were heard for Tyrrell Ben-Avi's proposed motion to intervene in the case originally challenging the congressional and senate plans. The state opposed the motion on the grounds that it was not timely and that he does not otherwise explain his interest in the special proceeding.

Federal: *League of Women Voters v. NYS Board Of Elections: New Lawsuit Challenge to Primary Date*

On **May 25** in New York's Southern District, federal District Judge Paul Engelmayer denied the LWV's preliminary relief in its entirety. The LWV sought to enjoin the state BOE from holding the primary election for New York offices on June 28th and to align the statewide primary to August 23rd to coincide with the congressional and senate primary. The LWV also sought to direct the NYS BOE to extend the time period to no later than June 20 for signatures for independent nominating positions. The LWV appealed to the federal Second Circuit on May 26.

State: *League of Women Voters v. NYS Board of Elections: New Assembly Challenge*

On **May 24**, Judge Peter Lynch of the Albany Supreme Court issued an order setting oral argument for May 31 where the League will argue why the Board should not conduct the June 28 Assembly primary.

Nichols et al v. Hochul et al: New Lawsuit Challenges Assembly Map in New York County Supreme Court

On **May 25**, Judge Laurence Love rejected an effort by several candidates to reject the enacted Assembly plan and to have a new plan drawn. Judge Love noted that neither the senate nor assembly maps were found to be substantively unconstitutional as drawn with impermissible partisan purpose. No action was filed disputing the assembly map until months later. The delay in bringing this challenge was substantial and would have upended the entire New York State election process in an impossible manner. For Judge Love's full decision, please see [here](#). An appeal is now pending before the First Department of the Appellate Division in Manhattan.

Lawsuit filed against Broome County Legislative Map

A lawsuit was filed in New York State Supreme Court challenging the new legislative district maps that were adopted in Broome County. The group “Fair Maps for Broome” is seeking to overturn the new district boundaries because they are unfair to voters. Fair Maps says the districts were designed to favor the Republican majority by stuffing larger populations into Democratic urban areas while allowing Republican rural areas to have the least allowable amount of population. For more see [here](#).

New York City Districting Commission May 26th Pre-Plan Open Public Hearing

The New York City Districting Commission held a pre-mapping public hearing on Thursday, May 26th. The public was welcome to speak out on district lines early in this process by participating in the public hearing. Please see the attached for a summary.