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OFFICE OF THE ATTORNEY GENERAL

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June 22, 2022

**BY ECF**

Hon. Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

RE: *DCCC v. Kosinski et al.*, SDNY No. 22 CV 1029 (RA)

Dear Judge Abrams:

Counsel for Plaintiff DCCC; Defendants Peter S. Kosinski, in his official capacity as Co-Chair of the State Board of Elections; Douglas A. Kellner, in his official capacity as Co-Chair of the State Board of Elections; Andrew J. Spano, in his official capacity as Commissioner of the State Board of Elections; Anthony J. Casale, in his official capacity as Commissioner of the State Board of Elections; Todd D. Valentine, in his official capacity as Co-Executive Director of the State Board of Elections; and Kristen Zebrowski Stavisky, in her official capacity as Co-Executive Director of the State Board of Elections, and Intervenor-Defendants Republican National Committee, National Republican Congressional Committee, and New York Republican State Committee in the above-referenced action jointly submit this letter pursuant to the Court's Order (ECF No. 70) scheduling a hearing on Plaintiff's motion for preliminary injunction for June 27, 2022 at 11:00 a.m.

This is to advise the Court that counsel for the parties have conferred, and counsel will appear in person at the time of the hearing and do not intend to call witnesses at the hearing. Counsel for Defendants respectfully request that telephone or remote video access be provided for the New York State Board of Elections ("State Board") agency counsel, who are based in Albany, New York, as their participation may be helpful to the Court; personal appearance would be extremely inconvenient as June 27<sup>th</sup> is both the date of the State Board's monthly commissioners' meeting and is the day before the June 28<sup>th</sup> primary election. Counsel for Plaintiff and the Intervenor-Defendants consent to this request.

Thank you for your Honor's consideration of this matter.

Respectfully submitted,

Hon. Ronnie Abrams, U.S.D.J.  
June 22, 2022

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<p><u>/s/ Andrew G. Celli, Jr.</u> Andrew G. Celli, Jr. Nairuby L. Beckles EMERY CELLI BRINCKERHOFF ABADY WARD &amp; MAAZEL LLP 600 Fifth Avenue, 10th Floor New York, New York 10020</p> <p><u>/s/ David R. Fox</u> Marc E. Elias* Aria Branch* David R. Fox** Joshua L. Harris* Daniela Lorenzo ELIAS LAW GROUP LLP 10 G Street NE, Suite 600 Washington, DC 20002</p> <p>* <i>Admitted pro hac vice</i> ** <i>Pro hac vice pending</i></p>	<p><u>/s/ Seth J. Farber</u> Letitia James Attorney General for the State of New York</p> <p>Seth J. Farber Special Litigation Counsel 28 Liberty Street New York, New York 10005 <a href="mailto:Seth.farber@ag.ny.gov">Seth.farber@ag.ny.gov</a></p> <p><i>Counsel for Defendants</i></p> <p><u>/s/ Paul DerOhannesian II</u> Paul DerOhannesian II (PD0523) DEROHANNESIAN &amp; DEROHANNESIAN 159 Wolf Road, Suite 305 Albany, NY 12207 (518) 465-6420 Fax: (518) 427-0614 <a href="mailto:paul@derolaw.com">paul@derolaw.com</a></p> <p><u>/s/ Cameron T. Norris</u> Tyler Green (pro hac vice) Cameron T. Norris (pro hac vice) James P. McGlone (pro hac vice) CONSOVOY MCCARTHY PLLC 1600 Wilson Blvd., Ste. 700 Arlington, VA 22201 (703) 243-9423 <a href="mailto:cam@consovoymccarthy.com">cam@consovoymccarthy.com</a> <i>Counsel for Intervenor Defendants RNC, NRC, and NYGOP</i></p>
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