

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DELAWARE**

In the Matter of MIKE MARTUCCI,

Petitioner,

Index No. EF2020-640

-against-

THE NEW YORK STATE BOARD OF ELECTIONS;
THE BOARD OF ELECTIONS OF SULLIVAN COUNTY;
THE BOARD OF ELECTIONS OF DELAWARE COUNTY;
THE BOARD OF ELECTIONS OF ORANGE COUNTY;
THE BOARD OF ELECTIONS OF ULSTER COUNTY; and
JEN METZGER, Candidate for the New York State Senate, 42nd
Senate District,

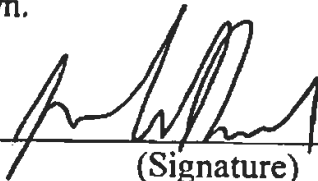
Respondents.

AFFIDAVIT OF JOHN BURDICK

I, John Burdick, being duly sworn, say:

1. I am a registered voter in Ulster County.
2. I reside at 16 Woodland Drive, New Paltz, New York, where I have lived for the past 20 years.
3. I have lived in New Paltz for a total of 58 years. I registered to vote more than three decades ago.
4. I requested and received an absentee ballot to vote in the November 3, 2020 general election. I then filled out, signed, and sealed my ballot, and, during the early afternoon of election day, delivered it in person to the polling place at New Paltz Middle School. To deliver my absentee ballot at the polling place, I placed it directly in the dropbox as instructed by poll workers.
5. I have not received any notice describing any purported defect in my ballot or providing an opportunity to cure any such defect.

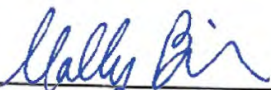
6. I have talked with attorneys at the New York Civil Liberties Union about what it means to be a class representative. Should the Court deem it necessary for this lawsuit to be in the form of a class action in order to secure relief to me and all other similarly situated voters, I have decided I want to take on the role of class representative should the Court permit me to do so. I want to speak up for all the voters whose ballots have been unfairly challenged, and I am asking the Court to allow me to speak for them. I am willing to participate in this case as necessary to do so. I am willing to participate in this lawsuit until the end, and I am able to keep working on it in the future and to be a spokesperson for other voters facing similar situations, even if the challenge to my particular ballot is withdrawn.



 (Signature)
 John Burdick

 (Print Name)

Sworn to before me this
24th day of November, 2020



 (Notary public)

MOLLY K. BIKLEN
 Notary Public-State of New York
 No. 02BI6356621
 Qualified in New York County
 Commission Expires 04/03/2021

*Sworn to me via videoconferencing pursuant to N.Y. Executive Order 202.67.