

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

In the Matter of MIKE MARTUCCI,

Petitioner,

-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.

Index No. EF2020-640

NOTICE OF MOTION TO INTERVENE

PLEASE TAKE NOTICE that upon the attached Affirmation of Perry M. Grossman, dated November 24, 2020, in support of the Motion to Intervene by John Mellitt, John Burdick, Theresa Logan, and the New York Civil Liberties Union; the exhibits appended to that Affirmation, the Affidavits of John Mellitt, John Burdick, and Theresa Logan, and the accompanying Memorandum of Law in Support of the Motion to Intervene, undersigned counsel for the proposed intervenor-respondents will move this Court to issue an order pursuant to Rules 1012, 10103 and 7802(d) of the New York Civil Practice Law and Rules granting the proposed intervenors-respondents leave to intervene in this matter for the purpose of protecting their rights as voters and of other voters in this District not to be disenfranchised.

Dated: New York, New York
November 24, 2020



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