

At an I.A.S. Term, Part, of the Supreme Court of the State of New York, held in and for the County of Albany, at the Albany County Courthouse, 16 Eagle Street, on the 30th day of June 2022.

PRESENT:

HON. David A Weinstein A, J.S.C.
-----X

Application of

LARRY SHARPE, as Aggrieved Candidate of the Libertarian Party for the Office of Governor of the State of New York,

Petitioner,

- against -

NEW YORK STATE BOARD OF ELECTIONS,

and

JOHN P. O'CONNOR, as purported Objector herein,

Respondents,

for an order pursuant to the Election Law and the Constitution of the State of New York and the Constitution of the United States, declaring valid, proper and legally effective the nomination of the Petitioner and directing the Board of Elections to place the name of the candidate Petitioner upon the official ballots and voting machines as a candidate for such office in the General Election to be held on November 8, 2022.

Index No. 04989-22

ORDER TO SHOW CAUSE

Proceeding Under Election Law §16-102

01-22-141 830

RECEIVED

JUN 30 2022

Albany County Combined Courts

UPON the reading and filing of the annexed petition of LARRY SHARPE, verified the 30th day of June 2022, and the exhibits annexed thereto,

LET the respondents show cause at an I.A.S. Part of this Court, to be held at the Courthouse thereof, located at 16 Eagle Street, Albany, New

York, on the 25th day of July 2022, at 11:00 in the am.m. or as soon thereafter as counsel may be heard, why an Order should not be made and entered herein:

(a) declaring valid, proper, sufficient and legally effective the Designating Certificate filed in the office of Respondent NYSBOE designating Petitioner and the other LPNY statewide candidates as candidates for the offices indicated thereon, and directing and requiring Respondent NYSBOE to place and print the name, for Governor of the State of New York, of Petitioner Larry Sharpe; for Lieutenant Governor of the State of New York, of Andrew Hollister; for Attorney General of the State of New York, of Sean C. Hayes; for Comptroller of the State of New York, of William K. Schmidt; for United States Senator from the State of New York, of Thomas D. Quiter, and to cause the above names to appear on the voting machines, as candidates; or in the alternative

(b) declaring the June 27, 2022 ruling made by Respondent NYSBOE that purported to invalidate Petitioner's Nominating Petition to be void, and enjoining Respondent NYSBOE from enforcing the said ruling; and

(c) declaring valid, proper, sufficient and legally effective the Nominating Petition filed in the office of Respondent NYSBOE nominating Petitioner and the other LPNY statewide candidates as candidates for the offices indicated thereon, and directing and requiring Respondent NYSBOE to place and print the name, for Governor of the State of New York, of Petitioner Larry Sharpe; for Lieutenant Governor of the State of New York, of Andrew Hollister; for Attorney General of the State of New York, of Sean C. Hayes; for Comptroller of the State of New York, of William K. Schmidt; for United States Senator from the State of New York, of Thomas D. Quiter, and to cause the above names to appear on the voting machines, as candidates; and

(d) for such other and further relief as the Court may deem just and proper; and it is further

ORDERED, that Respondent New York State Board of Elections be and hereby is ordered and directed to produce upon the hearing of this Order to Show Cause and on all adjournments thereof, the aforesaid designating certificate and nominating petition, with cover sheet and any amended cover sheet(s), identification number application form and any other documents in support of or related to the alleged designation and nomination of candidate Petitioners; together with the Objections and Specifications of Objections relating to the aforesaid nominating petition; any written notification of a determination of non-compliance together with proof of service upon Petitioners and/or contact person designated therein; any writing purporting to cure or correct said determination of non-compliance; the report of the Clerk(s) of Respondent New York State Board of Elections made on such Objections and Specifications of Objections; the minutes and proceedings of any meeting of Respondent New York State Board of Elections made for the purpose of ruling upon Objections and/or Specifications of Objections filed by any person herein to the aforesaid nominating petition of Petitioners; and such other records of Respondent New York State Board of Elections as may relate to this matter for examination by this Court.

SUFFICIENT CAUSE APPEARING THEREFOR, leave is hereby granted to Petitioners to submit, upon the return date of this Order to Show Cause, and any adjournments thereof, and the argument thereof, such additional evidence, exhibits, and other proof as may be necessary, including without limitation, such proof as may be necessary to support the validity of candidate Petitioners' candidacy for designation or nomination for said public offices at said general election, and it is further

ORDERED, that service of a copy of this order to show cause, together with a copy of the papers upon which it is granted, on the Respondent NEW YORK STATE BOARD OF ELECTIONS be made by leaving a copy of said order and papers at the Offices of the said NEW YORK STATE BOARD OF ELECTIONS, or by delivering same to any one of the Commissioners of Elections of the said Board, the Executive Directors of said Board, any Counsel of said Board, or any other officer or employee of said Board authorized to accept service, on or before the 30th day of June 2022, and/or, at the option of the petitioner, service may be alternatively made, by enclosing same in a securely sealed and post paid wrapper addressed to the said NEW YORK STATE BOARD OF ELECTIONS and depositing same with a depository of the United States Postal Service, via Priority Mail Express service on or before the 30th day of June 2022, and it is further

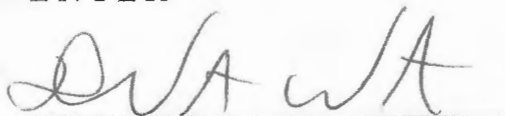
ORDERED, that service of a copy of this order to show cause, together with a copy of the papers upon which it is granted, on the Respondent JOHN P. O'CONNOR, be made by one of the following methods at the option of the Petitioner: (1) by delivering the same to such Respondent personally on or before the 30th day of June 2022; or (2) ~~by enclosing same in a securely sealed and post paid wrapper addressed to such Respondent at the address set forth in his Specific Objections, and depositing same with a depository of the United States Postal Service on or before the 30th day of June 2022, via Priority Mail Express service; or (3) by~~ delivering the same to a person of suitable age and discretion at the address of such Respondent as set forth in his Specific Objections, AND by enclosing the same in a securely sealed and duly prepaid wrapper, addressed to such Respondent at the address of such Respondent as set forth in his Specific Objections, and depositing the same with a depository of the United States Postal Service via Priority Mail Express, on or before the 30th day of June 2022; or (4) by affixing the

or ~~that~~ any overnight
delivery service

same to the outer or inner door of the residence of such Respondent at the address of such Respondent as set forth in his Specific Objections, AND by enclosing the same in a securely sealed and duly prepaid wrapper, addressed to such Respondent at the address of such Respondent as set forth in his Specific Objections, and depositing the same with a depository of the United States Postal Service via Priority Mail Express, on or before the 30th day of June 2022; or (5) by any other method of substituted service permitted under the CPLR on or before the 30th day of June 2022, and that such service shall be deemed due, timely, good and sufficient service thereof, and such service shall constitute good and sufficient notice hereof.

ENTER

Acty



Justice of the Supreme Court

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

-----X
Application of

LARRY SHARPE, as Aggrieved Candidate of the
Libertarian Party for the Office of Governor of the State of
New York,

Petitioner,

Index No.

- against -

VERIFIED PETITION

NEW YORK STATE BOARD OF ELECTIONS,

Proceeding Under
Election Law §16-102

and

JOHN P. O'CONNOR, as purported Objector herein,

Respondents,

for an order pursuant to the Election Law and the
Constitution of the State of New York and the
Constitution of the United States, declaring valid, proper
and legally effective the nomination of the Petitioner and
directing the Board of Elections to place the name of the
candidate Petitioner upon the official ballots and voting
machines as a candidate for such office in the General
Election to be held on November 8, 2022.

-----X
TO THE SUPREME COURT OF THE STATE OF NEW YORK:

Petitioner LARRY SHARPE, as his petition against the respondents, pro se, respectfully
alleges:

1. Petitioner is an aggrieved candidate of the Libertarian Party ("LPNY") for the
office of Governor of the State of New York.
2. Respondent NEW YORK STATE BOARD OF ELECTIONS ("Respondent
NYSBOE") was and is charged with the responsibility for the supervision of the conduct of the
official election to be held for the office of Governor of the State of New York, in the November

8, 2022 general election, including the review and determination of objections and specifications of objections to independent nominating petitions.

3. Respondent JOHN P. O'CONNOR ("Respondent O'Connor") is a purported Objector to the independent nominating petition filed by Petitioner with Respondent NYSBOE.

4. On February 19, 2022, the LPNY's state committee held a meeting for the purpose of designating candidates for nomination for the public offices to be filled by the voters of the entire state, in the November 2022 general election. The candidates who received the majority vote of the LPNY state committee were:

- For Governor of the State of New York, Petitioner Larry Sharpe
- For Lieutenant Governor of the State of New York, Andrew Hollister
- For Attorney General of the State of New York, Sean C. Hayes
- For Comptroller of the State of New York, William K. Schmidt
- For United States Senator from the State of New York, Thomas D. Quiter

No other candidate received the votes of twenty-five percent or more of the members of the state committee.

5. Upon information and belief, within four days after the February 19 meeting, the LPNY state committee filed with Respondent NYSBOE a certificate with the names of the above candidates and the public officers for which they were designated, and the names of the persons selected as the committee to fill vacancies (the "Designating Certificate"), a copy of which is annexed hereto as **Exhibit 1**.

6. On May 31, 2022, Petitioner and the other LPNY statewide candidates timely submitted an independent nominating petition (the "Nominating Petition"), by which the said

candidates sought, in the alternative, to qualify as Libertarian Party candidates for the same statewide public offices they were already designated for.

7. Petitioner is, in all respects, duly qualified for the said designation and nomination.

8. The Nominating Petition was and still is in due and proper form as prescribed by law, and appears to contain more than the minimum number of signatures of duly registered voters of the State of New York, and the Nominating Petition is otherwise valid, proper, sufficient and legally effective.

9. Upon information and belief, after the filing of the Nominating Petition, written Objections to the Nominating Petition were filed with Respondent NYSBOE by Respondent O'Connor, whose purported residence was indicated on said written Objections as 412 Gage Road, Brewster, New York, and Petitioner is therefore aggrieved.

10. Upon information and belief, said Respondent O'Connor is not eligible to serve as a lawful objector.

11. Upon information and belief, Respondent O'Connor filed Specifications of Objections in support of the aforesaid written Objections to the Nominating Petition with Respondent NYSBOE.

12. Upon information and belief, the aforesaid Objections and Specifications of Objections are insufficient, deficient as a matter of law and do not comply with the Rules of Respondent NYSBOE, and many of the allegations contained therein are without merit in law or in fact.

13. It was not until June 28, 2022, that Petitioner learned that (1) the staff of Respondent NYSBOE had purported to conduct "a prima facie examination" of the Nominating

Petition, and had “found” that it contains “no more than 42,356 signatures,” thereupon referring “the matter” to the Commissioners of Respondent NYSBOE, who (2) on June 27, 2022, held a formal meeting, and determined that the Nominating Petition “is invalid,” without any “consideration of the objection” filed by Respondent O’Connor, or by anyone else, whatsoever. A copy of that determination is annexed hereto as **Exhibit 2**.

14. That finding, and that determination, were made in violation of Election Law §6-154(1), which provides:

§6-154. Nominations and designations; objections to

1. Any petition filed with the officer or board charged with the duty of receiving it shall be presumptively valid if it is in proper form and appears to bear the requisite number of signatures, authenticated in a manner prescribed by this chapter.

...

15. How does anyone infer 42,000 signatures from a first glance of 5,100 bound petition sheets without a detailed count? Respondent NYSBOE either counted (triggered by the challenge) or accepted the prima facie count of the objector. In either case, this was because of the objection and therefore we should have had a hearing. The state denied my rights.

16. Respondent NYSBOE has not claimed that the Nominating Petition was not “in proper form,” and the Nominating Petition is indeed in proper form. In addition, the Nominating Petition appears to bear the requisite number of signatures, as it did upon its filing on May 31, 2022, and it was therefore required by law to be treated as “presumptively valid.” The total number of signatures was not indicated on the face of the petition or on its cover sheet, and the total number of petition sheets, each of which had space for 10 signatures, and the vast majority of which were fully completed, was well over 5,100, as calculated by Respondent NYSBOE itself and publicized on its website within a few days of its filing. It is therefore incorrect that “the consideration of the objection is academic,” and the determination of Respondent NYSBOE

that the Nominating Petition "is invalid," is itself invalid. In the absence of a finding that an objection was properly filed, and that the objection is sufficient, the Nominating Petition must be determined to be valid, and the names of all five of its candidates must be placed on the general election ballot.

AS AND FOR A FIRST CLAIM IN EQUITY, FOR A DECLARATION THAT
PETITIONER'S CERTIFICATE OF DESIGNATION IS VALID PURSUANT TO
ELECTION LAW §16-102(1)

17. Petitioner repeats and realleges each and every allegation set forth in paragraphs 1 through 16 above as though set forth fully herein.

18. The state broke its contract with me. In 2018, I spent time and money to obtain recognized party status for the Libertarian Party in New York. I took a year off from work and raised \$500,000.00. Of that, \$10,000.00 was my personal money and the rest came from thousands of donors with an average donation of about \$85.00. At the time, the ONLY way to obtain recognized party status was during a gubernatorial race. So, accordingly, recognized party status lasted four years. I achieved this, then a year later in the middle of our agreement, the state changed the rules and ended our deal.

19. I spent the time and money with a reasonable belief and expectation that it would last for four years. This is why New Yorkers volunteered and donated. This is why I sacrificed. The state reneged on a deal with its citizens and there should be a remedy as with any other agreement.

20. Remedy: I should be on the ballot in 2022 and the LPNY should be a recognized party in 2023 and 2024.

21. If I am on the ballot there is NO harm, people can just not vote for me, as they did by the millions in 2018. But if I am not on the ballot, at least 100,000 New Yorkers will be disenfranchised.

22. This cannot be remedied in 2024, we will lose donors, volunteers as well as access to the NYSBOE database that all other parties have and can use to contact their party members. This must be remedied THIS year.

23. Petitioner's Certificate of Designation, issued on February 20, 2022 upon the vote of a majority of the LPNY state committee on February 19, 2022 designating five statewide candidates for the November 2022 general election ballot, was properly issued pursuant to Election Law §6-104, insofar as the LPNY had qualified for "party" status in November 2018 when its Governor candidate obtained over 50,000 votes.

24. As a result, a ruling should be made by this Court validating Petitioner's Certificate of Designation, and directing that the names of all five of the LPNY's statewide candidates be placed accordingly on the November 2022 general election ballot.

AS AND FOR A SECOND CLAIM IN EQUITY, FOR A DECLARATION IN THE
ALTERNATIVE THAT PETITIONER'S INDEPENDENT NOMINATING PETITION IS
VALID PURSUANT TO ELECTION LAW §16-102(1)

25. Petitioner repeats and realleges each and every allegation set forth in paragraphs 1 through 24 above as though set forth fully herein.

26. The state claims that 45,000 signatures can be collected in six weeks by anyone who is diligent.

27. To complete this task, any team would lose one of those weeks. We lose a few days to organize sites and teams and to weed out poor performers. It's unknown what areas will be effective for gathering signatures and this is trial and error. We lose a few more days at the

end because we need to: (1) check petitions and get witnesses to correct any errors; (2) organize over 5,000 sheets into congressional districts; (3) hand number each sheet in the appropriate order; and (4) bind all sheets.

28. Therefore, we actually have five weeks to petition. In addition, we must expect that we will be challenged (every Governor candidate was) so we will need to get at least 50,000 signatures to be safe. This translates to 10,000 signatures per week. If you can get your team to work five days a week, that is 2,000 signatures needed per day. A very talented petitioner can get 100 signatures per day (10 hours including lunch and breaks), an average petitioner will get between 25-50 signatures per day. If we assume 50 signatures per day average, we will need 40 people to work five days per week for five weeks straight. What average "diligent" person has 40 associates/friends/volunteers that can take off from work for five weeks in a row to do this? Then include team captains and then a team to collate everything at the end.

29. So, instead we will have to pay. Paid petitioners can get from \$15 to \$25 per hour. If we assume \$20 per hour average, those same 40 petitioners, will cost \$800 per hour, \$8,000 per day, \$40,000 per week for five weeks equaling \$200,000. Now add team captains, a coalition team as well as travel and materials (paper, pens, clipboards, etc.) This means a campaign cost of \$250,000, which does not include any other campaigning material, ads, polling, social media, etc. What average diligent person has a quarter of a million dollars to spend on this?

30. The claim is clearly false. In fact, this has NEVER been done before.

31. The state claims that moving the petitioning time earlier in the year doesn't matter.

32. The new petitioning season is now in snowstorm season. A harsh snowstorm can shut down roads, as well as events. We can easily lose another week. Meaning, now we must spend \$50,000 per week instead of \$40,000, or find ten more people who can take off four weeks straight to work five days per week.

33. In addition, when the petitioning season was in the summer, there were plenty of local public events to attend to look for New York voters. Earlier in the year, there are far fewer, making deploying teams across the state to cover the appropriate congressional district even more challenging. For smaller independent campaigns (what this rule is supposedly made for), this barrier is insurmountable.

34. This claim is also clearly false. Again, this has NEVER been done.

35. The state will claim, this complaint is not timely.

36. We have been suing for years! But now, we can see that NO one can comply with the new rules. We can see that very clearly. It's the perfect time to fix the problem, now.

37. The state claims that these rules are to ensure that candidates who can't win are not on the ballot.

38. Why is this even a goal? Most independent candidates realize that their chance of victory is slim. This is usually about speech, protest and impact. If the established candidates see a substantial vote for an independent party, they know what their constituents want. In addition, nothing will work as a stronger protest than a vote against a candidate. This is an unconstitutional goal.

39. But if we are going to have that goal, then lets pull the Republicans off the statewide ballot. They haven't won a statewide election in 20 years. They can't win either. We'll just have a Democratic primary and declare a winner.

40. Conclusion: A multi-millionaire, a sitting congressman, and a previous gubernatorial candidate could not comply. This is ballot suppression and violates the rights of hundreds of thousands of New York voters. It is creating an environment where only the Democratic or Republican party establishment has any chance of being our representatives. ALL of the Democratic and Republican candidates in the recent primary were either current or former government officials and most were multi-millionaires. These rules are establishing an aristocracy to rule us.

41. In addition, once this becomes the norm, why would an independent candidate ever try again? Why would they gamble \$250,000 to probably fail? This will be permanent.

42. Petitioner's Independent Nominating Petition was and is in proper form as prescribed by law, and appears to contain the signatures of more than the minimum number of duly registered voters residing in New York, and the petition is otherwise valid, proper, sufficient, and legally effective.

43. No valid and filed objection to the said petition has been considered by Respondent NYSBOE, and as a result, the June 27, 2022 determination of Respondent NYSBOE, ruling the said petition invalid, is itself invalid and should be reversed, and a new ruling should be made by this Court validating Petitioners' Nominating Petition, and directing that the names of all five of the LPNY's statewide candidates, appearing on the Nominating Petition, be placed accordingly on the November 2022 general election ballot.

44. Petitioner requests leave and reserves the right to submit upon the argument and hearing of this application, evidence by way of affidavits, testimony, and documentary proof to substantiate and support this application.

45. No previous application for this or similar relief has been made, in this or any other court, excepting a case brought in the United States District Court for the Southern District of New York, styled Libertarian Party of New York et al. v. New York State Board of Elections and filed under Index No. 20cv5820, which is now pending appeal in the Second Circuit under Index No. 21-1464, commenced prior to the filing of the Designating Certificate and Nominating Petition subject of the instant proceeding.

WHEREFORE, Petitioner respectfully requests judgment:

(a) declaring valid, proper, sufficient and legally effective the Designating Certificate filed in the office of Respondent NYSBOE designating Petitioner and the other LPNY statewide candidates as candidates for the offices indicated thereon, and directing and requiring Respondent NYSBOE to place and print the name, for Governor of the State of New York, of Petitioner Larry Sharpe; for Lieutenant Governor of the State of New York, of Andrew Hollister; for Attorney General of the State of New York, of Sean C. Hayes; for Comptroller of the State of New York, of William K. Schmidt; for United States Senator from the State of New York, Thomas D. Quiter, and to cause the above names to appear on the voting machines, as candidates; or in the alternative

(b) declaring the June 27, 2022 ruling made by Respondent NYSBOE that purported to invalidate Petitioner's Nominating Petition to be void, and enjoining Respondent NYSBOE from enforcing the said ruling; and

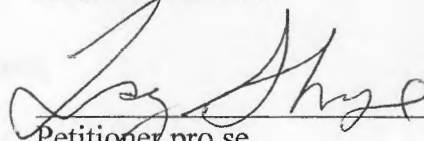
(c) declaring valid, proper, sufficient and legally effective the Nominating Petition filed in the office of Respondent NYSBOE nominating Petitioner and the other LPNY statewide candidates as candidates for the offices indicated thereon, and directing and requiring Respondent NYSBOE to place and print the name, for Governor of the State of New York, of

for Attorney General of the State of New York, of Sean C. Hayes; for Comptroller of the State of New York, of William K. Schmidt; for United States Senator from the State of New York, Thomas D. Quiter, and to cause the above names to appear on the voting machines, as candidates; and

(d) for such other and further relief as the Court may deem just and proper.

Dated: June 30, 2022
Queens, New York

LARRY SHARPE



Petitioner pro se
23-14 24th Avenue
Astoria, New York 11102
(212) 307-3545

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

-----X

Application of

LARRY SHARPE, as Aggrieved Candidate of the
Libertarian Party for the Office of Governor of the State of
New York,

Petitioner,

Index No.

- against -

VERIFIED PETITION

NEW YORK STATE BOARD OF ELECTIONS,

Proceeding Under
Election Law §16-102

and

JOHN P. O'CONNOR, as purported Objector herein,

Respondents,

for an order pursuant to the Election Law and the
Constitution of the State of New York and the
Constitution of the United States, declaring valid, proper
and legally effective the nomination of the Petitioner and
directing the Board of Elections to place the name of the
candidate Petitioner upon the official ballots and voting
machines as a candidate for such office in the General
Election to be held on November 8, 2022.

-----X

COUNTY OF ALBANY)

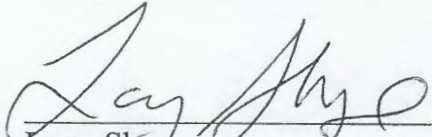
) ss.:

STATE OF NEW YORK)

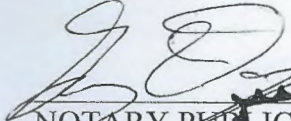
Larry Sharpe, being duly sworn, deposes and says:

I have read the foregoing petition, and it is true to my own knowledge, except as to

matters therein stated to be alleged on information and belief and as to those matters I believe it to be true.


Larry Sharpe

Sworn to before me this
30th day of June 2022


NOTARY PUBLIC

GARY L. DONOYAN
Notary Public, State of New York
No. 02DO6182882
Qualified in Nassau County
Commission Expires 28 July 2024

EXHIBIT 1

Section 10 of the New York Election Law, which provides that the State Board of Elections shall have the duty to certify the results of the election of the State Comptroller of the Currency, and to issue the certificate of election to the successful candidate. The Board of Elections is also authorized to issue the certificate of election to the successful candidate of the State Comptroller of the Currency, and to issue the certificate of election to the successful candidate of the State Comptroller of the Currency.

THE COMPTROLLER OF THE CURRENCY OF THE STATE OF NEW YORK
Name of Candidate: [Name]
Place of Residence: [Address]

THE COMPTROLLER OF THE CURRENCY OF THE STATE OF NEW YORK
Name of Candidate: [Name]
Place of Residence: [Address]

THE COMPTROLLER OF THE CURRENCY OF THE STATE OF NEW YORK
Name of Candidate: [Name]
Place of Residence: [Address]

THE COMPTROLLER OF THE CURRENCY OF THE STATE OF NEW YORK
Name of Candidate: [Name]
Place of Residence: [Address]

THE COMPTROLLER OF THE CURRENCY OF THE STATE OF NEW YORK
Name of Candidate: [Name]
Place of Residence: [Address]

EXHIBIT 1

Pursuant to Election Law Section 6-104, we hereby certify that at a duly held meeting of the Libertarian Party of New York State Committee held in Albany, New York and by teleconference on Saturday, February 19, 2022, a quorum being present, the following persons were designated by a majority vote of said committee as candidates for the nomination by the Libertarian Party for the following public officers to be voted at the June 28, 2022 Primary Election and November 8, 2022 General Election:

TITLE OF OFFICE: Governor of the State of New York

Name of Candidate: Larry David Sharpe

*Please place name on the ballot as "Larry Sharpe"

Place of Residence: 23-14 24th Avenue, Astoria, NY 11102

TITLE OF OFFICE: Lieutenant Governor of the State of New York

Name of Candidate: Andrew C. Hollister

Place of Residence: 710 Janes Road, Rochester, NY 14612

TITLE OF OFFICE: Attorney General of the State of New York

Name of Candidate: Sean C. Hayes

Place of Residence: 200 Rector Place Apt. 19L, New York, NY 10280

TITLE OF OFFICE: Comptroller of the State of New York

Name of Candidate: William K. Schmidt

Place of Residence: 1874 Crompond Rd., Apt. 3 B7, Peekskill, NY 10566

TITLE OF OFFICE: United States Senator from the State of New York

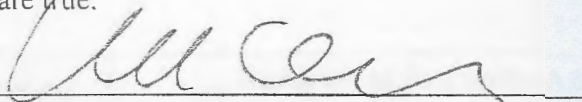
Name of Candidate: Thomas D. Quiter

Place of Residence: 1789 State Highway 8, Mount Upton, NY 13809

LIBERTARIAN PARTY OF NEW YORK
CERTIFICATION OF DESIGNATION
PAGE 2 of 3

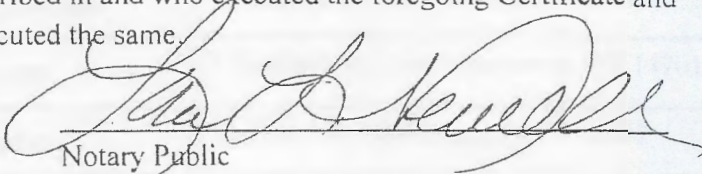
STATE OF NEW YORK)
)
) SS:
COUNTY OF ALBANY)

William Cody Anderson, being duly sworn, says that he is the Chair of the State Committee of the Libertarian Party of New York, and acted as such at the meeting duly convened and held in Albany, New York and by teleconference, on Saturday, February 19, 2022, and that the statements in the foregoing Certificate are true.


William Cody Anderson, Chair of the State Committee

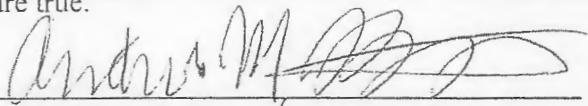
On the 20th day of February, 2022, before me came William Cody Anderson, Chair of the State Committee of the Libertarian Party of the State of New York, to me known to be such officer and to be the person described in and who executed the foregoing Certificate and acknowledged to me that he executed the same.

LORA L. NEWELL
NOTARY PUBLIC-STATE OF NEW YORK
No. 01NE6269660
Qualified in Schoharie County
My Commission Expires October 01, 2024


Notary Public

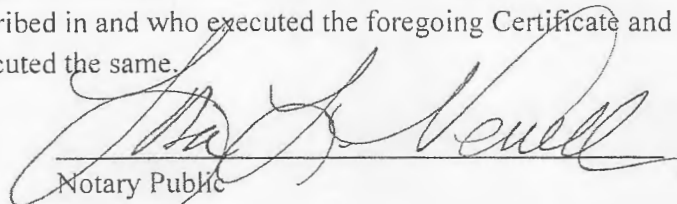
STATE OF NEW YORK)
)
) SS:
COUNTY OF ALBANY)

Andrew M. Kolstee, being duly sworn, says that he is the Secretary of the State Committee of the Libertarian Party of New York, and acted as such at the meeting duly convened and held in Albany, New York and by teleconference, on Saturday, February 19, 2022, and that the statements in the foregoing Certificate are true.


Andrew M. Kolstee, Secretary of the State Committee

On the 20th day of February, 2022, before me came Andrew M. Kolstee, Secretary of the State Committee of the Libertarian Party of the State of New York, to me known to be such officer and to be the person described in and who executed the foregoing Certificate and acknowledged to me that he executed the same.

LORA L. NEWELL
NOTARY PUBLIC-STATE OF NEW YORK
No. 01NE6269660
Qualified in Schoharie County
My Commission Expires October 01, 2024


Notary Public

LIBERTARIAN PARTY OF NEW YORK
CERTIFICATION OF DESIGNATION
PAGE 3 OF 3

We hereby certify that the following persons are the Committee to Fill Vacancies in the designations for nominations made by the Libertarian Party of New York State Committee for the public offices of Governor of the State of New York, Lieutenant Governor of the State of New York, Attorney General of the State of New York, Comptroller of the State of New York, and United States Senator from the State of New York in accordance with Article 14.3.5 of the Rules of the Libertarian Party to be voted at the June 28, 2022 Primary Election and the November 8, 2022 General Election:

Name	Position	Residence or Post Office Address
William Cody Anderson	Chair	P.O. Box 910, Middleburgh, NY 12122
Anthony D'Orazio	1 st Vice-Chair	122 West Filbert Street, East Rochester, NY 14445
Duane J. Whitmer	2 nd Vice-Chair	5806 East Lane, Lakeview, NY 14085
Andrew M. Kolstee	Secretary	35 Fairfield Avenue, Jamestown, NY 14701
Lora L. Newell	Treasurer	P.O. Box 321, Middleburgh, NY 12122
Robert M. Arrigo	Member-At-Large	24 Preserve Way, Saratoga Springs, NY 12866
Gabrielle S. Cordova	Member-At-Large	65-60 Wetherole Street, Apt. 4A, Rego Park, NY 11374
Pietro S. Geraci	Member-At-Large	26 Rockwood Drive, Newburgh, NY 12550
Paul M. Grindle	Member-At-Large	157 Starr Street, Apt. 4R, Brooklyn, NY 11237
Richard F. Purtell	Member-At-Large	4 Holmes Avenue, Apalachin, NY 13732

Date:

Page: 1 of 2

Address:
Room:

STATE BOARD OF ELECTIONS
110 West Broadway
New York, NY 10038

Phone:
Fax:

City:
State:

Web:
E-mail:

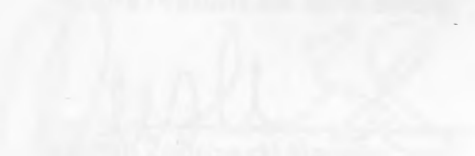
April 27, 2017

STATE OF NEW YORK
STATE BOARD OF ELECTIONS

DETERMINATION

in the Matter of the Election of Don J. O'CONNOR to the Independent Working Women of the Libertarian Party purporting to nominate LARRY SHARPE as candidate for the Public Office of Governor of the State of New York, ANDREW HOLSTEN as candidate for the Public Office of Lieutenant Governor of the State of New York, MARY C. HAYES as candidate for the Public Office of Attorney General WILLIAM E. SCHWARTZ as candidate for the Public Office of Comptroller of the State, and THOMAS D. GUSTAF as candidate for the Public Office of United States Senator from the State of New York.

After a prima facie examination of the Independent Working Women of the Libertarian Party purporting to nominate LARRY SHARPE as candidate for the Public Office of Governor of the State of New York, ANDREW HOLSTEN as candidate for the Public Office of Lieutenant Governor of the State of New York, MARY C. HAYES as candidate for the Public Office of Attorney General, WILLIAM E. SCHWARTZ as candidate for the Public Office of Comptroller of the State of New York, and THOMAS D. GUSTAF as candidate for the Public Office of United States Senator from the State of New York, and after all relevant laws and regulations have been considered by the Commission of the State Board of Elections, a determination rendered by the Commission of the State Board of Elections on March 25, 2017, holds that an Election Petition, purporting to state Don J. O'CONNOR as candidate for the Public Office of Governor of the State of New York, ANDREW HOLSTEN as candidate for the Public Office of Lieutenant Governor of the State of New York, MARY C. HAYES as candidate for the Public Office of Attorney General, WILLIAM E. SCHWARTZ as candidate for the Public Office of Comptroller of the State of New York, and THOMAS D. GUSTAF as candidate for the Public Office of United States Senator from the State of New York, is not validly filed with the Commission of the State Board of Elections, and the same is hereby determined to be invalid. The Commission of the State Board of Elections, in rendering this determination, holds that the petition does not contain the required number of signatures required for the petition to be validly filed. The Commission of the State Board of Elections, in rendering this determination, holds that the petition is not validly filed.



Don J. O'CONNOR
Candidate



William E. SCHWARTZ
Candidate

EXHIBIT 2

Peter S. Kosinski
Co-Chair



Board of
Elections

Douglas A. Kellner
Co-Chair

Anthony Casale
Commissioner

40 NORTH PEARL STREET, SUITE 5
ALBANY, N.Y. 12207-2109

Andrew J. Spano
Commissioner

Todd D. Valentine
Co-Executive Director

Phone: 518/474-8100 Fax: 518/486-4068
<http://www.elections.ny.gov>

Kristen Zebrowski Stavisky
Co-Executive Director

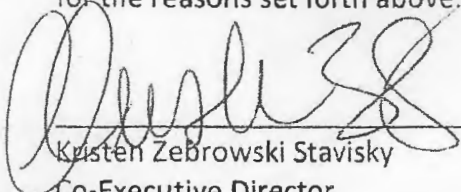
June 27, 2022

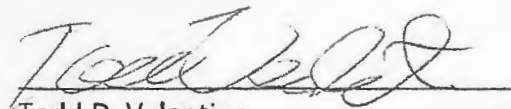
STATE OF NEW YORK
STATE BOARD OF ELECTIONS

DETERMINATION

In the Matter of the Objections of JOHN P. O'CONNOR to the Independent Nominating Petition of the Libertarian Party purporting to nominate LARRY SHARPE as candidate for the Public Office of Governor of the State of New York, ANDREW HOLLISTER as candidate for the Public Office of Lieutenant Governor of the State of New York, SEAN C. HAYES as candidate for the Public Office of Attorney General, WILLIAM K. SCHMIDT as candidate for the Public Office of Comptroller of New York, and THOMAS D. QUITER as candidate for the Public Office of United States Senator from the State of New York,

After a prima facie examination of the Independent Nominating Petition of the Libertarian Party purporting to nominate LARRY SHARPE as candidate for the Public Office of Governor of the State of New York, ANDREW HOLLISTER as candidate for the Public Office of Lieutenant Governor of the State of New York, SEAN C. HAYES as candidate for the Public Office of Attorney General, WILLIAM K. SCHMIDT as candidate for the Public Office of Comptroller of New York, and THOMAS D. QUITER as candidate for the Public Office of United States Senator from the State of New York, and of the objections thereto, and the matter having been considered by the Commissioners of the State Board of Elections, a determination rendered by the Commissioners of the New York State Board of Elections on June 27, 2022, finds that: an 11 volume petition, containing no more than 42,356 signatures, was filed on May 31, 2022. Election Law §6-142(1): *An independent nominating petition ... to be voted for by all the voters of the state must be signed by at least forty-five thousand voters, or one percent of the total number of votes ... cast for the office of governor at the last gubernatorial election, whichever is less.* The petition does not contain the requisite number of signatures required for the nomination sought and is invalid. The consideration of the objection is academic, as the petition was found to be invalid for the reasons set forth above.


Kristen Zebrowski Stavisky
Co-Executive Director


Todd D. Valentine
Co-Executive Director

Larry Sharpe, 23-14 24th Avenue, Astoria, NY 11102

Andrew C. Hollister, 710 Janes Road, Rochester, NY 14612

Sean C. Hayes, 200 Rector Place #19L, New York, NY 10280

William K. Schmidt, 1874 Crompond Road #3-B7, Peekskill, NY 10566

Thomas D. Quiter, 1789 State Highway 8, Mount Upton, NY 13809

John P. O'Connor, 412 Gage Road, Southeast, NY 10509

John Ciampoli, Esq., Objector Contact, ciampolilaw@yahoo.com