

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
MARGARITA LÓPEZ TORRES, STEVEN  
BANKS, C. ALFRED SANTILLO, JOHN J.  
MACRON, LILI ANN MOTTA, JOHN W.  
CARROLL, PHILIP C. SEGAL, SUSAN LOEB,  
DAVID J. LANSNER, and COMMON  
CAUSE/NY,

Plaintiffs,

v.

NEW YORK STATE BOARD OF ELECTIONS;  
NEIL W. KELLEHER, HELENA MOSES  
DONOHUE, and EVELYN J. AQUILA, in their  
official capacities as Commissioners of the New  
York State Board of Elections,

Defendants.  
-----X

**DECLARATION OF RACHEL LEON  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR PRELIMINARY  
INJUNCTIVE RELIEF**

Index No. CV 04-1129 (JG)

RACHEL LEON declares as follows:

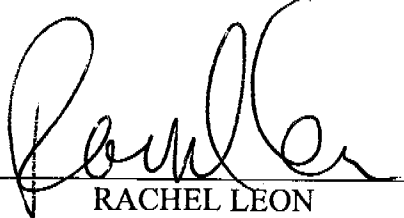
1. I submit this declaration in support of Plaintiffs' motion for a preliminary injunction.
2. I am the Executive Director of Common Cause/NY. Common Cause/NY is a non-partisan, non-profit membership organization with approximately 20,000 voting-age members from across New York State. Common Cause/NY is a Plaintiff in this matter.
3. Common Cause/NY's advocacy work includes making government more responsive and open to citizens, restoring ethics in government and public confidence in the judiciary, and curbing the influence of special interest money in politics.
4. Common Cause/NY's members have been deprived of their rights

to choose their parties' candidates for Supreme Court by New York State's burdensome and restrictive selection system. Until that system is reformed, Common Cause/NY's members will continue to suffer such irreparable harm in every election cycle in which a Supreme Court justice is selected.

5. Common Cause/NY is also harmed as an organization by New York State's Supreme Court selection system because our advocacy goals – including responsive and open government and public confidence in the judiciary – are disserved by that system. Currently, the leaders of county political organizations are able to select the candidates who will be nominated and elected in each judicial district without significant input from voters or transparent selection criteria or procedures. The result has been a significant and understandable loss in public confidence in our judicial system. As a result, Common Cause/NY cannot fulfill our organizational goals until the Supreme Court selection system is reformed.

I swear under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
~~May~~, 2004  
June 4

  
RACHEL LEON