

3. Citizens Union of the City of New York authorizes certain employees to act as lobbyists to both the state and city government on behalf of the organization, and accordingly files lobbying expenditure and source of funding reports with JCOPE.

4. Citizens Union Foundation, founded in 1948, is a non-profit corporation exempt from taxation under 26 U.S.C. § 501(c)(3). Citizens Union Foundation conducts research and publishes information on the impact of proposed policies and legislation at the state and local level, seeking increased civic participation and transparency in government.

5. Citizens Union of the City of New York and Citizens Union Foundation coordinate actions and work jointly to achieve their shared goals of good governance and fair democratic participation.

6. Citizens Union of the City of New York has hundreds of members who contribute financially to its mission. From 2013 to 2016, it averaged 481 financial contributions each year from unique individuals and entities. In 2017, there were 444 donors to Citizens Union of the City of New York. Substantially all of Citizens Union of the City of New York's annual income is generated by membership support, contributions, and fundraising.

7. Likewise, Citizens Union Foundation has hundreds of donors who contribute financially to its mission. From 2013 to 2016, it averaged 467 financial contributions each year from unique individuals and entities. In 2017, there were 515 donors to Citizens Union Foundation. Citizens Union Foundation obtains a significant portion of its annual income from contributions and fundraising.

8. While both Citizens Union of the City of New York and the Citizens Union Foundation address issues of public concern, neither engages in any partisan political activities. Indeed, while Citizens Union of the City of New York makes recommendations on a non-

partisan basis of candidates for local and statewide office, it engages in no campaign advocacy or other form of political support on behalf of any candidate for public office.

9. Under the statutory provisions being challenged in this litigation, donors to both Citizens Union of the City of New York and Citizens Union Foundation would have their identities made public, opening them up to potential harassment and retaliation by those who disagree with the good governance positions taken by the organizations, including elected officials. In addition, if the challenged provisions go into effect, both organizations would be forced to expend additional resources and staff hours in compliance costs.

10. Even in the short time since I assumed the role of Executive Director of Citizens Union, certain supporters have expressed concern about the threat of harassment and retaliation if their support for the organization is made public. For example, one potential donor whom I recently approached about making a major commitment to Citizens Union has hesitated to do so because that potential donor was concerned about being publicly associated with Citizens Union. As the potential donor explained it to me, the potential donor was aware of Citizen Union's recent disputes with the Governor and did not want to be at odds with the Governor.

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

Executed on: May 24, 2018
New York, New York



Betsy Gotbaum