

COUNTY OF SUFFOLK



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July 24, 2020

Hon. Gary R. Brown, U.S.D.J.  
United States District Court  
Eastern District of New York  
Central Islip, New York 11722

**Re: *Flores, et al., v. Town of Islip and the Suffolk County Board of Elections***  
Docket No. 18-cv-03549

Dear Judge Brown:

This office represents Defendant, Suffolk County Board of Elections ("SCBOE"), in the above referenced matter. Pursuant to Your Honor's July 14, 2020 Order requesting information regarding certification of the November 3, 2020 election results, the SCBOE has advised that as per the current political calendar, the deadline for SCBOE to certify election results is November 28, 2020.

However, it is not uncommon for factors to arise that may delay the certification, especially during a Presidential election year when the turnout is particularly high. These include: circumstances where candidates and/or attorneys want to inspect the paper ballots and make objections, or if there are post-election litigation proceedings. Further, if the Governor or Legislature were to require voting by mail for all voters due to the pandemic, any recanvassing would take much longer than recanvassing of electronic voting. If fear of contracting the virus is included as an excuse to vote absentee as it was for the June Primary, there would also be a considerable increase in paper ballots, thereby increasing recanvassing time.

Due to the several unknowns associated with this year's election, and in an abundance of caution so as to not misrepresent the timeline to the Court, all we can state with confidence for this Presidential election year is that barring any litigation delays, or delays due to inspection of ballots by candidates, certification will most likely occur in December 2020.

Respectfully submitted,  
Dennis M. Cohen  
Suffolk County Attorney

*Hope Senzer Gabor*

By: Hope Senzer Gabor  
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cc: All Counsel of Record (via ECF)