

TO THE BOARD OF ELECTIONS OF THE STATE OF NEW YORK:

The undersigned, Dr. MARIO M. CASTRACAN, a duly qualified voter of the Town of New Castle, County of Westchester, State of New York, and a duly enrolled member of the Republican Party, pursuant to Section 6-154 of the Election Law of the State of New York does hereby object to the Certificate filed on September 27, 1990, in the office of the Board of Elections of the State of New York, located at 99 Washington Avenue, Albany, New York 12210, purporting to nominate JOAN LEFKOWITZ of Scarsdale, New York, FRANCIS A. NICOLAI of Pleasantville, New York, and HOWARD MILLER of Tappan, New York as the three candidates of the Democratic Party for the office of Justice of the Supreme Court of the State of New York, Ninth Judicial District, to be voted upon at the general election to be held on November 6, 1990.

The Certificate is, and nominations are, defective, invalid, null and void for failure to comply with the provisions of the Election Law in the following manner:

1. The delegates and alternate delegates constituting the judicial convention of the Democratic Party for the Ninth Judicial District of the State of New York (the "Convention") were not elected in accordance with the geographical and proportionality requirements for the election of delegates and alternate delegates to judicial conventions prescribed by Section 6-124 of the Election Law;

**EXHIBIT D**

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2. The original call mailed to the Delegates and Alternate Delegates elected to the Convention were defective, invalid, null and void;

3. The Convention was convened at a time and place failing to comply with legal requirements, the call to order of the Convention, the election of the Temporary chairman and the transaction of the business of the Convention failed to be conducted in accordance with legal requirements thereby rendering the nominations resulting therefrom defective, invalid, null and void;

4. The three candidates were nominated by the Convention as a result, and in further performance, of an illegal agreement entered into between party officers of the Republican Party and Democratic Party, thereby rendering said nominations defective, invalid, illegal, null and void.

The undersigned further reserves the right to amplify and extend his objection in form and substance with respect thereto, pursuant to the provisions of the Election Law of the State of New York.

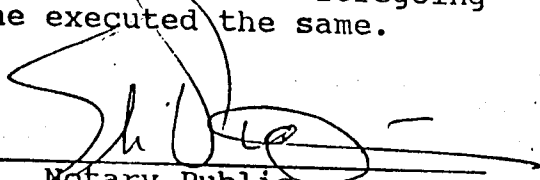
The undersigned is a resident of the Town of New Castle, County of Westchester, State of New York and is duly registered to vote for the office of Justice of the Supreme Court of the State of New York, Ninth Judicial District at the general election to be held on November 6, 1990.

IN WITNESS WHEREOF, I have signed these objections on  
the day of September, 1990.

Dr. Mario M. Castracan  
Dr. MARIO M. CASTRACAN

State of New York )  
County of Westchester )ss:

On the day of September, 1990, before me personally  
came Dr. Mario M. Castracan, to me known, and known to me to be  
the same person described in and who executed the foregoing  
objections and acknowledged to me that he executed the same.

  
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Notary Public

ELI VIGORANO  
Notary Public, State of New York  
No. 4867283  
Qualified in Westchester County  
Commission Expires June 4, 1992