

# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

### I. (a) PLAINTIFFS

Ron Barber for Congress; et al.,

(b) County of Residence of First Listed Plaintiff Pima  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Daniel C. Barr, Perkins Coie LLP, 2901 N. Central Avenue, Phoenix, Arizona, 85012, 602-351-8014

### DEFENDANTS

Ken Bennett, in his official capacity as Secretary of State for the State of Arizona, et al.

County of Residence of First Listed Defendant Maricopa  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

### II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

### III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

### IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	IMMIGRATION
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input checked="" type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

### V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

### VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
42 U.S.C. §§1983 and 1988, 52 U.S.C. §21082(a)(4), 28 U.S.C. §§2201 and 2202

Brief description of cause:

Seeking injunctive relief to order defendants to count votes that were properly cast in the 2014 general election.

### VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ \_\_\_\_\_ CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

### VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

11/24/2014

s/ Daniel C. Barr

### FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

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10 *Lea Goodwine-Cesarec, Laura Alessandra*  
*Breckenridge, and Josh Adam Cohen*  
11

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF ARIZONA

14 Ron Barber for Congress; Lea Goodwine-  
15 Cesarec, Laura Alessandra Breckenridge,  
16 Josh Adam Cohen,

17 Plaintiffs,

18 v.

19 Ken Bennett, in his official capacity as  
20 Secretary of State of the State of Arizona; the  
Pima County Board of Supervisors, a body  
21 politic; Ally Miller, in her official capacity as a  
member of the Pima County Board of  
22 Supervisors; Ramón Valadez, in his official  
23 capacity as a member of the Pima County  
Board of Supervisors; Sharon Bronson, in her  
24 official capacity as a member of the Pima  
County Board of Supervisors; Ray Carroll, in  
25 his official capacity as a member of the Pima  
26 County Board of Supervisors; Richard Elías, in  
27 his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
28 County Board of Supervisors, a body politic;

No.

**VERIFIED COMPLAINT FOR  
INJUNCTIVE AND  
DECLARATORY RELIEF**

1 Patrick Call, in his official capacity as a  
2 member of the Cochise County Board of  
3 Supervisors; Ann English, in her official  
4 capacity as a member of the Cochise County  
5 Board of Supervisors; and Richard Searle, in  
6 his official capacity as a member of the  
7 Cochise County Board of Supervisors.

8 Defendants.

9 Plaintiffs Ron Barber for Congress, Lea Goodwine-Cesarec, Laura Alessandra  
10 Breckenridge, and Josh Adam Cohen, (collectively, “Plaintiffs”) file this Complaint  
11 against Defendants Ken Bennett, the Pima County Board of Supervisors, the members of  
12 the Pima County Board of Supervisors, in their official capacities (Ally Miller, Ramón  
13 Valadez, Sharon Bronson, Ray Carroll, and Richard Elías), the Cochise County Board of  
14 Supervisors, and the members of the Cochise County Board of Supervisors, in their  
15 official capacities (Patrick Call, Ann English, and Richard Searle) (collectively,  
16 “Defendants”), and allege as follows:

## 17 INTRODUCTION

18 1. As the Supreme Court has recognized:

19 No right is more precious in a free country than that of having  
20 a voice in the election of those who make the laws under  
21 which, as good citizens, we must live. Other rights, even the  
22 most basic, are illusory if the right to vote is undermined.

23 *Wesberry v. Sanders*, 376 U.S. 1, 17, 84 S. Ct. 526, 535 (1964). The right to vote is  
24 never more precious than when the initial tally of votes in an election manifests a razor  
25 thin margin separating the two candidates for office. That is precisely the case in  
26 Arizona’s second congressional district today. The initial returns for the 2014 election for  
27 United States House of Representatives in Arizona’s second congressional district have  
28 Martha McSally leading Ron Barber by the barest of margins—161 votes, which is less  
than one-tenth of one percent of the votes cast in the election.

1           2.       This case concerns the ongoing disenfranchisement of at least 133 eligible  
2 Arizona voters who cast ballots in the November 2014 General Election for Arizona’s  
3 second congressional district. These Arizona voters were lawfully registered to vote, and  
4 cast their ballots in accordance with state or federal law and, in many cases, as specifically  
5 directed by Arizona election officials. Not only do their votes remain uncounted, but the  
6 Pima County and Cochise County Boards of Supervisors have expressly refused to  
7 investigate their circumstances or to count their votes. Under federal and state law, these  
8 ballots must be counted with respect to all races for which such voters are eligible to vote.

9           3.       Indeed, in the 2014 election for the second congressional district, Arizona  
10 has failed to utilize election procedures that “are consistent with its obligation to avoid  
11 arbitrary and disparate treatment of the members of its electorate.” *Bush v. Gore*, 531 U.S.  
12 98, 105, 121 S. Ct. 525 (2000). To the contrary, arbitrary and disparate treatment of voters  
13 has been evident in the 2014 General Election.

14           4.       Perhaps most notably, although Arizona law does not impose any deadline  
15 by which a voter must present evidence that election officials have improperly rejected his  
16 or her ballot due to a purported “signature mismatch,” officials in Pima County and  
17 Cochise County arbitrarily imposed their own deadlines. And those arbitrary deadlines are  
18 *entirely different*. Pima County refused to allow voters to cure signature mismatches after  
19 noon on November 8, and then changed the deadline to close of business on November 9.  
20 Cochise County outright refused to provide voters with *any* opportunity to resolve  
21 supposed “mismatches” after the polls closed on Election Day. Treating similarly-situated  
22 voters differently based simply on where they reside is anathema to a fair election.

23           5.       To prevent the Secretary of State, and the local election officials he  
24 oversees, from refusing to count ballots lawfully cast by Arizona citizens, Plaintiffs seek a  
25 temporary restraining order and preliminary injunction that (1) enjoins Defendants and all  
26 those acting in concert with them or under their direction from certifying the results of the  
27 2014 General Election or the need for a recount in the election for United States House of  
28 Representatives in Arizona’s second congressional district until the contested ballots have

1 been counted and are reflected in all other official totals of the votes for the 2014 General  
2 Election for all races for which the voters casting contested ballots are eligible to vote;  
3 and (2) orders Defendants and all those acting in concert with them or under their  
4 direction to count the contested ballots and to include the votes reflected on those ballots  
5 in their certification of the results of the 2014 General Election with respect to all races for  
6 which the voters casting contested ballots are eligible to vote.

7         6. Without an injunction, Arizona citizens, including Plaintiffs Goodwine-  
8 Cesarec, Breckenridge, and Cohen will be denied the right to participate in the November  
9 2014 election through arbitrary, ad hoc determinations by local election officials and/or  
10 through simple mistakes made by election officials.

11         7. All of the components for injunctive relief are satisfied here. Arizona's  
12 failure to count the ballots in question and the resulting denial of the right to vote is a clear  
13 violation of the Equal Protection Clause and the Due Process Clause of the Fourteenth  
14 Amendment to the United States Constitution, the Help America Vote Act, the Arizona  
15 Constitution, and Arizona law, and Plaintiffs thus have a strong likelihood of prevailing  
16 on the merits. The harm to Plaintiffs and similarly situated voters is irreparable; indeed,  
17 there are few harms greater and more impossible to repair than being stripped of the  
18 constitutional right to vote. Moreover, Arizona's post-election statutory framework  
19 provides no effective remedy for a voter whose vote was rejected in error where election  
20 officials did not engage in willful "misconduct." And it is beyond dispute that there is a  
21 compelling public interest in protecting the voting rights of Arizona citizens and ensuring  
22 the integrity of elections.

23         8. The need for relief is urgent. The Boards of Supervisors for Pima County  
24 and Cochise County have already refused to count the ballots in question. The Secretary  
25 of State is scheduled to certify the election results on December 1, 2014. Absent relief  
26 from this Court, Plaintiffs have no other means of ensuring that their votes—and the  
27 lawfully cast votes of all Arizona citizens—are counted.

28

1 **PARTIES**

2 9. Plaintiff Ron Barber for Congress is the principal campaign committee of  
3 Ron Barber, an Arizona citizen and resident of the second congressional district.  
4 Congressman Barber is the incumbent, and currently represents the second congressional  
5 district in the United States House of Representatives. Congressman Ron Barber was a  
6 candidate on the November 4, 2014 General Election ballot for the United States House of  
7 Representatives for the second congressional district.

8 10. Plaintiff Lea L. Goodwine-Cesarec is a resident of Pima County. She is an  
9 eligible, registered voter. Ms. Goodwine-Cesarec cast a ballot in the November 4, 2014  
10 General Election that has been rejected and not counted by the Pima County Board of  
11 Supervisors.

12 11. Laura A. Breckenridge is a resident of Pima County. She is an eligible,  
13 registered voter. Ms. Breckenridge cast a ballot in the November 4, 2014 General Election  
14 that has been rejected and not counted by the Pima County Board of Supervisors.

15 12. Plaintiff Josh A. Cohen is a resident of Pima County. He is an eligible,  
16 registered voter. Mr. Cohen cast a ballot in the November 4, 2014 General Election that  
17 has been rejected and not counted by the Pima County Board of Supervisors.

18 13. Defendant Ken Bennett is sued in his official capacity as Secretary of State  
19 of the State of Arizona. Defendant Bennett is a person within the meaning of 42 U.S.C.  
20 § 1983 and was acting under color of state law at all times relevant to this complaint. As  
21 Secretary of State, Defendant Bennett serves as the chief elections officer of the State.  
22 Defendant Bennett’s duties consist, among of other things, of issuing a certificate of  
23 election to the candidate receiving the highest number of votes cast pursuant to state law.  
24 *See, e.g.,* A.R.S. §§ 41-121(A)(6), 16-650.

25 14. The Pima County Board of Supervisors is the duly elected governing body  
26 of Pima County, a body politic, organized and existing under the laws of the State of  
27 Arizona. Under Arizona law, the Pima County Board of Supervisors must meet to canvass  
28 the returns and report those returns to the Secretary of State.

1           15. Defendant Ally Miller is sued in her official capacity as a member of the  
2 Pima County Board of Supervisors. Defendant Miller is a person within the meaning of 42  
3 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
4 complaint. As a member of the Board, Defendant Miller is responsible for the  
5 administration of elections, including the canvassing of return and other aspects of  
6 elections and voting procedures in Pima County.

7           16. Defendant Ramón Valadez is sued in his official capacity as a member of  
8 the Pima County Board of Supervisors. Defendant Valadez is a person within the meaning  
9 of 42 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
10 complaint. As a member of the Board, Defendant Valadez is responsible for the  
11 administration of elections, including the canvassing of return and other aspects of  
12 elections and voting procedures in Pima County.

13           17. Defendant Sharon Bronson is sued in her official capacity as a member of  
14 the Pima County Board of Supervisors. Defendant Bronson is a person within the meaning  
15 of 42 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
16 complaint. As a member of the Board, Defendant Bronson is responsible for the  
17 administration of elections, including the canvassing of return and other aspects of  
18 elections and voting procedures in Pima County.

19           18. Defendant Ray Carroll is sued in his official capacity as a member of the  
20 Pima County Board of Supervisors. Defendant Carroll is a person within the meaning of  
21 42 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
22 complaint. As a member of the Board, Defendant Carroll is responsible for the  
23 administration of elections, including the canvassing of return and other aspects of  
24 elections and voting procedures in Pima County.

25           19. Defendant Richard Elías is sued in his official capacity as a member of the  
26 Pima County Board of Supervisors. Defendant Elías is a person within the meaning of 42  
27 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
28 complaint. As a member of the Board, Defendant Elías is responsible for the

1 administration of elections, including the canvassing of return and other aspects of  
2 elections and voting procedures in Pima County.

3 20. The Cochise County Board of Supervisors is the duly elected governing  
4 body of Cochise County, a body politic, organized and existing under the laws of the State  
5 of Arizona. Under Arizona law, the Cochise County Board of Supervisors must meet to  
6 canvass the returns and report those returns to the Secretary of State.

7 21. Defendant Patrick Call is sued in his official capacity as a member of the  
8 Cochise County Board of Supervisors. Defendant Call is a person within the meaning of  
9 42 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
10 complaint. As a member of the Board, Defendant Call is responsible for the  
11 administration of elections, including the canvassing of return and other aspects of  
12 elections and voting procedures in Cochise County.

13 22. Defendant Ann English is sued in her official capacity as a member of the  
14 Cochise County Board of Supervisors. Defendant English is a person within the meaning  
15 of 42 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
16 complaint. As a member of the Board, Defendant English is responsible for the  
17 administration of elections, including the canvassing of return and other aspects of  
18 elections and voting procedures in Cochise County.

19 23. Defendant Richard Searle is sued in his official capacity as a member of the  
20 Cochise County Board of Supervisors. Defendant Searle is a person within the meaning of  
21 42 U.S.C. § 1983 and was acting under color of state law at all times relevant to this  
22 complaint. As a member of the Board, Defendant Searle is responsible for the  
23 administration of elections, including the canvassing of return and other aspects of  
24 elections and voting procedures in Cochise County.

### 25 **JURISDICTION AND VENUE**

26 24. Plaintiffs bring this action under 42 U.S.C. §§ 1983 and 1988 to redress the  
27 deprivation under color of state law of rights secured by the United States Constitution.  
28



1 25. This Court has original jurisdiction over the subject matter of this action  
2 pursuant to 28 U.S.C. §§ 1331 and 1343 because the matters in controversy arise under  
3 the Constitution and laws of the United States.

4 26. This Court has supplemental jurisdiction over Plaintiffs' state law claim  
5 (Fourth and Sixth Claims for Relief) pursuant to 28 U.S.C. § 1367(a).

6 27. Venue is proper in this Court under 28 U.S.C. § 1391(b) because the events  
7 that gave rise to Plaintiffs' claims took place within the District of Arizona.

8 28. This Court has the authority to enter a declaratory judgment and to provide  
9 preliminary and permanent injunctive relief pursuant to Rules 57 and 65 of the Federal  
10 Rules of Civil Procedure and 28 U.S.C. §§ 2201 and 2202.

11 29. This Court has personal jurisdiction over Defendants.

## 12 **FACTUAL ALLEGATIONS**

### 13 **A. The November 4, 2014 General Election**

14 30. Arizona held its General Election on November 4, 2014. One of the offices  
15 on the ballot was the position of representative for Arizona's second congressional  
16 district.

17 31. The second congressional district is comprised of Cochise County and a  
18 portion of Pima County. The Democratic candidate is Congressman Ron Barber. The  
19 Republican candidate is Martha McSally.

### 20 **B. Overview of The Post-Election Canvass Process**

21 32. Subsequent to Election Day, local election officials conduct a canvassing  
22 process to determine the total number of votes properly cast in the election for each  
23 candidate. No later than 20 days (i.e., November 24, 2014) after the general election, each  
24 county's Board of Supervisors must meet to canvass the returns and report those returns to  
25 the Secretary of State.

26 33. On or before the fourth Monday following the general election (December  
27 1, 2014), the Secretary of State must, in the presence of the Governor and Attorney  
28 General, canvass the returns and immediately certify the result to the Governor. If the

1 Secretary of State does not receive the official canvass from any county by the fourth  
2 Monday following the general election, the Secretary of State may postpone its canvass.  
3 The Secretary of State cannot postpone the canvass more than 30 days from Election Day.

4 34. After completing the canvass, the Secretary of State declares elected the  
5 person receiving the highest number of votes cast for each office and delivers a signed,  
6 sealed certificate of election to each prevailing candidate. A.R.S. § 16-650.

7 35. As of the date this Complaint is filed, local election officials have just  
8 completed the process of canvassing the election returns. During the canvassing process,  
9 Plaintiffs learned that election officials have wrongfully rejected a substantial number of  
10 early and provisional ballots.

### 11 **C. Overview of Arizona’s Early Voting System**

12 36. Arizona maintains an early voting system wherein early voters may either  
13 vote in person at an early voting station or vote by mail.

14 37. If a voter is in possession of an early ballot but insists on voting in person on  
15 Election Day, he or she must be allowed to do so by provisional ballot upon providing  
16 acceptable identification. *See* A.R.S. § 16-579(B). So long as the voter has not already  
17 cast the early ballot, he or she is allowed to vote by provisional ballot. *Id.*

18 38. Voters who elect to vote early by mail mark the ballot, enclose and seal it,  
19 execute the affidavit provided on the envelope. *See id.* § 16-547. The voter may return the  
20 ballot by mail to the County Recorder in the envelope provided or deliver it to any polling  
21 place in the voter’s county of residence. *Id.*

22 39. Early ballots are evaluated by the Early Election Board, which is appointed  
23 by the county Board of Supervisors. *See id.* § 16-547. The Early Election Board may  
24 reject an early ballot for the following reasons: (1) the Board determines that the voter’s  
25 early ballot affidavit signature does not match the signature on file, (2) the affidavit is  
26 determined to be insufficient, or (3) the person who voted is not an elector. *See* Secretary  
27 of State’s Election Procedures Manual (the “Manual”), at 167.

28

1           40. If the Board determines that signatures do not match, it rejects the ballot  
2 unless it receives and accepts an explanation from the voter that he or she did vote the  
3 ballot and as to why the signatures do not match. *Id.* It is important to note that Arizona  
4 law does not impose any deadline by which a voter must provide the requisite explanation.

5           **D. Overview of Arizona’s Provisional Ballot System**

6           41. Under Arizona law, a person claiming the right to vote, but who is not  
7 allowed to vote by poll workers, must be allowed to mark a provisional ballot if any of the  
8 following circumstances apply: (1) the voter has not provided sufficient identification at  
9 the poll; (2) the voter’s name does not appear on the signature roster or inactive list and  
10 the voter has not moved; (3) the voter has moved; (4) the voter was issued an early ballot;  
11 (5) the voter changed his or her name; or (6) the voter is challenged at the polling place.  
12 *See* A.R.S. § 16-584.

13           42. At the time of voting a provisional ballot, the voter signs an affirmation on  
14 the ballot envelope stating that the information is correct, that he or she resides in the  
15 precinct and is eligible to vote in the election, and that he or she has not previously voted  
16 in the election. *See* A.R.S. § 16-584; *see also* Manual at 151. The voter or poll worker  
17 completes a provisional ballot form, which both sign. *See* Manual at 152. The form is  
18 attached to the provisional ballot envelope, which the voter returns to the appropriate  
19 election official. *Id.* The voter receives a provisional voter receipt with information on  
20 how to contact the County Recorder to verify the status of the provisional ballot. *Id.* The  
21 voter is then entered on the provisional ballots page at the back of the signature roster or a  
22 separate provisional roster. *Id.*

23           43. The County Recorder must verify all provisional ballots for proper  
24 registration within 10 calendar days after the general election. *See* A.R.S. § 16-584. The  
25 “provisional ballot[s] shall be counted” if (1) the registration of the voter is verified and  
26 the voter is eligible to vote in the precinct, (2) the voter’s signature does not appear on any  
27 on any other signature roster for that election, and (3) the voter did not vote early or vote  
28 on Election Day. Manual at 185. The affidavit on a provisional ballot envelope is

1 sufficient if the voter signs it, and if the signature matches the signature on the voter's  
2 registration. *See id.* at 182.

3 44. If the voter has moved within the precinct, and thus his or her name is on the  
4 voter register but the address on the identification does not match the signature roster, the  
5 voter is given a provisional ballot. A.R.S. § 16-135. If the voter has moved to a different  
6 residence within the county but outside the precinct, the voter must be directed to the  
7 polling place for the new address. *Id.* §§ 16-122, 16-583.

8 45. Election officials must direct voters to the proper polling place because  
9 A.R.S. § 16-584 prevents election officials from counting a provisional ballot if it is cast  
10 outside the voter's own precinct, including votes for statewide offices. For the reasons  
11 stated below, this statute as applied in this circumstance is unconstitutional.

12 46. With the limited exception of provisional ballots rejected due to purportedly  
13 inadequate registration and identification, Arizona maintains no system or scheme under  
14 which provisional voters whose ballots are rejected may provide information to election  
15 officials to prove that their ballots were, in fact, properly cast.

16 **E. Election Officials Have Wrongfully Rejected a Substantial Number of**  
17 **Early and Provisional Ballots**

18 47. It has become apparent that local election officials in the second  
19 congressional district improperly rejected some properly-cast ballots and gave voters  
20 incorrect information that prevented them from exercising their right to vote. The errors  
21 Plaintiffs have identified fall into several different categories. More than 130 voters in the  
22 second congressional district, including Plaintiffs Goodwine-Cesarec, Breckenridge, and  
23 Cohen had their ballots improperly rejected for one or more of the reasons listed below. In  
24 many cases, it is clear that voters who unquestionably complied with state law were  
25 disenfranchised through simple mistakes by government officials. In other cases, election  
26 officials have arbitrarily refused to allow voters to submit evidence verifying that their  
27 ballots were properly cast. In still other cases, voters were disenfranchised because  
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1 election workers provided inaccurate information that prevented voters, on Election Day,  
2 from casting ballots in full compliance with Arizona state law.

3 **1. Voters Who Moved Within Pima County And Nonetheless Had**  
4 **Their Provisional Ballot Rejected**

5 48. Election officials erroneously rejected the provisional ballots of certain  
6 voters who had moved within Pima County but had not updated their residential address  
7 in their voter registration records prior to Election Day.

8 49. Arizona law is clear that “[a]n elector who moves from the address at which  
9 he is registered to another address within the same county and who fails to notify the  
10 county recorder of the change of address before the date of an election shall be permitted  
11 to correct the voter registration records at the appropriate polling place for the voter’s new  
12 address,” A.R.S. § 16-135(B); that after presenting identification and affirming the new  
13 residence address in writing, the voter “shall be permitted to vote a provisional ballot,” *id.*;  
14 and that if the voter’s signature does not appear on the signature roster for that election in  
15 the precinct in which the voter was listed (i.e., where the voter previously resided) and  
16 there is no record of the voter having voted early for that election, “the provisional ballot  
17 shall be counted,” *id.* § 16-135(D).

18 50. Voters who moved within Pima County and cast provisional ballots at their  
19 polling location fully complied with the requirements of Arizona law.

20 51. For example, prior to Election Day, Suzanne E. Pasch moved within Tucson  
21 prior to Election Day, and was directed by the County Recorder’s Office to the polling  
22 place for her new address. The poll worker instructed her to vote a provisional ballot.  
23 Ms. Pasch’s provisional ballot was rejected.

24 52. The ballots of at least three voters were rejected in these circumstances.  
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1                   **2. Voters Who Signed Both Their Registration Form and Their**  
2                   **Ballot Affidavit And Nonetheless Had Their Ballot Rejected Due**  
3                   **to a Purported “Signature Mismatch”**

4           53. Election officials also rejected a number of ballots cast by early and/or  
5 provisional voters because of their erroneous determination that the voter’s signature on  
6 the ballot affidavit did not “match” the signature on the voter’s registration form.

7           54. Upon learning that their ballot had been rejected due to a purported  
8 signature mismatch, these voters promptly contacted local election officials to validate  
9 their signatures. Despite these voters providing sworn testimony that they had signed both  
10 the ballot affidavit and the registration form, election officials have refused to count these  
11 ballots.

12           55. For example, Plaintiff Breckenridge voted an early ballot that was rejected  
13 because of a purported signature mismatch. Ms. Breckenridge signed both the ballot  
14 affidavit and the registration form. Upon learning that her ballot had been rejected in  
15 error, she contacted election officials to validate her signature. Nonetheless, her ballot has  
16 not been counted.

17           56. The ballots of at least 27 voters were rejected in similar circumstances.

18           57. Voters who signed both their voter registration form and their early or  
19 provisional ballot affidavit fully complied with the requirements of Arizona law.

20           58. Defendants fail to provide sufficient training and employ sufficiently clear  
21 and uniform standards to ensure that election workers treat voters equally in the “signature  
22 match” process. The result of these discretionary, subjective determinations made by  
23 individuals untrained in handwriting analysis is that some voters who signed both their  
24 voter registration form and their ballot affidavit had their voters counted, whereas others  
25 who did the same had their ballot rejected.

26                   **3. Unsigned Early and Provisional Ballots**

27           59. As set out above, Arizona allows election officials who have identified a  
28 purported signature “mismatch” to accept an explanation from the voter that he or she did  
vote the ballot and as to why the signatures do not match. Arizona has not adopted a

1 similar procedure to allow voters who inadvertently failed to sign their early or  
2 provisional ballot affidavit to present evidence to election officials that they did, in fact,  
3 vote the ballot. Such voters have no recourse under state law.

4 60. Until approximately the Thursday before Election Day, in at least some  
5 instances, Pima County mailed back ballots to early voters who failed to sign their ballot  
6 affidavit to provide an opportunity for such voters to correct the error. Thereafter, Pima  
7 County refused to provide a similar opportunity (although it did provide a continuing  
8 opportunity to “cure” signature mismatch ballots). Because voters can return early ballots  
9 up to 7:00 p.m. on Election Day, A.R.S. § 16-548, this means that some early voters who  
10 failed to sign their ballot affidavit were given an opportunity to cure the oversight; others  
11 were not. Cochise County, by contrast, called at least some such voters prior to Election  
12 Day to inform them of the oversight and/or sent an affidavit for the voters to return by  
13 Election Day. It provided no similar opportunity to early voters who returned early ballots  
14 shortly before Election Day, and no opportunity at all after Election Day.

15 61. Pima County and Cochise County have informed the Ron Barber for  
16 Congress campaign that some early and provisional ballots were rejected because the  
17 ballot affidavit was not signed.

18 62. In at least some instances, voters casting unsigned provisional ballots were  
19 expressly informed by poll workers that their votes would be counted. For example, Elle  
20 Grace Troutman, who has been registered to vote in Arizona since 2000, legally changed  
21 her name in September 2014 but received a mail-in ballot that had her previous name  
22 associated with it. On Election Day, Ms. Troutman went to the polls and was directed to  
23 fill out a provisional ballot. After she filled out the ballot, the poll worker looked over the  
24 ballot, said that things appeared to be in order, and indicated that Ms. Troutman’s  
25 provisional ballot would be counted. The poll worker did not point out to her that  
26 Ms. Troutman had not signed the provisional ballot. Her vote was not counted.

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1           63.    The Pima County and Cochise County Board of Supervisors have refused to  
2 provide voters who inadvertently failed to sign their ballot affidavits with an opportunity  
3 to cure this oversight. The ballots of 16 voters were rejected in these circumstances.

4                           **4.    Failure By Election Officials to Direct Voters Who Had Moved**  
5                           **To the Proper Precinct**

6           64.    Election officials in Pima County and Cochise County owe a mandatory  
7 statutory duty to direct voters who have moved to a different residence within the county  
8 but outside the precinct at which they appear on Election Day to the polling place for the  
9 new address. In numerous cases on Election Day, instead of complying with their  
10 mandatory statutory duty, such election officials instead mistakenly instructed such voters  
11 to cast a provisional ballot, which was then rejected. Such voters were disenfranchised  
12 due to election official error or oversight.

13           65.    For example, in January 2014, Plaintiff Cohen moved and had the address  
14 on his driver's license changed. He did not know that he also needed to change his address  
15 for purposes of his voter registration. On Election Day, Mr. Cohen went to the polling  
16 location for his previous address. He informed the poll worker that he had moved, and the  
17 poll worker instructed him to vote a provisional ballot. Mr. Cohen was assured that his  
18 vote would be counted; it was not.

19           66.    Likewise, Plaintiff Goodwine-Cesarec moved more than a month before  
20 Election Day, and called the registrar to update her voting address. The registrar assured  
21 her that she could change her voting address by phone and did not need to sign any forms  
22 to do so. When she arrived at the polls on Election Day, she was informed that there was  
23 no record of her change of address. Rather than directing her to another polling place, poll  
24 workers directed her to cast a provisional ballot and told her that they expected the vote  
25 would be counted; it was not.

26           67.    The ballots of at least 31 voters were rejected in similar circumstances. The  
27 Pima County and Cochise County Boards of Supervisors have refused to include these  
28 ballots in the certification of the 2014 General Election.



1                   **5.     Misleading or Erroneous Statements by Election Officials**  
2                   **regarding Voting in Proper Precinct**

3           68.     In numerous instances, eligible, registered voters who inadvertently went to  
4 the “wrong” polling place on Election Day were not directed to the proper polling place or  
5 informed that they would not have their votes counted unless they did so. Rather, election  
6 officials assured such voters that they could cast provisional ballots, that such ballots  
7 would be counted, and that they need not travel to another polling place. In some cases,  
8 election officials actively discouraged voters from going to the proper precinct to vote.  
9 The provisional ballots cast by these voters were then rejected. Such voters were  
10 disenfranchised due to election official error or oversight.

11           69.     For example, Michelle Rankin, who had previously received but not voted  
12 an early ballot, went to the wrong precinct on Election Day. When she was realized she  
13 had gone to the wrong precinct, she told a poll worker that she would return home to get  
14 and return her early ballot. The poll worker told her that there was no need for her to do so  
15 and that her provisional ballot would count as long as she was registered. Ms. Rankin’s  
16 provisional vote was rejected.

17           70.     The ballots of at least 11 voters were rejected in these circumstances. The  
18 Pima County and Cochise County Boards of Supervisors have refused to include these  
19 ballots in the certification of the 2014 General Election.

20                   **6.     Voters Who Were Not Told They Were In the Wrong Precinct**

21           71.     In other instances, eligible, registered voters inadvertently went to the  
22 “wrong” polling place on Election Day and were not instructed to go to the proper polling  
23 location or that their votes would not count if they did not do so. Such voters were  
24 completely disenfranchised even though they were qualified to vote for most of the  
25 elections on their ballot.

26           72.     The ballots of at least 45 voters were rejected in these circumstances. The  
27 Pima County and Cochise County Boards of Supervisors have refused to include these  
28 ballots in the certification of the 2014 General Election.

1           **F.     Election Officials Have Refused to Correct These Errors**

2           73.     Each county’s Board of Supervisors must meet to canvass the returns and  
3 report those returns to the Secretary of State no later than 20 days after the election.  
4 A.R.S. § 16-642. This year, the 20th day from the election is November 24, 2014.

5           74.     In 2012, the Pima County Board of Supervisors canvassed the returns on the  
6 last possible day. This year, without explanation or justification and despite the narrow  
7 margin separating the candidates, the Board accelerated the canvassing meeting by almost  
8 a full week, to November 18, 2014.

9           75.     On Tuesday, November 18, 2014, the Ron Barber for Congress campaign  
10 notified the Pima County Board of Supervisors of the categories of errors outlined above,  
11 submitted sworn declarations documenting such errors, and requested that the Board defer  
12 its certification, investigate these issues, correct any errors and count the ballots that had  
13 been improperly rejected. The Board refused to delay the canvassing to either allow the  
14 Ron Barber for Congress campaign to conduct further investigation into the scope of these  
15 errors or to itself conduct an investigation. Instead, that same day, the Pima County Board  
16 of Supervisors voted to approve the election results for Pima County without asking the  
17 Recorder for any explanation, addressing any of the errors identified by the Ron Barber  
18 for Congress campaign or including any of the ballots in question in the count.

19           76.     On Wednesday, November 19, the Ron Barber for Congress campaign sent  
20 a letter to the Cochise County Board of Supervisors that enclosed sworn declarations from  
21 voters documenting similar errors and requesting that the Board correct these errors and  
22 count the ballots. The Board refused to delay the canvassing either to allow the Ron  
23 Barber for Congress campaign to conduct further investigation into the scope of these  
24 errors or to itself conduct an investigation. Instead, on November 20, the Board voted to  
25 approve the election results for Cochise County without addressing any of the errors  
26 identified by the Ron Barber for Congress campaign or including any of the ballots in  
27 question in the count.

28



1           81. The substantive right to participate equally with other voters in the electoral  
2 process is not just protected in the initial allocation of the franchise; equal protection  
3 applies to the manner of its exercise as well. *See Bush v. Gore*, 531 U.S. 98, 104 (2000). A  
4 state may not arbitrarily impose disparate treatment on similarly situated voters.

5           82. As set out above, in the conduct of the November 2014 election for the  
6 second congressional district, the State of Arizona has treated similarly-situated voters  
7 differently in determining whether they are permitted to exercise the electoral franchise.  
8 Among other things, Pima County and Cochise County employed arbitrary and disparate  
9 deadlines by which a voter could remedy the improper rejection of his or her ballot due to  
10 purported signature “mismatch.” Likewise, Pima County and Cochise County employed  
11 arbitrary and disparate procedures with regard to voters who inadvertently failed to sign a  
12 ballot affidavit.

13           83. Arizona arbitrarily and without explanation or justification provides *some*  
14 opportunity for voters to prove they cast a ballot rejected due to supposed signature  
15 mismatch, but inexplicably provides *no* opportunity for voters who inadvertently failed to  
16 sign an early ballot (after election day) or a provisional ballot affidavit (at any time) to  
17 correct those errors.

18           84. In order to comply with the Equal Protection Clause of the Fourteenth  
19 Amendment to the United States Constitution, all laws that treat citizens differently must  
20 be rationally related to a legitimate state interest. Where a voter is disenfranchised due to  
21 election worker error, and submits evidence prior to the certification of the election that  
22 his or her ballot was properly cast (or he or she was prevented from casting his or her  
23 ballot due to election worker error), the State’s refusal to correct its own errors is not  
24 rationally related to a legitimate state interest.

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**SECOND CLAIM FOR RELIEF**

**Equal Protection**  
**U.S. Const. Amend. XIV, 42 U.S.C. § 1983**  
*Undue Burden on the Right to Vote*  
*(Burdick v. Takushi)*

85. Plaintiffs incorporate by reference and reallege paragraphs 1 to 84 of this complaint.

86. Under the Equal Protection Clause, a State cannot utilize election practices that unduly burden the right to vote. The practices outlined above all impose a severe burden—disenfranchisement—on the right to vote of the voters who cast those ballots. Refusing to count these ballots does not serve any legitimate state interest.

87. Scores of eligible, registered Arizona voters, including Plaintiffs Goodwine-Cesarec, Breckenridge, and Cohen are suffering direct and irreparable injury from Defendants’ improper and arbitrary refusal to count their ballots. Without relief from this Court, these voters will be deprived of their right to vote in the November election.

88. Based on the foregoing, Defendants, acting under color of state law, have deprived and will continue to deprive Plaintiffs Goodwine-Cesarec, Breckenridge, and Cohen and other similarly-situated Arizona voters of equal protection under the law secured to them by the Fourteenth Amendment to the United States Constitution and protected by 42 U.S.C. § 1983.

**THIRD CLAIM FOR RELIEF**

**Due Process**  
**U.S. Const. Amend. XIV, 42 U.S.C. § 1983**

89. Plaintiffs incorporate by reference and reallege paragraphs 1 to 88 of this complaint.

90. The Due Process Clause to the Fourteenth Amendment of the United States Constitution provides that no state “shall deprive any person of life, liberty, or property, without due process of law.” This provision guarantees substantive due process and

1 prohibits a state from depriving a person of “life, liberty, or property” without an  
2 appropriately compelling government interest.

3 91. The liberties protected by the Due Process Clause include the right to vote  
4 and to be free from disparate treatment in the exercise of the electoral franchise, which are  
5 fundamental liberties at the core of our democracy.

6 92. By subjecting voters to disparate treatment in the exercise of the electoral  
7 franchise without an appropriately compelling government interest, Defendants are  
8 denying Plaintiffs Goodwine-Cesarec, Breckenridge, and Cohen and other similarly-  
9 situated Arizona voters the right to vote in violation of the Due Process Clause and  
10 without any legitimate government interest.

11 93. Based on the foregoing, Defendants, acting under color of state law, have  
12 deprived and will continue to deprive Plaintiffs of the substantive due process of law  
13 secured to them by the Fourteenth Amendment to the United States Constitution and  
14 protected by 42 U.S.C. § 1983.

15  
16 **FOURTH CLAIM FOR RELIEF**  
**Ariz. Const. Art. II, § 21**

17 94. Plaintiffs incorporate by reference and reallege paragraphs 1 to 93 of this  
18 complaint.

19 95. Article 2, Section 21, of the Arizona Constitution provides that “all elections  
20 shall be free and equal” and guarantees that “no power, civil or military, shall at any time  
21 interfere to prevent the free exercise of the right of suffrage.” Article 2, section 21 is  
22 violated when votes are not properly counted.

23 96. Where, as alleged herein, voters have taken every step required of them and  
24 the same steps as other voters whose ballots were counted, and have eliminated any  
25 plausible concern with the counting of their ballots, a refusal to count those voters’ ballots  
26 constitutes an interference with the free exercise of the right of suffrage and violates the  
27 constitutional guarantee of elections that are “free and equal.” Because of the errors set  
28

1 out above, a substantial number of votes will not be properly counted, in violation of the  
2 Arizona Constitution.

3  
4 **FIFTH CLAIM FOR RELIEF**  
5 **Help America Vote Act**  
6 **52 U.S.C. § 21082(a)(4)**

7 97. Plaintiffs incorporate by reference and reallege paragraphs 1 to 96 of this  
8 complaint.

9 98. Under the Help America Vote Act (“HAVA”), “[i]f the appropriate State or  
10 local election official to whom [a] [provisional] ballot or voter information is  
11 transmitted . . . determines that the individual is eligible under State law to vote, the  
12 individual’s provisional ballot shall be counted as a vote in that election in accordance  
13 with State law.” 52 U.S.C. § 21082(a)(4).

14 99. Because all of the provisional ballots described herein were, in fact, cast by  
15 voters who are eligible to vote under state law, the plain language of 52 U.S.C. §  
16 21082(a)(4) requires that these votes shall be counted.

17 **SIXTH CLAIM FOR RELIEF**  
18 **Violations of Arizona Election Law**  
19 **A.R.S. §§ 16-579, 16-583, 16-584, Election Procedures Manual (2014)**

20 100. Plaintiffs incorporate by reference and reallege paragraphs 1 to 99 of this  
21 complaint.

22 101. Arizona law provides that “[a]ny qualified elector who is listed as having  
23 applied for an early ballot but who states that the elector has not voted and will not vote an  
24 early ballot for this election or surrenders the early ballot to the precinct inspector on  
25 election day, shall be allowed to vote” a provisional ballot. A.R.S. § 16-579(B). “[I]f there  
26 is no indication that the voter voted an early ballot, the provisional ballot envelop shall be  
27 opened and the ballot shall be counted.” *Id.* § 16-584(D).

28 102. Arizona law requires election officials to accept early and provisional  
ballots that are cast by eligible, registered voters who sign both their registration form and

1 the ballot affidavit. If election officials make the preliminary determination that the  
2 signature on a voter’s registration form does not “match” the signature on the voter’s  
3 ballot affidavit, election officials must afford the voter the opportunity to explain “that he  
4 or she did vote the ballot and . . . why the signatures do not match.” Manual at 167.

5 103. Election officials also rejected a number of ballots cast by early and/or  
6 provisional voters because of their erroneous determination that the voter’s signature on  
7 the ballot affidavit did not “match” the signature on the voter’s registration form.  
8 Although Arizona law contains no pre-certification deadline by which voters must provide  
9 evidence that their signatures do, in fact, “match,” Pima County and Cochise County  
10 election officials have refused to count the ballots of voters who have informed election  
11 officials that they signed both the ballot affidavit and the registration form and/or  
12 provided sworn testimony to that effect to the Board of Supervisors.

13 104. As a matter of state law, if a voter informs an election official at a polling  
14 place that he or she lives in a new residence, “the election official *shall* direct the  
15 registrant to the polling place for the new address.” A.R.S. § 16-583(A) (emphasis added).  
16 This is a mandatory obligation.

17 105. In numerous cases on Election Day, election officials in Pima County and  
18 Cochise County failed to comply with their mandatory statutory duty to direct certain  
19 voters to the proper polling place. Instead of complying with their mandatory statutory  
20 duty, such election officials instead mistakenly instructed such voters to cast a provisional  
21 ballot, which was then rejected. Such voters were disenfranchised due to election official  
22 error.

23 **DECLARATORY AND INJUNCTIVE RELIEF**  
24 **28 U.S.C. §§ 2201 and 2202, Fed. R. Civ. P. 57 and 65**

25 106. Plaintiffs incorporate by reference and reallege paragraphs 1 to 105 of this  
26 complaint.

27 107. This case presents an actual controversy because Defendants’ present and  
28 ongoing refusal to count the validly cast ballots of Plaintiffs and similarly-situated voters



1 subjects them to serious and immediate harms, warranting the issuance of a declaratory  
2 judgment.

3 108. Plaintiffs seek preliminary and/or permanent injunctive relief to protect their  
4 statutory and constitutional rights and avoid the injuries described above. A favorable  
5 decision enjoining Defendants would redress and prevent the irreparable injuries to  
6 Plaintiffs identified herein, for which Plaintiffs have no adequate remedy at law or in  
7 equity.

8 109. The State will incur little to no burden in counting the votes of eligible,  
9 registered voters who have been disenfranchised through no fault of their own. The results  
10 of the 2014 election for the second congressional district have not yet been certified. Any  
11 minor administrative burden imposed on the State in processing and including in the  
12 canvass results improperly-rejected ballots pales in comparison to the fundamental  
13 constitutional injury of denial of the right to vote that Plaintiffs will suffer in the absence  
14 of the relief requested. The balance of hardships thus tips strongly in favor of Plaintiffs.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiffs respectfully request that this Court enter judgment:

17 A. Declaring that the votes reflected on the ballots submitted by the voters  
18 identified in the declarations attached to Plaintiffs' motion for temporary restraining order  
19 and preliminary injunction, filed this same day, (the "contested ballots") must be counted  
20 and included in Defendants' certification of the results of the 2014 General Election, with  
21 respect to all races for which the voter was eligible to vote, and any certification of the  
22 need for a recount in the election for United States House of Representatives in Arizona's  
23 second congressional district.

24 B. Preliminarily and permanently enjoining Defendants and all those acting in  
25 concert with them or under their direction from certifying the results of the 2014 General  
26 Election or the need for a recount in the election for United States House of  
27 Representatives in Arizona's second congressional district until the contested ballots have  
28 been counted and are reflected in all other official totals of the votes for the 2014 General

1 Election with respect to all races for which voters casting contested ballots are eligible to  
2 vote; and ordering Defendants and all those acting in concert with them or under their  
3 direction to count the contested ballots and to include the votes reflected on those ballots  
4 in their certification of the results of the 2014 General Election, any certification of the  
5 need for a recount in the election for United States House of Representatives in Arizona's  
6 second congressional district, and all other official totals of the votes for the 2014 General  
7 Election.

8 C. Preliminarily and permanently enjoining enforcement by Defendants of  
9 Arizona Revised Statute § 16-584 and any other sources of state law that requires election  
10 officials to reject provisional ballots cast by eligible, registered voters in the wrong  
11 precinct with respect to all races in which the voter is entitled to cast a vote.

12 D. Awarding Plaintiffs their costs, expenses, and reasonable attorneys' fees  
13 pursuant to, *inter alia*, 42 U.S.C. § 1988 and other applicable laws; and

14 E. Granting such other and further relief as the Court deems just and proper.

15  
16  
17 November 24, 2014

**PERKINS COIE LLP**

18 By: s/ Daniel C. Barr  
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21 Kevin J. Hamilton  
22 *Pro Hac Vice Application To Be Filed*  
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23  
24 *Attorneys for Plaintiffs Ron Barber for*  
25 *Congress, Lea Goodwine-Cesarec, Laura*  
26 *Alessandra Breckenridge, and Josh Adam*  
27 *Cohen*  
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VERIFICATION

Kyle Quinn-Quesada, declares that he/she is the campaign manager of Ron Barber for Congress, and that he/she is authorized to make this verification for and on behalf of Ron Barber for Congress; that he/she has read the foregoing Complaint for Injunctive and Declaratory Relief, and knows the contents thereof; and that the same is true of his/her own knowledge except as to the matters therein stated to be alleged upon information and belief, and, as to those matters, he/she believes them to be true.

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

Dated this 24th day of November, 2014



1 **CERTIFICATE OF SERVICE**

2  I hereby certify that on November 24, 2014, I electronically transmitted the  
3 attached documents to the Clerk’s Office using the CM/ECF System for filing.

4  I hereby certify that, I will serve the attached document once a Judge is  
5 assigned to the matter, United States District Court of Arizona, 405 West Congress Street,  
6 Tucson, Arizona 85701.

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8 s/ S. Neilson  
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9  
10 *Attorneys for Plaintiffs Ron Barber for*  
*Congress, Lea Goodwine-Cesarec; Laura*  
*Alessandra Breckenridge; and Josh Adam*  
11 *Cohen.*

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF ARIZONA

14  
15 Ron Barber for Congress; Lea Goodwine-  
16 Cesarec; Laura Alessandra Breckenridge; Josh  
Adam Cohen,

17 Plaintiffs,

18  
19 v.

20 Ken Bennett, in his official capacity as  
Secretary of State of the State of Arizona; the  
21 Pima County Board of Supervisors, a body  
politic; Ally Miller, in her official capacity as a  
22 member of the Pima County Board of  
Supervisors; Ramón Valadez, in his official  
23 capacity as a member of the Pima County  
Board of Supervisors; Sharon Bronson, in her  
24 official capacity as a member of the Pima  
County Board of Supervisors; Ray Carroll, in  
25 his official capacity as a member of the Pima  
County Board of Supervisors; Richard Elías, in  
26 his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
27  
28

No.

**APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER, MOTION FOR  
PRELIMINARY INJUNCTION,  
AND MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT**

**(ORAL ARGUMENT  
REQUESTED)**

**(EXPEDITED RULING  
REQUESTED)**

1 County Board of Supervisors, a body politic;  
2 Patrick Call, in his official capacity as a  
3 member of the Cochise County Board of  
4 Supervisors; Ann English, in her official  
5 capacity as a member of the Cochise County  
6 Board of Supervisors; and Richard Searle, in  
7 his official capacity as a member of the  
8 Cochise County Board of Supervisors,

Defendants.

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25  
26  
27  
28

**TABLE OF CONTENTS**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

	<u>Page</u>
APPLICATION AND MOTION .....	1
MEMORANDUM.....	2
FACTS .....	2
ARGUMENT.....	5
A.    Likelihood of Success on the Merits .....	5
1.    Voters Who Moved Within Pima County And Nonetheless Had Their Provisional Ballot Rejected .....	5
2.    Voters Who Signed Both Their Registration Form and Their Ballot Affidavit And Nonetheless Had Their Ballot Rejected Due to a Purported “Signature Mismatch”.....	6
3.    Unsigned Early Ballots.....	9
4.    Unsigned Provisional Ballots .....	10
5.    Failure to Direct Voters Who Had Moved To the Proper Precinct.....	11
6.    Misleading or Erroneous Statements by Election Officials Regarding Voting in Proper Precinct .....	12
7.    Voters Who Were Not Told They Were in the Wrong Precinct.....	13
B.    Irreparable Harm .....	14
C.    Balance of the Harms .....	16
D.    Public Interest.....	17
CONCLUSION .....	17

1 **TABLE OF AUTHORITIES**

2 **Page**

3 **CASES**

4 *Anderson v. Celebrezze*,  
5 460 U.S. 780 (1983)..... 9

6 *Awad v. Ziriax*,  
7 670 F.3d 1111 (10th Cir. 2012) ..... 17

8 *Beaty v. Brewer*,  
9 649 F.3d 1071 (9th Cir. 2011) ..... 5

10 *Burdick v. Takushi*,  
11 504 U.S. 428 (1992)..... 9, 13

12 *Bush v. Gore*,  
13 531 U.S. 98 (2000)..... 7, 8, 10

14 *Chavez v. Brewer*,  
15 222 Ariz. 309 (App. 2009)..... 14

16 *Chenoweth v. Earhart*,  
17 127 P. 748 (Ariz. 1912)..... 16

18 *Common Cause v. Bolger*,  
19 512 F. Supp. 26 (D.D.C. 1980) ..... 14

20 *Crawford v. Marion Cnty. Election Bd.*,  
21 553 U.S. 181 (2008)..... 9

22 *Elrod v. Burns*,  
23 427 U.S. 347 (1976)..... 14

24 *Gonzalez v. Ariz.*,  
25 677 F.3d 383 (9th Cir. 2012) ..... 7

26 *Harless v. Lockwood*,  
27 85 Ariz. 97, 332 P.2d 887 (Ariz. 1958) ..... 15

28 *Harvey v. Brewer*,  
605 F.3d 1067 (9th Cir. 2010) ..... 14

*League of Women Voters of N. Carolina v. North Carolina*,  
769 F.3d 224 (4th Cir.)..... 14



1 **TABLE OF AUTHORITIES**

2 **Page**

3 *McCutcheon v. Fed. Election Comm’n*,

4 134 S. Ct. 1434 (2014) ..... 17

5 *Miller v. Moore*,

6 169 F.3d 1119 (8th Cir. 1999) ..... 15

7 *Newsom ex rel. Newsom v. Albemarle Cnty. Sch. Bd.*,

8 354 F.3d 249 (4th Cir. 2003) ..... 17

9 *Northeast Ohio Coalition for Homeless v. Husted*,

10 696 F.3d 580 (6th Cir. 2012) ..... 12

11 *Obama for Am. v. Husted*,

12 697 F.3d 423 (6th Cir. 2012) ..... 14, 17

13 *Pashby v. Delia*,

14 709 F.3d 307 (4th Cir. 2013) ..... 17

15 *Purcell v. Gonzalez*,

16 549 U.S. 1 (2006)..... 17

17 *Raetzl v. Parks/Bellefont Absentee Election Bd.*,

18 762 F. Supp. 1354 (D. Ariz. 1990) ..... 9

19 *Reynolds v. Sims*,

20 377 U.S. 533 (1964)..... 17

21 *Sandusky County Democratic Party v. Blackwell*,

22 387 F.3d 565 (6th Cir. 2004) ..... 11, 12

23 *Taylor v. Louisiana*,

24 419 U.S. 522 (1975)..... 17

25 *Wesberry v. Sanders*,

26 376 U.S. 1 (1964)..... 17

27 *Winter v. Natural Res. Def. Council, Inc.*,

28 555 U.S. 7 (2008)..... 5

26 **CONSTITUTIONS**

27 Arizona Constitution, article II, § 21 ..... 7, 10, 13

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## TABLE OF AUTHORITIES

Page

### STATUTES

52 U.S.C. § 21082(a)(4) ..... 11, 13

A.R.S. § 16-135 ..... 6, 12

A.R.S. §§ 16-642, 16-646..... 4, 5

A.R.S. §§ 16-648, 16-662..... 5

A.R.S. § 16-672(A)..... 15, 16

### OTHER AUTHORITIES

27A Am. Jur. 2d Equity § 29..... 15, 16

Ariz. Op. Atty. Gen. No. I13-011 (Oct. 7, 2013) ..... 14

*Black’s Law Dictionary* (9th ed. 2009) ..... 16

Secretary of State’s Elections Procedures Manual (2014) ..... 7

1 **APPLICATION AND MOTION**

2 Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs Ron Barber for Congress  
3 (the “Barber Campaign”) and Lea Goodwine-Cesarec, Laura Alessandra Breckenridge,  
4 and Josh Adam Cohen (the “Individual Plaintiffs”) apply for an order temporarily  
5 restraining Defendant Secretary of State of the State of Arizona Ken Bennett (the  
6 “Secretary of State”) and/or the members, officers, agents, employees, and/or attorneys of  
7 the Secretary of State and/or his office, and/or those persons in active concert or  
8 participation with the Secretary of State and/or his office, from certifying the results of the  
9 2014 General Election or the need for a recount in the 2014 election for the United States  
10 House of Representatives in Arizona’s second congressional district (“second district”).  
11 Plaintiffs also move for a preliminary injunction ordering that:

12 (i) Defendants and/or their members, officers, agents, employees, and/or attorneys,  
13 and/or those persons in active concert or participation with Defendants, must count the  
14 votes reflected on the ballots (the “contested ballots”) submitted by the voters who signed  
15 the declarations contained in Exhibit E to the Declaration of Kevin J. Hamilton (the  
16 “Hamilton Decl.”) for all elections for which the voters who cast those ballots were  
17 eligible to vote, and include those votes in the Secretary of State’s certification of the  
18 results of the 2014 General Election, any certification of the need for a recount in the 2014  
19 election for the United States House of Representatives in Arizona’s second district, and  
20 all other official totals of the votes for the 2014 General Election; and

21 (ii) The Secretary of State and/or the members, officers, agents, employees, and/or  
22 attorneys of the Secretary of State’s office, and/or those persons in active concert or  
23 participation with the Secretary of State and/or his office, are enjoined from certifying the  
24 results of the 2014 General Election or the need for a recount in the election for the  
25 second district until the contested ballots have been counted and are reflected in all  
26 official totals of the votes for the 2014 General Election. Plaintiffs further request that the  
27 temporary restraining order remain in effect until such time as the Court rules on  
28 Plaintiffs’ Motion for Preliminary Injunction and that the preliminary injunction remain in

1 effect pending final resolution of this action or further order of this Court.

2 This application and motion is based upon the following memorandum of points  
3 and authorities, the attached declarations, and such further evidence and arguments as may  
4 be presented. Initial notice of this application and motion has been provided to Defendants  
5 as detailed in the Hamilton Declaration and further notice will be provided promptly.  
6 Plaintiffs also request that they be exempted from the Rule 65(c) bond requirement.

7 **MEMORANDUM**

8 This case concerns the improper rejection of ballots cast by 133 Arizonans who  
9 were eligible and registered to vote and who cast ballots in the November 2014 General  
10 Election for Arizona’s second district. While the denial of a fundamental right to so many  
11 voters would be troubling under any circumstances, this year—when the election for the  
12 U.S. House of Representatives for Arizona’s second district hangs in the balance—it gives  
13 rise to the real possibility that the candidate for whom fewer voters were cast will be  
14 seated in the House of Representatives.

15 Without the requested relief, the contested ballots will remain uncounted. The Pima  
16 and Cochise County Boards of Supervisors have refused to count these ballots. The  
17 Secretary of State, who is scheduled to certify the election results or the need for a recall  
18 on December 1, has not provided assurances that he treat these ballots any differently.  
19 Immediate relief is thus needed in order to prevent the disenfranchisement of the  
20 Individual Plaintiffs and more than 100 other Arizonans and the real possibility that the  
21 wrong candidate will be declared the winner of the election in Arizona’s second district.

22 **FACTS**

23 The initial returns indicate that Martha McSally leads the incumbent, Congressman  
24 Ron Barber, by a razor-thin margin of 161 votes—less than one-tenth of one percent of  
25 the votes cast—in the election for Arizona’s second district. [Hamilton Decl. ¶ 6] A  
26 handful of votes very well could determine the results of the election.

27 Since the election took place, the Barber Campaign has received reports from many  
28 voters in Arizona’s second district, including the Individual Plaintiffs, who cast ballots in

1 the 2014 General Election but whose votes were not counted. Declarations from 133 of  
2 these individuals are contained in Exhibit E to the Hamilton Declaration.

3 The declaration of Plaintiff Lea Goodwine-Cesarec, who has been a registered  
4 voter in Arizona since 1990, shows that she moved prior to Election Day and called the  
5 registrar to update her voting address. [Hamilton Decl., Ex. E, Tab E (Goodwine-Cesarec  
6 Decl. ¶¶ 1-2)] The registrar assured her she could change her voting address by phone and  
7 did not need to sign any forms to do so. [*Id.* ¶ 2] When she arrived at the polls on Election  
8 Day, she was informed that there was no record of her change of address. [*Id.* ¶ 3] Rather  
9 than directing her to another polling place, poll workers directed her to cast a provisional  
10 ballot and told her that they expected the vote would be counted; it was not. [*Id.* ¶¶ 3-5]

11 Plaintiff Laura Alessandra Breckenridge voted an early ballot that was rejected  
12 because a county official believed that the signature on her early ballot did not match the  
13 signature on her voter registration form. [Hamilton Decl., Ex. E, Tab B (Breckinridge  
14 Decl. ¶¶ 1-2)] On November 7, 2014, she contacted election officials to ensure that her  
15 ballot would be counted. [*Id.* ¶ 3] Nonetheless, her ballot has not been counted.

16 Plaintiff Josh Adam Cohen has been registered to vote in Arizona since 2008.  
17 [Hamilton Decl., Ex. E, Tab E (Cohen Decl. ¶ 1)] In January 2014, he moved and had the  
18 address on his driver's license changed; he did not know that he also needed to change his  
19 address for purposes of his voter registration. [*Id.* ¶ 2] On Election Day, Mr. Cohen went  
20 to the polling location for his previous address and informed a poll worker that he had  
21 moved. [*Id.* ¶ 3] The poll worker did not direct Mr. Cohen to the correct polling location;  
22 the poll worker instructed Mr. Cohen to vote a provisional ballot and assured Mr. Cohen it  
23 would be counted. [*Id.* ¶¶ 3-5] Instead, it was rejected. [*Id.* ¶ 6]

24 The declarations submitted by the Individual Plaintiffs and numerous other voters  
25 show that Arizona's election apparatus has failed these voters, with the effect—absent  
26 relief from this Court—of denying these voters their fundamental right to vote. In many  
27 cases, voters complied with every requirement of Arizona law, yet their votes have not  
28 been counted. In other cases, ballots have not been counted where poll workers failed to

1 provide voters with information that poll workers were required to provide; where voters  
2 precisely followed inaccurate directions they received from election officials; or where  
3 poll workers easily could have, but did not, provide voters with information (e.g., the  
4 necessity of signing a provisional ballot, or a warning that an out-of-precinct provisional  
5 ballot would not be counted) that would have permitted these voters to cast ballots that  
6 would have been counted. In addition, voters have effectively been disenfranchised for the  
7 2014 General Election pursuant to state laws or rules that violate the United States  
8 Constitution, the Help America Vote Act (“HAVA”), and/or the Arizona Constitution.

9 More specifically, the declarations demonstrate that ballots have been rejected  
10 where (1) voters moved within Pima County and voted provisional ballots (three contested  
11 ballots); (2) a county official wrongly believed that the voter’s signature on the affidavit  
12 on the early ballot envelope did not match the signature on the voter’s registration form  
13 (27 contested ballots); (3) early ballots were not signed (eight contested ballots);  
14 (4) provisional ballots were not signed (eight contested ballots); (5) election officials  
15 failed to direct voters who moved to the proper precinct (31 ballots); (6) election officials  
16 made misleading or erroneous statements regarding voting in the proper precinct (11  
17 ballots); (7) voters were not told they were in the wrong precinct (45 ballots).

18 The Barber Campaign attempted to resolve many of these issues with the  
19 responsible county boards of supervisors. It was rebuffed. On November 18, 2014,  
20 counsel for the Barber Campaign delivered to the Pima County Board of Supervisors  
21 (“Pima Board”) a letter and over 130 declarations from registered voters whose ballots  
22 were not counted. [Hamilton Decl. ¶ 2] Although the deadline for the Pima Board to  
23 complete its canvass was not until November 24 ( A.R.S. §§ 16-642, 16-646) it refused to  
24 count the declarants’ ballots or even to make any pre-certification inquiry into whether it  
25 had, in fact, improperly disenfranchised more than 130 of its citizens. [*Id.* ¶ 3] Instead, it  
26 certified the election results without counting any of those ballots. [*Id.*]

27 Cochise County also declined to take corrective action. On November 19, 2014,  
28 counsel for the Barber Campaign sent a letter to the Cochise County Board of Supervisors

1 (the “Cochise Board”) asking that 20 rejected ballots from Cochise County be counted  
2 and that the Cochise Board delay certification of the 2014 General Election results until  
3 voters who cast unsigned early ballots had an opportunity to cure those ballots. [*Id.* ¶ 4 &  
4 Exh. B] The next day, the Cochise Board certified the election results without including  
5 the votes from any of the rejected ballots identified by the Barber Campaign. [*Id.* ¶ 5]

6 On November 21, the Barber Campaign sent a letter to the Secretary of State that  
7 enclosed sworn declarations from voters documenting similar errors and requesting that  
8 the Secretary take steps to review these declarations and either direct the Pima and  
9 Cochise County Boards of Supervisors to investigate, count these ballots, and amend their  
10 certification, or, alternatively, to conduct that investigation directly as part of the state  
11 canvassing and certification process. As of this date, the Secretary of State has not  
12 responded to that request. [*Id.* ¶ 8] The Secretary of State is scheduled to certify the  
13 election results or the need for a recount on December 1, 2014. A.R.S. §§ 16-648, 16-662.

## 14 ARGUMENT

15 The Court should issue the relief requested in this case. “A plaintiff seeking a  
16 preliminary injunction must establish that he is likely to succeed on the merits, that he is  
17 likely to suffer irreparable harm in the absence of preliminary relief, that the balance of  
18 equities tips in his favor, and that an injunction is in the public interest.” *Winter v. Natural*  
19 *Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). The standard for issuing a temporary  
20 restraining order is essentially the same as that for issuing a preliminary injunction. *Beaty*  
21 *v. Brewer*, 649 F.3d 1071, 1072 (9th Cir. 2011). These factors strongly favor Plaintiffs.

### 22 A. Likelihood of Success on the Merits

23 Plaintiffs have a high likelihood of success on the merits. Ballots cast by eligible,  
24 registered Arizonans were rejected in violation of federal and state law.

#### 25 1. Voters Who Moved Within Pima County And Nonetheless Had 26 Their Provisional Ballot Rejected

27 Election officials erroneously rejected the provisional ballots of certain voters who  
28 had moved within Pima County but had not updated their residential address in their voter

1 registration records prior to Election Day. Arizona law is clear that “[a]n elector who  
2 moves from the address at which he is registered to another address within the same  
3 county and who fails to notify the county recorder of the change of address before the date  
4 of an election shall be permitted to correct the voter registration records at the appropriate  
5 polling place for the voter’s new address,” A.R.S. § 16-135(B); that after presenting  
6 identification and affirming the new residence address in writing, the voter “shall be  
7 permitted to vote a provisional ballot,” *id.*; and that if the voter’s signature does not  
8 appear on the signature roster for that election in the precinct in which the voter was listed  
9 (i.e., where the voter previously resided) and there is no record of the voter having voted  
10 early for that election, “the provisional ballot shall be counted,” *id.* § 16-135(D).

11 For example, Suzanne Pasch moved within 30 days of Election Day, from one  
12 address in Pima County to another. [Hamilton Decl., Ex. E, Tab A (Pasch Decl.)] She  
13 went to the polling location for her new address. [*Id.*] She was required to vote a  
14 provisional ballot, and it was not counted. [*Id.*] Under state law, her voter registration  
15 records should have been updated and her ballot should have counted. A.R.S. § 16-135.

16 **2. Voters Who Signed Both Their Registration Form and Their**  
17 **Ballot Affidavit And Nonetheless Had Their Ballot Rejected Due**  
**to a Purported “Signature Mismatch”**

18 Many early ballots, including the ballot of Plaintiff Breckenridge, were improperly  
19 rejected based on a determination that the voter’s signature on the affidavit on the early  
20 ballot envelope did not match the signature on the voter’s registration form. For example,  
21 Roma Page, who was born in 1919 and has been a registered voter in Arizona since 1985,  
22 submitted an early ballot. [Hamilton Decl., Ex. E, Tab B (Page Decl. ¶¶ 1-2)] As required,  
23 Ms. Page, whose signature has changed with age, signed the back of the envelope when  
24 she submitted the ballot. [*Id.* ¶ 4] She subsequently called the Pima County Recorder’s  
25 office to ensure that her ballot was counted, but that office did not return her call. She  
26 later learned that her ballot was not counted because an elections official thought that her  
27 signature did not match the signature on her registration card. [*Id.* ¶¶ 4-5]

28 Ms. Page’s ballot, and the other contested ballots that were rejected based upon a



1 signature-mismatch determination, should be counted for several reasons. To begin with,  
2 where there has been a “signature mismatch” determination, the Secretary of State’s  
3 Elections Procedures Manual (2014) (“Manual”)—which “has the force and effect of  
4 law,” *Gonzalez v. Ariz.*, 677 F.3d 383, 397 (9th Cir. 2012) (citing A.R.S. § 16-452), *aff’d*  
5 *sub nom. Ariz. v. Inter Tribal Council of Ariz., Inc.*, 133 S. Ct. 2247 (2013)—permits a  
6 voter to explain “that he or she did vote the ballot and . . . why the signatures do not  
7 match.” Manual at 167. Because Arizona law sets no deadline to provide an explanation,  
8 the Court should find that these voters’ attached declarations, [Hamilton Decl., Ex. E, Tab  
9 B], constitute such explanations from the voters who submitted the contested signature-  
10 mismatch ballots and that their ballots must be counted.<sup>1</sup>

11 These ballots should also be counted pursuant to Article 2, Section 21, of the  
12 Arizona Constitution, which provides that “[a]ll elections shall be free and equal” and  
13 guarantees that “no power . . . shall at any time interfere to prevent the free exercise of the  
14 right of suffrage.” The contested signature-mismatch ballots were cast by Arizonans who  
15 are registered to vote and complied with all early ballot requirements. In other words, *the*  
16 *voters who cast these ballots took every step they were required to take for their early*  
17 *ballots to be counted.* Moreover, those voters have come forward to confirm that they, and  
18 not some imposter, voted the ballots, thus eliminating the only possible basis—a concern  
19 with fraud—for rejecting these ballots. Under these circumstances, a refusal to count those  
20 voters’ ballots constitutes an interference with the free exercise of the right of suffrage and  
21 violates the constitutional guarantee of elections that are “free and equal.”

22 The contested signature-mismatch ballots should be counted pursuant to the Equal  
23 Protection Clause of the Fourteenth Amendment for two different reasons. First, the lack  
24

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25 <sup>1</sup> Even assuming counties, without statutory authority, can set deadlines for curing  
26 ballots by fiat prior to counties’ deadline for certification of the vote, the arbitrary and  
27 inconsistent deadlines set by the Pima and Cochise Counties for curing signature-  
28 mismatch ballots, as discussed below, result in the determination of whether a vote is  
counted being made based on where a voter lives, in violation of the Equal Protection  
Clause, *see Bush v. Gore*, 531 U.S. 98, 104-06 (2000), and thus cannot prevent the  
counting of ballots cast by voters in complete conformity with Arizona law.

1 of statewide or congressional district-wide tests for determining when signatures do not  
2 match or how signature-mismatch determinations can be cured ensures arbitrary and  
3 disparate treatment of voters that is at odds with *Bush v. Gore*, 531 U.S. 98 (2000). In that  
4 case, the Supreme Court wrote that, “[h]aving once granted the right to vote on equal  
5 terms, the State may not, by later arbitrary and disparate treatment, value one person’s  
6 vote over that of another,” and found an equal protection violation where “the standards  
7 for accepting or rejecting contested ballots might vary not only from county to county but  
8 indeed within a single county from one recount team to another.” *Id.* at 104-06.

9 Here, it is not clear what, if any, standards Cochise and Pima Counties applied in  
10 determining whether signatures matched, and it is therefore entirely possible that  
11 signatures found to match in Cochise County would be considered mismatches in Pima  
12 County. The cure process is even *more* arbitrary. There are no standards provided by law  
13 for what evidence will be accepted; when evidence will be accepted; or for the  
14 establishment of a cure process. Indeed, Pima County arbitrarily asserted that the deadline  
15 for curing signature-mismatch ballots was noon on November 8th and then, with equal  
16 caprice, changed the deadline to close of business on November 9th, while Cochise  
17 County used Election Day as the deadline for curing signature-mismatch ballots.  
18 [Declaration of Kurt Bagley ¶ 6 (“Bagley Decl.”); Decl. Van Nuys III ¶ 3] The result is  
19 the precise harm with which *Bush v. Gore* was concerned: where a voter lives determines  
20 whether his or her vote will be counted. Thus, both the signature-mismatch law generally  
21 and pre-certification deadlines for curing signature-mismatch ballots specifically are  
22 unconstitutional, and the contested signature-mismatch ballots must be counted.

23 Second, the failure to count these ballots violates the Equal Protection Clause  
24 because it unduly burdens the fundamental right to vote. In assessing whether an electoral  
25 practice imposes such a burden, a court must “weigh the character and magnitude of the  
26 asserted injury to the rights protected by the First and Fourteenth Amendments that the  
27 plaintiff seeks to vindicate against the precise interests put forward by the State as  
28 justifications for the burden imposed by its rule, taking into consideration the extent to

1 which those interests make it necessary to burden the plaintiff’s rights.” *Burdick v.*  
2 *Takushi*, 504 U.S. 428, 434 (1992) (internal quotation omitted); *see also Crawford v.*  
3 *Marion County. Election Bd.*, 553 U.S. 181, 191 (2008) (Stevens, J., controlling opinion)  
4 (any burden, “[h]owever slight . . . must be justified by relevant and legitimate state  
5 interests sufficiently weighty to justify the limitation”). (internal quotation omitted).

6 Under this standard (the *Burdick* test), the contested signature-mismatch ballots  
7 cannot be rejected. Failing to count such ballots imposes a severe burden—  
8 disenfranchisement—on the right to vote of these voters. By contrast, refusing to count  
9 these ballots serves no legitimate state interest. Not only the *Burdick* test but also the  
10 rational-basis test mandate the counting of the contested signature-mismatch ballots.

11 In addition, the rejection of the contested signature-mismatch ballots violates the  
12 Due Process Clause to the Fourteenth Amendment. That provision prohibits a state from  
13 depriving a person of “life, liberty, or property,” including the liberty inherent in the right  
14 to vote, without sufficient process and an appropriately compelling government interest.  
15 *See Anderson v. Celebrezze*, 460 U.S. 780, 786-87 (1983) (discussing prior cases holding  
16 that the “freedom to engage in association for the advancement of beliefs and ideas is an  
17 inseparable aspect of the ‘liberty’ assured by the Due Process Clause” and “explain[ing]  
18 the interwoven strands of ‘liberty’ affected by ballot access restrictions”); *Raetzl v.*  
19 *Parks/Bellemont Absentee Election Bd.*, 762 F. Supp. 1354, 1358 (D. Ariz. 1990) (stating  
20 that “[w]hile the state is able to regulate absentee voting, it cannot disqualify ballots, and  
21 thus disenfranchise voters, without affording the individual appropriate due process  
22 protection” and finding “deficiency in the existing election process”). Because the voters  
23 who cast the contested signature-mismatch ballots will be denied their right to vote  
24 through no fault of their own, and for no legitimate state purpose, both the substantive and  
25 procedural components of the Due Process Clause mandate that their ballots be counted.

### 26 3. Unsigned Early Ballots

27 Eight contested ballots were rejected because they were not signed. [Hamilton  
28 Decl., Ex. E, Tab C] Until approximately the Thursday before Election Day, Pima County

1 mailed ballots back to early voters who failed to sign their ballot affidavit to provide an  
2 opportunity to correct the issue. Cochise County called at least some such voters prior to  
3 Election Day to inform them of the oversight and/or sent an affidavit for the voters to  
4 return by Election Day. Neither county took any action to cure unsigned early ballots after  
5 Election Day. [Quinn-Quesada Decl. ¶¶ 3-4]

6 These arbitrary, ad-hoc, inconsistent rules for handling unsigned early ballots are  
7 inconsistent with *Bush v. Gore*, 531 U.S. at 104-06, for the same basic reason that the  
8 signature-mismatch determination was inconsistent with that case: whether a vote was  
9 counted depended on where a voter lived. Moreover, there is no rational basis for  
10 permitting ballots to be cured post-election where a signature-mismatch determination has  
11 been made but not where a ballot is unsigned. Indeed, the purpose of the signature  
12 requirement—to confirm that early ballots are submitted by the correct voter—is clearly  
13 served when a voter to whom an early ballot was sent confirms that he or she cast the  
14 ballot at issue. Accordingly, the contested unsigned early ballots should be counted.<sup>2</sup>

#### 15 4. Unsigned Provisional Ballots

16 Still other contested ballots were rejected as unsigned provisional ballots. For  
17 instance, Elle Troutman, who was registered to vote, legally changed her name in  
18 September 2014 but received a mail-in ballot in her previous name. [Hamilton Decl., Ex.  
19 E, Tab D (Troutman Decl. ¶¶ 1-2)] On Election Day, Ms. Troutman went to the polls and  
20 was directed to fill out a provisional ballot. After she did so, the poll worker looked over  
21 the ballot, said that things appeared to be in order, and indicated that the provisional ballot  
22 would be counted. [*Id.* ¶¶ 3-5] The poll worker did not point out that she had not signed  
23 the provisional ballot, and, as a result, her vote was not counted. [*Id.* ¶¶ 4, 6]

24 The contested unsigned provisional ballots should be counted. Because poll  
25 workers are required to sign the provisional ballot form that is attached to the provisional

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26  
27 <sup>2</sup> For the same reasons set forth in the preceding subsection, refusing to count the  
28 contested unsigned early ballots would unduly burden the right to vote in violation of the  
Equal Protection Clause; deprive voters of the fundamental right to vote in violation of the  
Due Process Clause; and violate Article 2, Section 21, of the Arizona Constitution.

1 ballot envelope, Manual at 152, the casting of an unsigned provisional ballot necessarily  
2 reflects either that a poll worker looked at the unsigned ballot yet failed to inform the  
3 voter that it had not been signed or that the poll worker failed to sign the provisional  
4 ballot. [See, e.g., Hamilton Decl., Ex. E, Tab E (Troutman Decl. ¶¶ 3-5)] Either way, the  
5 unsigned provisional ballots would have been signed if the State had ensured that poll  
6 workers took the straight-forward step of ensuring that voters had signed their provisional  
7 ballots. Thus, as with the failure to count certain out-of-precinct ballots (discussed below),  
8 the failure to count unsigned provisional ballots severely burdens the right to vote while  
9 providing no material benefit to state interests and therefore violates the Equal Protection  
10 and Due Process Clauses and Article 21, Section 2, of the Arizona Constitution.

11 **5. Failure to Direct Voters Who Had Moved To the Proper Precinct**

12 For several reasons, the many contested ballots that were rejected because they  
13 were not cast in the voters’ assigned precincts, including the ballot of Plaintiff Josh Cohen,  
14 should be counted for all elections for which the voters who cast those ballots were  
15 eligible to vote. To begin with, these out-of-precinct ballots should be counted under the  
16 Help America Vote Act (“HAVA”). In relevant part, that law states that “[i]f the  
17 appropriate State or local election official to whom the [provisional] ballot or voter  
18 information is transmitted . . . determines that the individual is eligible under State law to  
19 vote, the individual’s provisional ballot shall be counted as a vote in that election in  
20 accordance with State law.” 52 U.S.C. § 21082(a)(4) (emphases added). Because all of the  
21 out-of-precinct ballots at issue were cast by voters who are eligible to vote under state law,  
22 [see Bagley Decl. ¶ 4 & Ex. A; e.g., Hamilton Decl., Ex. E, Tab E (Cohen Decl. ¶ 1)], the  
23 plain language of 52 U.S.C. § 21082(a)(4) indicates that these votes shall be counted.

24 To be sure, the Sixth Circuit held in *Sandusky County Democratic Party v.*  
25 *Blackwell*, 387 F.3d 565, 568 (6th Cir. 2004) (*per curiam*), that HAVA does not prevent  
26 states from rejecting ballots cast outside of voters’ assigned precincts. In addition to  
27 raising policy concerns with a contrary interpretation and discussing the statute’s purpose  
28 and legislative history, the court wrote that “[t]o read ‘eligible under state law to vote’ so

1 broadly as to mean not only that a voter must simply be eligible to vote in some polling  
2 place within the county, but remains eligible even after casting an improper ballot would  
3 lead to the untenable conclusion that Ohio must count as valid a provisional ballot cast in  
4 the correct county even it is determined that the voter in question had previously voted  
5 elsewhere in that county.” *Id.* at 577. But this holding does not control this Court and it  
6 cannot withstand scrutiny. A voter who has already cast a voter is no longer an eligible  
7 voter. HAVA’s plain language can plainly be read to avoid this absurd result. Here, in  
8 marked contrast, the result that stems from HAVA’s plain language—that out-of-precinct  
9 provisional votes must be counted because they were cast by citizens who are eligible  
10 under state law to vote—is eminently reasonable. The Court’s analysis need go no further.

11 The contested out-of-precinct ballots should also be counted under the Equal  
12 Protection Clause. In *Northeast Ohio Coalition for Homeless v. Husted*, 696 F.3d 580 (6th  
13 Cir. 2012) (“NEOCH”) (per curiam), the Sixth Circuit, which found a likely equal  
14 protection violation, upheld the portion of a preliminary injunction requiring Ohio to  
15 count ballots cast in the wrong precinct due to the failure of poll workers to comply with  
16 their statutory duty to direct voters to the correct precinct. *Id.* at 584, 588, 593, 597. Here,  
17 Arizona law provides that “[i]f the registrant indicates that the registrant lives at a new  
18 residence, the election official shall direct the registrant to the polling place for the new  
19 address.” A.R.S. § 16-583(A). Thus, like the voters in NEOCH, the voters here, such as  
20 Mr. Cohen, who moved but were not directed to their new polling places, [Hamilton Decl.,  
21 Ex. E, Tab E (Cohen Decl. ¶¶ 1, 3, 5)], should have their ballots counted.

## 22 **6. Misleading or Erroneous Statements by Election Officials** 23 **Regarding Voting in Proper Precinct**

24 NEOCH’s reasoning should be extended to other contested out-of-precinct ballots  
25 as well. Some of the voters who cast such ballots were provided with misleading or  
26 confusing information, and none of those voters were directed to their assigned polling  
27 locations. [See Hamilton Decl., Ex. E, Tab F] Michelle Rankin, for instance, went to the  
28 wrong polling location but had an early ballot at home. She told a poll worker she would

1 go back and get it (and it would have counted), but the poll worker said there was no need  
2 and that her provisional vote would count as long as she was registered. Her vote has not  
3 been counted. [Hamilton Decl., Ex. E, Tab F (Rankin Decl. ¶¶ 2, 4-5)]

4 For the State to fail to ensure that poll workers took the simple step of telling out-  
5 of-precinct voters that their votes would not count and directing such voters to their  
6 assigned polling locations, and then to disenfranchise these voters because they did not  
7 travel to their assigned polling locations, is indefensible. Indeed, given the severity of the  
8 burden on these voters (i.e., disenfranchisement) and the lack of any material state interest  
9 in *not* directing voters to their assigned precincts, the rejection of the contested out-of-  
10 precinct ballots for elections for which the voters who cast those ballots were eligible to  
11 vote would fail the *Burdick* test and therefore violate the Equal Protection Clause.

12 Likewise, refusing to count these ballots would violate the Due Process Clause. As  
13 noted, that provision prevents a state from depriving a person of certain liberties,  
14 including the right to vote, without a sufficiently compelling government interest. And  
15 however strong Arizona’s interest is in maintaining a precinct-based voting system, the  
16 fact that the State can maintain such a system without disenfranchising voters by simply  
17 directing voters to their assigned polling places demonstrates that the State does not have  
18 a compelling interest in rejecting out-of-precinct ballots and that the Due Process Clause  
19 requires the Secretary of State to ensure that the contested out-of-precinct ballots for  
20 elections for which the voters who cast those ballots were eligible to vote are counted.

### 21 **7. Voters Who Were Not Told They Were in the Wrong Precinct**

22 Under federal statute and the Arizona Constitution, voters who, for other reasons,  
23 went to the wrong polling location should also have their votes counted for elections for  
24 which they were eligible to vote. As noted above, HAVA is clear that an eligible voter’s  
25 “provisional ballot shall be counted as a vote in that election in accordance with State  
26 law.” 52 U.S.C. § 21082(a)(4). To refuse to count all eligible voters’ ballots for those  
27 elections in which they may legally vote would be a violation of federal law.

28 Such a refusal would also be a violation of Article 2, Section 21, of the Arizona

1 Constitution. This provision requires that “each vote is given the same weight as every  
2 other ballot.” *Chavez v. Brewer*, 222 Ariz. 309, 319 (Ct. App. 2009). While it does not  
3 apply to those who are otherwise disenfranchised, it does apply to all “those who are  
4 otherwise qualified to vote.” *Harvey v. Brewer*, 605 F.3d 1067, 1081 (9th Cir. 2010). As  
5 the Attorney General has noted, this clause “requires equality for all people who are  
6 qualified to vote in a particular election.” Ariz. Op. Atty. Gen. No. I13-011 (Oct. 7, 2013).

7 It is uncontested that the voters whose declarations are attached to the Hamilton  
8 Declaration and who voted in the wrong precinct were qualified to vote in the 2014  
9 General Election. [Bagley Decl. ¶ 4 & Ex. A]. To refuse to count their votes would be a  
10 violation of the letter and spirit of the “free and equal” clause of the Arizona Constitution.

### 11 **B. Irreparable Harm**

12 The deprivation of a constitutional right, even for a brief period, is an irreparable  
13 injury. *See Elrod v. Burns*, 427 U.S. 347, 373 (1976) (plurality opinion) (“The loss of First  
14 Amendment freedoms, for even minimal periods of time, unquestionably constitutes  
15 irreparable injury.”). And “[c]ourts routinely deem restrictions on fundamental voting  
16 rights irreparable injury.” *League of Women Voters of N.C. v. N.C.*, 769 F.3d 224, 247  
17 (4th Cir.), *stayed*, 135 S. Ct. 6 (2014); *see, e.g., Obama for Am. v. Husted*, 697 F.3d 423,  
18 436 (6th Cir. 2012). Thus, the Individual Plaintiffs and the other voters who cast the  
19 contested ballots and who, as set forth above, have a right to have their ballots counted  
20 under the United States and Arizona Constitutions will be irreparably harmed if this Court  
21 does not ensure that their votes are counted by issuing the requested relief.

22 Plaintiffs will also be irreparably harmed without injunctive relief because they  
23 have an interest in an accurate count of the votes and a political process that is untainted  
24 and fair. *See Common Cause v. Bolger*, 512 F. Supp. 26, 31-32 (D.D.C. 1980) (campaign  
25 contributors and active participants in campaign injured where political process tainted  
26 and rendered unfair by the political use of the frank, and registered voters for candidates  
27 for office injured because franking statute placed unconstitutional burden on candidate of  
28 their choice and thus on their right to associate freely for political purposes); *see also*



1 *Miller v. Moore*, 169 F.3d 1119, 1123 (8th Cir. 1999) (registered voters had standing  
2 where they contended that “pejorative ballot labels injure[d] them by greatly diminishing  
3 the likelihood that the candidates of their choice w[ould] prevail in the election”). Absent  
4 the requested relief, the Secretary of State will certify this election for a recount and the  
5 results of the election without counting the contested ballots, resulting in an inaccurate  
6 count of the votes in, quite possibly an inaccurate determination of the winner of—and an  
7 unfair, tainted process for—the election for the second district.

8 It is no answer that Plaintiffs could pursue an election contest under Arizona law  
9 rather than this case. “Equity jurisdiction is not precluded by a legal remedy unless the  
10 latter is clear and certain, and the remedy at law, in order to be considered adequate, must  
11 be obtainable as of right. The mere existence of a possible remedy at law is not sufficient  
12 to warrant the denial of equitable relief.” 27A Am. Jur. 2d Equity § 29 (footnote omitted).  
13 An election contest does not provide an adequate or certain remedy in this case.

14 For starters, the relevant statute states that an elector “may contest *the election* of  
15 any person declared elected to a state office” on certain grounds. A.R.S. § 16-672(A)  
16 (emphasis added). Thus, the statute permits challenges only to the results of elections; it  
17 provides the Individual Plaintiff with no remedy to ensure that their votes are counted.<sup>3</sup>

18 Further, in an election contest, Plaintiffs would not be able to raise the claims at  
19 issue here. An election contest can be brought upon the following grounds: (1)  
20 “misconduct on the part of election boards or any members thereof in any of the counties  
21 of the state, or on the part of any officer making or participating in a canvass for a state  
22 election”; (2) the declared winner’s ineligibility for office; (3) the declared winner or his  
23 or her agent offering a bribe for the purpose of procuring his or her election or engaging in  
24 a similar “offense against the elective franchise”; (4) “[o]n account of illegal votes”; and  
25 (5) “[t]hat by reason of erroneous count of votes the person declared elected . . . did not in  
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27 <sup>3</sup> The Arizona Supreme Court has held that this phrase can “properly be interpreted  
28 in its broad sense as encompassing nominees for representatives to the Congress of the  
United States.” *Harless v. Lockwood*, 85 Ariz. 97, 102, 332 P.2d 887 (Ariz. 1958).

1 fact receive the highest number of votes for the office.” A.R.S. § 16-672(A).

2 Here, Plaintiffs are not alleging that illegal votes have been counted or that  
3 Ms. McSally is ineligible for office or was involved in an offense against the elective  
4 franchise. Nor can their claims be considered challenges “by reason of erroneous count of  
5 votes.” Plaintiffs do not challenge Defendants’ arithmetic, but rather their decision to  
6 refuse to count certain ballots. Indeed, if the claims at issue were challenges “by reason of  
7 erroneous count of votes,” the fourth basis for a contest (“[o]n account of illegal votes”)   
8 would also surely fall within this category, rendering that provision surplusage. At the  
9 very least, an election challenge is not a “clear and certain” remedy, and it therefore does  
10 not provide a basis for denying the requested relief. *See* 27A Am. Jur. 2d Equity § 29.

11 Plaintiffs also do not allege “misconduct on the part of election boards or any  
12 members thereof in any of the counties of the state, or on the part of any officer making or  
13 participating in a canvass for a state election.” “Misconduct” connotes willful  
14 wrongdoing. *See Black’s Law Dictionary* (9th ed. 2009) (defining “official misconduct”  
15 as “[a] public officer’s corrupt violation of assigned duties by malfeasance, misfeasance,  
16 or nonfeasance”); *see also Chenoweth v. Earhart*, 14 Ariz 278, 127 P. 748, 751 (Ariz.  
17 1912) (contrasting “fraud or misconduct” with “an honest effort on the part of the board of  
18 supervisors, the election board, and the voters to comply with the terms of the law”). The  
19 election-contest statute does not provide Plaintiffs with a “clear and certain” remedy.

20 More broadly, the burden of conducting a lawful, complete count of the vote is on  
21 the State. It cannot to fail meet that burden by disenfranchising voters and then shift to  
22 individual plaintiffs the burden of ensuring a complete count to individual plaintiffs  
23 through an expensive and uncertain state-created procedure. If it could, voters would be  
24 left without any remedy other than the one provided by the State even if a county simply  
25 refused to count any votes. In short, Plaintiffs do not have a sufficient alternative remedy  
26 to this action, and they will suffer irreparable harm absent the requested relief.

27 **C. Balance of the Harms**

28 The balance of the harms clearly favors Plaintiffs. In contrast to the irreparable

1 harm Plaintiffs face, Defendants will suffer no material harm if the requested relief is  
2 granted. The Secretary of State will simply need to update the vote totals for the 2014  
3 General Election to include the votes reflected on the contested ballots. Any nominal  
4 administrative burden from counting ballots that should have been counted in the first  
5 place is clearly outweighed by the injury to the Individual Plaintiffs and the voters who  
6 have been denied their fundamental right to vote and the Barber Campaign's decreased  
7 likelihood of success in the election for Arizona's second district. *See Taylor v. La*, 419  
8 U.S. 522, 535 (1975) ("administrative convenience" cannot justify practice that impinges  
9 upon fundamental right); *Pashby v. Delia*, 709 F.3d 307, 329 (4th Cir. 2013). Further,  
10 Defendants have no legitimate interest in the unlawful or unconstitutional enforcement of  
11 a law. *See, e.g., Newsom ex rel. Newsom v. Albemarle County Sch. Bd.*, 354 F.3d 249, 260  
12 (4th Cir. 2003). This factor weighs in favor of injunctive relief.

13 **D. Public Interest**

14 "[I]t is always in the public interest to prevent the violation of a party's  
15 constitutional rights." *Awad v. Ziriox*, 670 F.3d 1111, 1132 (10th Cir. 2012) (internal  
16 quotations omitted); *Newsom*, 354 F.3d at 261. And "[t]here is no right more basic in our  
17 democracy than the right to participate in electing our political leaders." *McCutcheon v.*  
18 *Fed. Election Comm'n*, 134 S. Ct. 1434, 1440-41 (2014). Indeed, restrictions on the right  
19 to vote "strike at the heart of representative government," *Reynolds v. Sims*, 377 U.S. 533,  
20 555 (1964), and "[o]ther rights, even the most basic, are illusory if the right to vote is  
21 undermined," *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964). Thus, "[t]he public interest . . .  
22 favors permitting as many qualified voters to vote as possible." *Obama for Am.*, 697 F.3d  
23 at 437; *see also Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006). Plaintiffs ask the Court to count  
24 the ballots of voters who have been wrongfully disenfranchised. The public interest  
25 weighs heavily in their favor.

26 **CONCLUSION**

27 For the reasons set forth above, Plaintiffs respectfully request that the Court issue  
28 the requested temporary restraining order and preliminary injunction.

1 November 24, 2014  
2

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12 *Congress, Lea Goodwine-Cesarec; Laura*  
13 *Alessandra Breckenridge; and Josh Adam*  
14 *Cohen*

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1 **CERTIFICATE OF SERVICE**

2  I hereby certify that on November 24, 2014, I electronically transmitted the  
3 attached documents to the Clerk’s Office using the CM/ECF System for filing.

4  I hereby certify that, I will served the attached document once a Judge is  
5 assigned to the matter, United States District Court of Arizona, 405 West Congress Street,  
6 Tucson, Arizona 85701.

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8 s/ S. Neilson  
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*Alessandra Breckenridge, Josh Adam Cohen.*  
11

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF ARIZONA

14  
15 Ron Barber for Congress; Lea Goodwine-  
Cesarec, Laura Alessandra Breckenridge,  
16 Josh Adam Cohen,

17 Plaintiffs,

18 v.

19 Ken Bennett, in his official capacity as  
20 Secretary of State of the State of Arizona; the  
Pima County Board of Supervisors, a body  
21 politic; Ally Miller, in her official capacity as a  
member of the Pima County Board of  
22 Supervisors; Ramón Valadez, in his official  
23 capacity as a member of the Pima County  
Board of Supervisors; Sharon Bronson, in her  
24 official capacity as a member of the Pima  
County Board of Supervisors; Ray Carroll, in  
25 his official capacity as a member of the Pima  
County Board of Supervisors; Richard Elías, in  
26 his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
27 County Board of Supervisors, a body politic;  
28

No.

**DECLARATION OF KEVIN J.  
HAMILTON IN SUPPORT OF  
PLAINTIFFS' APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

1 Patrick Call, in his official capacity as a  
2 member of the Cochise County Board of  
3 Supervisors; Ann English, in her official  
4 capacity as a member of the Cochise County  
5 Board of Supervisors; and Richard Searle, in  
his official capacity as a member of the  
Cochise County Board of Supervisors.

6 Defendants.

7  
8 KEVIN J. HAMILTON states and declares as follows:

9 1. I am an attorney representing Ron Barber for Congress ("the Campaign")  
10 and either have filed or will shortly file an application to appear *pro hac vice* before this  
11 Court. I am over the age of 18 and have knowledge of the facts stated in this declaration.  
12 The following statements are based on my personal knowledge.

13 2. On November 18, 2014, I submitted a letter to the Pima County Board of  
14 Supervisors with 132 declarations from voters who wished their vote to count, asking the  
15 board to delay certification and investigate these issues. I have attached a copy of that  
16 letter as Exhibit A to this declaration. In the interests of avoiding unnecessary duplication  
17 and confusion in the Court's file in this matter, I have omitted the actual voter declarations  
18 that were attached to this letter but have complete copies available should the Court wish  
19 to review them. Since November 18, 2014, we have conducted further investigation and  
20 winnowed this list to those described in, and attached to, this declaration as Exhibit E  
21 below.

22 3. I attended the meeting of the Pima County Board of Supervisors on  
23 November 18, 2014. On a split vote, the Pima County Board of Supervisors declined to  
24 investigate these issues and instead certified the results of the November 4, 2014 General  
25 Election as presented to them.

26 4. On November 19, 2014, I submitted a letter to the Cochise County Board  
27 of Supervisors with 20 declarations from voters whose votes appeared to have been  
28

1 improperly rejected by the county. In that correspondence, like the earlier correspondence  
2 with the Pima County Board of Supervisors, I asked the board to delay certification and  
3 investigate these issues. I have attached as Exhibit B to this declaration a copy of my  
4 November 19, 2014 letter to the Cochise County Board of Supervisors. In the interests of  
5 avoiding unnecessary duplication and confusion in the Court's file in this matter, I have  
6 omitted the actual voter declarations that were attached to this letter but have complete  
7 copies available should the Court wish to review them. Since November 19, 2014, we  
8 have conducted further investigation and winnowed this list to those described in, and  
9 attached to, this declaration as Exhibit E below.

10           5.       I subsequently attended the meeting of the Cochise County Board of  
11 Supervisors on November 20, 2014 which had been scheduled to certify the results of the  
12 November 4, 2014 general election. At that Board meeting, the Cochise County Board of  
13 Supervisors declined to investigate these issues and instead certified the results as  
14 presented to them.

15           6.       According to the Pima and Cochise certifications, Martha McSally  
16 received 161 more votes than Ron Barber in the Second Congressional District.

17           7.       On November 20th, I submitted a letter to the Pima County Board of  
18 Supervisors with an additional 15 declarations from voters whose votes had apparently  
19 been improperly rejected and asked the board to investigate these issues and amend their  
20 certification. I have attached as Exhibit C to this declaration a true and correct copy of my  
21 correspondence of November 20, 2014. In the interests of avoiding unnecessary  
22 duplication and confusion in the Court's file in this matter, I have omitted the actual voter  
23 declarations that were attached to this letter but have complete copies available should the  
24 Court wish to review them. Since November 20, 2014, we have conducted further  
25 investigation and winnowed this list to those described in, and attached to, this declaration  
26 as Exhibit E below. To date, I have not received any response to that letter.

27           8.       On November 21, I sent a letter to the Secretary of State, enclosing the  
28 materials previously provided to Pima and Cochise counties and requested that the



1 Secretary take steps to review those declarations and either direct the Pima and Cochise  
2 Board of Supervisors to investigate, count those ballots and amend their certifications; or  
3 alternatively, to conduct that investigation directly as part of the state canvassing and  
4 certification process. I have attached as Exhibit D to this declaration a true and correct  
5 copy of my correspondence of November 21, 2014. In the interests of avoiding  
6 unnecessary duplication and confusion in the Court's file in this matter, I have omitted the  
7 actual voter declarations that were attached to this letter but have complete copies  
8 available should the Court wish to review them. Since November 21, 2014, we have  
9 conducted further investigation and winnowed this list to those described in, and attached  
10 to, this declaration as Exhibit E below. As of this date, the Secretary of State has not  
11 responded to this correspondence.

12 9. As Exhibit E to this Declaration, I have attached true and correct copies of  
13 133 declarations from Arizona voters who cast ballots in the November 4, 2014 General  
14 Election. These declarations include those submitted to Pima and Cochise Counties but I  
15 have winnowed that list of declarations after further investigation to eliminate those as to  
16 which there was evidence (from recently updated voter history data) that the vote was  
17 actually counted or where we have not been able to confirm the circumstances at issue. In  
18 addition, the declarations contained in Exhibit E to this declaration include a number of  
19 declarations collected since the date of my prior correspondence with Pima County,  
20 Cochise County, and the Arizona Secretary of State's office. In total, Exhibit E is  
21 comprised of 133 declarations. They are organized as follows (which parallels the  
22 corresponding section of Plaintiff's Application For a Temporary Restraining Order,  
23 Motion For a Preliminary Injunction, and Memorandum of Points and Authorities in  
24 Support):

25  
26 **Tab A: Voters Who Moved Within Pima County And Nonetheless Had Their**  
27 **Provisional Ballot Rejected**

28 1. Grace Agbolosoo

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2. James Gentry
3. Suzanne Pasch

**Tab B: Voters Who Signed Both Their Registration Form and Their Ballot Affidavit And Nonetheless Had Their Ballot Rejected Due to a Purported “Signature Mismatch”**

1. Lynette Barley
2. Lauren Breckenridge
3. Bryan Castle
4. David Celaya
5. Samantha Doyle
6. Michelle Escalante
7. Kevin Fink
8. Carlos Gallegos
9. Guillermo Gamez
10. Ryan Garn
11. Hilda Grings
12. Richard Holdcroft, Jr.
13. Michio Igarashi
14. Salvador López
15. Margaret McDonald
16. Nicholas Miller
17. Joshua Morand
18. Jeffrey Newton
19. Maria Ozuna
20. Roma Page
21. David Sadorf

- 1 22. Patricia Schopfer
- 2 23. Andrew Shadle
- 3 24. Jack Silver
- 4 25. Scott Sind
- 5 26. Priscilla Tineo
- 6 27. Lekendra Washington

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8 **Tab C: Unsigned Early Ballots**

- 9 1. Philip Brown
- 10 2. Rukhsana Choudhary
- 11 3. Mary Cuellar
- 12 4. Rita Hernandez
- 13 5. Barbara Jean Mahon
- 14 6. Ronald Rabago
- 15 7. Frank Santa Maria
- 16 8. Sandra Wendt

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18 **Tab D: Unsigned Provisional Ballots**

- 19 1. Tyler Hansen
- 20 2. Allan MacKenzie
- 21 3. Jeremiah McCarthy
- 22 4. Matthew McCray
- 23 5. Elle Troutman
- 24 6. Heidi Young Tarbet
- 25 7. Christina Baron
- 26 8. Raymond Fisher

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**Tab E: Failure by Election Officials to Direct Voters Who Had Moved to the Proper Precinct**

1. Kay Bigglestone
2. Daniel Bitter
3. Steven Case
4. Josh Cohen
5. Kelly Doty
6. Elliot Dumont
7. Devin Gardner
8. Ari Ginsburg
9. Rene Gonzalez
10. Lea Goodwine-Cesarec
11. Anne Gray
12. Jordan Hunter
13. Walter Mangum
14. Jessica Mattix
15. Rana McGoldrick
16. Deanna Meek
17. Ryan Mihalyi
18. Jonathan Mitchell
19. Richard Rodriguez
20. Mary Catherine Romer
21. Richard Michael Ross
22. Rachel Sattinger
23. Susan Stillman
24. Janet Tumulty
25. Sandra Vickey

- 1 26. Julia Waterfall-Kanter
- 2 27. Kayla West
- 3 28. Eric Wittenmyer
- 4 29. Donna Wittenmyer
- 5 30. Nicolette Young
- 6 31. Sebastian Zeltzer

7  
8 **Tab F: Misleading or Erroneous Statements by Election Officials Involving**  
9 **Voting in Proper Precinct**

- 9 1. Judy Archer
- 10 2. Donna Guy
- 11 3. Mark McDowell
- 12 4. Thelma Nathanson
- 13 5. Alfred Polito
- 14 6. Deborah Polito
- 15 7. Michelle Rankin
- 16 8. Daniel Schippers
- 17 9. Wendy Summers
- 18 10. Micah Tordsen
- 19 11. Victor Vasquez

20  
21 **Tab G: Voters Who Were Not Told They Were In the Wrong Precinct**

- 22 1. Sita Adhikari
- 23 2. Barbara Anastos
- 24 3. Melissa Armendariz
- 25 4. Arthur Aschenbrenner
- 26 5. Kaye Aschenbrenner
- 27 6. Linda Barnett
- 28 7. Anita Brewer

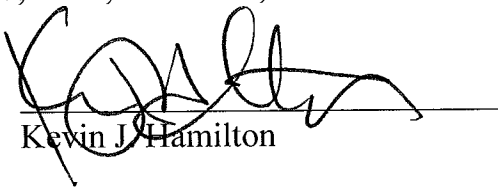
- 1 8. William Bricks
- 2 9. Carmen Cruz
- 3 10. Ralph De Nogean
- 4 11. Jessica Diaz
- 5 12. Hunter Dolgner
- 6 13. Lena Douglas
- 7 14. Alejandra Garcia
- 8 15. Francisco Garcia
- 9 16. Pamela Glantz
- 10 17. Walterio Gonzalez
- 11 18. Erica Hamilton
- 12 19. Irma Hernandez De Quintero
- 13 20. Barnes Jannuzi
- 14 21. Thomas Jernigan
- 15 22. Nicholas Jones
- 16 23. Dustin Kreher
- 17 24. George Lockett
- 18 25. Deana Martel
- 19 26. Cameron McAllister
- 20 27. Denise Michaels
- 21 28. Michael Modesitt
- 22 29. Olga Morris
- 23 30. Ellen Nagella
- 24 31. Jesse Patterson
- 25 32. Peter Petrowski
- 26 33. Scott Rice
- 27 34. Susan Ruiz
- 28 35. Cassandra Salas

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- 36. Ricardo Salcido Elias
- 37. Matthew Schmit
- 38. Catherine Schultejann
- 39. Ilana Shapiro
- 40. Sergio Velazquez
- 41. Erma Wells
- 42. Christopher Wharam
- 43. Mark Wilson
- 44. Hallie Wine
- 45. Susan Winger

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct to the best of my knowledge and belief.

Signed this 23rd day of November, 2014, at Tucson, Arizona



Kevin J. Hamilton

1 **CERTIFICATE OF SERVICE**

2  I hereby certify that on November 24, 2014, I electronically transmitted the  
3 attached documents to the Clerk’s Office using the CM/ECF System for filing.

4  I hereby certify that, I will serve the attached document once a Judge is  
5 assigned to the matter, United States District Court of Arizona, 405 West Congress Street,  
6 Tucson, Arizona 85701.

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## Index of Exhibits to the Declaration of Kevin Hamilton

- Exhibit A: November 18, 2014 Letter from Kevin Hamilton to Pima County Board of Supervisors
- Exhibit B: November 19, 2014 Letter from Kevin Hamilton to Cochise County Board of Supervisors
- Exhibit C: November 20, 2014 Letter from Kevin Hamilton to the Pima County Board of Supervisors
- Exhibit D: November 21, 2014 Letter to the Arizona Secretary of State
- Exhibit E: Arizona Voter Declarations

# **EXHIBIT A**

November 18, 2014

Kevin J. Hamilton  
KHamilton@perkinscoie.com  
D. (206) 359-8741  
F. (206) 359-9741

## VIA HAND-DELIVERY

Sharon Bronson, Chair  
Richard Elías, Vice Chair  
Ray Carroll  
Ally Miller  
Ramón Valadez  
Pima County Board of Supervisors

### **Re: Errors in the Rejection of Early and Provisional Ballots**

Dear Members of the Pima County Board of Supervisors:

We write on behalf of the Ron Barber for Congress campaign to request that you (the “Board”) count the ballots of the voters identified in this letter and the enclosed declarations and include the votes reflected on those ballots in the Pima County certification of the 2014 General Election. As you will see from the enclosed declarations, all of these individuals were at the time they cast their ballots citizens of the United States and the State of Arizona, were lawfully registered to vote, and cast their ballots in accordance with state or federal law and, in many cases, as directed by Arizona election officials. Yet their ballots remain, for a variety of reasons, uncounted.

As I’m sure you know, A.R.S. § 16-646 requires you to mail to the Secretary of State a “certified permanent copy of the official canvass” of the General Election results, which will be maintained and preserved “as a permanent public record.” With all due respect, the certified copy of the canvass will not be true, accurate, and complete unless you address, and count, the ballots of the voters who have submitted the enclosed declarations.

It is especially important to conduct a thorough canvass this year. The election for United States House of Representatives in Arizona’s second congressional district was extraordinarily close, with the initial returns indicating that Martha McSally leads Ron Barber by a razor-thin margin of 161 votes—less than one-tenth of one percent of the votes cast in the election. As a result, if the Board certifies the canvass without correcting all of the errors in the vote count, there is a real possibility that the election for Arizona’s second congressional district will be improperly certified for the wrong candidate.

As this letter and the attached declarations establish, there have been numerous errors in the vote count. In particular, this letter discusses the types, and provides examples, of errors that have been made and explains why certain votes should be counted. The declarations attached to this letter provide detail regarding the circumstances of eligible, registered voters whose votes

have not been counted. In light of these errors, and the likelihood that other errors have been made that can easily be remedied, the Board should delay certification of the canvass and count the ballots that were cast by the declarants and any other individuals whose votes were improperly rejected.

The errors described in the attached declarations fall into several different categories and we continue to receive reports every day of additional instances we are investigating and will forward to your attention as soon as we are able.

**A. Updated Addresses Not Included on Voter Rolls**

At least two ballots were improperly rejected where voters updated their voting address at the Motor Vehicles Department (“MVD”) prior to Election Day but were required to cast provisional ballots because their names were not included on the voter rolls for their new precincts. Marni Gould, a registered Arizona voter since January, recently moved and updated her voter registration address at the MVD. Decl. of Marni L. Gould ¶¶ 1-2. However, upon appearing in person to vote at the correct polling place for her new address, Ms. Gould was informed that she was not on the voter roll. *Id.* ¶ 3. Ms. Gould asked that the County Recorder be contacted to verify the correct voting location, but the Recorder was unavailable. *Id.* Ms. Gould then left the proper location to attempt to vote at her old polling place. *Id.* While en route to the old location, Ms. Gould reached the County Recorder, who told her to return to the polling place she had just left and instructed that Ms. Gould’s ballot would count when the address was verified. *Id.* Now, Ms. Gould’s provisional ballot has apparently been rejected. *Id.* ¶ 5.

August D. Ench, who has been registered to vote in Arizona since 2004, also updated his voter registration address at the MVD prior to Election Day. Decl. of August D. Ench ¶¶ 1-2. The MVD provided Mr. Ench with paperwork confirming his voting address change and listing his new voting location. *Id.* ¶ 2. Nonetheless, when Mr. Ench appeared at that location to vote, he was told he was not on the list of registered voters. *Id.* ¶ 3. The poll workers instructed Mr. Ench to vote a provisional ballot and assured Mr. Ench his provisional ballot would be counted. *Id.* Now, Mr. Ench’s provisional ballot has apparently been rejected. *Id.* ¶ 5.

By updating their registrations and voting in the precinct for their new addresses, Ms. Gould and Mr. Ench fully complied with the requirements of Arizona law. Their votes plainly should be counted.<sup>1</sup>

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<sup>1</sup> As both of these voters followed directions provided to them (in Ench’s case by poll workers, and in Gould’s case by the Recorder’s office) and Ench was informed that his provisional ballot would be counted, Ench Decl. ¶¶ 3-4; Gould Decl. ¶¶ 3-4, their ballots should have been counted even if they had not voted in their assigned precinct. *See Northeast Ohio Coalition for Homeless*

**B. Move Within Pima County**

To the extent that any of the declarants' ballots were rejected because they had moved within Pima County but had not updated their residence prior to Election Day, the ballots of those declarants should be counted. Arizona law is clear that "[a]n elector who moves from the address at which he is registered to another address within the same county and who fails to notify the county recorder of the change of address before the date of an election shall be permitted to correct the voter registration records at the appropriate polling place for the voter's new address," A.R.S. § 16-135(B); that after presenting identification and affirming the new residence address in writing, the voter "shall be permitted to vote a provisional ballot," *id.*; and that if the voter's signature does not appear on the signature roster for that election in the precinct in which the voter was listed (i.e., where the voter previously resided) and there is no record of the voter having voted early for that election, "the provisional ballot shall be counted," A.R.S. § 16-135(D). Thus, if a voter who moved within Pima County was at the correct polling location, her signature will not appear on the signature roster in another precinct, and she did not vote early, her vote should be counted.

**C. Early Ballot Never Received or Cast**

Other provisional ballots were improperly rejected where a voter requested but did not receive or did not cast an early ballot. For example, Nancy Sue Cox, who has been registered to vote in Arizona since 1990, requested an early ballot but did not receive one. Decl. of Nancy Sue Cox ¶¶ 1-3. On Election Day, after first stopping at two incorrect polling locations, she finally arrived at the correct polling location and submitted a provisional ballot. *Id.* ¶ 4. Her ballot should have been, but was not, counted. *Id.* ¶ 5.

Arizona law provides that "[a]ny qualified elector who is listed as having applied for an early ballot but who states that the elector has not voted and will not vote an early ballot for this election or surrenders the early ballot to the precinct inspector on election day, shall be allowed to vote" a provisional ballot. A.R.S. § 16-579(B). "[I]f there is no indication that the voter voted an early ballot, the provisional ballot envelope shall be opened and the ballot shall be counted." *Id.* § 16-584(D); accord Ariz. Sec'y of State, Election Procedures Manual at 185 (2014) ("Manual") (provisional ballot shall be counted if (1) the registration of the voter is verified and

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*v. Husted*, 696 F.3d 580, 584, 588, 593, 597 (6th Cir. 2012) (per curiam) (finding a likely equal protection violation and upholding the portion of a preliminary injunction requiring Ohio to count ballots cast in the wrong precinct due to the failure of poll workers to comply with their statutory duty to direct voters to the correct precinct).

the voter is eligible to vote in the precinct, (2) the voter's signature does not appear on any other signature roster for that election, and (3) there is no record that the voter voted early for that election); *see also id.* § 16-579(B) (individual who meets requirements of § 16-579(B) "shall be allowed to vote pursuant to the procedure set forth in section 16-584"). As this language makes clear, Arizona law requires that Ms. Cox's ballot and the ballots of similarly situated declarants be counted.<sup>2</sup>

#### D. "Signature Mismatches"

Dozens of early ballots have been improperly rejected based on a determination that the voter's signature on the affidavit on the early ballot envelope did not match the signature on the voter's registration form. For example, Roma Page, a registered voter in Arizona since 1985, submitted an early ballot in this election. *See* Decl. of Roma R. Page ¶¶ 1-2. As required, she signed the back of the envelope when she submitted the ballot. *Id.* ¶ 4. Ms. Page was later informed that her ballot was not counted because her signature did not match the signature on her registration card. *Id.* ¶ 5. Ms. Roma was born in 1919 and has been registered to vote since she was 21 years old. ¶¶ 1, 6. Like many older voters, her signature has changed with age. *Id.* ¶ 4. She called the Pima County Recorder's office to ensure that her ballot was counted, but they neither returned her call, or counted her ballot. *Id.* ¶ 4.

The ballots submitted by Ms. Page and similarly situated declarants must be counted for at least three reasons.

*First*, where there has been a determination of a "signature mismatch," the Manual—which "has the force and effect of law," *Gonzalez v. Arizona*, 677 F.3d 383, 397 (9th Cir. 2012) (citing A.R.S. § 16-452), *aff'd sub nom. Arizona v. Inter Tribal Council of Ariz., Inc.*, 133 S. Ct. 2247 (2013)—requires that the voter be allowed to explain "that he or she did vote the ballot and . . . why the signatures do not match." Manual at 167. Because no deadline has been set by Arizona law for the submission of such an explanation, the Board should find that the attached declarations from voters whose ballots were rejected based on a signature-mismatch determination constitute explanations that require that the declarants' votes to be counted.

*Second*, these votes should be counted pursuant to the Arizona Constitution. As noted, Article 2, Section 21, of the state constitution provides that "all elections shall be free and equal" and guarantees that "no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage." Here, the ballots at issue were cast by Arizonans who are

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<sup>2</sup> Even if it did not, refusing to count ballots in these circumstances would be arbitrary and result in disparate treatment between this class and other classes of voters without a rational basis, in violation of both the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution and Article 2, Section 21, of the Arizona Constitution.

registered to vote and complied with the state's requirements for submission of early ballots. The voters who cast these ballots, in other words, took every step they were required to take for their early ballots to be counted. Refusing to count such voters' ballots under these circumstances—that is, where such voters have undertaken the same steps as early ballot voters whose ballots have been counted—would constitute an interference with the free exercise of the right of suffrage and violate the constitutional guarantee of elections that are “free and equal.”

*Third*, the votes at issue should be counted because a failure to count those votes would constitute an undue burden on the right to vote in violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution. In determining whether a challenged electoral practice unduly burdens the right to vote, a court would “weigh the character and magnitude of the asserted injury to the rights protected by the First and Fourteenth Amendments that the plaintiff seeks to vindicate against the precise interests put forward by the State as justifications for the burden imposed by its rule, taking into consideration the extent to which those interests make it necessary to burden the plaintiff's rights.” *Burdick v. Takushi*, 504 U.S. 428, 434 (1992) (quotation omitted). The Supreme Court has explained that, “[h]owever slight th[e] burden may appear, . . . it must be justified by relevant and legitimate state interests sufficiently weighty to justify the limitation.” *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 191 (2008) (Stevens, J., controlling opinion) (internal quotation marks omitted).

Here, the Board will severely burden the right to vote if it does not count the ballots at issue: it will disenfranchise every voter whose ballot was excluded based on a determination of a signature mismatch. On the other side of the ledger, there is at best a nominal administrative benefit—the Board will need to take no further action—in disenfranchising these voters. Plainly, that “state interest” (if it can be properly termed a legitimate “state interest” at all) is outweighed by the interest in counting lawfully cast ballots. The Equal Protection Clause therefore requires that these votes be counted.

#### **E. Unsigned Early Vote and Provisional Ballots**

Pima County has informed the Ron Barber for Congress campaign that a number of early ballots were rejected because they were not signed. These ballots also should be counted. While the Manual does not provide a means of curing unsigned early ballots, there is no rational basis for permitting ballots to be cured where a signature-mismatch determination has been made but not where a ballot is unsigned. Indeed, the purpose of the signature requirement—to confirm that early ballots are submitted by the correct voter—is clearly served when the voter to whom the early ballot was sent confirms that he or she cast the ballot at issue. Moreover, refusing to count unsigned early ballots where voters come forward to cure their ballots would unduly burden the right to vote and violate Article 2, Section 21, of the Arizona Constitution for the same reasons that refusing to count cured signature-mismatch ballots would. Thus, in order to avoid treating voters differently without a rational basis and unduly burdening the right to vote in

violation of the Equal Protection Clause and Article 2, Section 21, of the Arizona Constitution, the Board should count the ballots of any voters who failed to sign their early vote ballots and cure that issue by confirming that they in fact had submitted the early ballot that had been sent to them.

At least some unsigned provisional ballots should be counted as well. Elle Grace Troutman, who has been registered to vote in Arizona since 2000, legally changed her name in September 2014 but received a mail-in ballot that had her previous name associated with it. Decl. of Elle Grace Troutman ¶¶ 1-2. On Election Day, Ms. Troutman went to the polls and was directed to fill out a provisional ballot. After she filled out the ballot, the poll worker looked over the ballot, said that things appeared to be in order, and indicated that Ms. Troutman's provisional ballot would be counted. *Id.* ¶¶ 3-5. The poll worker did not point out to her that she had not signed the provisional ballot. *Id.* ¶ 4. Her vote was not counted. *Id.* ¶ 6. Under these circumstances, where poll worker error causes a voter to cast (or contributes to a voter's casting) a ballot that may not be counted, the ballot should be counted pursuant to the Equal Protection Clause, for the reasons set forth in the following section. Thus, to the extent that provisional ballots submitted by the declarants were not signed due, at least in part, to poll worker error, those ballots should be counted.

#### **F. Out-of-Precinct Provisional Ballots**

The votes of many eligible, registered voters were rejected because they were not cast in the voters' assigned precincts. For example, Josh Adam Cohen has been registered to vote in Arizona since 2008. Decl. of Josh Adam Cohen ¶ 1. In January 2014, Mr. Cohen moved and had the address on his driver's license changed. *Id.* ¶ 2. He did not know that he also needed to change his address for purposes of his voter registration. *Id.* On Election Day, Mr. Cohen went to the polling location for his previous address. *Id.* ¶ 3. He informed the poll worker that he had moved, and the poll worker instructed him to vote a provisional ballot. *Id.* The poll worker did not direct Mr. Cohen to the correct polling location. *Id.* ¶ 5. Mr. Cohen was assured that his vote would be counted; it was not. *Id.* ¶¶ 4, 6.

Micah Tordsen, a registered Arizona voter since 2002, arrived on Election Day at the same polling place at which he had voted in the 2012 General Election. Decl. of Micah Tordsen ¶¶ 1-2. He was told by the poll worker that he was at the wrong polling location but was never directed to the correct polling location. *Id.* ¶ 2. Instead, he was told to complete a provisional ballot. *Id.* He was assured that his vote would be counted; it was not. *Id.* ¶ 2-3.

Sita Adhikari faced a similar problem. Adhikari became a U.S. citizen in 2013, and this was the first U.S. election in which Adhikari had ever voted. Decl. of Sita M. Adhikari ¶ 2. On Election Day, Adhikari arrived at what Adhikari believed to be the proper polling location. *Id.* ¶ 3. A poll worker stated that Adhikari was not on the voter list but did not suggest that Adhikari



was at the wrong polling place and did not direct Adhikari to a different polling place. *Id.* ¶¶ 4-5. Rather, Adhikari was told to cast a provisional ballot; it was not counted. *Id.* ¶ 6. The decisions not to count the votes of Cohen, Tordsen, Adhikari, and all other declarants whose ballots were cast in a precinct other than their assigned precinct were in error. Those ballots should be counted.

In *Northeast Ohio Coalition for Homeless v. Husted*, 696 F.3d 580 (6th Cir. 2012) (“*NEOCH*”) (per curiam), the United States Court of Appeals for the Sixth Circuit, which found that the plaintiffs had shown a likely equal protection violation, upheld the portion of a preliminary injunction requiring Ohio to count ballots cast in the wrong precinct due to the failure of poll workers to comply with their statutory duty to direct voters to the correct precinct. *Id.* at 584, 588, 593, 597. Arizona law provides that “[i]f the registrant indicates that the registrant lives at a new residence, the election official *shall direct the registrant to the polling place for the new address.*” A.R.S. § 16-583(A) (emphasis added). Thus, provisional ballots cast by voters such as Mr. Cohen who moved but were not directed to their new polling places should be counted. Further, some of the voters whose ballots are at issue here were provided with misleading or confusing information, and none of these voters were directed to their assigned polling location. *See, e.g.*, Decl. of Micah Tordsen; Decl. of Sita M. Adhikari. Given that these voters’ difficulties could easily have been avoided if poll workers told the voters that their votes would not count and directed voters to their assigned polling location, the Board should follow the reasoning of *NEOCH*, find that the disenfranchisement of these voters would constitute an undue burden on the right to vote, and count all of the declarants’ out-of-precinct ballots at issue or, in the alternative, count the out-of-precinct ballots cast by voters to whom misleading or confusing instructions were provided and voters who moved to a new residence but were not directed to the polling place for that address.

The out-of-precinct ballots should also be counted under the Help America Vote Act (“HAVA”). In relevant part, that law states that “[i]f the appropriate State or local election official to whom the [provisional] ballot or voter information is transmitted . . . determines that the individual is *eligible* under State law to vote, the individual’s provisional ballot *shall be counted* as a vote in that election in accordance with State law.” 52 U.S.C. § 21082(a)(4) (emphases added). Because all of the out-of-precinct ballots at issue were cast by voters who are eligible to vote under state law, *e.g.*, Cohen Decl. ¶ 1, the plain language of 52 U.S.C. § 21082(a)(4) indicates that these votes shall be counted.

The out-of-precinct ballots should be counted pursuant to Section 2 of the Voting Rights Act (“VRA”) as well. Section 2(a) of the VRA prohibits states from imposing any standard, practice, or procedure that “results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color.” 52 U.S.C. § 10301(a). A violation of Section 2(a) “is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally

open to participation” by members of a protected class, “in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.” *Id.* § 10301(b). Proving a Section 2 violation requires a showing only of discriminatory results, not discriminatory intent; however, “proof of causal connection between the challenged voting practice and a prohibited discriminatory result is crucial.” *Gonzalez v. Arizona*, 677 F.3d at 405.

A refusal to count out-of-precinct ballots cast in Arizona, including in Arizona’s second congressional district, would violate Section 2 of the VRA. As even a cursory review of the voters who will be disenfranchised in this election by a refusal to count out-of-precinct ballots demonstrates, this rule will disproportionately burden Latino voters. Arizona has an unfortunate history of discrimination against Latinos, and the lingering effects of that discrimination continue to be felt by Latinos in Arizona to this day. Those effects of discrimination interact with the refusal to count out-of-precinct ballots to burden Latino voters disproportionately—again, as demonstrated by a review of the list of ballots that were not counted because they were not cast in a voter’s assigned precinct. This disproportionate impact, in turn, results in Latinos in Arizona having less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The refusal to count out-of-precinct ballots therefore appears to violate Section 2 of the VRA.

#### **G. One Spouse’s Vote Counted and One Did Not**

In at least two instances, the vote of one spouse was counted while the vote of the other spouse was rejected. Elizabeth J. Jesukaitis, for example, and her husband moved a year prior to the 2014 General Election and they both contacted the Pima County Elections Department to update their voter registration information. Decl. of Elizabeth J. Jesukaitis ¶ 1. On Election Day, Ms. Jesukaitis and her husband each went to the polling location for their new address to vote, and both she and her husband were told that their names were not on the voter list. *Id.* ¶ 2. They each voted a provisional ballot and were told it would be counted. *Id.* The ballot cast by her husband was counted; the ballot cast by Ms. Jesukaitis was not. *Id.* ¶ 4.

Thelma T. Nathanson, who has been registered to vote in Arizona since 1992, had a similar experience. Decl. of Thelma T. Nathanson ¶ 1. On Election Day, Ms. Nathanson’s husband went to vote at their polling location before she did. *Id.* ¶ 3. He was originally told that his name was not on the voter list, but he noticed that it was there, right next to his wife’s name, and he was then permitted to vote a regular ballot. *Id.* When Ms. Nathanson arrived at the same polling location just 40 minutes later, she was told that her name was not on the voter list. *Id.* ¶ 5. She was instructed to vote a provisional ballot and assured that her vote would be counted; it was not. *Id.* ¶¶ 6, 8.

Given that in each case the spouses were registered at the *same* address and voted at the *same* polling location, there is no justification for counting one spouse's ballot but not the other's. Arizona law plainly cannot justify two different outcomes based on the same set of relevant facts, and disenfranchising voters based on such arbitrary, irrational action would violate the Equal Protection Clause and Article 2, Section 21, of the Arizona Constitution even if it did. Accordingly, the Board should count the ballots of both Ms. Jesukaitis and Ms. Nathanson.

#### **H. Original Ballot Was Spoiled But Provisional Ballot Was Not Counted**

Ari Lev Ginsburg's ballot was improperly rejected as well. Mr. Ginsburg, a registered voter in Pima County, was originally given a regular ballot when he arrived at his polling location on Election Day. Decl. of Ari Lev Ginsburg ¶¶ 1, 3. When he spoiled his ballot, he requested a new one and was given a provisional ballot by a poll worker. *Id.* ¶ 3. Although he was assured that his ballot would be counted, it was not. *Id.* ¶¶ 4-5.

Arizona law clearly provides that “[i]f an elector spoils a ballot, the elector shall return the ballot and receive another ballot.” Manual at 143. “Up to two additional ballots may be issued.” *Id.* In other words, Mr. Ginsburg should have been given a regular ballot when his first ballot was spoiled—he was not even required to vote a provisional ballot, because there is no question that a voter who spoils a ballot is entitled to vote with an unspoiled ballot. Mr. Ginsburg's ballot therefore clearly should be counted.

#### **I. Early Ballots Submitted at Purportedly Incorrect Polling Places**

To the extent that any of the declarants submitted early ballots that were rejected because they were submitted at purportedly incorrect polling places, those ballots should be counted so long as they were submitted at a polling place in the voter's county of residence. Arizona law is clear that a voter who has requested and received an early vote ballot may mark the ballot and return it to “*any* polling place in the county . . .” A.R.S. § 16-548(A) (emphasis added). Likewise, the Manual states that “after voting the early ballot in accordance with the instructions provided by the County Recorder, the voter must . . . deposit it at *any* polling place within the county of residence. . . .” Manual at 59 (emphasis in original). Significantly, Arizona law does *not* require early ballots to be returned to a polling place within the voter's congressional district. Thus, as long as a voter returns an early ballot to a polling place in his county of residence by the required deadline, his vote must be counted.

#### **J. Provisional Ballots Rejected For Reason That Was Not Specified**

Pima County has provided the Ron Barber for Congress campaign with no explanation beyond “[n]ot specified” for the rejection of many provisional ballots. Clearly, *some* reason

Letter to Pima County Board of Supervisors  
November 18, 2014  
Page 10

must be provided for disenfranchising the voters who cast these ballots. Unless such a reason is provided, these ballots must be counted.

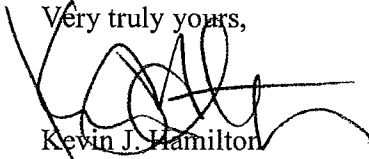
### CONCLUSION

Arizona, like most states, relies on temporary help and volunteers to run its polling places on Election Day. Those people work hard and long hours and deserve our respect and thanks. But they sometimes make mistakes. Indeed, no election is perfect or error free, as Brad Nelson, Pima County's Elections Director, testified last week in Pima County Superior Court. The canvassing process is designed to catch clerical or poll worker error to ensure that every properly cast ballot is counted and no registered Arizona voter is disenfranchised because of administrative error. Public confidence in the election system, indeed, depends on that careful scrutiny.

In the declarations that follow, you'll see that there are more than 130 ballots cast by properly registered Arizona voters that remain to be counted. These Arizona voters were lawfully registered to vote, and cast their ballots in accordance with state or federal law and, in many cases, as directed by Arizona election officials.

On behalf of the Ron Barber for Congress campaign, we respectfully request that you count these ballots and include them in the Pima County certification of the results of the 2014 General Election.

Very truly yours,



Kevin J. Hamilton  
Ezra W. Reese

CC: Chuck Huckelberry  
Pima County Administrator

Barbara LaWall  
Pima County Attorney

Eric H. Spencer  
Snell & Wilmer  
Counsel to Martha McSally

# **EXHIBIT B**

November 19, 2014

Kevin J. Hamilton  
KHamilton@perkinscoie.com  
D. (206) 359-8741  
F. (206) 359-9741

## VIA ELECTRONIC MAIL

Patrick Call, Chairman  
Ann English, Vice-Chairman  
Richard Searle, Supervisor  
Cochise County Board of Supervisors

### Re: Rejected Ballots

Dear Members of the Cochise County Board of Supervisors:

We write on behalf of the Ron Barber for Congress campaign to request that you (the “Board”) count the ballots of the voters identified in this letter and the enclosed declarations and include the votes reflected on those ballots in the Cochise County certification of the 2014 General Election. As you will see from the enclosed declarations, eight of the declarants are registered voters who cast provisional ballots in Cochise County in the 2014 General Election. The other declarant cast an early ballot in Cochise County in the 2014 General Election.

Notwithstanding that these voters are registered and attempted to vote, their votes remain uncounted. In addition, Cochise County has informed the Ron Barber for Congress campaign that eleven early ballots were rejected because they were not signed. The voters who submitted those ballots should be permitted to cure them and have their votes counted.

As I’m sure you know, A.R.S. § 16-646 requires you to mail to the Secretary of State a “certified permanent copy of the official canvass” of the General Election results, which will be maintained and preserved “as a permanent public record.” With all due respect, the certified copy of the canvass will not be true, accurate, and complete unless you count the ballots of the voters who have submitted the enclosed declarations. And no certification should be made until the voters who submitted unsigned early ballots have been given an opportunity to cure their ballots.

It is especially important to count every vote this year. The election for United States House of Representatives in Arizona’s second congressional district was extraordinarily close, with the initial returns indicating that Martha McSally leads Ron Barber by a razor-thin margin of 161 votes—less than one-tenth of one percent of the votes cast in the election. As a result, if the Board certifies the canvass without counting the ballots of all of the declarants, the Board will have increased the possibility that the election for Arizona’s second congressional district will be improperly certified for the wrong candidate. Instead, the Board should count the ballots of the declarants and delay certification of the canvass until the voters who submitted unsigned early ballots have been given an opportunity to cure their ballots.

## LEGAL ARGUMENT

### A. Out-of-Precinct Ballots

The votes of at least eight registered voters who cast ballots in Cochise County were rejected because they were not cast in the voters' assigned precincts. Those ballots should be counted.

In *Northeast Ohio Coalition for Homeless v. Husted*, 696 F.3d 580 (6th Cir. 2012) (“*NEOCH*”) (per curiam), the United States Court of Appeals for the Sixth Circuit, which found that the plaintiffs had shown a likely equal protection violation, upheld the portion of a preliminary injunction requiring Ohio to count ballots cast in the wrong precinct due to the failure of poll workers to comply with their statutory duty to direct voters to the correct precinct. *Id.* at 584, 588, 593, 597. Similarly here, all eight declarants indicate on their declarations that they were *not* informed that they had voted in the incorrect polling place and that poll workers made *no* effort to direct them to the correct polling place. *See* Decl. of Linda Barnett ¶ 3; Decl. of Walterio Gonzalez ¶ 3; Decl. of George Locket ¶ 3; Decl. of Irma Quintero ¶ 3; Decl. of Susan Amber Ruiz ¶ 3; Decl. of Catherine Schultejan ¶ 3; Decl. of Janice L. Wilson ¶ 3; Decl. of Susan B. Wingler ¶ 3. Given that that the issue with these ballots could easily have been avoided if poll workers had simply told the declarants that their votes would not count and directed them to their assigned polling location, the Board should follow the reasoning of *NEOCH*, find that the disenfranchisement of these voters would constitute an undue burden on the right to vote, and count all of the ballots at issue.

The out-of-precinct ballots should also be counted under the Help America Vote Act (“HAVA”). In relevant part, that law states that “[i]f the appropriate State or local election official to whom the [provisional] ballot or voter information is transmitted . . . determines that the individual is *eligible* under State law to vote, the individual’s provisional ballot *shall be counted* as a vote in that election in accordance with State law.” 52 U.S.C. § 21082(a)(4) (emphases added). Because all of the out-of-precinct ballots at issue were cast by voters who are registered to vote, *e.g.*, Ruiz Decl. ¶ 3, the plain language of 52 U.S.C. § 21082(a)(4) indicates that these votes shall be counted.

### B. “Signature Mismatches”

In addition, the early ballot of Guillermo Gamez was improperly rejected based on a determination that his signature on the affidavit on his early ballot envelope did not match the signature on file in the Recorder’s Office. *See* Decl. of Guillermo Gamez ¶ 2. He has called the hotline established by the Cochise County Recorder’s Office for resolving discrepancies of this nature, and he is willing to provide whatever personal information is necessary to verify that he is the person who submitted his early ballot. *Id.* ¶¶ 3-4. For at least three reasons, his ballot

should be counted (or he should be permitted to provide any additional information needed in order for the ballot to be counted).

*First*, where there has been a determination of a “signature mismatch,” the Secretary of State’s Election Procedures Manual (2014) (“Manual”)—which “has the force and effect of law,” *Gonzalez v. Arizona*, 677 F.3d 383, 397 (9th Cir. 2012) (citing A.R.S. § 16-452), *aff’d sub nom. Arizona v. Inter Tribal Council of Ariz., Inc.*, 133 S. Ct. 2247 (2013)—requires that the voter be allowed to explain “that he or she did vote the ballot and . . . why the signatures do not match.” Manual at 167. Because no deadline has been set by Arizona law for the submission of such an explanation, the Board should find that Gamez’s declaration constitutes an explanation that requires his ballot to be counted.

*Second*, Gamez’s ballot should be counted pursuant to Article 2, Section 21, of the Arizona Constitution, which provides that “all elections shall be free and equal” and guarantees that “no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.” There does not appear to be any suggestion that Gamez is not properly registered to vote or that he failed to comply with the state’s requirements for submission of early ballots. Gamez, in other words, took every step he was required to take for his early ballot to be counted. Refusing to count his ballots under these circumstances would constitute an interference with the free exercise of the right of suffrage and violate the constitutional guarantee of elections that are “free and equal.”

*Third*, Gamez’s ballot should be counted because a failure to do so would constitute an undue burden on his right to vote in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. In determining whether a challenged electoral practice unduly burdens the right to vote, a court would “weigh the character and magnitude of the asserted injury to the rights protected by the First and Fourteenth Amendments that the plaintiff seeks to vindicate against the precise interests put forward by the State as justifications for the burden imposed by its rule, taking into consideration the extent to which those interests make it necessary to burden the plaintiff’s rights.” *Burdick v. Takushi*, 504 U.S. 428, 434 (1992) (quotation omitted). The Supreme Court has explained that, “[h]owever slight th[e] burden may appear, . . . it must be justified by relevant and legitimate state interests sufficiently weighty to justify the limitation.” *Crawford v. Marion Cnty. Election Bd.*, 553 U.S. 181, 191 (2008) (Stevens, J., controlling opinion) (internal quotation marks omitted).

Here, the Board will severely burden Gamez’s right to vote—by disenfranchising him—if it does not count his ballot. On the other side of the ledger, there is at best a nominal administrative benefit—the Board will need to take no further action—in disenfranchising him. Plainly, that “state interest” (if it can be properly termed a legitimate “state interest” at all) is outweighed by the interest in counting his lawfully cast ballot. The Equal Protection Clause therefore requires that his ballot be counted.




**C. Unsigned Early Vote Ballots**

The eleven voters whose early ballots were rejected because they were not signed should also be permitted to cure their ballots. While the Manual does not provide a means of curing unsigned early ballots, there is no rational basis for permitting ballots to be cured where a signature-mismatch determination has been made but not where a ballot is unsigned. Indeed, the purpose of the signature requirement—to confirm that early ballots are submitted by the correct voter—is clearly served when the voter to whom the early ballot was sent confirms that he or she cast the ballot at issue. Moreover, refusing to count unsigned early ballots where voters come forward to cure their ballots would unduly burden the right to vote and violate Article 2, Section 21, of the Arizona Constitution for the same reasons that refusing to count cured signature-mismatch ballots would. Thus, in order to avoid treating voters differently without a rational basis and unduly burdening the right to vote in violation of the Equal Protection Clause and Article 2, Section 21, of the Arizona Constitution, the Board should count the ballots of any voters who failed to sign their early vote ballots and cure that issue by confirming that they in fact had submitted the early ballot that had been sent to them.

**CONCLUSION**

In the declarations that follow, you'll see that nine registered voters cast ballots in Cochise County that have yet to be counted. In an election in which those votes could determine the winner, it is imperative that these votes be counted. Likewise, the eleven voters who cast unsigned early ballots should be permitted to cure those ballots. We therefore respectfully request, on behalf of the Ron Barber for Congress campaign, that you count the ballots of the declarants and include them in the Pima County certification of the results of the 2014 General Election, and that you delay that certification until the eleven voters who cast unsigned early ballots have been provided with an opportunity to cure those ballots.

Very truly yours,

  
Kevin J. Hamilton  
Ezra W. Reese

Letter to Cochise County Board of Supervisors  
November 19, 2014  
Page 5

CC: Michael J. Ortega  
Cochise County Administrator

Edward Rheinheimer  
Cochise County Attorney

Eric H. Spencer  
Snell & Wilmer  
Counsel to Martha McSally

# EXHIBIT C

November 20, 2014

Kevin J. Hamilton  
KHamilton@perkinscoie.com  
D. (206) 359-8741  
F. (206) 359-9741

**VIA ELECTRONIC MAIL**

Sharon Bronson, Chair  
Richard Elías, Vice Chair  
Ray Carroll  
Ally Miller  
Ramón Valadez  
Pima County Board of Supervisors

**Re: Errors in the Rejection of Early and Provisional Ballots**

Dear Members of the Pima County Board of Supervisors:

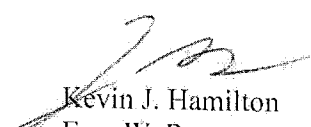
On Tuesday, November 18, we wrote to you, enclosing declarations, signed under oath, from over 130 Arizona citizens who were lawfully registered to vote, and cast their ballots in accordance with state or federal law and, in many cases, as directed by Arizona election officials. Their ballots remain, for a variety of reasons, uncounted. We asked you then, and reiterate that request now, to correct those errors and amend the Pima County certification to ensure that it is true, accurate, and complete and includes the votes of every American citizen who properly cast their ballot in the 2014 General Election.

Since we first appeared before you, we have continued to investigate provisional and early ballots that appear to have been improperly rejected and have continued to hear from registered voters who only now are learning that their ballots, although cast in accordance with state or federal law, or at the specific direction of Arizona election officials, were improperly rejected.

We have attached fifteen additional declarations from Arizona voters. As you will see, these ballots were all cast by properly registered Arizona voters, yet have not been counted.

On behalf of the Ron Barber for Congress campaign, we respectfully request that you count these ballots, and amend your county certification to include not only the votes of the voters we identified for you on November 18, but also those identified in this letter.

Very truly yours,

  
Kevin J. Hamilton  
Ezra W. Reese

Letter to Pima County Board of Supervisors  
November 20, 2014  
Page 2

CC: Chuck Huckelberry  
Pima County Administrator

Barbara LaWall  
Pima County Attorney

Eric H. Spencer  
Snell & Wilmer  
Counsel to Martha McSally

# **EXHIBIT D**

Kevin J. Hamilton  
KHamilton@perkinscoie.com  
D. (206) 359-8741  
F. (206) 359-9741

November 21, 2014

## HAND DELIVERY

The Honorable Ken Bennett  
Secretary of State  
1700 W. Washington Street, Fl. 7  
Phoenix, AZ 85007-2808

### **Re: Errors and Omissions in Pima County and Cochise County Certification**

Dear Mr. Bennett:

On behalf of the Ron Barber for Congress campaign, I write to alert you to errors and omissions contained in the Pima County and Cochise County certifications of the 2014 General Election.

I have enclosed a copy of my correspondence to the Pima County Board of Supervisors, dated November 18, 2014 (enclosing the declarations of 132 registered voters); to the Cochise County Board of Supervisors, dated November 19, 2014 (enclosing the declarations of 9 registered voters and highlighting 11 early ballots from voters who failed to sign their ballots and were not given an equal opportunity to cure that error as other voters); and to the Pima County Board of Supervisors, dated November 20, 2014 (enclosing an additional 15 declarations from registered voters whose votes were not counted in accordance with state and federal law).

In each of these submissions, we identified a variety of errors. There is no dispute that these voters were properly registered to vote and were fully qualified to do so as Arizona citizens, yet their ballots remain uncounted.

As I'm sure you are aware, the deadline under A.R.S. 16-142(a) for county certification is Monday, November 24. At the Board of Supervisor meetings for Pima and Cochise County, we asked the Boards to delay the canvass and certification of the election to allow the respective Recorders in each county to review and resolve these discrepancies. In fact, at least in Pima County, the Board scheduled the county certification six days *earlier* than the certification occurred in 2012, when the margin was not nearly as razor thin as the margin in this election. Both counties refused to consider or even address these issues, notwithstanding the sworn declarations before them demonstrating innumerable instances of clear poll worker error.

The Honorable Ken Bennett  
November 21, 2014  
Page 2

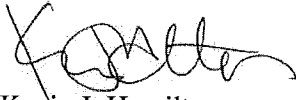
We understand that Pima County Recorder F. Ann Rodriguez is now -- after the fact -- conducting an examination or audit of these issues although we have not been provided a copy of her report or conclusions. We have only yesterday received an updated list of rejected provisional and conditional ballots and this morning a list of problem early ballots. We continue to investigate these issues and would be happy to provide additional updated information as soon as we are able but in the meantime we did not want to delay the transmission of this material to your attention.

We would respectfully submit that, as Arizona's Chief Elections Officer with ultimate responsibility for the conduct, and certification, of this election, that you take steps to review these declarations and either direct the county boards to investigate, count these ballots, and amend their certification, or, alternatively, to conduct that investigation yourself as part of the state canvassing and certification process.

I would be happy to discuss at your convenience if you would like.

Thanks in advance for your consideration.

Very truly yours,



Kevin J. Hamilton

KJH:cb



# **EXHIBIT E**

# **EXHIBIT E**

## **TAB A**

### **Voters Who Moved Within Pima County and Nonetheless Had Their Ballot Rejected**

## DECLARATION OF Grace V. Agbolosoo

I, Grace V. Agbolosoo, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on August 3, 1944. I have been a registered voter in Arizona since October 7, 1996. My current residence address is 1026 East Alta Vista Street, Tucson, AZ 85719.
2. I initially registered to vote at my previous address, 6510 North Finisterra Drive, Tucson, AZ 85750. I moved to 1026 East Alta Vista Street four months ago and did not update the address on my registration.
3. On Election Day, I went to my regular polling location to go vote. When I got there, the poll worker did not tell me that I was at the wrong polling location. Instead, I was just told to fill out a provisional ballot.
4. They did not tell me that I needed to go to another polling location or that my vote might not be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location.
6. I was given a provisional ballot receipt so I could check to see if my vote had counted. I have attached a copy of that receipt as Exhibit A to this declaration.
7. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 18th day of November, 2014



Signature

Grace V. Agbolosoo  
Printed Name

10 days after the election go online to [www.recorder.pima.gov](http://www.recorder.pima.gov); select the provisional ballot link and enter the preprinted receipt number to find out whether or not your ballot was validated for counting. If you do not have access to a computer, you may call (520) 724-4330 or 1-800-775-7462 ext. 4330. You will need to provide the preprinted receipt number to be given your information.

10 días después de la elección visite la página internet [www.recorder.pima.gov](http://www.recorder.pima.gov); seleccione balota provisional y entre el número imprimado de este recibo para informarse si su balota fue válida para contarse. Si usted no tiene acceso a una computadora, puede llamar al (520) 724-4330 ó 1-800-775-7462 ext. 4330. Tendrá que proporcionar el número imprimado de este recibo para obtener su información.

▶▶▶▶ SEPARATE THIS NUMBERED RECEIPT AND GIVE IT TO THE VOTER ◀◀◀◀

101038515

DECLARATION OF \_\_\_\_\_

I, James Gentry, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because Wrong Poll Location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 1550 E River Rd #228, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 04/23/1980.

My date of birth is 02/13/1926. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

X Dated this 11 day of 11, 2014

X [Signature]  
Signature

X James T Gentry  
Printed Name

DECLARATION OF Suzanne E Pasch

I, Suzanne E Pasch, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because the ballot was submitted at the wrong polling location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

~~SP~~  I reside at \_\_\_\_\_, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about \_\_\_\_\_.

My date of birth is July 15, 1990. If any other date was listed on my provisional ballot, it was due to a mistake.

Both apply

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
I moved within the last 30 days from 1206 N Howard Blvd, 85716 to 2317 E Third St, 85719. Was directed by County Recorder's Office to Pima County Public Library on Treat.  
Dated this 10 day of Nov, 2014

Suzanne Pasch  
Signature

Suzanne E. Pasch  
Printed Name

# **EXHIBIT E**

## **TAB B**

**Voters Who Signed Both Their  
Registration Form And Their Ballot  
Affidavit And Nonetheless Had Their  
Ballot Rejected Due to a Purported  
“Signature Mismatch”**

DECLARATION OF \_\_\_\_\_

I, Lynette Barley, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.

2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.

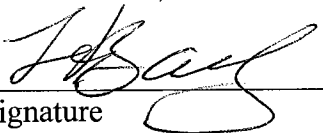
3. On 11/15/14, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature. I was informed that I could no longer provide information to verify my signature, and that my ballot would not be counted.

4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.

5. I can be contacted at the following address and phone number:

7424 E. Speedway Blvd #10  
Tucson, AZ 85710  
(928) 821-2930

Dated this 15<sup>th</sup> day of Nov., 2014



Signature

Lynette Barley

Printed Name



DECLARATION OF \_\_\_\_\_

I, Lauren Breckenridge, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On November 7, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

(520) 609-2598  
(520) 577-6191  
\_\_\_\_\_

Dated this 17 day of Nov, 2014


Lauren Breckenridge  
Signature

Lauren Breckenridge  
Printed Name


## DECLARATION OF BRYAN E. CASTLE

I, Bryan E. Castle, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on July 26th, 1973. I have been a registered voter in Arizona since July 28th, 2004. My current residence address is 4009 E Paseo Grande Tucson, AZ 85711.
2. I am currently on the permanent early voter list; I mailed in my ballot for the 2014 general election. I filled out the ballot myself.
3.  
When the Pima County Recorder's Office was processing my ballot, they deemed that there was a discrepancy in the signature on my ballot. I was sent a letter containing the information to call about verifying my signature; however; I was never contacted by phone. I was not aware of the deadline set by the recorder's office, and upon contacting them they informed me my ballot would not be counted.
4. I contacted the Pima County Recorder's Office on November 16th, 2014. This is when I was made aware that my ballot would not count.
5. I want my ballot to count.



---



Signature

**Bryan E. Castle**  
Printed Name


DECLARATION OF David Celaya

I, David Celaya, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On November 16, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

2000 E Roger Road #A4  
Tucson AZ 85719  
(480) 773-3276

Dated this 16 day of Nov, 2014

  
Signature

David Celaya  
Printed Name

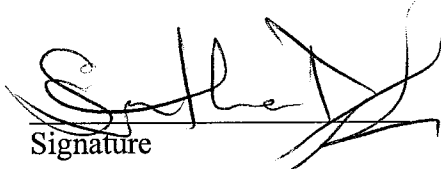
DECLARATION OF Samantha Doyle

I, Samantha Doyle hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11/17/14, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

7912 N Jensen Dr  
Tucson, AZ 85741  
520 991 5730

Dated this 17 day of 11, 2014

  
Signature  
Samantha Doyle  
Printed Name

DECLARATION OF Michelle Escalante

I, Michelle Escalante, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On NOV, 23, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

3652 W. Briargate dr.  
Tucson, Arizona 85741  
520.427.2565

Dated this 23 day of NOV, 2014

Michelle Escalante  
Signature

Michelle Escalante  
Printed Name


DECLARATION OF Kevin Fink

I, Kevin Fink, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On or about 11/4 /, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

2422 E. 3rd St.  
Tucson, AZ, 85719  
(520) 400 2225

Dated this 20 day of 11, 2014

  
Signature  
Kevin Fink  
Printed Name

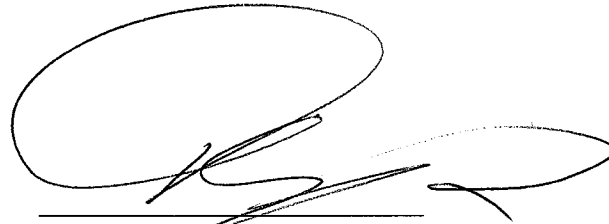
DECLARATION OF CARLOS

I, Carlos L. Gallegos hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11/15, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature. I was informed that I could no longer provide information to verify my signature, and that my ballot would not be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

10602 E. HAYMARKET ST.  
TUCSON, AZ 85747

Dated this 15 day of 11, 2014



Signature

CARLOS L. GALLEGOS  
Printed Name

Rosemary  
Spencer  
Gallegos

DECLARATION OF Guillermo Gomez

I, Guillermo, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Cochise County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On Nov 19, 2014, I called the hotline established by the Cochise County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

1580 Estrella Ave  
Coronado Cts Apt A  
520 255 8376

Dated this 19 day of Nov, 2014

Guillermo Gomez  
Signature

Guillermo Gomez  
Printed Name



DECLARATION OF Ryan Gorn

I, Ryan Gorn, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.

2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.

3. On Nov. 17th, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.

4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.

5. I can be contacted at the following address and phone number:

1526 E 9th Street  
Tucson AZ, 85719  
920-331-6611

Dated this 19 day of Nov 2014

  
Signature

Ryan Gorn  
Printed Name

DECLARATION OF \_\_\_\_\_

I, HILDA GRINGS hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11/17/14, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

13775 E LANSTRY LANE #105  
TUCSON, AZ 85747  
(520) 647-3528

Dated this 17 day of NOV, 2014

\_\_\_\_\_  
Signature

HILDA GRINGS  
Printed Name

DECLARATION OF \_\_\_\_\_

I, Richard Holdcroft, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because Signatures don't match.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 3745 N. Park Ave., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 3 years ago.
- My date of birth is 11-16-1994. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

\_\_\_\_\_

Dated this 11 day of 15, 2014

Richard Holdcroft  
Signature

Richard Holdcroft  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

Signature in HURRY

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DECLARATION OF Michio Igarashi


I, Michio, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because NO Signature.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 6414 N Tierra De Las Catalinas #30 which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10-04-2000.
- My date of birth is 4-15-58. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
No clear place to sign on provisional

Dated this 12 day of Nov, 2014

  
\_\_\_\_\_  
Signature  
Michio Igarashi  
Printed Name

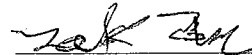
DECLARATION OF SALVADOR LÓPEZ

I, SALVADOR, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On NOV 15, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

5180 E 22 ST  
(520) 647-2850

Dated this 17 day of NOV, 2014



Signature

SALVADOR LÓPEZ

Printed Name

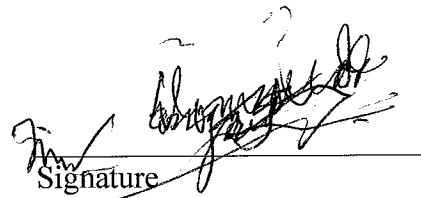
DECLARATION OF Margaret A McDonald

I, Margaret A McDonald hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On November 23, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

679 S Pantano Pkwy  
Tucson AZ 85710  
(520) 298-7095

Dated this 23<sup>rd</sup> day of Nov., 2014



Signature

Margaret A McDonald  
 Printed Name

LEGAL124116909.1

I attest that this is my mothers signature BR  
BARBARA RICE  
Barbara Rice

DECLARATION OF Nicholas Miller

I, Nicholas Miller, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11/13, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature. I was informed that I could no longer provide information to verify my signature, and that my ballot would not be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.

5. I can be contacted at the following address and phone number:

(520) 246-8671  
 \_\_\_\_\_  
 \_\_\_\_\_

Dated this 13 day of 11, 2014



Signature

Nicholas Miller

Printed Name

DECLARATION OF Joshua Morand

I, Joshua Morand, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On November 17, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

3751 W. Sunblade Dr. 85742  
Tucson, AZ  
520-784-8187

Dated this 17 day of NLV, 2014

  
\_\_\_\_\_  
Signature

Joshua Morand  
\_\_\_\_\_  
Printed Name



DECLARATION OF Jaffray H Norton

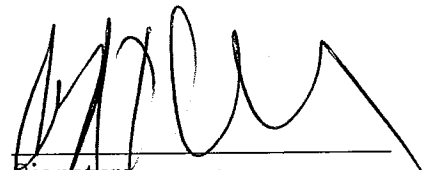
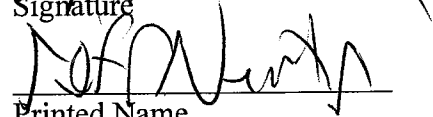
I, Jaffray H Norton, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On Nov 9, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

7750 E Kullwood Ter  
520-272-0858

---

Dated this 17 day of Nov 2014

  
 Signature  
  
 Printed Name

DECLARATION OF MARIA S OZUNA

I, MARIA OZUNA, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11-16-14, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

9436 E SIMON PL  
520-405-0416

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Dated this 16 day of 11, 2014

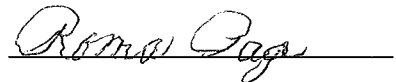
Maria S Ozuna  
Signature

MARIA S OZUNA  
Printed Name

## DECLARATION OF Roma R Page

I, Roma R Page, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on December 18, 1919. I have been a registered voter in Arizona since August 5, 1985. My current residence address is 10101 E Prospect Heights Pl. Tucson, AZ.
2. On Election Day, my daughter brought my early ballot to the polling location because I am physically unable to do so.
3. When my daughter dropped off my ballot, there were no issues with turning in the ballot and she was informed by election officials that the vote would be counted.
4. I attempted to call the Pima County Recorder on Saturday, November 15 but I did not get a response from their office. My signature has changed with my age and I wanted to make sure that my early ballot signature has been verified.
5. I now understand that my ballot was disqualified and *not* counted by the Pima County Recorder's Office, apparently because someone thought that the signature on my ballot envelope didn't match my signature on file.
6. I have voted in every single election since I was 18 and I have never failed to cast a vote in any election. This was an important election to me and I'm deeply disappointed to know that my vote has not been counted, not because of any mistake I made, but because of an error by an election official.



Signature

Roma R. Page

Printed Name

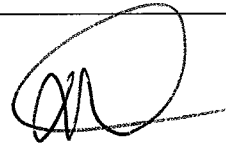
DECLARATION OF \_\_\_\_\_

I, David J. Sadorf hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of Signature Mismatch.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 4847 N. VIA SANTA TUCSON AZ 85718, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about JUNE, 2012.
- My date of birth is 2/15/1967. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 17 day of Nov, 2014



Signature

David J. Sadorf

Printed Name

LEGAL124090782.1

Please Tell Us What Happened

I WAS CONTACTED BY ELECTION OFFICIALS BY PHONE AND  
IN PERSON, TO VERIFY MY VOTE. MY BALLOT SHOULD  
HAVE BEEN COUNTED.

Thank You.

**DECLARATION OF PATRICIA SCHOPFER**

I, Patricia Schopfer, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on July 31, 1943. I have been a registered voter in Arizona since March 11, 2009. My current residence address is 6490 N. Finisterra Dr, Tucson, AZ 85750.
2. I have been registered to vote at the same location since 2009. I voted by early voting and signed the back of the envelope where required to sign.
3. I was called and informed that my ballot would not be counted because my signature did not match my registration card. I have a medical condition, which affects my ability to write. It is difficult for me to write consistently and I cannot match my signature from 6 years ago, but I signed to the best of my ability. The election official asked me security questions, such as my birth date, which I answered. I tried to explain to the election official that I have a medical condition and that my handwriting has changed, but to no avail.
4. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because my signature did not match.
5. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 16th day of November, 2014



X \_\_\_\_\_  
Signature

Patricia Schopfer  
Printed Name

DECLARATION OF Andrew L. Shadle

I, ANDREW SHADLE hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11/11/14, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

3920 S. SILVERBEECH AVE  
TULSON, AZ 85730  
520-869-6832

Dated this 16 day of NOV, 2014



Signature

ANDY SHADLE

Printed Name

DECLARATION OF JACK SILVER

I, JACK SILVER, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11/15/14, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature. I was informed that I could no longer provide information to verify my signature, and that my ballot would not be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

5401 N. Via Fassino  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 15 day of 11, 2014



Signature

JACK SILVER

Printed Name

DECLARATION OF Scott Sind

I, Scott Sind, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.
2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On Nov. 9, 2014, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5. I can be contacted at the following address and phone number:

282 E. Croydon Pl. Rd.  
Tucson, AZ 85704

Dated this 16 day of Nov, 2014



Signature

Scott Sind

Printed Name

LEGAL124116909.1

Gate code - lookup name  
# is good



DECLARATION OF Priscilla m. Tineo

I, Priscilla Tineo, hereby declare under penalty of perjury as follows:

1. I voted an early ballot during the general election held on November 4, 2014.

2. I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.

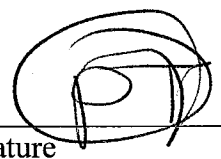
3. On November 15, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature. I was informed that I could no longer provide information to verify my signature, and that my ballot would not be counted.

4. It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.

5. I can be contacted at the following address and phone number:

4171 E Bramble ST  
TUCSON, AZ 85756  
(520) 789-2877

Dated this 15 day of NOV, 2014



Signature

Priscilla Tineo

Printed Name

DECLARATION OF Lekendra Washington

I, Lekendra Washington hereby declare under penalty of perjury as follows:

1.  I voted an early ballot during the general election held on November 4, 2014.
2.  I have been informed that my early ballot was not verified by the Pima County Recorder's Office because of an alleged discrepancy between the signature on the early ballot affidavit and the signature on file in the Recorder's Office.
3. On 11-15-2014, 2014, I called the hotline established by the Pima County Recorder's Office for resolving discrepancies of this nature to ensure that my ballot would be counted.
4.  It is my wish that my ballot be counted, and I am willing and able to provide whatever personal information is necessary to verify that the signature on my ballot was mine.
5.  I can be contacted at the following address and phone number:

606 S. Desert Haven Rd  
Vaile, AZ 85641

---

Dated this 15 day of 11, 2014

Lekendra Washington  
Signature

Lekendra Washington  
Printed Name

# **EXHIBIT E**

## **TAB C**

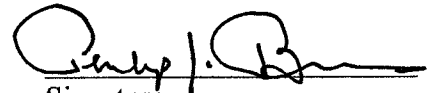
### **Unsigned Early Ballots**

DECLARATION OF PHILIP BROWN

I, Philip Brown, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 9/15/1963. I have been a registered voter in Arizona since 9/29/2008. My current residence address is 3441 EAGLE VISTA DR, SIERRA VISTA, AZ. 85650
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Cochise County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Cochise County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 21st day of November, 2014

  
Signature

PHILIP J. BROWN  
Printed Name

DECLARATION OF Rukhsana choudhary

RUKHSANA choudhary

I, \_\_\_\_\_, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 11-11-64. I have been a registered voter in Arizona since sep 1997. My current residence address is 6441 East Calle Doney Tucson AZ 85710
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Pima County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Pima County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 23th day of November, 2014

R. choudhary  
Signature

Rukhsana choudhary  
Printed Name

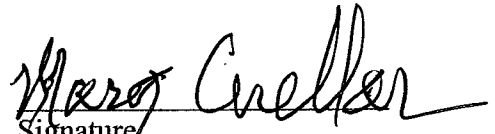
11-23-14

DECLARATION OF Mary A Cuellar

I, Mary Cuellar, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 5/26/36. I have been a registered voter in Arizona since 4/12/2004. My current residence address is 7710 E Cuellar's trail.
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Cochise County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Cochise County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 21st day of November, 2014

  
Signature

Mary A Cuellar  
Printed Name

DECLARATION OF RITA D HERNANDEZ

I, Rita D Hernandez hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on Sept 10, 1955. I have been a registered voter in Arizona since 2014. My current residence address is 2389 S. BOWEN ST
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Cochise County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Cochise County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 21st day of November, 2014

Rita D Hernandez  
Signature

RITA D HERNANDEZ  
Printed Name

DECLARATION OF Barbara Jean Mahon

I, Barbara, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 8/18/53. I have been a registered voter in Arizona since 2012. My current residence address is 5543 S. Santa Aurelia Sierra Vista, AZ 85650
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Cochise County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Cochise County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 23th day of November, 2014

Barbara J Mahon  
Signature

BARBARA J. MAHON  
Printed Name

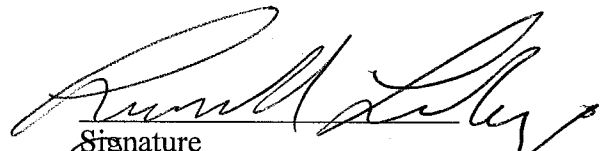


DECLARATION OF Ronald Rabago

I, Ronald, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 12-17-1962 I have been a registered voter in Arizona since 05 17 2004 My current residence address is 17111 S. Country Club #129C
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Pima County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Pima County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 22th day of November, 2014

  
Signature  
Ronald Rabago  
Printed Name

DECLARATION OF Frank B. Santamaría

I, Frank B. Santamaría, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 7 Sep 55. I have been a registered voter in Arizona since 11 1985. My current residence address is 600 Raymond Dr. Silver Lake AZ 85635
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Cochise County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Cochise County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 21st day of November, 2014

Frank B. Santamaría  
Signature

Frank B. Santamaría  
Printed Name

DECLARATION OF Sandra J Wendt

I, Sandra Wendt, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on 05/06/41. I have been a registered voter in Arizona since 09/02/1994. My current residence address is 2544 N Calle Quatro, Huachuca City, Az 85616
2. I voted by early ballot in the 2014 general election.
3. I now understand that my ballot was disqualified and *not* counted by the Cochise County Recorder's Office because I did not sign the envelope.
4. I declare the following under penalty of perjury: I am a registered voter in Cochise County Arizona. I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the 2014 general election ballot that I enclosed in the envelope with my name and signed this affidavit personally unless noted below.

Dated this 21st day of November, 2014

Sandra J. Wendt  
Signature

Sandra J Wendt  
Printed Name

# **EXHIBIT E**

## **TAB D**

### **Unsigned Provisional Ballots**

## DECLARATION OF TYLER HANSEN

I, Tyler Hansen, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on December 22, 1988. I have been a registered voter in Arizona since November 4, 2010. My current residence address is 7751 N John Paul Jones Ave, Tucson, AZ 85741.
2. I was initially registered to vote at my previous address, 7718 N Lundberg Dr., Tucson, AZ 85741. I moved to 7751 N John Paul Jones Ave, Tucson, AZ 85741 and updated my address at the DMV. I was under the impression that I had updated my voter registration when I changed my address, but the DMV never changed it. My ballot was mailed to my previous address because of this.
3. Because I still live in the same precinct, I went to the same polling place on Election Day - Butterfield Elementary School at 3400 W Massingale Rd. The poll workers directed me to the provisional voting area and walked me through where to sign on all of the different parts of the non-voting portion of the ballot.
4. I was never informed by the recorder's office that there was any problem with my signature and I was never contacted by their office.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I did not sign the ballot they provided me at my polling location.
6. It's my right as an American to have my voice heard in this election, and it's disappointing that my ballot was disqualified even though a poll worker walked me through all the places to sign on my ballot.

Dated this 19th day of November, 2014

  
\_\_\_\_\_  
Signature

Tyler Hansen  
\_\_\_\_\_  
Printed Name

DECLARATION OF Allan Mackenzie

Allan Mackenzie hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because \_\_\_\_\_.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 1167 E Verde Vista, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10/18/2007.
- My date of birth is 03/09/1963. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

\_\_\_\_\_

Dated this 10 day of Nov, 2014

Allan Mackenzie  
Signature

Allan Mackenzie  
Printed Name

## DECLARATION OF Jeremiah J McCarthy

I, Jeremiah J McCarthy, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on August 5, 1946. I have been a registered voter in Arizona on or around June 18, 2014. My current residence address is 8743 N. Sam Snead Drive, Tucson, AZ 85742.
2. Earlier this year I relocated to Tucson from Virginia. At that time I registered to vote with the Pima County Records Office. I requested an Absentee Ballot. After not receiving the ballot I contacted the Pima County Records office. I was able to confirm that I did not receive the ballot at my Virginia address and I verified my new Arizona address.
3. On Election Day I went to the Pima County Records office to vote. I was told that I could no longer vote at the Records office, and was directed to my polling location at Alive Christian Fellowship at 9662 N La Cholla Blvd.
4. Upon arrival I was directed by poll workers to a special situations table. There were several other people in the line in front of me. I filled out the paperwork for the provisional ballot, and I used the pen in the ballot box and completed my ballot accurately. I signed a document, enclosed the ballot in the jacket and deposited the ballot. I asked several questions and followed directions exactly.
5. The poll workers told me that they expected my provisional ballot to be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office.
7. This was an important election. I followed all the instructions that I was given and I did everything I thought was necessary in order to properly cast my ballot. I am frustrated that I'm being told that my vote will not count when I did everything properly.

Dated this 16th day of November, 2014



Signature

Jeremiah J McCarthy  
Printed Name

## DECLARATION OF Matthew Ryan McCray

I, Matthew Ryan McCray, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on March 21, 1984. I have been a registered voter in Arizona since October 8, 2012. I currently reside at 10270 E Calle del Este, Tucson, AZ 85748.
2. I am on the permanent early voter list, but I did not receive my early ballot at my current address.
3. On Election Day, I voted at the polling place that I determined I needed to go to after checking online. When I got there, the poll worker told me to fill out a provisional ballot.
4. Throughout the process, the poll worker made sure that I had properly filled out all the paperwork and I had signed where instructed. The poll worker double-checked that I had done everything correctly, and would not give me the ballot until he was sure that I had properly completed everything.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because my ballot was not signed.
6. I made the time to go over to vote and I want a say in my government. Voting is a part of the democratic process and it is important.

Dated this 22nd day of November, 2014



Signature

Matthew Ryan McCray  
Printed Name



## DECLARATION OF ELLE GRACE TROUTMAN

I, Elle Grace Troutman, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born <sup>SEPT. 20<sup>TH</sup> 69</sup> ~~January 1st~~, 1946. I have been registered to vote in Arizona since September 22nd, 2000. My current residence address is 3617 N Forgeus Ave. Tucson, AZ 85716.
2. I legally changed my name in late September 2014. I received a mail-in ballot to my home that I normally receive every election cycle. The mail-in ballot had my previous name associated with it, and I was concerned that this ballot wouldn't count because my new I.D. had my updated legal name.
3. On election day, I went to drop off my mail in ballot at my usual polling location (Silverbell Baptist Church, 3344 N Campbell Ave.). When I went to drop off my early ballot I asked the poll worker if I should vote with the ballot that had my old name on it. The poll worker said that my new name was indeed on the rolls, but I must fill out a provisional ballot with my new name instead of voting my early ballot. This was the first time I have ever filled out a provisional ballot.
4. When I was done filling out the provisional ballot, the poll worker looked over the ballot and said that things looked to be in order. The poll worker did not point out to me that I hadn't signed the provisional ballot, and that it would be necessary in order to get my vote counted.
5. The poll worker indicated that my provisional ballot would indeed be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I did not sign the ballot they provided me.
7. I was given a provisional ballot receipt (No. 100985081) so I could check to see if my vote had counted. I have attached a copy of that receipt as Exhibit A to this declaration.
8. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 17th day of November, 2014

Elle Grace Troutman  
Signature

Elle Grace Troutman

10 days after the election go online to [www.recorder.pima.gov](http://www.recorder.pima.gov); select the provisional ballot link and enter the preprinted receipt number to find out whether or not your ballot was validated for counting. If you do not have access to a computer, you may call (520) 724-4330 or 1-800-775-7462 ext. 4330. You will need to provide the preprinted receipt number to be given your information.

10 días despues de la eleccion visite la pagina internet [www.recorder.pima.gov](http://www.recorder.pima.gov); seleccione balota provisional y entre el numero imprimado de este recibo para informarse si su balota fue valida para contarse. Si usted no tiene acceso a una computadora, puede llamar al (520) 724-4330 ó 1-800-775-7462 ext. 4330. Tendra que proporcionar el numero imprimado de este recibo para obtener su informacion.

▶▶▶▶ **SEPARATE THIS NUMBERED RECEIPT AND GIVE IT TO THE VOTER** ◀◀◀◀

100985081

DECLARATION OF Heidi A. Young Tarbet

I, Heidi A. Young Tarbet hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because NO Signature.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 2848 W. Rivera place, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 03/30/1980.

My date of birth is 5/1/60. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_  
\_\_\_\_\_

Dated this 12 day of NOV., 2014

Heidi A. Young Tarbet  
Signature

Heidi A. Young Tarbet  
Printed Name

DECLARATION OF Christina Baron

Christina, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because \_\_\_\_\_.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 341 E Via Terrenal 83014, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 2/22/2008.
- My date of birth is 9/11/68. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 10 day of Nov, 2014

Christina Baron  
Signature

Christina Baron  
Printed Name

DECLARATION OF

Raymond Scott Fisher

I, <sup>Scott</sup>Raymond Fisher hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because possible no signature.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 1340 W. Glenn St., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10-1996.
- My date of birth is 2-12-55. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 12 day of Nov. 2014

Ray Fisher  
Signature

Ray Fisher  
Printed Name

# **EXHIBIT E**

## **TAB E**

### **Failure by Election Officials to Direct Voters Who Had Moved to the Proper Precinct**

DECLARATION OF Kay W. Bigglestone

I, Kay W. Bigglestone, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because \_\_\_\_\_.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 3111 E 4th St, Apt 142, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 07211987.

My date of birth is 4/29/1939. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this 18 day of Nov, 2014

Kay W. Bigglestone  
Signature

Kay W. Bigglestone  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

I voted at the Baptist Church on Campbell Avenue where I had voted in previous  
years. Because (my husband and I) our address had changed (we moved from Star Park Pl in February),  
I was told my ballot should be declared provisional. No such thing was told  
to my husband. But I placed my ballot in an envelope marked "provisional"

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## DECLARATION OF Daniel A Bitter

I, Daniel A Bitter, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on June 20, 1992. I have been a registered voter in Arizona since September 10, 2012. My current residence address is 4601 N Via Entrada #2034 Tucson, AZ 85719, however I voted at the polling location that matched my old address, 1827 E Spring St. #1 Tucson, AZ 85719.
2. I found my polling location by going to a website that told me where to go based on my address. I have recently moved, but I went to the polling location that matched the address where I was registered to vote because I have not yet changed my address.
3. When I arrived at the polling location on Election Day, the poll workers looked me up on the register and told me that I had requested an early ballot, which I never received because it was sent to my old address. The poll workers then told me to vote a provisional ballot.
4. No efforts were made by the poll workers to send me to a different polling location that matched my new address.
5. I filled out my ballot in the booth and dropped it off in the appropriate box. After I voted, they gave me a receipt which I still have. The receipt number is 101013140.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office.
7. I think that it is important as a citizen to make informed decisions and to have our voices heard, and that's why I hope my vote is counted in this important election.

Dated this 16th day of November, 2014



\_\_\_\_\_  
Signature

Daniel A Bitter  
Printed Name




## DECLARATION OF Steven Eugene Case

I, Steven Eugene Case, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on April 13, 1950. I have been a registered voter in Arizona since April 17, 1984. I currently reside at 7141 N Northlight Drive, Tucson, Arizona, 85741.
2. I registered to vote at my (daughter's) current address, 7141 N Northlight Drive. This is the address listed on my driver's license. I received a postcard from the Pima County recorder's Office informing me that my polling location was the Christ the King Episcopal Church.
3. Although I reside in my R.V. permanently at my daughter's house at 7141 N Northlight Drive, I've recently been parked elsewhere since my R.V. has been under repair. I may have accidentally signed the provisional ballot at the address I was parked at on Election Day, 4303 N Romero Road. This was done so by mistake, and 7141 N Northlight Drive is my correct permanent address.
4. I received my ballot in the mail but I misplaced my ballot and decided to vote provisionally. On Election Day, I voted at the polling place designated for my permanent residence. When I got there, I was on the poll worker's list and they told me to fill out a provisional ballot.
5. The poll worker did not direct me to another polling location. I was never told that my vote might not be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location.
7. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 22nd day of November, 2014

  
Signature

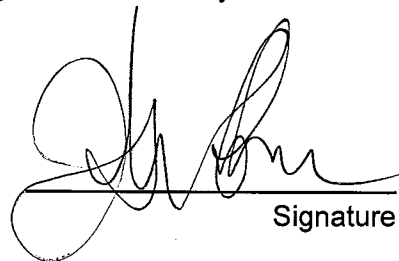
Steven Eugene Case  
Printed Name

## DECLARATION OF JOSH ADAM COHEN

I, Josh Adam Cohen, hereby declare under penalty of perjury as follows:

1. I am a United States Citizens and I was born on June 14, 1987. I have been a registered voter in Arizona since March 27, 2008. My current residence address is 5745 E Burns St. Tucson, AZ 85711.
2. I moved in January to my new address. When I changed my driver's license address I wasn't informed that it was necessary to change my voting address to obtain a valid ballot.
3. On election day, I went to my old polling location for my previous address at 330 N. Paseo de los Rios, Apt #3101. Tucson, AZ 85712 (Faith Tabernacle Church, 5011 E Ft Lowell Rd. Tucson, AZ 85712 - Pima 099). It was the polling location listed on my voter registration card. While I was there I informed the poll worker that I had moved; the poll worker instructed me to vote a provisional ballot at this location.
4. The poll worker assured me that my ballot would be counted and that I could in fact vote at this location. I voted the provisional ballot and listed the current address I have at Burns St.
5. The poll workers did not direct me to the correct polling location.
6. I now understanding that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location.
7. I cannot locate my copy of the provisional ballot receipt.
8. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Date this 17th day of November, 2014



Signature

Josh Adam Cohen

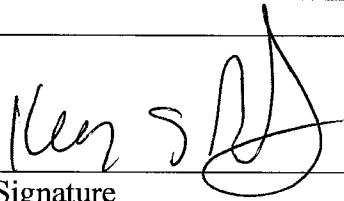
DECLARATION OF Kelly Doty

I, Kelly Doty, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I VOTED AT THE WRONG POLLING PLACE
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 524 N. NORTON AVE, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10-23-1986.
- My date of birth is 9/25/1968. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 12 day of NOV, 2014

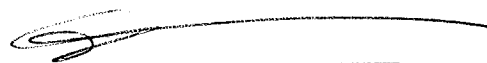
  
 Signature  
Kelly S. Doty  
 Printed Name

## DECLARATION OF ELLIOT J. DUMONT

I, Elliott J. Dumont, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on June 14, 1988. I have been a registered voter in Arizona since January 10, 2008. I initially registered to vote at 2802 N Woodland Avenue, Tucson, AZ 85712, but I moved a year ago to a new address.
2. When I moved to my new address, I updated my driver's license to reflect the new address and assumed that the address on my voter registration was changed at the same time.
3. On Election Day, I was unsure of my new polling location, so I went to the polling location where I usually vote, Faith Tabernacle Church. I walked in and explained that I was not sure of my voting location because I changed addresses recently, and I wanted to know where to go to vote. They looked up my name and found my old address on file at the location that I went to. There was confusion about what to do, so someone directed me to the provisional ballot table. I signed a document stating that I had changed addresses. I then cast a provisional ballot.
4. They did not tell me that my vote might not be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was directed to vote at the wrong polling location.
6. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 17th day of November, 2014



Signature

Elliot J. Dumont  
Printed Name

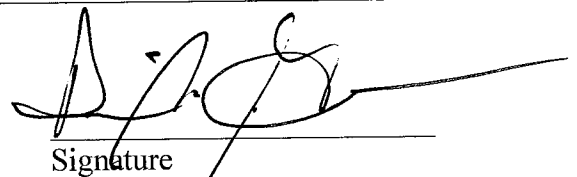
DECLARATION OF \_\_\_\_\_

I, Devin Gardner, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 8850 N. Mesquite Bluffs Place, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 9/23/11.
- My date of birth is 9/28/81. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 18 day of Nov, 2014



Signature

Devin M. Gardner

Printed Name

LEGAL124090782.1

Please Tell Us What Happened

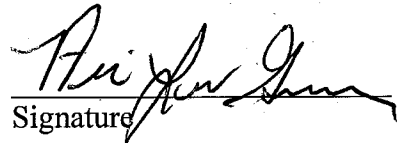
Moved, looked up online and went to the stated location.

## DECLARATION OF ARI LEV GINSBURG

I, Ari Lev Ginsburg, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on August 2, 1965. I have been a registered voter in Arizona since September 28, 2005. My current residence address is 4308 E. Poe Street Tucson, AZ 85711, however my Pima County Voter Registration Card still has my old address as 3023 E. 6<sup>th</sup> Street, Apt B01.
2. I found my polling location by going to the Pima County Recorders website in order to confirm that I am registered to vote and to identify the correct polling place for my current address.
3. When I arrived at the polling location on Election Day, the poll workers looked me up and gave me a regular, Election Day ballot. Then I spoiled the ballot, and when I requested a new one, the poll workers said I needed to fill out a provisional ballot.
4. No efforts were made by the poll workers to send me to a different polling location, and I was assured that my ballot would be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office.
6. I want my ballot to be counted because I know this is an important election, and I want to be a part of the process.

Dated this 17th day of November, 2014

  
Signature

Ari Lev Ginsburg  
Printed Name


DECLARATION OF Rene A. Gonzalez

I, Rene A. Gonzalez hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 1901 E Glenn St Unit 103, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 9/17/2008.
- My date of birth is July 2 1983. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 19th day of Nov., 2014



Signature  
Rene A. Gonzalez  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

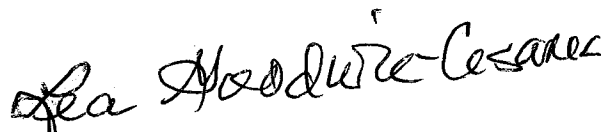
I went on-line to locate my polling location based on my address, it told me to vote at the Tucson Bays Chorus location on Pima st. Nobody told me I was at the wrong location.

## DECLARATION OF Lea L Goodwine-Cesarec

I, Lea L Goodwine-Cesarec, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on December 31, 1932. I have been a registered voter in Arizona since September 15, 1990. My current residence address is 6199 E Broadway Blvd. Apt 102, Tucson, AZ 85711.
2. I moved over a month ago to my current address and I called the registrar to change my address for the purposes of my voter registration. The registrar said that they were able to change my address by phone and that I didn't need to sign any forms. I do not remember them informing me of any new polling location.
3. On election day, I went to vote to at a Methodist Church on E. Broadway Blvd. When I tried to sign in, the poll workers told me that they didn't have a record of my change of address. They then took me to a Special Situations desk. No one informed me that I needed to go to a different polling location nor did they make any effort to direct me to the proper polling location. Instead, they told me that I would have to vote a provisional ballot because they did not have a record of my change of address. I voted that provisional ballot and provided my current residence address of 6199 E Broadway Blvd. Apt 102, Tucson, AZ 85711.
4. The poll workers told me that they expected my provisional ballot to be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location. I was not informed that I had voted at the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling location.
6. I was given a provisional ballot receipt (No. 101024365) so I could check to see if my vote had counted. I have attached a copy of that receipt as Exhibit A to this declaration.
7. When I looked the number up online, the result said "Receipt Not Found".
8. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 15th day of November, 2014

  
\_\_\_\_\_  
Signature

Lea L. Goodwine-Cesarec  
Printed Name



DECLARATION OF \_\_\_\_\_

I, ANNE GRAY, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because WRONG POLLING LOCATION.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 1336 S. AVENIDA POLAR, which is the address I listed on my provisional ballot. TUCSON

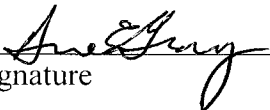
I was registered to vote on election day. I registered on or about NOV. 4 / 14.

My date of birth is 4/23/59. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
WENT TO GOOGLE AFTER GOING TO WRONG PLACE & WANT MY VOTE TO COUNT.

Dated this 10 day of NOV, 2014

  
Signature

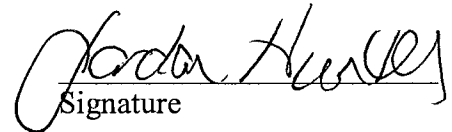
ANNE E. GRAY  
Printed Name

## DECLARATION OF JORDAN REINE HUNTER

I, Jordan Reine Hunter, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on March 26, 1954. I have been a registered voter in Arizona since October 4, 2004. My current residence address is 278 S Paseo Seco, Green Valley, Arizona 85614.
2. I moved before the election but did not update my voter registration. On Election Day, I went to the polling location for my current address. When I arrived, I told the poll workers that I had moved. They informed me that I was not on their list, but they did not redirect me and told me to cast a provisional ballot.
3. I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
4. I left the polls confident that my ballot would be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location.
6. I was given a provisional ballot receipt (No. 101010874) so I could check to see if my vote had counted.
7. This is an important election and I did everything I thought was necessary in order to properly cast my ballot. Voting is extremely important to me, especially in this election, as I am extremely concerned with the Tea Party and other Republican interests. I want to make sure that honest, good people hold office.

Dated this 21st day of November, 2014

  
Signature

Jordan Reine Hunter  
Printed Name

## DECLARATION OF WALTER FRANKLIN MANGUM

I, Walter Franklin Mangum, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on July 3, 1972. I have been a registered voter in Arizona since August 29, 2013. My current residence address is 4325 E Hayhurst Street, Tucson, AZ 85712.
2. I was moving during the time immediately before the election. I did not have time to update my voter registration address during this time.
3. I never received my mail in ballot. I completed my move right before election day, and I planned to vote at my previous polling location to make my vote legitimate. I believed it was too late to change my address to the new address for the 2014 general election.
4. On election day, I went to the polling location listed on my Voter ID card (St. Alban's Episcopal Church, 3738 N Old Sabino Canyon Rd. Tucson, AZ 85750). I informed the poll worker about my circumstances of moving during election season and never receiving my mail-in ballot. They informed me that I was going to have to vote provisionally. I voted the provisional ballot for my new address on Hayhurst Street.
5. The poll workers told me that they expected my provisional ballot to be counted. They made no effort to direct me to my new polling location while I was there at the polls
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location. I was not informed that I had voted at the incorrect polling place.
7. I was given a provisional ballot receipt (No. 100984380) so I could check to see if my vote had counted. I have attached a copy as Exhibit A to this declaration
8. This was an important election and I did everything I thought was necessary in order to properly cast my ballot

Dated this 17th day of November, 2014



Signature

**Walter Franklin Mangum**

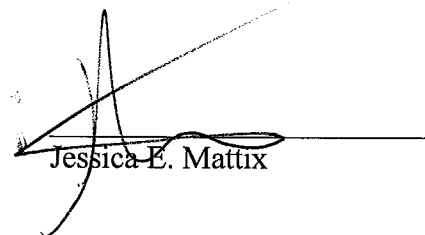
## DECLARATION OF JESSICA E. MATTIX

I, Jessica E. Mattix, hereby declare under penalty of perjury as follows:

1. I am a United States citizen and I was born on June 2<sup>nd</sup> 1977. I have been a registered voter in Arizona since May 11<sup>th</sup>, 1995. My current residence address is 333 S Alvernon Way, Apt. 43, Tucson, AZ 85711.
2. I had registered to vote at 3719 E. Bellevue Street, Apt. J, which is where I lived previously. I moved to 333 S Alvernon Way, Apt. 43 and was not aware that I had to update my voter registration. The address listed on my driver's license is my parent's address, 5081 W Paseo De Las Colinas, Tucson, AZ 85745.
3. On Election Day, I went to Emmanuel Baptist Church to vote, which is where I usually go to vote.
4. The poll worker did not tell me that I was at the wrong polling location, or that I should go to a different location to vote, but instead just directed me to the provisional ballot table.
5. The poll worker never mentioned that my vote might not be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office on the grounds that I cast my ballot at a wrong polling location.
7. I was given a provisional ballot receipt (No. 101024046) so I could check to see if my vote had counted. I have attached a copy of that receipt as Exhibit A to this declaration.
8. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this ~~16~~<sup>17</sup> day of November, 2014

JEM

  
Jessica E. Mattix

DECLARATION OF Rana McGoldrick

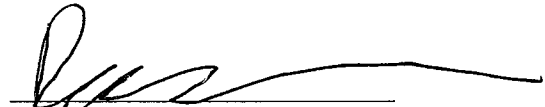
I, Rana McGoldrick hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I voted at the wrong polling location
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 524 N. Norton Ave, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 7/12/1988.
- My date of birth is 10/15/1970. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
We voted at this location for many years including the last election, two years ago, 2012.

Dated this 12 day of NOV, 2014

  
Signature

Rana McGoldrick  
Printed Name

DECLARATION OF Deanna Meek

I, Deanna Meek hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2714 E 8th St. Tucson, AZ 85716, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 11/29/2013.
- My date of birth is 02/27/90. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
I moved and called the Recorder's office to get the right polling location.

Dated this 10 day of NOV, 2014

Deanna Meek  
Signature

Deanna Meek  
Printed Name

DECLARATION OF Ryan Mihalyi

I, Ryan Mihalyi hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 4301 N. Radin Ave., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 03/31/1996.
- My date of birth is 12/30/1977. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:  
Looked online @ recorders' website for polls.  
Address didn't match ID address.

Dated this 15 day of Nov, 2014

Ryan Mihalyi  
Signature

Ryan Mihalyi  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

was told that a provisional ballot would be  
accepted, since ID address was different from  
his registered voter address.

He said he could go to another (correct)  
polling location, but was told his vote would  
count - as long as it was a provisional ballot.

DECLARATION OF Jonathan Mitchell

I, Jonathan Mitchell, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 501 N. Brown Ave Tucson, AZ 85710, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 09/04/2006.
- My date of birth is 12/29/82. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this 14 day of Nov, 2014

Jonathan Mitchell  
Signature

Jonathan Mitchell  
Printed Name



DECLARATION OF

Rich Rodriguez

I, Rich Rod, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because change of address.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 8549 E. 19th St., which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about April, 2004.

My date of birth is 10-27-65. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 12 day of 11, 2014

R. Rodriguez  
Signature

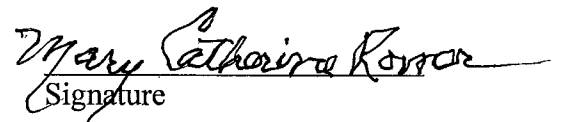
Rich Rodriguez  
Printed Name

## DECLARATION OF Mary Catherine Romer

I, Mary Catherine Romer, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on November 22nd, 1925. I have been a registered voter in Arizona since April 6th, 1971. My current residence address 2221 N. Rosemont, Apartment #245, Tucson, AZ, 85712.
2. I moved over two years ago to my current address and I called the Recorder's Office to change my address for the purposes of my voter registration. When I went in to vote on November 4<sup>th</sup>, I was told that my voter address had not been updated. I followed the poll workers instructions and filled out my name and address on the provisional ballot and after I completed my ballot, I folded it up and placed it into the box.
3. On election day, a neighbor from the old neighborhood, drove me to the polling location for the old neighborhood. I didn't know I needed to vote at a different location.
4. The poll workers gave me a ballot to submit.
5. I now understand that my ballot was disqualified and not counted by the Pima County Recorder's Office because I was located at a wrong polling location. I was not informed that I had voted at the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling location.
6. This was an important election and I was never informed that I needed to visit a different polling location when I went to vote on Election Day.

Dated this 16th day of November, 2014

  
Signature

Mary Catherine Romer  
Printed Name

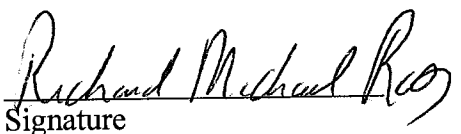
LEGAL124090782.1

## DECLARATION OF RICHARD MICHAEL ROSS

I, Richard Michael Ross, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on November 22, 1961. I have been a registered voter in Arizona since February 20, 1980. My current residence address is 163 N Cheesebrush Ave, Tucson, AZ 85748.
2. I moved about a mile away from 892 N Citadel Ave Tucson, AZ 85748 to my current address at 163 N Cheesebrush Ave, Tucson, AZ 85748 in 2011. I voted in 2012 at my previous polling location and did not have any issues with my ballot being counted. My driver's license still has my previous address on it.
3. On Election Day, I went to my previous polling place for Precinct 180 at the Church of Jesus Christ of Latter Day Saints on 700 N Bonanza Ave. I gave them my voter registration card and then they had me go to the next station. They then had me sign my name to verify myself, and when I was asked to verify my address, I told them that it "wasn't my address" and that I had since moved. One of the poll workers asked if I had anything that could show my current address, and I used my Arizona Vehicle Registration to prove my current address.
4. The poll workers were confused about what to do and then they checked in with their supervisor at the polling location and explained that I had moved and had not changed my address with the county recorder. I was not then redirected to another polling location.
5. The poll workers then brought over one of their supervisors called someone and after talking on the phone with them for five to ten minutes, they instructed me to cast a provisional ballot at that location, and he was advised to have me vote at that location with a provisional ballot.
6. I cast my provisional ballot, signed it, sealed it, and then put it in the box. I was given a provisional ballot receipt and an "I Voted!" sticker.
7. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I voted at the wrong polling location. I would have been more than happy to have been to have gone to a new location if the poll workers had redirected me.
8. It's my right to have my vote to count, and now more than ever my vote makes a difference.

Dated this 19th day of November, 2014

  
Signature


Richard Michael Ross  
Printed Name

## DECLARATION OF RACHEL SATTINGER

I, Rachel Sattinger, hereby declare under penalty of perjury as follows:

- 1.) I am a United States Citizen and I was born on September 15, 1949. I have been registered voter in Arizona since June 25, 1988. My current residence address is 11431 E Speedway Blvd. Tucson, AZ.
- 2.) I moved in March and changed my driver's license under the impression that my voter registration had changed as well. I'd previously been on the permanent early voter list and assumed my ballot would be sent to my new address. However, I was never notified that my registration had been updated, unlike my husband, who received his ballot in the mail at our new address.
- 3.) I tried to update my registration online through the form on the Pima County Recorder website. Afterward, I went to my updated polling location for my old address at Esperero Canyon Middle School at 5752 N Paseo Otono.
- 4.) When I arrived at the polling location on Election Day, I informed them that I had moved and they referred me to someone who gave me a provisional ballot. I signed the ballot, using my new address, and the poll worker handled my ballot and put it in the ballot box.
- 5.) When I voted, I was provided with a receipt for my ballot. My provisional receipt number is 101016197. I was assured by poll workers that my ballot would be counted.
- 6.) I was informed by the Arizona Democratic Party that my vote was in fact *not* counted because the County Recorder said that I voted at the incorrect polling location.
- 7.) I feel my vote should be counted because it's my right and my civic duty. I am registered to vote and I deserve to have my voice heard.

Date this 16th day of November, 2014

  
Signature

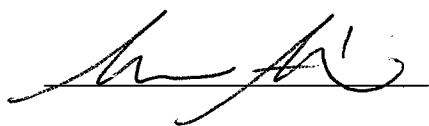
**Rachel Sattinger**

## DECLARATION OF SUSAN STILLMAN

I, Susan Stillman, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on February 18, 1988. I have been a registered voter in Arizona since March, 2001. My current residence address is 1119 E 12<sup>th</sup> St. Unit C.
2. I initially registered to vote at my previous address, 2632 N Estrella Ave, Tucson, AZ 85705. I moved to 1119 E 12<sup>th</sup> St, Tucson, AZ 85719 three months ago and did not update the address on my registration. I was on the permanent early voting list.
3. I looked up my polling location on a website based on my previous address, where my early ballot is sent to.
4. On Election Day, I went to my polling location to go vote. When I got there, I was directed to cast a provisional ballot because my drivers' license did ~~not~~ match my registration address. I asked what to put for my addresses and I put down both my current address and my previous address on the form. I was not directed to do otherwise by any poll worker.
5. They did not tell me that my vote may not be counted.
6. I think everyone's vote should count and it's important to have your voice heard.

Dated this 19th day of November, 2014



Signature

Susan Stillman  
Printed Name

I showed the poll workers  
my ID, which had my old  
address

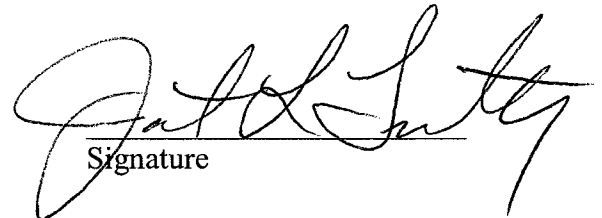
SS

## DECLARATION OF Janet L. Tumulty

I, Janet L. Tumulty, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on August 25, 1963. I have been a registered voter in Arizona since June 27, 1991. I currently reside at 1848 N. Linden Place, Tucson, AZ 85712.
2. I was registered to vote at my previous address, 8018 E 8<sup>th</sup> Street, Tucson, AZ 85710. This is the address listed on my driver's license. I then moved to 1848 N. Linden Place in May, 2012.
3. On Election Day, I voted at St. Paul's United Methodist Church, which was across the street from where I had previously voted in 2012. When I got there, I told the poll workers that I had moved but that I was probably still on their list, and the poll workers were able to find me on their rolls. The poll workers asked if I had any documentation that I resided at my old address, and I showed them my driver's license which I have not updated.
4. They asked me to sign that I lived at 8018 E 8<sup>th</sup> Street, Tucson, AZ 85710, so I could cast a normal ballot, but I refused because I do not currently reside there. I was not redirected by the poll workers to a different location.
5. The poll workers directed me to fill out a provisional ballot after I refused to sign, and I was directed to the provisional ballot table. I filled out the paperwork and cast my ballot. The poll workers informed me that it would go through a process to see if it would be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location.
7. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 22nd day of November, 2014

A handwritten signature in black ink, appearing to read "Janet L. Tumulty", written over a horizontal line.

Signature

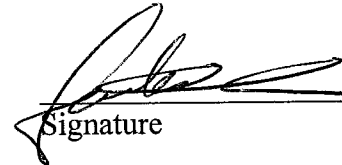
Janet L. Tumulty  
Printed Name

## DECLARATION OF Sandra Vickery

I, Sandra Vickery, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on December 19, 1965. I have been a registered voter in Arizona since May 16, 2012. My current residence address is 4119 N. Nidito Place, Tucson, AZ 85705.
2. I initially registered to vote at 2300 West Ina Road, Apt. 3101. I moved to a new house at 4119 N. Nidito Place in May 2013 and did not update the address on my voter registration.
3. On Election Day, I went to the polling location that is closest to me, and they told me that I was not on their voter rolls. The supervisor at the location called someone and I spoke to a woman who asked me if I moved. I told her that I did, and she told me to instruct the supervisor at the polling location to give me a provisional ballot.
4. They did not tell me to go to another polling location.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office.
6. I was given a provisional ballot receipt so I could check to see if my vote had counted. I have attached a copy of that receipt as Exhibit A to this declaration.
7. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this <sup>19<sup>th</sup></sup> ~~18<sup>th</sup>~~ day of November, 2014



Signature

Sandra Vickery  
Printed Name

DECLARATION OF Julia Waterfall-Kanter

I, Julia Waterfall-Kanter, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of wrong polling station.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 3448 Via Esperanza 85716 which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 7/21/87.

My date of birth is 02/16/67. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this 11 day of 11, 2014

Julia Waterfall-Kanter  
Signature

Julia Waterfall-Kanter  
Printed Name



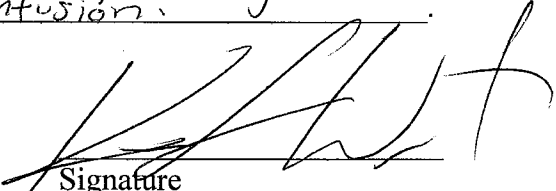
DECLARATION OF KAYLA WEST

I, KAYLA WEST, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 8079 E. Regwood Dr., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about July.
- My date of birth is 01/01/95. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:  
They mailed it to my other address but my roommate threw it out. Way too much confusion.

Dated this 12 day of 11, 2014

  
Signature

KAYLA WEST  
Printed Name

## DECLARATION OF DONNA A. WITTENMYER

I, Donna A. Wittenmyer, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on July 8, 1978. I have been a registered voter in Arizona since August 5, 1996. In March 2013, I moved from 3645 S Yukon Pl to my current address. I currently reside at 4221 S Kolb Rd, Tucson, AZ, 85730.
2. I looked up where my polling location was on a website. On Election Day, I went to go vote at the Clements Recreation Center.
3. The poll workers looked to see if my name was on their list, and it was not. I asked them if I had to go to another polling location; they said no.
4. The poll worker directed me to where everyone else was voting; they had me go into a specific booth. Once I finished voting, they instructed me to bring my ballot back to them. They put my ballot in an envelope and gave it back to me to put in the ballot box.
5. I asked the poll worker how my vote would be counted. The poll worker told me that my ballot would be immediately counted and that it would just be another couple steps to make sure that I was not voting multiple times. I was informed that my ballot would be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I voted at the wrong polling location.
7. I've voted ever since I was 18, before I even bought a pack of cigarettes. I've voted every single cycle and it's important to me. I even make sure that my husband and son vote by dragging them to the polling place, driving or whatever I have to do. I want them to do vote because it is important.

Dated this 22nd day of November, 2014

  
Signature

Donna A. Wittenmyer

10 days after the election go online to [www.recorder.pima.gov](http://www.recorder.pima.gov); select the provisional ballot link and enter the preprinted receipt number to find out whether or not your ballot was validated for counting. If you do not have access to a computer, you may call (520) 724-4330 or 1-800-775-7462 ext. 4330. You will need to provide the preprinted receipt number to be given your information.

10 días después de la elección visite la página internet [www.recorder.pima.gov](http://www.recorder.pima.gov); seleccione balota provisional y entre el número impreso de este recibo para informarse si su balota fue válida para contarse. Si usted no tiene acceso a una computadora, puede llamar al (520) 724-4330 ó 1-800-775-7462 ext. 4330. Tendrá que proporcionar el número impreso de este recibo para obtener su información.

▶▶▶▶▶ **SEPARATE THIS NUMBERED RECEIPT AND GIVE IT TO THE VOTER** ◀◀◀◀◀

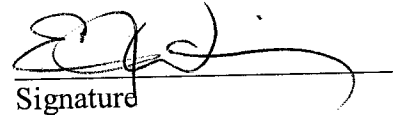
100997864

## DECLARATION OF ERIC J. WITTENMYER

I, Eric J. Wittenmyer, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on January 15, 1975. I have been a registered voter in Arizona since February 19, 1997. In March 2013, I moved from 3645 S Yukon Pl to my current address. I currently reside at 4221 S Kolb Rd, Tucson, AZ, 85730.
2. On Election Day, I went to go vote at the Clements Recreation Center. My wife had looked up our polling location online, and I went to go vote with her.
3. The poll workers looked to see if my name was on their list, and it was not. I told them that I was not sure if I was voting at the right place, but they said I could still vote with the provisional ballot. They did not direct me toward another polling location.
4. The poll worker directed me to where everyone else was voting; they had me go into a specific booth. Once I finished voting, they instructed me to bring my ballot back to them. They put my ballot in an envelope and gave it back to me to put in the ballot box. They gave me a receipt, and we left.
5. The poll workers told me that my vote would be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I voted at the wrong polling location.
7. I want my vote to be counted because I know that my vote can make a difference.

Dated this 22nd day of November, 2014

  
Signature

Eric J. Wittenmyer  
Printed Name

10 days after the election go online to [www.recorder.pima.gov](http://www.recorder.pima.gov); select the provisional ballot link and enter the preprinted receipt number to find out whether or not your ballot was validated for counting. If you do not have access to a computer, you may call (520) 724-4330 or 1-800-775-7462 ext. 4330. You will need to provide the preprinted receipt number to be given your information.

10 días despues de la eleccion visite la pagina internet [www.recorder.pima.gov](http://www.recorder.pima.gov); seleccione balota provisional y entre el numero imprimado de este recibo para informarse si su balota fue valida para contarse. Si usted no tiene acceso a una computadora, puede llamar al (520) 724-4330 o 1-800-775-7462 ext. 4330. Tendra que proporcionar el numero imprimado de este recibo para obtener su informacion.

▶▶▶▶▶ SEPARATE THIS NUMBERED RECEIPT AND GIVE IT TO THE VOTER ◀◀◀◀◀

100997863

DECLARATION OF Nicolette Young

I, Nicolette Young hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because change of address.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2973 E Greenlee St, which is the address I listed on my provisional ballot. 85716
- I was registered to vote on election day. I registered on or about 10/18/11.
- My date of birth is 03/27/91. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

\_\_\_\_\_

Dated this 10 day of 11, 2014

Nicolette Young  
Signature

Nicolette Young  
Printed Name

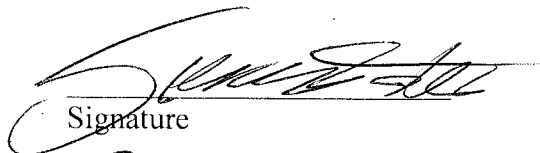
DECLARATION OF Sebastian Zeltner

I, Sebastian Zeltner, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of an incorrect poll location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 3146 E 4th St, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about Jan 25 2004.
- My date of birth is 11/18/1984. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this Nov day of 11, 2014

  
Signature

Sebastian Zeltner  
Printed Name

# **EXHIBIT E**

## **TAB F**

### **Misleading or Erroneous Statements by Election Officials Involving Voting in Proper Precinct**

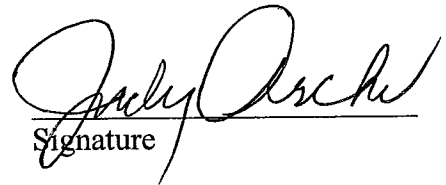


**DECLARATION OF JUDY IONE ARCHER**

I, Judy I. Archer, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen. I was born on August 31, 1949. I have been a registered voter in Arizona since August 12, 2014. My current residence address is 2565 N Park Ave Apt 4, Tucson, AZ 85719.
  2. I received a mail in ballot but was not able to vote my ballot in time for it to arrive, so I went to a polling location on Election Day instead
  3. On November 4<sup>th</sup>, 2014 I arrived at the ~~Saint Demetrios Greek Orthodox Church~~ at ~~1145 E. Ft. Lowell Rd.~~ and was instructed to fill out paperwork to vote a provisional ballot because I did not bring my mail-in ballot to the polling place.
  4. The poll workers checked my ID and found me on a list of voters with mail-in ballots. I voted my provisional ballot and placed it in the ballot box.
  5. I was informed that my vote did *not* count because I voted at the wrong polling place, but no poll workers attempted to redirect me to a different location.
6. I want my vote to be counted and I want every vote to count. I think it's important to support everything I believe in and I want my voice heard.

Dated this 17th day of November, 2014

  
Signature

Judy I. Archer  
Printed Name

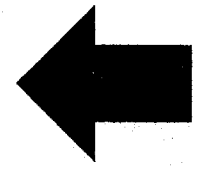
*1  
you  
Mt View  
Church  
2848  
November  
2014*

*Judy  
Archer  
& family*

*See*  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10  
701 W. WETMORE  
TUCSON, AZ 85705

PRSR STD  
U.S. POSTAGE  
PAID  
TUCSON, AZ  
PERMIT NO. 108

*See*  
YOUR POLLING PLACE  
FOR THIS SCHOOL ELECTION  
IS INDICATED BELOW



SU CENTRO DE VOTACIÓN PARA  
ESTA ELECCIÓN ESCOLAR  
SE INDICA A CONTINUACIÓN

VA000 PCT166  
MOUNTAIN AVENUE CHURCH OF CHRIST  
FOYER  
2848 N MOUNTAIN AVE  
TUCSON AZ

ONLY ONE PAMPHLET HAS BEEN MAILED TO EACH  
HOUSEHOLD CONTAINING A REGISTERED VOTER.  
PLEASE MAKE IT AVAILABLE TO ALL REGISTERED  
VOTERS IN THE HOUSEHOLD.

SOLAMENTE UN FOLLETO SE HA ENVIADO A  
CADA DOMICILIO EN CUAL RESIDE UN VOTANTE  
REGISTRADO. FAVOR DE UTILIZARLOS PARA TODOS  
LOS VOTANTES REGISTRADOS EN SU DOMICILIO.

\*\*\*\*\*AUTO\*\*5-DIGIT 85712  
REGISTERED VOTERS AT:  
1517 N WILMOT RD # 327  
TUCSON AZ 85712-4410

OFFICIAL VOTING MATERIALS / MATERIALES OFICIALES ELECTORALES

# VOTER ALERT

## PIMA COUNTY ELECTION UPDATE

Our records indicate that you are registered to vote in Pima County.

Who you vote for is your secret. But whether or not you vote is public record. Our organization monitors turnout in your neighborhood and we are disappointed by the inconsistent voting of many of your neighbors.

Here is some information you may need to vote:

- Election day is **Tuesday, Nov. 4<sup>th</sup>** (6:00 a.m. to 7:00 p.m.)
- You can confirm your voter registration status by visiting: [www.tinyurl.com/CD2Voter](http://www.tinyurl.com/CD2Voter)
- If you have any questions about voting, please call: **(520) 971-4298** or the Pima County Recorder's office at (520) 724-4330



We will be reviewing the Pima County official voting records after the upcoming election to determine whether you joined your neighbors who voted in 2014. If you do not vote this year, we will be interested to hear why not.

Respectfully,

**Kurt Bagley**  
Election Day Coordinator

---



## MY VOTE PLAN

**I plan to vote on Tuesday, November 4<sup>th</sup>:**

- In the morning before work
- At lunch
- After work
- Other time: \_\_\_\_\_

**If you have an early ballot, you can drop it off at your polling location:**

Precinct: Pima 166  
Mountain Avenue Church Of  
Christ  
2848 N Mountain Avenue  
Tucson, AZ 85719

DECLARATION OF \_\_\_\_\_

I, Donna Jay Coy hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I voted at wrong polling place.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 1100 E. Via Soledad, which is the address I listed on my provisional ballot. Tucson AZ 85718

I was registered to vote on election day. I registered on or about 9/15/84.

My date of birth is 3/29/46. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Two voting stations next to each other. The sign for St. Philips was obscured by another sign. Dist. 20 station was 400 doors away from 230 with no clear signs for 210.  
Dated this 10<sup>th</sup> day of Nov, 2014

Donna J. Coy  
Signature

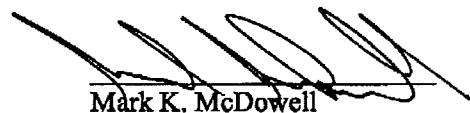
Donna J. Coy  
Printed Name

## DECLARATION OF MARK K. McDOWELL

I, Mark K. McDowell, hereby declare under penalty of perjury as follows:

1. I am a United States citizen and I was born on February 26, 1967. I have been a registered voter in Arizona since February 9, 2008. My current residence address is 4632 N. Sardis Way, Tucson, AZ 85705.
2. I have lived at 4632 N. Sardis Way, Tucson, AZ 85705 for 12 years. Ellie Towne Flowing Wells Community Center is where I have voted since I was registered, and I have never had a problem before this year.
3. On Election Day, I went to Ellie Towne Flowing Wells Community Center to vote, which is where I have voted for years. The poll worker told me that my name was not on her list. My wife's name was on her list and she has the same address as me.
4. The poll worker never told me that I was at the wrong polling location and never directed me to another polling location. She just told me that my name was not on her list and redirected me to another table to fill out a provisional ballot.
5. When someone in line with me expressed concern about his vote potentially not being counted, the poll worker reassured everyone that they work very hard to make sure that every single vote is counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office on the grounds that I cast my ballot at a wrong polling location.
7. I was given a provisional ballot receipt (No. 101012565) so I could check to see if my vote had counted. I have attached a copy of that receipt as Exhibit A to this declaration.
8. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 16th day of November, 2014



Mark K. McDowell

DECLARATION OF \_\_\_\_\_

Thelma Nathanson, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I voted at the wrong polling location  
But they assured me my vote would count
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 4301 N. Desert View Dr, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about Oct. 5, 1992.
- My date of birth is 4/8/37. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 12 day of 11, 2014

Thelma Nathanson  
Signature


Thelma Nathanson  
Printed Name

## DECLARATION OF ALFRED J. POLITO

I, Alfred J. Polito, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on July 2, 1954. I have been a registered voter in Arizona since March 8, 1980. My current residence address is 6921 N. Perugia Way, Tucson, AZ 85741. I have lived here for over 10 years.
2. I was never sent a location of where my polling location was by the county, so I assumed that I should go to the polling location where I always vote.
3. On Election Day, I went to the same polling location I have gone to for the past 10 years, The Fountains at 2001 W Rudasill Rd. My name was not at the list, so I was given a provisional ballot to fill out.
4. A couple of days later, I called the county recorder's office because I was concerned about the fact that I was not on the voter rolls, and they informed me that I should have gone to Donaldson Elementary School. I asked why I did not receive a notification of a change in my polling location, and the recorder's office said, "I have absolutely no good answer for you."
5. The poll worker on election day did not say that I was at the wrong polling location and did not redirect me to another polling location. They said that my vote would be counted.
6. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office.
7. This is an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 18th day of November, 2014



Signature

Alfred J. Polito  
Printed Name

## DECLARATION OF DEBORAH L. POLITO

I, Deborah L. Polito, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen. I was born on September 11, 1952. I have been a registered voter in Arizona since March 8, 1980. My current residence address is 6921 N Perugia Way, Tucson, AZ 85741.
2. I went to vote at the polling location I have voted at in previous elections on Election Day: The Fountains at 2001 W Rudasill Rd.
3. When I arrived at my polling place, the poll worker informed me that that my name was not on the list of voters for that location. The poll worker then instructed me to vote a provisional ballot and told me that my vote would be counted.
4. The poll worker did not direct me to an alternative polling location.
5. I believe my vote should count because it matters that all votes are counted.

Dated this 18th day of November, 2014



Signature

Deborah L. Polito  
Printed Name

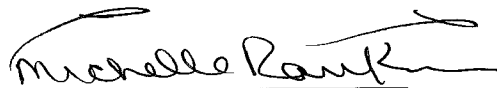


## DECLARATION OF Michelle Rankin

I, Michelle Rankin, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on October 12, 1963. I am a registered voter in Arizona. My current residence address is 10183 E Desert Crossing Way, Tucson, AZ 85747.
2. On Election Day, I stopped by Cottonwood Elementary School, which is two streets up from my house. I have voted at this polling location before with no issues. When I got there, they looked me up and said that I was not on the list. I told the poll worker since I wasn't on the list and I had been receiving early ballots for years, I would go back to my house to find it, and fill it out. Instead, they told me that there was no need to do that and instead sent me to the "Special Situations" area and had me vote provisionally.
3. I filled out my name and address on the provisional ballot and after I completed my ballot, I folded it up and turned it into the box.
4. The poll workers informed me that as long as I was a registered voter my vote would be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location. I was not informed that I had voted at the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling location.
6. This was an important election and I did everything I thought was necessary in order to properly cast my ballot, and I have voted in every election for years.

Dated this 16th day of November, 2014



Signature

Mitchelle Rankin

Printed Name

DECLARATION OF Daniel Schippers

I, Daniel Schippers hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I voted at a wrong polling station.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 4366 E 28th St 85711, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 9-4-2004.
- My date of birth is 03/04/1982. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 15 day of Nov, 2014

Daniel Schippers  
Signature

Daniel T Schippers  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

I brought in utility bills showing my current address.  
I was told I was allowed to vote at that location  
even though the bills showed my current ~~location~~  
address.

DECLARATION OF Wendy Denise Sommers

I, Wendy Sommers hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 626 N Ferris Ave, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 12-1-2010.

My date of birth is 12/3/73. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_  
\_\_\_\_\_

Dated this 15 day of Nov, 2014

[Signature]  
Signature

Wendy Denise Sommers  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

The pollworkers said that this happens all the time and  
gave ~~me~~ the ballot without directing to the proper  
polling location

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


## DECLARATION OF MICAH TORDSEN

I, Micah Tordsen, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen. I have been a registered voter in Arizona since September 28, 2002. My current residence address is 1613 North Catalina, Tucson, AZ 85712.
2. On Election Day, I went to vote at the library on Catalina Avenue, which was where I voted during the 2012 general election. No one ever informed me of that change. When I went to vote, I was told that I was not at the correct voting location, but that I could vote anyway. I was never told my correct polling location. I was told to put my completed ballot in a big box and I was assured my vote was counted.
3. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location. The poll workers made no effort to direct me toward the proper polling location and told me my vote would be counted.
4. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this ~~16th~~ day of November, 2014

17th *MT*

  
Signature

Micah Tordsen  
Printed Name

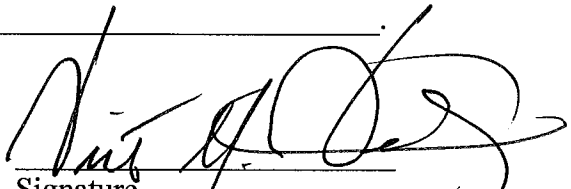
DECLARATION OF Victor Vasquez

I, Victor Vasquez, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 5746 N. Escudino Lane, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 08/28/1976.
- My date of birth is 7/11/1951. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 18 day of NOV, 2014

  
Signature  
Victor M. Vasquez  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

Was having heart surgery, brought early ballot to hospital. The hospital lost the ballot. The hospital gave special permission for me to vote. I went to the polling location in the pamphlet mailed to me. No one at the polling location said I was in the wrong place. I made every effort to vote and my vote should count.

# **EXHIBIT E**

## **TAB G**

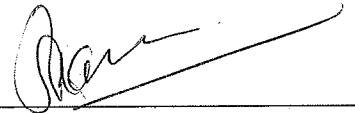
### **Voters Who Were Not Told They Were in Wrong Precinct**

## DECLARATION OF SITA M ADHIKARI

I, Sita M Adhikari , hereby declare under penalty of perjury as follows:

1. I am a United States Citizen. I have been a registered voter in Arizona since June 2nd, 2013. I First moved to Arizona in the spring of 2008. My current residence address is 1232 N Swan Rd, Tucson, AZ 85712. I have lived here for two and a half years.
2. I immigrated from <sup>Nepal</sup>~~Pakistan~~ in 2008. I became a United States Citizen in 2013. This is the first U.S. election I have ever voted in. I consider voting to be a right and a privilege that should be protected.
3. On election day, at 10:30 a.m. I went to vote at Martha Cooper Branch Library at 1377 N Catalina Avenue, Tucson, AZ 85712.
4. When I tried to sign in, the poll workers told me that they didn't have my name on the voter registration list. I provided my driver's license as my proof of identity.
5. No poll worker or other person informed me that I needed to go to a different polling location nor did they make any effort to direct me to the proper polling location.
6. The poll workers told me that I would have to vote a provisional ballot. I voted with the provisional ballot. They did not inform me that my ballot might not or would not be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I was located at a wrong polling location.
6. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 15th day of November, 2014



Signature

Sita M Adhikari  
Printed Name

DECLARATION OF BARBARA A. ANASTOS

I, BARBARA A. ANASTOS, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because WRONG POLLING LOCATION. I WAS NOT INFORMED.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 1953 W. VIA NUEVO LEON, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about \_\_\_\_\_.
- My date of birth is 12.14.1949. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 12 day of NOV, 2014

Barbara A. Anastos  
Signature

BARBARA A. ANASTOS  
Printed Name



DECLARATION OF Melissa Armendariz

Melissa Armendariz hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 5317N. Flint, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about n/a.

My date of birth is 10/31/73. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 19 day of 11, 2014

Melissa Armendariz  
Signature

Melissa Armendariz  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

Same polling location 2 years ago  
I was unaware of where to vote  
I went to the same polling location in 2012.  
They did not direct me to my current polling  
location. They offered no guidance or assistance  
or direction to my proper polling location.

DECLARATION OF Arthur Aschenbrenner

I, Arthur, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I voted at the wrong Polling Location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 2940 E. Placita Posada Real, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 11-3-1986.

My date of birth is 9-12-24. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 12 day of Nov, 2014

Arthur Aschenbrenner  
Signature

Arthur Aschenbrenner  
Printed Name

DECLARATION OF KAYE ASCHENBRENNER

I, KAYE, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I Voted at the Wrong Location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2940 E. PLACITA ROSADA REAL which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 3-3-1986.
- My date of birth is 12-14-24. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 12 day of Nov, 2014

Kaye Aschenbrenner  
Signature

KAYE ASCHENBRENNER  
Printed Name

DECLARATION OF Linda Barnett

I, Linda Barnett, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because wrong polling location.
- 3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 115 A St, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 1991.
- My date of birth is 05/15/1952. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 11 day of Nov, 2014

Linda Barnett  
Signature

Linda Barnett  
Printed Name

DECLARATION OF \_\_\_\_\_

I, Anita M Brewer, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 5470 N Palo Verde Vista Place, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 5-4-1987.

My date of birth is 4-10-1957. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this 10 day of Nov, 2014

Anita M Brewer

Signature

Anita M Brewer

Printed Name

DECLARATION OF WILLIAM W BRICK

William W Brick hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because WRONG POLL PLACE.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 1441 W. HIDDEN OAKS CT which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 3/26/13.

My date of birth is 6/7/50. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_, 2014

William W Brick  
Signature

WILLIAM W. BRICK  
Printed Name

DECLARATION OF Carmen Cruz

I, Carmen Cruz, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of wrong polling location.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2550 E. Lind Rd, Apt 15 which is the address I listed on my provisional ballot. TUCSON, AZ 85716
- I was registered to vote on election day. I registered on or about 08/13/1976.
- My date of birth is 01/27/1933 If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 12 day of 11, 2014

Carmen Cruz  
Signature

Carmen Cruz  
Printed Name

DECLARATION OF RALPH G. DeVogean

I, RALPH, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong address.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 9225 E. TAMBUVE VERDE RD., which is the address I listed on my provisional ballot. TUCSON AZ. 85749 APT 9102

I was registered to vote on election day. I registered on or about 3-16-1980.

My date of birth is 6-21-66. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this 13 day of 11, 2014

  
Signature

RALPH G. DeVogean  
Printed Name



DECLARATION OF Jessica Diaz

I, Jessica Diaz, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 3234 East Bellerue St. Unit 3103 which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 8/27/2002.
- My date of birth is 5/6/1983. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 18 day of 11, 2014

Jessica Y. Diaz  
Signature  
Jessica Diaz  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

I voted at the place I have voted before and  
no one told me, I was at the wrong place,  
but they did have me fill out provisional ballot.

DECLARATION OF Hunter Dolgner

I, Hunter Dolgner, hereby declare under penalty of perjury as follows:

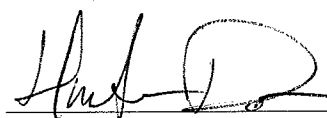
1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 5066 E. Julia St., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 3/25/14.
- My date of birth is 3/9/96. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 10 day of Nov., 2014

  
Signature  
Hunter Dolgner  
Printed Name

DECLARATION OF LENA KRISTINE DOUGLAS

I, LENA K. DOUGLAS, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I VOTED AT WRONG PRECINCT (POLLING PLACE)
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 8723 E PERRY PARK CIRCLE, which is the address I listed on my provisional ballot. TUCSON, AZ 85730
- I was registered to vote on election day. I registered on or about JANUARY 1985.
- My date of birth is 01-29-67. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 15 day of Nov, 2014

Lena K. Douglas  
Signature  
LENA K. DOUGLAS  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

I went to my normal Polling Place that I have voted at for countless years, when I was asked for my picture ID, the woman at the table told me my address doesn't match what they have and that I would have to go to a different table to fill out paperwork so I could vote. When I went to the table I filled out paperwork they handed me a ballot I then voted to the ballot back I was instructed to put it in a yellow envelope seal it and drop it in the voting box. I did that and I received a receipt and a "I voted" sticker and they told me thank you for voting

10 days after the election go online to [www.rps.com](http://www.rps.com) or call the pre-printed toll free and enter the  
pre-printed receipt number to find out whether or not your ballot was counted. If you do not have access to a  
computer, you may call (201) 724-4330 or 1-800-775-7462 ext. 4330. You will need to provide the pre-printed receipt number  
to be given your information.

10 días después de la elección vaya en línea a [www.rps.com](http://www.rps.com) o llame al número de teléfono gratuito y  
ingrese el número impreso en la parte superior para determinar si su voto fue contado. Si usted no tiene acceso a  
una computadora, puede llamar al (201) 724-4330 o 1-800-775-7462 ext. 4330. Tendrá que proporcionar el número impreso  
de este recibo para obtener su información.

▶▶▶▶ SEPARATE THIS NUMBERED RECEIPT AND GIVE IT TO THE VOTER ◀◀◀◀

DECLARATION OF Alejandra Garcia

I, Alejandra Garcia hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 3427 E. Blackledge Dr #10 which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 1999.
- My date of birth is 3/10/1981. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 10 day of Nov, 2014

Alejandra Garcia  
Signature

Alejandra Garcia  
Printed Name

DECLARATION OF FRANCISCO GARCIA

I, FRANCISCO GARCIA, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because WRONG POLLING LOCATION.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 3427 E. BLACK LIDGE DR. #10, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 2012.
- My date of birth is 2-18-1980. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

\_\_\_\_\_

Dated this 10 day of 11, 2014

  
Signature

FRANCISCO GARCIA  
Printed Name

DECLARATION OF Pamela T. Glantz

I, Pam Glantz, hereby declare under penalty of perjury as follows:

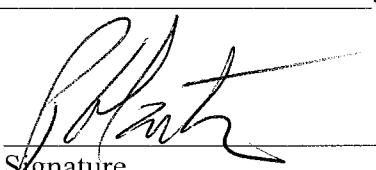
1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of incorrect polling location

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at PO Box 14274, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 2/4/2008.
- My date of birth is 8-27-57. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 12 day of Nov, 2014

  
 Signature  
Pam Glantz  
 Printed Name

DECLARATION OF Walterio Gonzalez

I, Walterio Gonzalez, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because I voted in the wrong polling place.
- 3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 843 E. 7th St, Douglas, AZ which is the address I listed on my provisional ballot. 85607
- I was registered to vote on election day. I registered on or about 03/12/2013.
- My date of birth is 11/26/1948. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 11 day of 11, 2014

[Signature]  
 Signature  
Walterio Gonzalez  
 Printed Name



DECLARATION OF Erica Renee Hamilton

I, Erica R Hamilton, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because Not Stated.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 17285 S Mesa Shadows Dr, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 2009.
- My date of birth is 05/16/1984. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 11 day of NOV, 2014

  
Signature

Erica Hamilton  
Printed Name

Irma Quintero  
**DECLARATION OF Irma Quintero**  
I, Irma Quintero, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.  
2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because wrong poll location.

3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 5017 E. Gido Cir Sierra V, AZ, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 12-4-09.

My date of birth is 9-3-65. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this Nov day of 10, 2014

Irma Quintero  
Signature  
Irma Quintero  
Printed Name

DECLARATION OF \_\_\_\_\_


I, Barnes Jannuzi hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because Wrong Location of voting.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2117 E 9th Street, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 2/1/2013.
- My date of birth is 11/10/94. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 12 day of Nov, 2014

  
Signature

Barnes Jannuzi  
Printed Name

DECLARATION OF Thomas Owen Fernigan

I, Thomas Owen Fernigan, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because my ID address did not match my registered address
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 10500 E. Tanque Verde Rd, Tucson AZ, 85749, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10/16/2014.
- My date of birth is 11/26/1983. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 12 day of Nov., 2014

Signature

Thomas Owen Fernigan  
Printed Name

DECLARATION OF \_\_\_\_\_

I, Nick Jones, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because went to wrong polling place.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 5805 E. North Wilshire, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about service AZORONQ, gov.

My date of birth is 12/8/48. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

I was very disappointed at Columbus polling place. People did not know what they were doing.

Dated this 13<sup>th</sup> day of November 2014

Nick Jones  
Signature

Nick Jones  
Printed Name

cell

975-2141

DECLARATION OF \_\_\_\_\_

I, Dustin Kreher, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because Wrong Polling Location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at \_\_\_\_\_, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 3/8/2011.

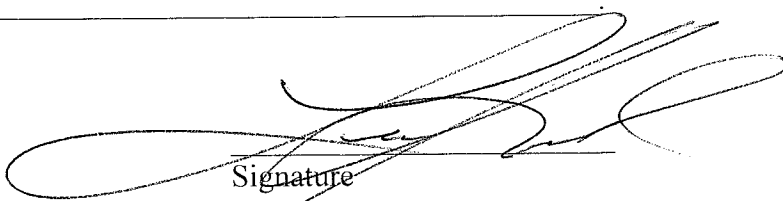
My date of birth is 11/04/1985. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_  
\_\_\_\_\_

Dated this 10 day of 11, 2014



Signature

D. Kreher

Printed Name

DECLARATION OF George Lockett

I, George Lockett, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because Wrong Polling Location.
3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 2031 E Cristina Ave, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about 05/30/1992.

My date of birth is 01/23/1950. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014

George E Lockett  
Signature

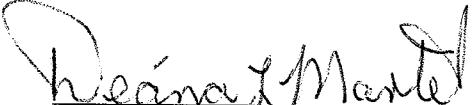
\_\_\_\_\_  
Printed Name

## DECLARATION OF DEANA L. MARTEL

I, Deana L. Martel, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on April 15, 1958. I have been a registered voter in Arizona since July 9, 2004. I currently reside at 160 N Pantano Rd #1105, Tucson, AZ 85710.
2. I received an early ballot in the mail that I did not send in, and I decided to go to the polling place to go vote. On Election Day, I went to Fellowship Square to vote, which is where I have voted for at least four years. I discovered that this polling location was not open.
3. I called my mother and told her this. She told me to go vote at the Glad Tidings Assembly of God church on North Kolb Road. When I arrived at the polling location, I was directed by the poll workers to fill out a provisional ballot.
4. The poll worker did not direct me to another polling location. I was never told that my vote might not be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I voted at the wrong polling location.
6. I want my vote to count because my voice should be heard.

Dated this 22nd day of November, 2014



Signature

Deana L. Martel

Printed Name



DECLARATION OF Cameron McAllister

I, Cameron McAllister, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 518 E. Roger Rd., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10/4/2010.
- My date of birth is May 26th 1991. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 18 day of Nov, 2014

Cameron McAllister  
Signature

Cameron McAllister  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

Went to polling place that I've always gone to.  
Gave me the pink provisional ballot and I thought my  
vote was going to count.

DECLARATION OF Denise Michaels

I, Denise Michaels, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because incorrect polling place.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 4302 E Fairmount #17, which is the address I listed on my provisional ballot.

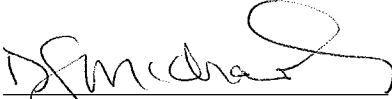
I was registered to vote on election day. I registered on or about 7/27/1988.

My date of birth is 04/17/1963. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
This has been my polling place for years & I was not re-directed.

Dated this 10 day of NOV, 2014

  
Signature

Denise J Michaels  
Printed Name

## DECLARATION OF MICHAEL J. MODESITT

I, Michael J. Modesitt, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen and I was born on December 9<sup>th</sup>, 1950. I have been a registered voter in Arizona since March 15<sup>th</sup>, 1972. My current residence address is 1055 West King Street, Tucson, AZ 85705.
2. I have gone to the same polling location, Flowing Wells Baptist Church, for the past 10 years. I ordered an early ballot, but I was away from Arizona when it was sent to me. I had all of my mail forwarded to the out of state address where I was staying, but since early ballots are not allowed to be forwarded, I never received it. I assume it was sent back to the Recorder's office, but I was never informed.
3. On Election Day, I went to Flowing Wells Baptist Church to vote. The poll worker informed me that they didn't have my name in their records. I told them that I believe I requested an early ballot but never received it. They then instructed me to fill out a provisional ballot.
4. They poll worker never mentioned that there was a chance that my vote might not be counted.
5. I now understand that my provisional ballot was disqualified and *not* counted by the Pima County Recorder's Office because I requested an early ballot and was not able to bring it with me when I went to vote at my polling place.
6. This was an important election and I did everything I thought was necessary in order to properly cast my ballot.

Dated this 17th day of November, 2014

  
Signature


Michael J. Modesitt  
Printed Name


## DECLARATION OF Olga E Morris

I, Olga E Morris, hereby declare under penalty of perjury as follows:

1. I am a United States Citizen. I was born on November 7, 1932. I have been a registered voter in Arizona since September 5, 2006. My current residence address is 2372 S. Orchard View Drive, Green Valley, AZ 85614.
2. Every year, I get my ballot in the mail. This year, I did not receive my ballot in the mail.
3. On election day, I was having my car serviced at the Shell Gas Station across the street from the Social Center on Abravo. While I was having my car serviced, I walked across the street to the Social Center to vote.
4. I got to the front of the line and showed the worker my voter ID card. They told me I was in the wrong line and that I needed to go to a different line. I went and stood in that line. I spoke to a poll worker. He gave me a provisional ballot. I sat at a desk and completed it. I handed it to him and he put it in a box.
5. Next, the poll worker handed me a form so that I would get my ballot in the mail next year. I completed the form and returned it to him. He handed me an 'I Voted' sticker and I left.
6. I was not given a receipt for my provisional ballot. I was not informed that my ballot would not be counted.
7. I believe my ballot should be counted and I do not understand why it was not counted.
8. Attached is a PDF of my voter ID card.

Dated this 17th day of November, 2014

  
Signature

Olga E Morris   
Printed Name

VOTER NOTIFICATION  
PIMA COUNTY ARIZONA

F. ANN RODRIGUEZ, RECORDER 740-4330

PCT

372

I.D. NUMBER

1924484

PARTY

PND

DATE REGISTERED

9/5/2008

OLGA E MORRIS  
2372 S ORCHARD VIEW DR  
GREEN VALLEY AZ 85614

REGISTRATION

08

REGISTRATION

30

REGISTRATION

04

REGISTRATION

39

DECLARATION OF Ellen Nagella

I, Ellen Nagella hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2630 E. 8th Street, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 3/26/2008.
- My date of birth is 4/3/73. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 12 day of 11, 2014

Ellen Nagella  
Signature

Ellen Nagella  
Printed Name

DECLARATION OF Jesse Roy Patterson

I, Jesse, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I didnt mail in my ballot and voted in closest polling place.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 4804 E. Hawthorne st., which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about April 2 1993.

My date of birth is 1/23/75. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

\_\_\_\_\_

Dated this 11 day of 11, 2014

Jesse Patterson  
Signature

Jesse Patterson  
Printed Name


DECLARATION OF PETER A. PETROWSKI

I, PETER A. PETROWSKI, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because WRONG POLLING PLACE!
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 4832 E HOWTHORN, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about FEB 19 1971.
- My date of birth is JUNE 27 50. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 10 day of Nov., 2014

  
Signature

PETER A. PETROWSKI  
Printed Name



DECLARATION OF Scott Rice

I, Scott Rice, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because drivers license address did not match VR address.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 7842 FLEET ST TULSON AZ 85715, which is the address I listed on my provisional ballot. SR

I was registered to vote on election day. I registered on or about MAY 7, 1997.

My date of birth is 12/23/78. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

I HAVE ALWAYS VOTED AT THE CHALK ON SPEEDWAY 3 GRADY WITH NO PROBLEMS AS I HAVE BEEN ON THE LIST AT THAT LOCATION.

Dated this 12 day of NOVEMBER 2014

Scott Rice  
Signature

SCOTT RICE  
Printed Name

DECLARATION OF Susan Amber Ruiz

I Susan Amber Ruiz hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because Wrong Poll Location.
3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 150 W Flint St, Benson AZ, which is the address I listed on my provisional ballot.


I was registered to vote on election day. I registered on or about 01/26/2005.

My date of birth is 10/28/1986. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:

Dated this 10<sup>th</sup> day of Nov, 2014

  
Signature

Susan Ruiz  
Printed Name

DECLARATION OF Cassandra

I, Cassandra, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 1007 E Hearick Dr., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about ~~8/20/2011~~ 7/20/2011
- My date of birth is 10/29/1992. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 14 day of Nov., 2014

C Salas  
Signature

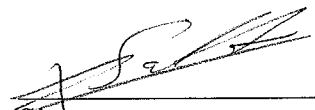
Cassandra Salas  
Printed Name

DECLARATION OF Ricardo Saludo

I, Ricardo Saludo hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:
  - I signed the provisional ballot that I cast.
  - I reside at 6742 N. Placita Pichito Linda, which is the address I listed on my provisional ballot.
  - I was registered to vote on election day. I registered on or about 6/28/13.
  - My date of birth is 01/05/1995. If any other date was listed on my provisional ballot, it was due to a mistake.
  - I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
  - OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 13 day of Nov, 2014

  
\_\_\_\_\_  
Signature

Ricardo Saludo  
Printed Name

DECLARATION OF Matthew Schmit

I, Matthew, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.

2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because I did not use my early ballot.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 5708 E 6<sup>th</sup> St. Tucson AZ 85711, which is the address I listed on my provisional ballot.

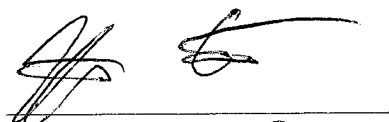
I was registered to vote on election day. I registered on or about 03/19/2010.

My date of birth is 1/26/1991. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER: Went to wrong polling place, poll workers directed me to fill out a form there to allow it to count.

Dated this 11 day of 11, 2014



Signature

Matthew Schmit

Printed Name

DECLARATION OF Catherine Schuttejann

I, Catherine Schuttejann hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.  
2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because wrong polling place.

3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

I signed the provisional ballot that I cast.

I reside at 5176 S. Happy Trail, which is the address I listed on my provisional ballot.

I was registered to vote on election day. I registered on or about June 2, 2006.

My date of birth is 10-01-67. If any other date was listed on my provisional ballot, it was due to a mistake.

I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 11<sup>th</sup> day of Nov, 2014

Catherine Schuttejann  
Signature

Catherine Schuttejann  
Printed Name

DECLARATION OF Ilana Shapiro

I, Ilana Shapiro, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because voted at wrong location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:
  - I signed the provisional ballot that I cast.
  - I reside at 4450 E Lester St., which is the address I listed on my provisional ballot.
  - I was registered to vote on election day. I registered on or about 6/22/05.
  - My date of birth is 6/3/68. If any other date was listed on my provisional ballot, it was due to a mistake.
  - I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
  - OTHER:

Dated this 12 day of Nov, 2014

Ilana Shapiro  
Signature

Ilana Shapiro  
Printed Name

DECLARATION OF Sergio Velazquez

I, Sergio Velazquez hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because my address was incorrect.
- 3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 5026 E. 28th Street, which is the address I listed on my provisional ballot. 85711
- ~~I was registered~~ Did not register to vote on election day. I registered on or about \_\_\_\_\_
- My date of birth is July 21, 1989. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014

Sergio Velazquez  
Signature

Sergio Velazquez  
Printed Name



DECLARATION OF Erma Jean Wells

I, Erma Jean Wells hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of an unspecified reason.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2001 W Rodesill Rd, which is the address I listed on my provisional ballot. Apt. 1002
- I was registered to vote on election day. I registered on or about 7/22/1984.
- My date of birth is \_\_\_\_\_. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.

OTHER:  
I received an early ballot but didn't turn it in.

Dated this 10 day of Nov, 2014

Erma Jean Wells  
Signature

ERMA JEAN WELLS  
Printed Name

DECLARATION OF Christopher Wharam

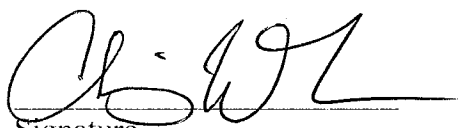
I, Christopher Wharam hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because wrong Polling location.

3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 9841 E. Sabrena Lane, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about May 11<sup>th</sup> 2013.
- My date of birth is 4/24/82. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 11 day of Nov, 2014

  
Signature

Christopher Wharam  
Printed Name

DECLARATION OF Mark Riley Wilson

I, Mark, hereby declare under penalty of perjury as follows:

- 1. I voted a provisional ballot during the general election on November 4, 2014.
- 2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because wrong polling location
- 3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 716205 Av., which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 09-12-80.
- My date of birth is 8/9/52. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 16 day of Nov, 2014

Mark Wilson  
Signature

Mark Wilson  
Printed Name

LEGAL124090782.1

Please Tell Us What Happened

Polling location closed after 3A hours

This is not OLP Bisbee  
I wasn't informed poll location changed

DECLARATION OF Hallie Wine

I, Hallie Wine, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Pima County Recorder's Officer because of voting at the wrong polling location.
3. Despite the determination made by the Pima County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 1937 E. 8th St. 85719, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about \_\_\_\_\_.
- My date of birth is 02/10/1994. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:  
\_\_\_\_\_  
\_\_\_\_\_

Dated this 10 day of Nov., 2014

  
\_\_\_\_\_  
Signature

Hallie Wine  
\_\_\_\_\_  
Printed Name

DECLARATION OF Susan B. Wingler

I, Susan B. Wingler, hereby declare under penalty of perjury as follows:

1. I voted a provisional ballot during the general election on November 4, 2014.
2. I have been informed that my provisional ballot was disqualified by the Cochise County Recorder's Officer because Wrong Poll Location.
3. Despite the determination made by the Cochise County Recorder's Office, my ballot should be counted because:

- I signed the provisional ballot that I cast.
- I reside at 2316 Valley Sage Street, which is the address I listed on my provisional ballot.
- I was registered to vote on election day. I registered on or about 10/20/2011.
- My date of birth is 4/4/1960. If any other date was listed on my provisional ballot, it was due to a mistake.
- I was not informed that I had voted in the incorrect polling place, and the poll workers made no effort to direct me toward the proper polling place.
- OTHER:

Dated this 10 day of Nov, 2014

[Signature]  
Signature

Susan B. Wingler  
Printed Name

1 Daniel C. Barr (Bar No. 010149)  
PERKINS COIE LLP  
2 2901 North Central Avenue, Suite 2000  
Phoenix, Arizona 85012-2788  
3 Telephone: 602.351.8000  
Facsimile: 602.648.7000  
4 Email: DBarr@perkinscoie.com

5 Kevin J. Hamilton (WSBA No. 15648)  
*Pro Hac Vice Application To Be Filed*  
6 PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
7 Seattle, WA 98101-3099  
Telephone: 206.359.8000  
8 Facsimile: 206.359.9000  
Email: KHamilton@perkinscoie.com

9  
10 *Attorneys for Plaintiffs Ron Barber for*  
*Congress, Lea Goodwine-Cesarec, Laura*  
*Alessandra Breckenridge, Josh Adam Cohen.*  
11

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF ARIZONA

14 Ron Barber for Congress; Lea Goodwine-  
15 Cesarec, Laura Alessandra Breckenridge,  
16 Josh Adam Cohen,

17 Plaintiffs,

18 v.

19 Ken Bennett, in his official capacity as  
20 Secretary of State of the State of Arizona; the  
21 Pima County Board of Supervisors, a body  
22 politic; and the Cochise County Board of  
Supervisors, a body politic.

23 Defendants.

No.

**DECLARATION OF KURT  
BAGLEY IN SUPPORT OF  
PLAINTIFFS' APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

24  
25 KURT BAGLEY states and declares as follows:  
26  
27  
28

1           1.       I am the Field Director for the Arizona Democratic Party ("the Party") for  
2 Congressional District 2. I am over the age of 18 and have knowledge of the facts stated  
3 in this declaration. The following statements are based on my personal knowledge.

4           2.       The county recorder of every county in the state of Arizona, including the  
5 Pima County and Cochise County recorders, makes records available to political parties,  
6 candidates, and the public regarding voters' registration and voting histories. These are  
7 public records.

8           3.       The Party collects and stores these records of voters' registration and voting  
9 histories and, like most political parties, utilizes them for the purposes of organizing  
10 political campaigns, get out the vote efforts, and similar activities. As part of my duties  
11 for the Party, I regularly access these records.

12          4.       On November 23, 2014, on behalf of the Party, I extracted records from the  
13 Party's files regarding voter registration history for voters in Pima and Cochise County  
14 whose ballots have not yet been counted and that are the subject of the pending  
15 application for a temporary restraining order and motion for a preliminary injunction. I  
16 reviewed and printed all of these records to confirm that each of the individuals who are  
17 the subject of this motion are properly registered Arizona voters who were entitled to vote  
18 in the November 2014 General Election. Attached as Exhibit A is a true and correct copy  
19 of those registration records.

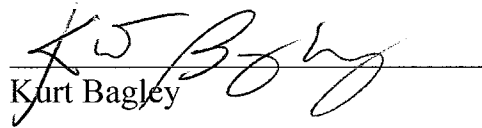
20          5.       In addition, to confirm that several of these voters who had moved in fact  
21 voted in the wrong polling location (but were not directed to the correct polling location  
22 by the poll workers), I have attached as Exhibit B the list of rejected provisional ballots  
23 that was provided to the Rob Barber for Congress campaign by F. Ann Rodriguez in  
24 response to our public records request. The voters with a new address are denoted with an  
25 entry in the "new address" column.

26          6.       In the course of my duties for the Party, I had a series of discussions with  
27 Pima County Recorder F. Ann Rodriguez. Specifically, I discussed the Recorder's  
28 deadline for permitting voters to validate early ballots for which the Recorder had

1 determined the signature did not match the signature on file. On Monday, November 10,  
2 2014, Ms. Rodriguez told me that the deadline was the previous evening, Sunday,  
3 November 9, 2014, upon the closing of the Recorder's office.

4 I declare under penalty of perjury under the laws of the State of Arizona that the  
5 foregoing is true and correct to the best of my knowledge and belief.

6 Signed this 23rd day of November, 2014, at Tucson, Arizona  
7

8   
9 Kurt Bagley

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**CERTIFICATE OF SERVICE**

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I hereby certify that on November 24, 2014, I electronically transmitted the attached documents to the Clerk’s Office using the CM/ECF System for filing.

I hereby certify that, I will serve the attached document once a Judge is assigned to the matter, United States District Court of Arizona, 405 West Congress Street, Tucson, Arizona 85701.

s/ S. Neilson

## Index of Exhibits to the Declaration of Kurt Bagley

Exhibit A: Arizona Voter Registration for November 2014 General Election

Exhibit B: List of Rejected Provisional Ballots Provided by F. Ann Rodriguez

# **EXHIBIT A**

### Voter Registration Data

County ID	County	FirstName	MiddleName	LastName	REG
2170691	Pima	Sita	Maya	Adhikari	Registered
1584623	Pima	Grace	Vivian	Agbolosoo	Registered
1960119	Pima	Barbara	Ann	Anastos	Registered
2203068	Pima	Judy	Ione	Archer	Registered
957928	Pima	Melissa	Renee	Armendariz	Registered
766240	Pima	Kaye	N	Aschenbrenner	Registered
766836	Pima	Arthur	C	Aschenbrenner	Registered
2104755	Pima	Lynette	Marie	Barley	Registered
200060095	Cochise	Linda	J	Barnett	Registered
1979101	Pima	Christina	Christina	Baron	Registered
820475	Pima	Kay	Woodruff	Bigglestone	Registered
2147577	Pima	Daniel	Alexander	Bitter	Registered
2165020	Pima	Lauren	Alessandra	Breckenridge	Registered
2199444	Pima	Anita	Morgan	Brewer	Registered
2166159	Pima	William	Walter	Bricks	Registered
200088477	Cochise	Philip	J	Brown	Registered
0649549	Pima	Steven	Eugene	Case	Registered
1059962	Pima	Bryan	Edward	Castle	Registered
2173600	Pima	David	Joseph	Celaya	Registered
1650620	Pima	Rukhsana	Shahbaz	Choudhary	Registered
1982845	Pima	Josh	Adam	Cohen	Registered
0281113	Pima	Carmen	Cisneros	Cruz	Registered
200031319	Cochise	Mary	A	Cuellar	Registered
0391091	Pima	Ralph	Gregory	De Nogean	Registered
1769834	Pima	Jessica	Yvonne	Diaz	Registered
2190243	Pima	Hunter		Dolgnor	Registered
0765750	Pima	Kelly	Stephen	Doty	Registered
0735910	Pima	Lena	Kristine	Douglas	Registered
2098093	Pima	Samantha	Jeanne	Doyle	Registered
1972410	Pima	Elliot	John	Dumont	Registered
1964848	Pima	Michelle	Michelle	Escalante	Registered
1854116	Pima	Kevin	Nathan	Fink	Registered
1581864	Pima	Raymond	Scott	Fisher	Registered
2134885	Pima	Carlos	L	Gallegos	Registered
200124389	Cochise	Guillermo		Gamez	Registered
1687207	Pima	Alejandra	Maria	Garcia	Registered
1939106	Pima	Francisco	Javier	Garcia	Registered
2110561	Pima	Devin	Michael	Gardner	Registered
2190291	Pima	Ryan	James	Garn	Registered
0418874	Pima	James	Thomas	Gentry	Registered
0808973	Pima	Ari	Lev	Ginsburg	Registered
1977134	Pima	Pamela	T	Glantz	Registered
2008501	Pima	Rene	Alejandro	Gonzalez	Registered
200116759	Cochise	Walterio		Gonzalez	Registered
0937820	Pima	Lea	Lea	Goodwine-Cesare	Registered
652745	Pima	Anne	Elizabeth	Gray	Registered
1805184	Pima	Hilda	Caroline	Grings	Registered
700040	Pima	Donna	Jay	Guy	Registered
2035333	Pima	Erica	R	Hamilton	Registered
2089761	Pima	Tyler	Young	Hansen	Registered
200123666	Cochise	Rita	D	Hernandez	Registered
200096191	Cochise	Irma	H	Hernandez De Qui	Registered
2171626	Pima	Richard	Lee	Holdcroft	Registered

1875740	Pima	Jordan	Reine	Hunter	Registered
2208870	Pima	Michio	Michio	Igarashi	Registered
2163753	Pima	Barnes	Gallagher Low	Jannuzi	Registered
1774167	Pima	Thomas	Owen	Jernigan	Registered
2021688	Pima	Nicholas	Nicholas	Jones	Registered
2096470	Pima	Dustin	Levi	Kreher	Registered
200061096	Cochise	George	E	Lockett	Registered
2148319	Pima	Salvador	Salvador	Lopez Alonso	Registered
1962707	Pima	Allan	Olsen	MacKenzie	Registered
200113564	Cochise	Barbara	Jean	Mahon	Registered
2178472	Pima	Walter	Franklin	Mangum	Registered
1836191	Pima	Deana	Leigh	Martel	Registered
1075182	Pima	Jessica	Erin	Mattix	Registered
2085185	Pima	Cameron	David	McAllister	Registered
2196402	Pima	Jeremiah	Joseph	McCarthy	Registered
2154208	Pima	Matthew	Ryan	McCray	Registered
0190011	Pima	Margaret	A	McDonald	Registered
1977347	Pima	Mark	Kendall	McDowell	Registered
0867436	Pima	Rana	Rana	McGoldrick	Registered
2182701	Pima	Deanna	C	Meek	Registered
0871214	Pima	Denise	Joanne	Michaels	Registered
1106370	Pima	Ryan	Andrew	Mihalyi	Registered
1970726	Pima	Nicholas	Robert Pedagn	Miller	Registered
1924350	Pima	Jonathan	Michael	Mitchell	Registered
0036084	Pima	Michael	James	Modesitt	Registered
2174599	Pima	Joshua	David	Morand	Registered
1924484	Pima	Olga	E	Morris	Registered
2174625	Pima	Ellen	F	Nagella	Registered
1014992	Pima	Thelma	Thelma	Nathanson	Registered
0948090	Pima	Jeffrey	Harrell	Newton	Registered
1870121	Pima	Maria	S	Ozuna	Registered
0719700	Pima	Roma	Roma	Page	Registered
2055491	Pima	Suzanne	Elizabeth	Pasch	Registered
1026251	Pima	Jesse	Roy	Patterson	Registered
0066603	Pima	Peter	Allen	Petrowski	Registered
0395933	Pima	Alfred	Joseph	Polito	Registered
0395934	Pima	Deborah	L	Polito	Registered
1824621	Pima	Ronald	Ronald	Rabago	Registered
0636937	Pima	Michelle	Marguerite	Rankin	Registered
1643832	Pima	Scott	F	Rice	Registered
0672946	Pima	Richard	M	Rodriguez	Registered
0120542	Pima	Mary	Catherine	Romer	Registered
0399149	Pima	Richard	Michael	Ross	Registered
200041177	Cochise	Susan		Ruiz	Registered
2142586	Pima	David	John	Sadorf	Registered
2105253	Pima	Cassandra	Denee	Salas	Registered
2171928	Pima	Ricardo	Alberto	Salcido Elias	Registered
200056015	Cochise	Frank	B	Santa Maria	Registered
0865338	Pima	Rachel	H	Sattinger	Registered
1861819	Pima	Daniel	Jon	Schippers	Registered
2061997	Pima	Matthew	Boleslaw	Schmit	Registered
2035359	Pima	Patricia	Jane	Schopfer	Registered
200111464	Cochise	Catherine	Yvonne	Schultejann	Registered
1906282	Pima	Andrew	Leslie	Shadle	Registered
0981528	Pima	Ilana	Ilana	Shapiro	Registered

1367902 Pima	Jack	David	Silver	Registered
1730856 Pima	Scott	Lowell	Sind	Registered
2097061 Pima	Susan	Marjorie	Stillman	Registered
2090937 Pima	Wendy	Denise	Summers	Registered
2067597 Pima	Priscilla	Marie	Tineo	Registered
1774534 Pima	Micah	Louis	Tordsen	Registered
1726737 Pima	Elle	Grace	Troutman	Registered
0958895 Pima	Janet	Lee	Tumulty	Registered
0289302 Pima	Victor	Manuel	Vasquez	Registered
1955685 Pima	Sergio	Sergio	Velazquez	Registered
2130058 Pima	Sandra	Sandra	Vickery	Registered
2204008 Pima	Lekendra	Terrae	Washington	Registered
1026693 Pima	Julia	Imler	Waterfall-Kanter	Registered
0468789 Pima	Erma	Jean	Wells	Registered
200067651 Cochise	Sandra	June	Wendt	Registered
2202204 Pima	Kayla	Nicole	West	Registered
1718204 Pima	Christopher	Bryan	Wharam	Registered
200053160 Cochise	Mark	Riley	Wilson	Registered
2207708 Pima	Hallie	M	Wine	Registered
200107642 Cochise	Susan	Bevan	Wingler	Registered
1521427 Pima	Donna	Anne	Wittenmyer	Registered
1640546 Pima	Eric	James	Wittenmyer	Registered
2112619 Pima	Nicolette	Marie	Young	Registered
0404474 Pima	Heidi	Ann	Young Tarbet	Registered
1808417 Pima	Sebastian	Lauren	Zeltzer	Registered

# **EXHIBIT B**

Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Voter#	Last Name	First Name	Provisional VA	Registered	Residential I	Residential Zip Code	Residential PCT	Residential I VA	New Address	New VA	New PCT
101013107	VOTER NOT REGISTERED		BETTIS		166								
101040547	VOTED WRONG VOTING AREA	2018191	ACOSTA JR	DAGOBERTO	036	10/06/2008	2801 N ORACLE RD 1109	85705	036	036			
101012715	VOTER NOT REGISTERED		ADAMS		055								
101012623	VOTED WRONG VOTING AREA	2170691	ADHUKARI	SITA	093	06/02/2013	1232 N SWAN RD	85712	100	100			
100976462	REGISTRATION CANCELLED	2144358	AGONDA	REHEMA	072	09/17/2014	2344 N DESERT AVE	85712	072	072			
100995015	VOTER NOT REGISTERED		AGTE		126								
101001454	VOTED WRONG VOTING AREA	2085622	AGUILAR	REHONNA	156	10/04/2010	1352 W VIA CERRO	85629	168	168	2121 S PANTANO RD 85710	156	156
100986070	VOTED WRONG VOTING AREA	1661380	AGUILAR	CELIA	174	12/15/2006	1570 N RACHEL PL	85715	174	174	9855 E SPEEDWAY BL VD 85748	128	128
101026325	VOTER NOT REGISTERED		AKERS		241								
100978387	VOTED WRONG VOTING AREA	1163442	ALCAR	CLAUDIA	086	06/07/1996	3761 E MARCH PL	85713	086	086	1701 S VAN BUREN AVE 85711	113	113
100993135	VOTER NOT REGISTERED		ALONZO		067								
101024213	VOTED WRONG VOTING AREA	1772612	ALTAMIRANO	T J	187	09/16/2002	13360 W RUDASILL RD	85743	070	070			
100998215	REGISTRATION CANCELLED	2143483	ALTSHEYN	NNA	107	08/21/2012	6227 E FAIRMOUNT ST	85712	108	108			
101040518	VOTER NOT REGISTERED		ALVAREZ		036								
101027141	VOTED WRONG VOTING AREA	1960119	ANASTOS	BARBARA	074	09/20/2007	1935 W VIA NUEVO LEON	85622	205	205			
101041461	VOTED WRONG VOTING AREA	0751863	ANDERSON	DEBORAH	036	07/10/1986	3020 N BALBOA AVE 7	85705	036	036	920 N 6TH AVE 85705	044	044
100989533	REGISTRATION CANCELLED	0801541	ANDRINO	MARCO	146	01/29/1987	7521 E FAIRMOUNT PL	85715	174	174			
101027118	VOTED WRONG VOTING AREA	1786916	ANKUDA	GERALDINE	074	04/16/2003	2075 W CALLE GUATAMOTE	85622	205	205			
100989368	VOTED WRONG VOTING AREA	1701235	ARALATEGUI	CARLOS	146	04/28/2008	5369 W ROCKY PEAK RD	85735	233	233			
101013105	VOTED WRONG VOTING AREA	2203068	ARCHER	JUDY	166	08/12/2014	2565 N PARK AVE 4	85719	166	166	1517 N WILLMOT RD 85712	108	108
100997924	VOTED WRONG VOTING AREA	0957928	ARMENDARIZ	MELISSA	149	06/18/1991	5317 N FLINT AVE	85704	030	030			
100985572	VOTED WRONG VOTING AREA	1913855	ARNOLD	THOMAS	119	05/23/2006	257 S KOLB RD H	85710	119	119	2409 S KEVIN DR 85748	182	182
100998612	VOTED WRONG VOTING AREA	0766836	ASCHENBRENNER	ARTHUR	210	11/09/1986	2940 E PLACITA POSADA	85718	237	237			
100998613	VOTED WRONG VOTING AREA	0766240	ASCHENBRENNER	KAYE	210	03/03/1986	2940 E PLACITA POSADA	85718	237	237			
100942260	VOTED WRONG VOTING AREA	0499381	ASH	STEPHEN	063	02/12/1982	3244 E 2ND ST	85716	080	080			
101018278	VOTER NOT REGISTERED		AUGUSTINOVICH		088								
100979200	VOTER NOT REGISTERED		BAILEY		214								
100986500	REGISTERED AFTER CUTOFF DATE	2210382	BAKER	FREDERICK	165	11/02/2014	13510 E SINGING HILLS TRL	85637	165	165			
101024279	VOTED WRONG VOTING AREA	1910951	BALTA	LYNETTE	125	04/13/2006	13090 W VAQUEROS RD	85743	070	070	3401 N WINSLOW DR 85750	214	214
101022478	VOTED WRONG VOTING AREA	2066935	BALTA III	MICHAEL	125	05/19/2010	13090 W VAQUEROS RD	85743	070	070	3401 N WINSLOW DR 85750	214	214
100976160	VOTED WRONG VOTING AREA	2068810	BARJUN	ABUKAR	111	06/01/2010	4809 E 13TH ST	85711	189	189			
100986624	VOTED EARLY BALLOT	0963161	BARNARD	CHRIS	192	09/04/1991	8940 E ROSEWOOD ST	85710	192	192			
10097821	VOTED EARLY BALLOT	0930652	BARNARD	KRISTI	192	07/25/1990	9864 E PINYON PINE DR	85748	181	181			
101010893	PROVISIONAL NOT SIGNED	1979101	BARON	CHRISTINA	010	02/22/2008	341 E VIA TERRENAL	85614	010	010			
100990933	VOTED EARLY BALLOT	2066597	BECKRAFT	JANET	178	04/28/2010	9055 E CATALINA HWY 5102	85749	178	178			
500724101	NO IDENTIFICATION PROVIDED	2147344	BEGAYE-JOHNS	GERVANA	057	09/08/2012	1340 E ALLEN RD	85719	057	057			
101010663	VOTED WRONG VOTING AREA	1834288	BELLAH	DEEVANNA	100	06/25/2004	2352 W ARMADILLO ST	85713	144	144			
100942264	REGISTERED AFTER CUTOFF DATE	2209460	BENNETT	IYETTE	063	10/19/2014	235 N TUCSON BL VD	85716	063	063			
100986065	VOTED WRONG VOTING AREA	1669861	BERTOLOZZI	MELODY	174	09/16/1998	2188 N PANTANO RD 142	85715	009	009			
100998852	VOTER NOT REGISTERED		BEVERSLUIS		118								
1101E-09	VOTED WRONG VOTING AREA	0820475	BIGLESTONE	KAY	164	07/21/1987	4062 N STAR PARK PL	85716	164	164	3111 E 4TH ST 85716	080	080
500704800	NO IDENTIFICATION PROVIDED	2194033	BIRKHOLZ	KELSIE	036	05/28/2014	11047 W WILLOW FIELD DR	85653	006	006	2767 N CENTRE COURT DR 85705	036	036
101001456	VOTED EARLY BALLOT	2203561	BISHOP	GARRETT	156	08/25/2014	2121 S PANTANO RD 401	85710	156	156			
101013140	VOTED WRONG VOTING AREA	2147577	BITTER	DANIEL	166	09/10/2012	1827 E SPRING ST I	85719	166	166	4601 N VIA ENTRADA 85718	087	087
100998189	REGISTERED AFTER CUTOFF DATE	2208865	BLEVINS	ASHLEY	107	10/08/2014	6001 E PIMA ST 21	85712	107	107			
101015575	VOTED WRONG VOTING AREA	1702951	BONASERA	ERNEST	185	03/22/2000	9289 N HAMPSHIRE DR	85742	142	142	4735 W COUNTRYSIDE WAY 85742	079	079
500717541	VOTER NOT REGISTERED		BOONE		083								
101000175	REGISTERED AFTER CUTOFF DATE	2208872	BOWLAN	JOHN	034	10/08/2014	1201 W SMOOT PL	85705	034	034			
101024807	VOTED EARLY BALLOT	2005300	BRAWLSON	GISELA	209	06/02/2012	1720 N RIO MAYO	85614	209	209			
100990504	REGISTERED AFTER CUTOFF DATE	2209278	BRAUER	COLIN	103	10/12/2014	5344 E 2ND ST	85711	103	103			
100984410	VOTED WRONG VOTING AREA	0856268	BRAVIN	MICHAEL	130	04/11/1988	480 S STONER AVE	85748	181	181			
101027114	VOTED WRONG VOTING AREA	2166159	BRIKBS	WILLIAM	074	03/26/2013	1446 W HIDDEN CREST CT	85622	205	205			
101027119	VOTED WRONG VOTING AREA	1904777	BRIKBS	LESLIE	074	02/15/2006	1865 W CALLE CASAS	85622	205	205			
101027120	VOTED WRONG VOTING AREA	1912270	BRIKBS	MARVEL	074	05/09/2006	1865 W CALLE CASAS	85622	205	205			
10097811	VOTED WRONG VOTING AREA	2079828	BROWNE	CHRISTOPHE	192	08/27/2010	8821 E 7TH ST	85710	192	192	334 N MEDFORD DR 85710	116	116



Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Vote#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential Zip Code	Residential PCT	Residential 1 VA	New Address	New VA	New PCT
100983518	VOTER NOT REGISTERED	1703411	BRYCE	IDA	072	08/13/2011	9845 E 1ST ST	85748	180	180	1811 N CAMINO PIO DECIMO 85715	009	009
101003736	VOTED WRONG VOTING AREA	1687079	BURLEY	YVETTE	180	09/21/1999	7025 E HACIENDA REPOSO	85715	174	174		009	009
100986064	REGISTRATION CANCELLED	1809881	BYLER	CHARLES	199	02/02/2004	3055 N AVENIDA DEL	85749	199	199	5241 N STERLING HEIGHTS PL 85749	220	220
10095519	VOTED WRONG VOTING AREA	2208813	CADENHEAD	CHRISTOPHE	108	10/08/2014	5608 E 1ST ST	85711	108	108		088	088
101024773	REGISTERED AFTER CUTOFF DATE	1954594	CALLAHAN	NATALIE	166	07/04/2007	2732 N WARREN AVE	85719	166	166	1810 E BLACKLIDGE DR 85719	058	058
101013121	VOTED WRONG VOTING AREA	0927454	CAMPA	JESTUS	057	07/16/1990	734 E ROGER RD 104	85719	057	057	3700 N CAMPBELL AVE 85719	164	164
100976398	VOTED WRONG VOTING AREA	0927454	CAMPA	JESTUS	180								
500676250	VOTER NOT REGISTERED	CAMPBELL											
101018351	VOTED EARLY BALLOT	2059679	CARBONE	JAMES	239	02/23/2010	7200 E ROCKY RIDGE DR	85750	239	239			
100995027	VOTER NOT REGISTERED	CARTER											
101032259	VOTED WRONG VOTING AREA	0649549	CASE	STEVEN	219	04/17/1984	7141 N NORTHLIGHT DR	85741	219	219	4303 N ROMERO RD 85705	032	032
101024351	VOTED WRONG VOTING AREA	2100533	CAVANAGH	ALYSSA	116	05/12/2011	8350 E 3RD ST	85710	116	116	1901 N WILMOT RD 85712	107	107
101018858	VOTED WRONG VOTING AREA	1768582	CHEUNG	JOYCE	239	08/20/2002	4940 N VENTANA RIDGE PL	85750	239	239	6655 N CANYON CREST DR 85750	088	088
100980732	VOTED EARLY BALLOT	1922810	CHILD	TREVOR	086	08/22/2006	3634 E ELLINGTON PL	85713	086	086			
500714350	VOTED WRONG VOTING AREA	2140036	CLARK	DEBARA	068	08/05/2012	2230 E FORT LOWELL RD	85719	068	068	1806 S ROSEMONT AVE 85711	105	105
101013128	VOTED WRONG VOTING AREA	1835543	CLEMENT	KEVIN	166	07/01/2004	255 E JACINTO ST	85705	166	166	4399 E PIMA ST 85712	091	091
500727050	VOTED WRONG VOTING AREA	1110640	CLOUD	RODGER	154	05/04/1996	5519 W BELMONT RD	85743	035	035			
100988120	REGISTERED AFTER CUTOFF DATE	2209141	COAN	LOIS	112	10/15/2014	6279 E PLACITA CHIRIPA	85750	163	112			
100988121	REGISTERED AFTER CUTOFF DATE	2209142	COAN	WILLIAM	112	10/15/2014	6279 E PLACITA CHIRIPA	85750	163	112			
101024824	VOTED EARLY BALLOT	0765297	COBB	ELLA	209	10/21/1986	951 W RIO GUAYMAS	85614	209	209			
100991996	VOTER NOT REGISTERED	COBN											
101003711	VOTED WRONG VOTING AREA	1919011	COFKMAN	KIMBERLY	180	07/20/2006	9666 E VIA DEL SOL FELIZ	85748	180	180	9920 E CALDERA PL 85748	181	181
101013617	VOTED WRONG VOTING AREA	1982845	COHEN	JOSH	099	03/27/2008	3300 N PASO DE LOS RIOS	85112	099	099	5745 E BURNS ST 85711	108	108
101024826	VOTED WRONG VOTING AREA	2203528	COLEMAN	JOHN	209	08/22/2014	950 N OBSERVATION IRL	85614	141	141	1670 N VIA FRONDOSA 85614	209	209
101021826	VOTED WRONG VOTING AREA	0981027	COMEAU	COREY	090	05/05/1992	8646 E BROADWAY BLVD	85747	095	095			
100992605	REGISTRATION CANCELED	1868751	CONLEY	KRISTA	105	09/25/2004	6618 E BROADWAY BLVD	85710	117	117			
100979767	REGISTERED AFTER CUTOFF DATE	2209894	COONTS	MACKENZIE	117	10/07/2014	1131 W CALLE SAN	85629	147	147			
100983525	VOTED WRONG VOTING AREA	2168582	COOPER	SHENYSE	072	05/08/2013	3333 E WATER ST	85716	072	072	2287 W SILVERBELL OASIS WAY 85745	153	153
500723554	VOTED EARLY BALLOT	0533947	COPINS	DAVID	094	08/22/1979	250 N ARLANDA AVE 1003	85711	094	094			
100998212	VOTED WRONG VOTING AREA	2190801	COSTELLO	JAMES	107	09/13/2011	2716 N SARAMANO LN	85712	107	107	4169 N OCCOTILLO CANYON DR 85750	241	241
100995514	VOTED WRONG VOTING AREA	1737047	COSTELLO	DIANNA	199	10/02/2000	4368 N DRAKE PL	85749	199	199	1350 S CAMINO SECO 85710	183	183
100995518	VOTED WRONG VOTING AREA	2066689	COSTELLO	THOMAS	199	04/27/2010	4368 N DRAKE PL	85749	199	199	1350 S CAMINO SECO 85710	183	183
101002114	VOTED WRONG VOTING AREA	2064661	CRANDALL	MARIA	130	04/15/2010	1911 S TIMBERLINE AVE	85710	156	156	7110 E 17TH PL 85710	119	119
100985066	VOTED WRONG VOTING AREA	0281113	CRUZ	CARMEN	164	08/13/1976	2350 E LIND RD 15	85716	068	068			
100981331	VOTED WRONG VOTING AREA	2071087	CRUZ	IGNACIO	032	06/09/2010	4811 N POMONA RD B	85705	032	032	3802 N FLOWING WELLS RD 85705	034	034
101018854	VOTED EARLY BALLOT	0320351	CUNNINGHAM	JANNABEEN	229	04/11/1978	3519 N VIA PAVAVERO	85750	239	239			
100988899	VOTER NOT REGISTERED	CUTTS											
101020200	VOTER NOT REGISTERED	CUTTS											
100987309	VOTER NOT REGISTERED	DALTON											
101001204	VOTED EARLY BALLOT	1071532	DANIELS	PATRICK	069	03/22/1995	6921 E BAKER ST	85710	069	069			
101024390	VOTER NOT REGISTERED	DASSO											
100985270	VOTED WRONG VOTING AREA	0122583	DAVIS	ANDREA	108	08/14/2000	6612 E VILLA DORADO DR	85715	174	174	8722 E HONEYBEAR PL 85749	126	126
100993107	REGISTRATION CANCELED	1776723	DAVIS	CHRISTINE	149	09/23/2002	1810 E BLACKLIDGE DR 422	85719	058	058			
101026309	VOTED WRONG VOTING AREA	0391091	DE NOEGAN	RALPH	241	03/16/1980	3315 N PANTANO DR	85750	241	241	9225 E TANQUE VERDE RD 85749	178	178
101043517	REGISTERED AFTER CUTOFF DATE	2209688	DECARDENAS	VANESSA	073	10/22/2014	2200 N FORGEUS AVE	85716	073	073			
101017458	VOTER NOT REGISTERED	DECKER											
101017464	VOTER NOT REGISTERED	DECKER											
100993146	VOTER NOT REGISTERED	DEER WILSON											
500714552	VOTED WRONG VOTING AREA	2140054	IDENT-CLARK	TAVIN	068	08/05/2012	2230 E FORT LOWELL RD 220	85719	068	068	1806 S ROSEMONT AVE 85711	105	105
100983091	REGISTERED AFTER CUTOFF DATE	2209074	DERHEIM	DENNIS	207	10/14/2014	651 S LOS CORALES CIR	85614	207	207			
100993103	VOTED WRONG VOTING AREA	1769834	DI	JESSICA	067	08/27/2002	3250 E FORT LOWELL RD 413	85716	067	067	3234 E BELLEVUE ST 85716	075	075
101012612	VOTED WRONG VOTING AREA	0706818	DI	KEVIN	093	11/07/2008	4118 E HARLEY ST	85712	091	091			
101018451	VOTED WRONG VOTING AREA	0650029	DICHRISTOFANO	FRANK	029	11/27/2004	830 W GLACONDA WAY	85704	148	148	489 W DREAM WEAVER DR 85737	173	173
100979068	VOTED WRONG VOTING AREA	1757326	DIEDRICH	JAMES	237	06/09/2008	3750 E VIA PALOMITA 27102	85718	237	237	5228 E BERMUIDA ST 85712	099	099
100990299	PROVISIONAL NOT SIGNED	0371564	DIXON	JAMES	087	09/10/1979	4709 N MADDOX AVE	85704	230	087			

## Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Voter#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential Zip Code	Residential PCT	Residentia 1 VA	New Address	New VA	New PCT
500715400	NO IDENTIFICATION PROVIDED	0462312	DIXON	KATHRYN	087	09/15/1980	1550 E RIVER RD 8	85718	087	087			
101016075	VOTED WRONG VOTING AREA	2190243	DOLGNER	HUNTER	189	03/25/2014	5066 E JULIA ST	85711	189	189	1730 E 8TH ST 85719	062	062
100979073	VOTED WRONG VOTING AREA	0765750	DOTY	KEELY	237	10/23/1984	5561 N VIA ELENA	85718	237	237			
101015457	VOTED WRONG VOTING AREA	0735910	DOUGLAS	LENA	121	01/27/1986	8511 E MABEL PL	85715	121	121	8723 E PERRY PARK CIR 85730	132	132
100979226	REGISTRATION CANCELLED	1672894	DOXEY	KATHERINE	214	10/06/1998	7990 E SUNDYER RD 6202	85750	241	241			
101021906	VOTED EARLY BALLOT	0263571	DRAUBAUGH	WILLIAM	131	06/16/1976	661 N WESTERN RIDGE TRL	85748	131	131			
101012619	REGISTERED AFTER CUTOFF DATE	2209032	DROGERS	HANNAH	093	10/12/2014	4833 E 2ND ST	85711	093	093			
101019637	VOTED WRONG VOTING AREA	1972410	DUMONT	ELLIOT	099	01/10/2008	2802 N WOODLAND AVE	85712	099	099	2608 N NORTON AVE 85719	167	167
101024883	VOTER NOT REGISTERED		DURAN										
101018416	VOTER NOT REGISTERED		DWORSKY										
100936948	VOTER NOT REGISTERED		EDWARDS										
110990782	REGISTERED AFTER CUTOFF DATE	2208703	EGAN	JULIE	174	10/07/2014	7351 E SPEEDWAY BLVD 1F	85710	174	174			
100979801	WRONG JURISDICTION	2013253	ELLIOTT	AMIELIA	058	09/26/2008	1315 E HEDRICK DR	85719	058	058			
100979874	VOTER NOT REGISTERED		FABER										
101024588	REGISTRATION CANCELLED	1764268	FEEENEY	JOHN	109	07/13/2002	9325 S OLD SOLDIER TRL	85641	109	109			
100997883	VOTER NOT REGISTERED		FELDMANN										
100988249	REGISTRATION CANCELLED	0920817	FELIX	MARCUS	133								
100975020	VOTED WRONG VOTING AREA	1937084	FELTY	VANESSA	182	01/21/2004	7700 E SPEEDWAY BLVD 308	85710	069	069			
101018465	VOTED EARLY BALLOT	1795655	FERRIGNO	HELEN	029	12/04/2006	15405 S CAMINO LAGUNA	85629	231	231			
101024249	VOTED WRONG VOTING AREA	1782621	FINLEY	TONY	187	11/23/2002	1998 W CLEAR SKY CT	85704	029	029			
101041457	PROVISIONAL NOT SIGNED	1581864	FISHER	RAYMOND	036	10/07/1996	1340 W GLENN ST	85705	187	187	4319 E PINNACLE RIDGE PL 85718	088	238
101011055	PROVISIONAL NOT SIGNED	1880421	FIX	WAYNE	084	10/04/2004	1924 E ORINDA LN	85614	084	084			
500676260	VOTED WRONG VOTING AREA	2160376	FLOYD	KARIN	180	12/11/2012	12800 W LOS REALES RD	85735	060	060	9246 E SPEEDWAY BLVD 85710	192	192
100992487	VOTER NOT REGISTERED		FOLEY										
100987386	VOTED WRONG VOTING AREA	2088125	FOOS	HEIDI	201	10/22/2010	17773 S DEER LODGE CT	85629	140	140			
101012234	PROVISIONAL NOT SIGNED	1943033	FRANCISCO	TRAVIS	094	03/02/2007	5050 E 5TH ST B10	85711	094	094			
101022137	VOTER NOT REGISTERED		FREEMAN										
101024255	VOTER NOT REGISTERED		FRESELLA										
101024838	VOTED WRONG VOTING AREA	1792657	GALLEGO	MICHAEL	153	07/29/2003	2761 N TOMAS RD	85745	153	153	1821 W SPEEDWAY BLVD 85745	017	017
100985077	VOTED WRONG VOTING AREA	1687207	GARCIA	ALEXANDRA	164	09/17/1999	3427 E BLACKLIDGE DR 10	85716	067	067			
100985075	VOTED WRONG VOTING AREA	1959106	GARCIA	FRANCISCO	164	01/08/2007	3427 E BLACKLIDGE DR 10	85716	067	067			
100978372	REGISTRATION CANCELLED	0891925	GARCIA	RIGOBERTO	086	03/22/1989	2106 E 17TH ST 5	85719	082	082			
100976466	VOTED WRONG VOTING AREA	2110561	GARDNER	DEVIN	072	09/23/2011	2521 N EDITH BLVD	85716	072	072			
100993144	REGISTRATION CANCELLED	0887084	GARIBEY	EDWARD	067	10/25/1988	4442 E WAVERLY ST	85712	091	091	8850 N MESQUITE BLUFFS PL 85742	202	202
101027111	REGISTERED AFTER CUTOFF DATE	2208800	GARBETTA	TONIA	074	10/08/2014	2751 S CAMINO ORTEGA	85622	074	074			
101011059	VOTED EARLY BALLOT	1732576	GARSDIE JR	WILBUR	084	02/13/2002	2249 E DESERT PUEBLO PASS	85614	084	084			
500676253	VOTED WRONG VOTING AREA	1661392	GARZA	GABRIEL	180	05/15/1998	12803 N POCATELLA DR	85653	006	006	4700 N KOLB RD 85750	171	171
101010873	PROVISIONAL NOT SIGNED	1891414	GATH	LAURIE	010	06/27/2005	197 E LOS RINCONES	85614	010	010			
101015783	VOTED WRONG VOTING AREA	1987867	GAUF	DOUGLAS	009	05/13/2008	7631 E WAVERLY ST	85715	009	009	7241 E LUANA PL 85710	069	069
101040507	VOTED WRONG VOTING AREA	1893484	GEARY	JENNIFER	036	08/29/2005	916 W WEYMOUTH ST	85705	034	034			
100990286	VOTED WRONG VOTING AREA	0418874	GENTRY JR	JAMES	087	04/23/1980	820 E VIA LUCITAS	85718	056	056			
101018870	REGISTERED AFTER CUTOFF DATE	2209326	GILBERT	CHERYL	239	10/16/2014	1534 N VIA DEL ARBOLITO	85750	239	239			
100936919	VOTED WRONG VOTING AREA	0808973	GINSBERG	ARI	078	09/28/2005	3023 E 6TH ST B01	85716	078	078	4308 E ROE ST 85711	094	094
101024356	VOTED WRONG VOTING AREA	1971134	GLANTZ	PAMELA	116	02/04/2008	8080 E SPEEDWAY BLVD 302	85710	116	116	801 S PRUDENCE RD 85710	119	119
100988951	VOTED EARLY BALLOT	0143619	GOMEZ	ROBERT	122	11/09/1970	7324 E CALLE CUERNAVACA	85710	122	122			
100998191	VOTED WRONG VOTING AREA	2008501	GONZALEZ	RENE	107	09/17/2008	1901 N WILLMOT RD 2254	85712	107	107	5301 E GLENN ST 85712	099	099
100997910	VOTED WRONG VOTING AREA	0893371	GONZALEZ	ANDREW	149	08/10/1992	1901 N WILLMOT RD 2105	85712	107	107	10617 N CAMINO ROSAS NUBEV AS 85737	173	173
101024365	VOTED WRONG VOTING AREA	0937820	GOODWINE-	LEA	116	09/15/1990	18111 E BROADWAY BLVD 250	85710	116	116	6199 E BROADWAY BLVD 85711	108	108
101024827	VOTED EARLY BALLOT	2080261	GOODYEAR	JAMES	209	09/02/2010	241 W CALLE CANON DE	85614	209	209			
101040525	VOTER NOT REGISTERED		GRADASSO										
101012632	VOTED WRONG VOTING AREA	1907415	GRANDBOIS	DANIEL	093	03/07/2006	933 N JERRIE AVE	85711	093	093	4291 E PARTING WATERS WAY 85712	089	089
101017450	VOTED WRONG VOTING AREA	0652745	GRAY	ANNE	116	10/04/2004	8322 E APPOINTOX ST	85710	116	116	1365 S AVENIDA POLAR 85710	120	120
101024206	VOTED WRONG VOTING AREA	0641529	GREENBERG	JAMES	187	03/08/1984	340 W CAMPO FAIRHAVEN	85704	013	013			
101013113	VOTED WRONG VOTING AREA	2098126	GREENE	ADRIANE	166	04/05/2011	2511 N FONTANA AVE D	85705	166	166	2052 N VINE AVE 85719	042	042
100993287	REGISTERED AFTER CUTOFF DATE	2208879	GREIVENKAMP	KATIE	088	10/09/2014	5595 E SHADOW RIDGE DR	85750	088	088			

### Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Vote#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential Zip Code	Residential PCT	Residentia 1 VA	New Address	New VA	New PCT
100998625	REGISTRATION CANCELLED	1695133	GRINWELL	NATHANIEL	210	12/22/1999	5465 N ESTELLE DR	85718	210	210			
101024886	VOTER NOT REGISTERED		GROTH	MADELINE	153								
100986762	VOTED WRONG VOTING AREA	1642728	GIUNO	ADRIENNE	182	04/21/1997	9752 E STELLA RD	85730	182	182	1620 N SYCAMORE BLVD 85712	091	091
101018660	VOTED WRONG VOTING AREA	1638558	GUTIERREZ FOLUST	DONNA	239	10/09/2000	5951 E PLACITA ALTA	85750	088	088			
100979075	VOTED WRONG VOTING AREA	0700040	GUY	BRICA	237	09/15/1984	1100 E VIA SOLEDAD	85718	210	210			
100985996	VOTED WRONG VOTING AREA	2033333	HAMILTON	TYLER	217	03/11/2009	1728 S MESA SHADOWS DR	85641	229	229			
10098627	PROVISIONAL NOT SIGNED	2089761	HANSEN	RYAN	191	11/04/2010	7718 N LUNDBERG DR	85741	191	191	7751 N JOHN PAUL JONES AVE 85741	191	191
100989664	WRONG JURISDICTION	1790767	HANSEN	RYAN	146	07/08/2003	2684 W CAMS DR	85742	146	146			
101015770	VOTED EARLY BALLOT	1689645	HART	NANCY	009	10/01/1999	7740 E CLARENCE PL	85715	009	009			
500676256	VOTED WRONG VOTING AREA	1082345	HARTIGAN	MELISSA	180	08/17/1995	2160 N CREEK VISTA DR	85749	126	126			
100975023	REGISTRATION CANCELLED	2130948	HATCH	WAYNE	227	05/29/2012	649 W DESERT BLOSSOM DR	85614	147	147			
100999554	VOTED WRONG VOTING AREA	0979639	HATTEN	HAROLD	011	04/17/1992	3755 E RINCON VIEW DR	85641	011	011	10547 E PLEASANT PASTURE DR 85747	218	218
101002376	VOTER NOT REGISTERED		HAYES	VIOLET	069								
101010864	VOTED EARLY BALLOT	0397284	HEEB	SAMANTHA	010	02/29/1980	656 S LA BELLOTA	85614	010	010			
100980746	VOTED EARLY BALLOT	2057399	HES	JAMES	086	01/20/2010	3174 E 23RD ST	85713	086	086			
100996508	REGISTRATION CANCELLED	0643012	HILL	JAMES	038	03/19/1984	3200 W LAS PALMAS DR	85741	086	086			
500676262	VOTED WRONG VOTING AREA	1919943	HILLS	FREDERICKA	180	07/28/2006	7156 S OAKBANK DR	85757	225	225	765 W LIMBERTOST DR 85705	032	032
101027125	VOTED WRONG VOTING AREA	1979351	HINES	ROBERT	074	02/25/2008	5521 S PINKLEY PEAK DR	85622	041	041	9971 E SPEEDWAY BLVD 85748	128	128
500732160	VOTED WRONG VOTING AREA	1830632	HOLLYWOOD	THOMAS	058	06/12/2004	3340 N MOUNTAIN AVE 13	85719	205	205			
101016155	PROVISIONAL NOT SIGNED	0656441	HONDA	ALAN	112	05/24/1984	5038 E 3RD ST	85711	093	093	719 S PORTER ROUTH PL 85641	229	229
101043519	REGISTRATION CANCELLED	0698231	HOURSCHT	PAULETTE	073	10/01/1984	1122 N OLSEN AVE	85719	073	073	8205 E MOONSTONE DR 85750	112	112
100985640	VOTED WRONG VOTING AREA	0957957	HUGHES	KATHERINE	118	06/18/1991	7802 E CAMINO MONTAR	85715	073	073	1791 N WRIGHTSTOWN PL 85715	121	121
101026324	REGISTERED AFTER CUTOFF DATE	2209479	HUMERS	ADAM	241	10/20/2014	4121 N LAREAL LN	85750	241	241			
101010874	VOTED WRONG VOTING AREA	1875740	HUNTER	JORDAN	010	10/04/2004	3557 S CALLE DEL PINZON	85622	074	074	278 S PASEO SECO 85614	141	141
101015473	REGISTERED AFTER CUTOFF DATE	2208767	HUTCHISON	TROY	121	10/08/2014	8511 E LEBE PL	85715	121	121			
101019855	REGISTERED AFTER CUTOFF DATE	2208870	IGARASHI	HIKARI	158	10/09/2014	6414 N TIERRA DE LAS	85718	158	158			
100936922	REGISTRATION CANCELLED	2082882	IKHARE BHA	OSEMENKHA N	078	09/16/2010	602 N HIGHLAND AVE C104	85719	062	062			
101019859	REGISTERED AFTER CUTOFF DATE	2209492	INAMEL	RICHARD	158	10/20/2014	3800 E LIZARD ROCK PL	85718	158	158			
101043533	REGISTRATION CANCELLED	1889179	INGRAM	BILLY	073	04/06/2005	2218 N RALPH AVE	85712	091	091			
100992906	VOTER NOT REGISTERED		JACKSON	SARA	085								
100940513	VOTED WRONG VOTING AREA	2129774	JACKSON	SARA	089	05/14/2012	4176 E BABBLING BROOK DR	85712	089	089	1002 E WINDSOR ST 85719	058	058
500725850	VOTER NOT REGISTERED		JADIN		108								
100986571	PROVISIONAL NOT SIGNED	1856394	JAMEZ	DARREN	098	08/28/2004	6171 E BELLEVUE ST 29	85712	108	108	4255 E 29TH ST 85711	098	098
100938002	VOTED WRONG VOTING AREA	2163753	JANNUZI	BARNES	078	02/01/2013	7941 E PRESIDIO RD	85750	241	241	1101 E 9TH ST 85719	062	062
100999962	VOTED EARLY BALLOT	0165659	JANSEN	WILLARD	011	02/08/1974	3599 E CALLE AGASSIZ	85641	011	011			
101013625	VOTED WRONG VOTING AREA	1845542	JEFFERSON	CARMEN	099	08/03/2004	2720 N SWAN RD 10B	85712	099	099	4455 E SAN CARLOS PLACE NORTH	072	072
100989369	VOTER NOT REGISTERED		JELISMA		146								
100976472	VOTED WRONG VOTING AREA	1774167	JERNGAN	THOMAS	072	09/14/2002	2352 N COLUMBUS BLVD	85712	072	072	10500 E TANQUE VERDE RD 85749	243	243
101015482	VOTER NOT REGISTERED		JERONCIC		121								
101024899	REGISTERED AFTER CUTOFF DATE	2209772	JIMENEZ	EVAN	153	10/22/2014	2812 W JACINTO ST	85745	153	153			
101024471	VOTED WRONG VOTING AREA	1993304	JOHANSON	DEBORAH	125	06/23/2008	3453 N EAGLE RD	85750	214	214			
100975031	VOTED EARLY BALLOT	1697073	JONAS	JON	227	01/15/2000	14417 S CAMINO GUADAL	85629	227	227			
100981421	REGISTERED AFTER CUTOFF DATE	2210523	JONES	JOANN	117	10/23/2014	6346 E DUKE DR	85710	117	117			
100986557	VOTED WRONG VOTING AREA	2021688	JONES	NICHOLAS	098	10/04/2008	15805 E NORTH WILL SHIRE DR	85711	111	111			
101003713	VOTED WRONG VOTING AREA	2041387	JUDGE	PETER	180	06/09/2009	550 N HARRISON RD 9206	85748	180	180	3450 S MANN AVE 85730	123	123
100975018	VOTED WRONG VOTING AREA	1945957	KELLEY	ESMERALDA	227	04/13/2007	15761 S CAMINO DEL	85629	231	231			
100975049	VOTED WRONG VOTING AREA	1695653	KERN	AARON	227	01/09/2000	566 W CALLE SOMBRERA	85629	227	227	729 W CALLE LAS TUNAS 85629	231	231
101013108	VOTED WRONG VOTING AREA	2091242	KING	PAUL	166	12/07/2010	623 W JACINTO ST	85705	036	036			
101001240	REGISTERED AFTER CUTOFF DATE	2210481	KIRKCOPE	KRISTFER	069	10/31/2014	6639 E BROADWAY BLVD 107	85710	069	069			
100988892	VOTED WRONG VOTING AREA	1074826	KONDAS	MORGAN	229	05/18/1995	655 E STERLING CANYON DR	85641	229	229	4940 N POST TRL 85750	239	239
100998188	REGISTRATION CANCELLED	1973748	KRAUSE	JORDAN	107	08/22/2007	1701 N WILMOT RD 213	85712	107	107			
101015570	VOTED WRONG VOTING AREA	2096470	KRAEHER	DUSTIN	185	03/08/2011	3869 W CONSTARO FARMS RD	85742	185	185	4880 N SABINO CANYON RD 85750	112	112
101024392	VOTED WRONG VOTING AREA	1802029	KRZYSIK	RYAN	116	11/11/2003	8550 E SPEEDWAY BLVD 255	85710	116	116	550 E SPEEDWAY BLVD 85705	044	044
100998143	REGISTRATION CANCELLED	1735784	LARA JR	JUAN	096	09/22/2000	14619 E 14TH ST	85711	096	096			

Provisional and Conditional Ballots-Rejections-CD2

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100978107	REGISTRATION CANCELLED	1677200	LEHMAN	MARK	056	03/15/1999	2701 E CALLE SIN PECADO	85718	211	056			
500676265	VOTER NOT REGISTERED		LEHMAN		180								
101018916	REGISTRATION CANCELLED	2196844	LEIS	SARAH	198	06/14/2014	10008 S PLACITA NOTABLE	85641	198	198			
101015485	VOTED WRONG VOTING AREA	1738894	LEMUS	RUBY	121	10/16/2000	3202 W CALLE CISNE	85746	235	235			
101001207	VOTER NOT REGISTERED		LEVENSON		069								
101031531	REGISTERED AFTER CUTOFF DATE	2210050	LIBBY	MICHAEL	220	10/25/2014	9381 E SUMMER TRL	85749	220	220			
101001123	REGISTRATION CANCELLED	0509192	LEBESKIND	DANIEL	031	05/25/1982	4772 N BROOKVIEW DR	85705	031	031			
101020323	VOTED WRONG VOTING AREA	0411034	LIVERMAN	JEFFREY	039	03/27/1980	1334 S AVENIDA CONALEA	85748	039	039			
100992266	VOTER NOT REGISTERED		LLAMAS		123								
100979808	VOTED WRONG VOTING AREA	0964011	LOFOUIS	JAMES	058	02/12/2009	711 E BLACKLIDGE DR	85719	058	058			
100983097	VOTED WRONG VOTING AREA	0918925	LONG	KIM	210	04/13/1990	4887 N LOUIS RIVER WAY	85718	210	210			
101024332	REGISTERED AFTER CUTOFF DATE	2209582	LONGHURST	JOHN	057	10/11/2014	3700 N 1ST AVE 2032	85719	057	057			
100979217	REGISTRATION CANCELLED	0628861	LOPEZ	LETTA	214	11/22/1983	2941 W CALLE PALARITO	85746	235	235			
100981318	VOTER NOT REGISTERED		LOVIN		032								
101000172	REGISTRATION CANCELLED	1884840	LUCERO	CLAUDIA	034	10/15/2004	3245 N FLOWING WELLS RD	85705	036	036			
100997865	VOTED WRONG VOTING AREA	1887877	LUNA JR	ALFONSO	133	08/25/2004	3310 S PANTANO RD E	85730	177	177			
100992911	REGISTRATION CANCELLED	2085111	MACKE	SHANNON	085	10/04/2010	1446 E WAYERLY ST	85719	042	042			
101010855	PROVISIONAL NOT SIGNED	1965707	MACKENZIE	ALLAN	010	10/18/2007	167 E VERDE VISTA	85614	010	010			
100986592	VOTED WRONG VOTING AREA	2207056	MADRIGAL	ALFREDO	098	09/29/2014	1232 S CRYCROFT RD F-221	85711	105	105			
500732155	WRONG JURISDICTION	2147625	MAJUMDAR	ANTORA	058	09/10/2012	621 N HIGHLAND AVE 171	85719	062	062			
100984380	VOTED WRONG VOTING AREA	2178472	MANNING	WALTER	171	08/29/2013	4700 N KOILB RD 3202	85750	171	171			
100985584	VOTER NOT REGISTERED		MANUNG		119								
101017361	REGISTERED AFTER CUTOFF DATE	2209154	MARKE	BRIDGET	120	10/15/2014	6474 E CALLE LUNA	85710	120	120			
101015592	VOTED WRONG VOTING AREA	0643261	MARQUIS	DEBORAH	185	03/21/1984	8313 N MORNING WILLOW	85741	213	213			
101002363	VOTED WRONG VOTING AREA	1836191	MARTEL	DEANA	069	07/09/2004	160 N PANTANO RD 100	85710	116	116			
101024517	VOTED WRONG VOTING AREA	0841218	MARTIN	CAROL	109	11/26/1987	13825 E CAMINO COSTA TEGUISE	85641	109	109			
100995550	VOTED WRONG VOTING AREA	2066489	MARTINEZ	LILIANA	058	04/26/2010	1655 W AJO WAY 541	85713	022	022			
101026427	VOTED WRONG VOTING AREA	0723562	MASON	EDWARD	218	09/10/1985	10379 E ROYSTONS LN	85747	218	218			
101024283	VOTER NOT REGISTERED		MATE		030								
101024046	VOTED WRONG VOTING AREA	1075182	MATTIX	JESSICA	075	05/11/1995	3719 E BELLEVUE ST J	85716	075	075			
100981434	VOTER NOT REGISTERED		MAY		177								
100990289	VOTED WRONG VOTING AREA	2085185	MCCALLISTER	CAMERON	087	10/04/2010	202 E BURROWS ST	85704	230	087			
100978310	VOTER NOT REGISTERED		MCCANDREWS		176								
100996554	REGISTERED AFTER CUTOFF DATE	2208814	MCCAULIFFE	PATRICK	038	10/08/2014	775 W ROGER RD 153	85705	038	038			
101001407	VOTED EARLY BALLOT	2144839	MCCBRIDE	SUE	141	09/04/2012	308 N BENT RIDGE DR	85614	141	141			
101010699	VOTED WRONG VOTING AREA	1675142	MCCBRIDE III	CHARLES	100	06/28/2006	1801 N NANCY ROSE BLVD	85712	100	100			
101021269	PROVISIONAL NOT SIGNED	2196402	MCCARTHY	JEREMIAH	202	06/18/2014	8743 N SAN SNEAD DR	85742	202	202			
100990937	PROVISIONAL NOT SIGNED	2154208	MCCRAY	MATTHEW	178	10/08/2012	9225 E TANQUE VERDE RD 14	85749	178	178			
101024389	VOTED EARLY BALLOT	0713382	MCDANIEL	LISA	116	12/02/2009	426 N KENT DR	85710	116	116			
101012565	VOTED WRONG VOTING AREA	1977347	MCDANIEL	MARK	032	02/09/2008	4632 N SARDIS WAY	85705	031	031			
101021267	PROVISIONAL NOT SIGNED	1686856	MCGAHEE JR	RICHARD	202	09/03/1999	2651 N VIA CAMINO DE LA JOYA	85742	202	202			
100979070	VOTED WRONG VOTING AREA	0867436	MCGOLDRICK	RAMA	237	07/12/1988	1561 N VIA ELENA	85718	237	237			
101029785	VOTED WRONG VOTING AREA	2080227	MCGUIRE	PETER	167	09/02/2010	3762 N NASH CREEK CT	85745	092	092			
100979644	REGISTRATION CANCELLED	1817696	MCCULLAGHIN	KATIE	080	03/30/2004	2022 E 6TH ST	85719	063	063			
101018882	VOTED EARLY BALLOT	0997496	MCMILLAN	GERARDO	239	08/07/2012	7255 E SNEYDER RD 7104	85750	239	239			
100987151	VOTED EARLY BALLOT	1796343	MCMILLAN	DEBORAH	080	09/09/2003	926 N PULMER AVE	85719	078	078			
100992619	VOTED WRONG VOTING AREA	2044316	MCOJERAN	AUSTIN	105	07/20/2009	5601 S 12TH AVE 706	85706	160	160			
100990285	REGISTERED AFTER CUTOFF DATE	2209748	MCOJERAN	LISA	087	10/22/2014	139 E CASTLEFIELD CIR	85704	230	087			
101024035	VOTER NOT REGISTERED		MCHERRY		075								
101000601	REGISTRATION CANCELLED	0508746	MCMILLIAMS	TIMOTHY	154	05/02/1982	3055 N TYNDALL AVE 21	85719	038	038			
101024841	VOTER NOT REGISTERED		MEDRANO		209								
101013904	VOTED WRONG VOTING AREA	2182701	MEEK	DEANNA	082	11/29/2013	2714 E 8TH ST	85716	063	063			
100987709	VOTED WRONG VOTING AREA	1891273	MENDIBLES	ELISA	093	06/24/2003	910 N COLUMBUS BLVD	85711	093	093			
101021150	VOTED WRONG VOTING AREA	1927901	MENENDEZ	SARA	227	09/22/2006	195 E CORTE RANCHO	85629	227	227			

Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Voter#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential Zip Code	Residential PCT	Residential 1 VA	New Address	New VA	New PCT
100987381	VOTER NOT REGISTERED		MEYER	KENNETH	231	12/27/2011	656 W FIREHAWK DR	85614	147	147			
500736350	NO IDENTIFICATION PROVIDED	211565	MEYERS	DENISE	147	07/27/1988	4302 E FAIRMOUNT ST 17	85712	091	091			
101012641	VOTED WRONG VOTING AREA	0871214	MICHAELS	ROSETTA	093	10/19/2014	5666 E HAMPTON ST 23	85712	107	107			
100998167	REGISTERED AFTER CUTOFF DATE	2209900	MIDDLETON	RYAN	107	03/31/1996	3321 E POPINAC LOOP	85712	072	072	4301 N RADIN AVE 85705	032	032
100976465	VOTED WRONG VOTING AREA	1106370	MILLAYT	DAVID	072	03/25/1994	5870 S PAINTED CANYON DR	85622	205	205	360 S PASO SARTA 85614	141	141
100984058	VOTED WRONG VOTING AREA	1043342	MILLER	JAMES	207	10/28/2014	9780 E SPRING RIDGE PL	85749	220	220			
100994081	REGISTERED AFTER CUTOFF DATE	2210254	MILLER	JAMES	220	10/14/1989	2503 N AVENIDA ESCALAVA	85614	147	147			
100979878	VOTED WRONG VOTING AREA	0905104	MILLER	BARBARA	229	10/16/2000	4951 N AVENIDA DELA	85749	147	147			
101015784	REGISTRATION CANCELLED	1738133	MILLER	DAVID	009	12/01/2007	3407 S WHISTLER DR	85730	123	123	5617 E 32ND ST 85711	113	113
100981489	VOTED WRONG VOTING AREA	1967150	MILLER JR	EVERETT	123								
100998132	VOTER NOT REGISTERED		MILLS		096								
101012306	VOTER NOT REGISTERED		MILLS		096								
100977848	VOTED WRONG VOTING AREA	1924350	MITCHELL	JONATHAN	192	09/04/2006	501 N BROWN AVE	85710	192	192	7523 E GOLF LINKS RD 85730	122	122
100976156	VOTED WRONG VOTING AREA	1929920	MITCHELL	MICHAEL	111	10/02/2006	5717 E 14TH ST	85711	111	111			
100996503	VOTED WRONG VOTING AREA	0036084	MODESTI	MICHAEL	038	03/15/1972	1095 W KING ST	85705	034	034	9765 E HOLDEN PL 85748	181	181
101041475	REGISTRATION CANCELLED	2202069	MONTANO	RENE	036	08/14/2014	325 W DELANO ST	85705	036	036			
101012205	REGISTERED AFTER CUTOFF DATE	2208950	MORENO	DIANA	094	10/10/2014	250 N ARCADIA AVE 1307	85711	094	094			
100978123	VOTED WRONG VOTING AREA	1994737	MORFIN	ANGEL	056	07/03/2008	4819 N VIA ENTRADA	85718	210	210			
101010870	VOTED WRONG VOTING AREA	1924484	MORRIS	OLGA	010	09/05/2006	2372 S ORCHARD VIEW DR	85614	193	193			
100978304	VOTED WRONG VOTING AREA	0943445	MORRISON	DOYLE	176	10/22/2013	9010 E SUGAR SUMAC ST	85747	176	176	8717 E LA PALMA DR 85747	095	095
101015469	REGISTERED AFTER CUTOFF DATE	1679996	MURRAY	MELODY	121	10/10/2014	1505 N GOEBEL AVE	85715	121	121			
101016199	PROVISIONAL NOT SIGNED	1955482	MYERS	THEODORE	112	06/25/2007	7141 E GREY FOX LN	85750	112	112			
100998610	VOTED WRONG VOTING AREA	2174625	NAGELLA	EILEEN	210	07/28/2013	5201 N VIA CONDESA	85718	210	210	2630 E 8TH ST 85716	063	063
100995020	VOTED WRONG VOTING AREA	1014992	NATHANSON	THELMA	126	10/05/1992	4301 N DESERT VIEW DR	85750	241	241			
100981337	VOTED WRONG VOTING AREA	2088146	NAVARRO	GUADALUPE	032	10/04/2010	1740 W RUTHERAUFF RD 1	85705	032	032	2540 W CURTIS RD 85705	225	225
100996511	VOTED WRONG VOTING AREA	1822549	NAVYEN	DUC	038	05/07/2004	1047 W KING ST	85705	034	034			
101027116	VOTED WRONG VOTING AREA	1667337	NOE	TERRENCE	074	08/10/1998	5031 S GLORIA VIEW CT	85622	205	205			
101015550	REGISTERED AFTER CUTOFF DATE	1890365	OBRIEN	MELINA	185	10/28/2014	8001 N SUNNANEE DR	85714	185	185			
100990912	REGISTERED AFTER CUTOFF DATE	2210348	ODONNELL	DENICE	178	10/29/2014	10471 E SUNNWOOD DR	85749	199	199			
100975015	VOTED WRONG VOTING AREA	1926643	OJEN	SCOTT	227	11/28/2006	503 W CALLE DEL ESTRIBO	85629	227	227			
100988888	VOTED WRONG VOTING AREA	2158373	OLDHAM	RICHARD	229	11/02/2012	902 S WILLIS AVE	85641	229	229	962 E SHERIFFS DRAW LN 85629	084	084
100978135	VOTED EARLY BALLOT	2047663	OLITZKY	ERIN	056	08/24/2009	6774 N CALLE SIN NOMBRE	85718	056	056			
100979606	VOTED EARLY BALLOT	1915365	OLSEN	GARY	080	06/06/2006	3111 E 4TH ST 202	85716	080	080			
101040510	VOTER NOT REGISTERED		ORTIGA		036								
101024264	VOTER NOT REGISTERED		ORTIZ		030								
100936923	VOTED WRONG VOTING AREA	2055491	PASCH	SUZANNE	078	10/27/2011	1206 N HOWARD BLVD	85716	075	075			
101012243	VOTED WRONG VOTING AREA	1026251	PATTERSON	JESSE	094	04/02/1993	4804 E HAWTHORNE ST	85711	093	093			
101040541	VOTER NOT REGISTERED		PENA GAL		036								
100979060	VOTED WRONG VOTING AREA	1793618	PERKO JR	KEVIN	237	08/11/2003	3750 E VIA PALOMITA 24101	85718	237	237	5755 E RIVER RD 85750	214	214
101012214	VOTED WRONG VOTING AREA	0066603	PETROWSKI	PETER	094	02/19/1971	4832 E HAWTHORNE ST	85711	093	093			
100978681	REGISTERED AFTER CUTOFF DATE	2209610	PRIEFER	WILLIAM	182	10/21/2014	9640 E VENDELA ST	85748	182	182			
100979206	VOTER NOT REGISTERED		PLAMHER		214								
101017250	VOTED WRONG VOTING AREA	1978321	POLANCO	JENNIFER	068	02/06/2008	3260 W SUNBEAM TER	85741	219	219	2235 W CALLE CAMPANA DE PLATA	033	097
101011809	VOTED WRONG VOTING AREA	0395933	POLITO	ALBERT	030	03/08/1980	6921 N PERUGIA WAY	85741	226	226			
101011808	VOTED WRONG VOTING AREA	0395934	POLITO	DEBORAH	030	03/08/1980	6921 N PERUGIA WAY	85741	226	226			
500716838	VOTED WRONG VOTING AREA	1100456	PORTILLO	YVONNE	113	03/04/1996	3467 S JETTY AVE	85713	047	047			
101024279	REGISTRATION CANCELLED	1977373	POSTULA	AARON	030	02/07/2008	1111 E LINBERG DR 78	85719	057	057			
100985934	VOTED WRONG VOTING AREA	0811228	POTTER	SARA	129	05/13/1987	1057 N VIA PRIMAVERA	85710	069	069			
101020454	VOTED WRONG VOTING AREA	2172863	POWELL	MATHEW	128	07/11/2013	1245 S LONDON STATION RD	85748	181	181	9971 E SPEEDWAY BLVD 85748	128	128
101041486	VOTED WRONG VOTING AREA	0401812	PRADD JR	IRELAND	036	03/04/1980	4654 S 16TH AVE 1233	85714	025	025			
100984425	REGISTRATION CANCELLED	0892841	PURDY	ELISE	130	04/08/1989	8751 E OLD SPANISH TRL	85710	130	130			
101001419	VOTED EARLY BALLOT	1943196	QUEZADA	ROBERT	141	03/07/2007	1036 W TENNIE DR	85614	141	141			
101027115	VOTED WRONG VOTING AREA	1034903	QUINONES	RAMON	074	11/17/1993	1757 W CIRCULO DE LA	85622	205	205			
100990283	VOTED WRONG VOTING AREA	1790995	QUIROGA	ROSARIO	087	06/27/2003	531 E MURIEL PL	85704	230	087	435 S OTERO AVE 85701	045	045

Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Voter#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential Zip Code	Residential PCT	Residential 1 VA	New Address	New VA	New PCT
100978306	VOTED WRONG VOTING AREA	1853639	RACHUY	TERRY	176	08/16/2004	9078 E AUTUMN SAGE ST	85747	176	176	8462 S MOUNT ELISE RD 85747	224	224
100983917	VOTED EARLY BALLOT	0156996	RAMIREZ	ESTHER	129	04/16/1971	8258 E 20TH ST	85710	129	129			
101012722	VOTED WRONG VOTING AREA	2186246	RAMIREZ	CYNTHIA	055	01/29/2014	451 W YUCCA CT 214	85704	149	149			
101038865	VOTED WRONG VOTING AREA	1016421	RAMIREZ	MARGARITA	075	10/01/1992	1609 W EL RIO DR 118	85745	037	037	2488 N ALVERNON WAY 85712	072	072
100976019	REGISTRATION CANCELLED	1910102	RAMOS	STEPHANIE	227	04/17/2006	7066 E CALLE MARTE	85710	120	120			
101021824	VOTED WRONG VOTING AREA	0636937	RANKIN	MICHELLE	090	04/30/1987	10183 E DESERT CROSSINGS	85747	224	224			
100985268	VOTER NOT REGISTERED		RAY		108								
500723550	NO IDENTIFICATION PROVIDED	0529180	RECORD	LISA	199	09/05/1982	10322 E SNYDER CREEK PL	85749	199	199			
101013149	VOTER NOT REGISTERED		REYNOSO		166								
101017453	REGISTRATION CANCELLED	09064172	RHEA	NICOLE	116	10/31/1989	8550 E SPEEDWAY BLVD 115	85710	116	116	8564 E ROSEWOOD ST 85710	116	116
100990798	VOTED WRONG VOTING AREA	1643832	RICE	SCOTT	174	05/07/1997	7842 E LEE ST	85715	174	174	5221 E 3RD ST 85711	103	103
101012238	VOTED WRONG VOTING AREA	1053971	RICHARDS	SCOTT	094	08/10/1994	7042 E CALLE BETELGEUX	85710	120	120	4303 E EDISON ST 85712	091	091
100997870	VOTED WRONG VOTING AREA	0528227	RIGBY	SIDNEY	133	08/18/1982	6651 N ABLINGTON RD	85743	161	161			
100998113	VOTER NOT REGISTERED		RITOS		096								
100981304	VOTED WRONG VOTING AREA	0802366	RITACCA	CAROL	032	02/12/1987	3810 N ROMERO RD 67	85705	034	034			
100985897	REGISTERED AFTER CUTOFF DATE	2209928	RITTER	CHARLES	217	10/24/2014	8401 S KOHL RD 211	85756	217	217			
100978657	VOTED WRONG VOTING AREA	0476821	ROBB	PAUL	182	09/08/1980	11200 E SAINT JAMES RD	85748	046	046	1734 N SANDSTONE RIDGE DR 85715	009	009
101015738	VOTED WRONG VOTING AREA	2189209	ROBB	HANNAH	009	03/09/2014	11200 E SAINT JAMES RD	85748	046	046	7447 E PLACITA DEL MISTERIO 85715	118	118
101020459	VOTER NOT REGISTERED		RODDEY		128								
100991699	VOTED WRONG VOTING AREA	0509373	RODRIGUEZ	ROGELIO	107	07/13/2005	6423 E PRINTER UDELL	85710	069	069			
101020451	VOTED WRONG VOTING AREA	1016309	RODRIGUEZ	VANESSA	128	09/16/1992	9835 E SPEEDWAY BLVD 4204	85748	128	128	7401 E SPEEDWAY BLVD 85710	174	174
100985922	VOTED WRONG VOTING AREA	0672946	RODRIGUEZ JR	RICHARD	129	04/03/2004	8140 E 18TH ST	85710	129	129	8549 E 19TH ST 85710	130	130
100977700	WRONG JURISDICTION	0879833	ROJAS	ADA	103	09/19/1988	5251 E 3RD ST	85711	103	103			
101011339	REGISTERED AFTER CUTOFF DATE	2208978	ROME	BRENDA	197	10/10/2014	4675 S HARRISON RD	85730	197	197			
101012213	VOTED WRONG VOTING AREA	0120542	ROMER	MARY	094	04/06/1971	119 N AVENIDA CAROLINA	85711	094	094	2221 N ROSEMONT BLVD 85712	100	100
100993885	VOTED WRONG VOTING AREA	2025748	ROMERO	DAVID	079	10/30/2008	10925 N PALM ANO AVE	85742	184	184			
100991682	VOTED WRONG VOTING AREA	0399149	ROSS	RICHARD	180	02/20/1980	8922 N CITADEL AVE	85748	180	180	163 N CHEESEBRUSH AVE 85748	131	131
101024024	REGISTRATION CANCELLED	1955638	RUBIN	MAX	075	07/16/2007	3207 E LINDEN ST	85716	075	075			
100989390	VOTED WRONG VOTING AREA	1916809	RUIZ	MARINA	146	06/26/2006	5681 N MONA LISA RD 9102	85741	225	225	3340 W DESERT TURTLE WAY 85742	142	142
500676101	VOTER NOT REGISTERED		RUIZ-BOURS		229								
101041466	VOTED WRONG VOTING AREA	2105233	SALAS	CASSANDRA	036	07/20/2011	1007 E HEDRICK DR	85719	036	036			
100978161	VOTED WRONG VOTING AREA	2171928	SALCIDO ELIAS	RICARDO	056	06/28/2013	6742 N PLACITA CIELITO	85718	211	211	12283 N MOUNT BIGELOW RD 85755	169	169
101018913	VOTED WRONG VOTING AREA	2117583	SAMANIEGO	ANDRIA	198	12/23/2011	5970 S ARROWHEAD LN	85746	234	234	3245 N GERONIMO AVE 85705	154	154
101017381	VOTER NOT REGISTERED		SANCEAU		120								
101010671	VOTED EARLY BALLOT	0626981	SANCHEZ	LUPE	100	11/04/1983	1635 N GRAYCROFT RD 207	85712	100	100			
101016197	VOTED WRONG VOTING AREA	0865338	SATTINGER	RACHEL	112	06/25/1988	3752 N PASEO OTONO	85750	163	112	11431 E SPEEDWAY BLVD 85748	243	243
101020209	VOTER NOT REGISTERED		SAULTERS		229								
100986593	REGISTERED AFTER CUTOFF DATE	2209346	SCHPEMAKER	MELINDA	098	10/16/2014	4275 E 24TH ST	85711	098	098			
100991125	VOTED WRONG VOTING AREA	1738544	SCHULTZ	MARLAN	067	10/25/2000	6941 S COLLONTAIL RUN	85756	054	054	3545 N COUNTRY CLUB RD 85716	068	068
100997661	REGISTERED AFTER CUTOFF DATE	2209200	SCHNIGLE	PAUL	133	10/15/2014	8989 E ESCALANTE RD 140	85730	133	133			
100986558	VOTED WRONG VOTING AREA	1861819	SCHIPPERS	DANIEL	098	09/04/2004	5126 E BELLEVUE ST 1201	85712	100	100			
101012242	VOTED WRONG VOTING AREA	2061997	SCHMIT	MATTHEW	094	03/19/2010	3708 E 6TH ST	85711	108	108			
101013100	VOTED WRONG VOTING AREA	1901044	SCHNEIDER	PETER	166	12/31/2005	223 E GLENN ST 215	85705	166	166	2333E GLENN ST 85719	068	068
500728750	NO IDENTIFICATION PROVIDED		SEBLER	DALLAS	243	12/23/2006	11840 E WAGON TRAIL RD	85749	243	243			
100994315	VOTED WRONG VOTING AREA	0253479	SEGESTROM	RALPH	182	04/21/1976	601 S AVENIDA PRINCESSA	85748	181	181			
101018910	VOTED WRONG VOTING AREA	0941383	SERRANO	MANUEL	198	08/25/2010	13500 E REX MODLY RD	85641	109	109			
101012624	VOTED WRONG VOTING AREA	0981528	SHEPHERD	ILANA	093	08/22/2005	4450 E LESTER ST	85712	091	091			
100998316	PROVISIONAL NOT SIGNED		SHORT		217								
100987103	VOTED WRONG VOTING AREA	0477029	SILVERBERG	DAVID	082	11/05/2002	5140 E CALLE LAS LILLAS	85711	189	189			
100984437	REGISTERED AFTER CUTOFF DATE	2209288	SIMMONS	SHANE	130	10/07/2014	8348 E BEVERLY ST	85710	130	130			
101015764	VOTED EARLY BALLOT	1048579	SIMS	MARY	009	06/17/1994	7567 E VIA CORNUCOPIA	85715	009	009			
500734200	VOTED WRONG VOTING AREA	1021195	SKIDMORE	MARY	148	02/09/2003	1962 W KHAIBAR PL	85704	148	148	10351 N FOX CROFT LN 85737	173	173
100986532	VOTED WRONG VOTING AREA	1759702	SKORUPSKI	JUSTIN	191	06/13/2011	7810 N RASMUSSEN AVE	85741	191	191	3470 W WHIPPALE CT 85658	127	127
100998214	VOTED WRONG VOTING AREA	0725951	SMITH	MARY	107	10/03/1985	4051 E JUAREZ ST	85711	098	098	8601 E OLD SPANISH TRL 85710	130	130

Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Voter#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential 1 Zip Code	Residential 1 PCT	Residential 1 VA	New Address	New VA	New PCT
101024398	REGISTRATION CANCELLED	0636258	SMITH	ROBERT	116	02/03/1984	4560 E 17TH ST	85711	098	098			
101024885	REGISTERED AFTER CUTOFF DATE	2210401	SMITH	BROWNING	153	10/30/2014	2174 W ROUNDWOOD PL	85745	153	153			
101013139	VOTER NOT REGISTERED		SMITH		166								
100975038	REGISTERED AFTER CUTOFF DATE	2209041	SMITH	LARA	227	10/13/2014	457 E PLACITA ANULETO	85629	227	227			
100978044	PROVISIONAL NOT SIGNED	2027493	SOLBERG	ERIK	068	11/04/2008	257 E GLENN ST 1	85716	068	068			
500676257	REGISTERED AFTER CUTOFF DATE	1087790	SONS	GERALD	180	10/07/2014	9648 E 5TH ST	85748	180	180			
101020348	VOTED WRONG VOTING AREA	1671753	SPEIR	MICHAEL	039	10/04/1998	3561 S MARISSA DR	85730	039	039			
101015236	VOTED WRONG VOTING AREA	1866929	SPONCEL	JEANETTE	084	09/17/2004	2014 E OAK HILL PL	85614	084	084			
101010887	VOTED WRONG VOTING AREA	2207758	STARR	KATHRYN	010	10/02/2014	122 W CALLE CANON DE	85614	209	209			
100981307	VOTED MULTIPLE BALLOTS	0894471	STEINBECKER	JACK	032	05/26/2003	3740 N ROMERO RD C 170	85705	034	034			
100989890	REGISTRATION CANCELLED	1692947	STELL	WILLIAM	122	11/05/1999	9705 E 31ST ST	85748	182	182			
100984408	VOTED EARLY BALLOT	1520600	STEPHENS	MARGARET	130	08/11/1996	8960 E HARBORAGE DR	85710	130	130			
100977006	VOTED WRONG VOTING AREA	1914201	STEWART	JESSIE	170	05/18/2006	1620 N MARGUIRE AVE	85715	174	174			
100976161	VOTER NOT REGISTERED		STIEBER-JBARRA		111								
101013109	VOTED WRONG VOTING AREA	2097061	STILLMAN	SUSAN	166	03/17/2011	2632 N ESTRELLA AVE C	85705	166	166			
101021197	REGISTERED AFTER CUTOFF DATE	2208706	STOBER	DOUGLAS	227	10/07/2014	14419 S CAMINO RIO ABAJO	85629	227	227			
101010679	VOTER NOT REGISTERED		STONE		100								
101017374	VOTED WRONG VOTING AREA	2034304	STONE	SETH	120	02/23/2009	2201 S CALLE ZAMORA	85710	120	120			
101015226	VOTED EARLY BALLOT	1824091	STONE	GEORGE	084	05/11/2004	1330 N MARSHVIEW LN	85614	084	084			
100978108	VOTER NOT REGISTERED		STRINGBELLOW		056								
101024559	VOTER NOT REGISTERED		STROHMEYER		109								
100993238	VOTED WRONG VOTING AREA	0816812	STROPKO	LANNY	088	03/08/2006	2986 E MANZANITA RIDGE PL	85718	211	056			
101024038	VOTER NOT REGISTERED		STROUD		075								
100991482	VOTED WRONG VOTING AREA	1953225	STUART	ASHLEY	079	07/18/2007	9777 N THORNYDALE RD	85742	079	079			
100936939	VOTER NOT REGISTERED		SULLIVAN		078								
101022359	VOTER NOT REGISTERED	2090937	SUMMERS	WENDY	094	12/01/2010	626 N JERRIE AVE	85711	093	093			
101015246	VOTER NOT REGISTERED		SWARTZ		221								
101027124	VOTED WRONG VOTING AREA	1971133	SWEISFURTH	SUSAN	074	01/06/2008	1990 W MINTRUSH DR	85622	205	205			
100978674	VOTED WRONG VOTING AREA	1668558	SWOPE	ALLEN	182	08/27/1998	9532 E MYRA DR	85730	182	182			
101017178	REGISTRATION CANCELLED	1862540	TAMAYO JR	MAGDALENA	231	08/31/2004	8820 E SHENANDOAH PL	85710	192	192			
100979210	VOTER NOT REGISTERED		TEMPLE		214								
100990943	VOTED WRONG VOTING AREA	0765229	TERRY JR	ANTHONY	178	10/16/1986	9225 E TANQUE VERDE RD	85749	178	178			
101001475	REGISTERED AFTER CUTOFF DATE	2210397	THOMPSON	CAROL	156	10/30/2014	7697 E PLACITA LUNA	85710	156	156			
100993133	REGISTRATION CANCELLED	1872601	TOLLESON	TRACY	067	09/30/2004	6605 S SPARROW AVE E	85746	235	235			
101012603	VOTED WRONG VOTING AREA	1774534	TORDESEN	MICAH	093	09/18/2002	1613 N CATALINA AVE	85712	091	091			
100987363	VOTER NOT REGISTERED		TORRES		231								
100985081	PROVISIONAL NOT SIGNED	1726737	TROUTMAN	ELLE	164	09/22/2000	3617 N FORGEUS AVE	85716	164	164			
100985895	REGISTERED AFTER CUTOFF DATE	2208931	TUBBS	ANNE	217	10/08/2014	8701 S KOJIB RD V241	85756	217	217			
100984409	REGISTERED AFTER CUTOFF DATE	2209441	TULLAR	KURT	130	10/17/2014	449 S STANTON DR	85710	130	130			
101017452	VOTED WRONG VOTING AREA	0988895	TUMULTY	JANET	116	06/27/1991	8018 E 8TH ST	85710	116	116			
100980104	VOTED WRONG VOTING AREA	1780139	TUNGER	ALEXANDER	187	10/07/2002	5508 N LITTLE RIVER LN	85704	030	030			
101044500	VOTED WRONG VOTING AREA	1877612	URE	ROBERT	073	10/04/2004	2016 E DRACHMAN ST	85719	073	073			
101043518	REGISTERED AFTER CUTOFF DATE	2209304	VALDEZ	LUIS	073	10/17/2014	2711 E LEE ST	85716	073	073			
100979162	VOTED WRONG VOTING AREA	2125865	VALLEGA	RYAN	225	03/29/2012	5836 N ORANGETIP DR	85741	225	225			
100978102	VOTED WRONG VOTING AREA	0684531	VALLS	RONALD	056	09/05/1984	1885 E CHUIA VISTA RD	85718	056	056			
101010659	REGISTERED AFTER CUTOFF DATE	2209444	VAN DAME	ALEXANDRA	100	10/17/2014	5002 E ADAMS ST	85712	100	100			
100979811	VOTED WRONG VOTING AREA	2020429	VANDENBOS	DEAN	058	10/06/2008	1518 E HEDRICK DR C	85719	058	058			
101024285	VOTED WRONG VOTING AREA	0289302	VASQUEZ	VICTOR	032	08/28/1976	5225 N WHISPERING HILLS	85704	030	030			
101040524	VOTER NOT REGISTERED		VASQUEZ		036								
101002371	VOTED WRONG VOTING AREA	1951300	VAUGHN	BRITTANY	069	05/28/2009	7700 E SPEEDWAY BLVD 711	85710	069	069			
100986649	VOTED WRONG VOTING AREA	2108798	VEGA	EUGENIA	178	08/30/2011	6161 E GRANT RD 15106	85712	107	107			
500716856	VOTED WRONG VOTING AREA	1955685	VEL QUEZ	SEGUNDA	113	08/07/2007	9541 E 34TH ST	85711	113	113			
100998221	VOTED WRONG VOTING AREA	1580305	VELARDE-DI	MONICA	107	09/20/1996	6064 E PIMA ST	85712	108	108			
101027136	VOTED WRONG VOTING AREA	1658790	VERNER	ISLA	074	03/20/1998	4371 W CALLE SIETE	85622	205	205			

Provisional and Conditional Ballots-Rejections-CD2

Receipt#	Reason	Vote#	Last Name	First Name	Provisional VA	Registered	Residential 1	Residential 1 Zip Code	Residential 1 PCT	Residential 1 VA	New Address	New VA	New PCT
101001119	VOTED WRONG VOTING AREA	2130058	VICKERY	SANDRA	031	05/16/2012	2300 W INA RD 3101	85741	146	146	4119 N NIDITTO PL 85705	032	032
100994076	REGISTERED AFTER CUTOFF DATE	2209650	VINTON	JAY	220	10/21/2014	9461 E VALLARTA TRL	85749	220	220			
100991472	VOTED WRONG VOTING AREA	1678842	VIPOND	ANN	079	04/25/1999	4272 W GATEKEEPER DR	85741	185	185			
100991471	VOTED WRONG VOTING AREA	1661889	VIPOND	MITCHELL	079	05/16/1998	4271 W GATEKEEPER DR	85741	185	185			
100988641	VOTED WRONG VOTING AREA	2111454	VOGEL	MICHAEL	191	10/06/2011	8105 N FAIRWAY VIEW DR	85742	191	191	720 E PLACITA DEL MIRADOR 85718	056	056
101024758	REGISTRATION CANCELLED	2079375	VOSS	YVONNE	108	08/24/2010	4425 E 22ND ST 252	85711	098	098			
101043538	VOTER NOT REGISTERED		WACHTLER		073								
100976015	VOTED WRONG VOTING AREA	1096476	WALDEIGH	JEFFREY	227	02/02/1996	100 E CORTE RANCHO	85629	227	227	728 W CAMINO CURVITAS 85629	231	231
100975016	VOTER NOT REGISTERED		WALKER		227								
101040504	VOTER NOT REGISTERED		WALKER		036								
100999610	VOTED WRONG VOTING AREA	1026693	WATERFALL	JULIA	164	10/05/1998	2215 E KLEINDALE RD	85719	164	164	3448 E VIA ESPERANZA 85716	096	096
101015228	REGISTERED AFTER CUTOFF DATE	2209572	WATERS	MARY	084	10/20/2014	2283 E DESERT SQUIRREL CT	85614	084	084			
100997917	REGISTRATION CANCELLED	1009287	WEAVER	CAROL	149	09/25/1992	957 W SAFARI DR	85704	149	149			
100988889	VOTED WRONG VOTING AREA	2183086	WEBB	KENNETH	229	12/06/2013	691 N IVY PL	85641	011	011			
100984059	REGISTERED AFTER CUTOFF DATE	2208884	WEEDEN	RUSSELL	207	10/08/2014	1840 S SAN RAY	85614	207	207			
101020770	REGISTERED AFTER CUTOFF DATE	2209122	WEEKLEY	KYLE	015	10/14/2014	5115 W CALLE APALOOSA	85741	015	015			
101024272	VOTED WRONG VOTING AREA	0468789	WELLS	ERMA	030	09/15/1980	2001 W RUDASILL RD 1002	85704	030	030	3830 E BOWMAN PL 85739	188	188
101001466	VOTED WRONG VOTING AREA	2202204	WEST	KAYLA	156	08/11/2014	8079 E RAGWEED DR	85710	156	156	2801 E RICHARDS ROW 85716	068	068
101021920	VOTED WRONG VOTING AREA	1718204	WHARAM	CHRISTOPHE	131	08/12/2000	830 S ROUNDHILL PL	85748	131	131	9841 E SARBENA LN 85748	181	181
100976540	REGISTERED AFTER CUTOFF DATE	2209010	WHITE	JOSHUA	078	10/11/2014	2929 E 6TH ST 215	85716	078	078			
100979637	REGISTERED AFTER CUTOFF DATE	2208956	WHITE	CAROLINA	080	10/10/2014	3414 E CALLE DEL PRADO	85716	080	080			
101012642	VOTED WRONG VOTING AREA	1728047	WHITE	POLLY	093	09/28/2000	1503 N DESMOND AVE	85712	091	091			
100998158	VOTER NOT REGISTERED		WILLIAMS		107								
100976153	VOTER NOT REGISTERED		WILLIAMS		111								
101020476	VOTED WRONG VOTING AREA	2178438	WILSON	JESSICA	128	09/20/2013	9971 E SPEEDWAY BLVD 6105	85748	128	128	8877 E DESERT VERBENA PL 85715	121	121
101000603	VOTED WRONG VOTING AREA	1690666	WILSON	SUMNER	154	09/26/1999	8240 N MESQUITE OASIS RD	85653	222	222	8240 N MESQUITE OASIS RD 85653	122	122
101001721	VOTED EARLY BALLOT	0448311	WILSON	ANDREW	095	07/20/1980	7353 S BULLRIDER AVE	85747	095	095			
100942269	VOTED WRONG VOTING AREA	2207708	WINE	HALLIE	063	09/27/2014	1937 E 8TH ST	85719	063	063	10640 E CATALINA HWY 85749	199	199
101024248	REGISTRATION CANCELLED	2171470	WISCOUNT	KEVIN	187	06/21/2013	1361 W PASTIME RD	85705	034	034			
100997864	VOTED WRONG VOTING AREA	1521427	WITTMAYER	DONNA	133	08/05/1996	4221 S KOLB RD	85730	177	177			
100997863	VOTED WRONG VOTING AREA	1640546	WITTMAYER	ERIC	133	02/19/1997	3200 S MANN AVE R	85730	123	123	4221 S KOLB RD 85730	177	177
100984411	VOTED WRONG VOTING AREA	0841673	WRIGHT	BRYON	130	12/03/1987	281 S STONER AVE	85748	181	181			
100984412	VOTED WRONG VOTING AREA	1993645	WRIGHT	DANIEL	130	06/24/2008	281 S STONER AVE	85748	181	181			
101016056	VOTER NOT REGISTERED		WYBNE		189								
500718254	VOTED WRONG VOTING AREA	2099372	YARTER	RONNELL	209	04/26/2011	18000 S PLACITA MAYO	85614	083	083			
100976484	VOTED WRONG VOTING AREA	2112619	YOUNG	NICOLETTE	072	10/18/2011	7537 E CAMINO DE QUERABI	85715	009	009	2973 E GREENLEE ST 85716	068	068
101021274	PROVISIONAL NOT SIGNED	0404474	YOUNG	HEIDI	202	03/30/1980	2348 W RIBERA PL	85742	202	202			
101001120	VOTED WRONG VOTING AREA	2130912	ZAVALA	ILLEIN	031	05/25/2012	5151 N KAIN AVE 75	85705	031	031	6160 S DEL MORAL BLVD 85706	053	053
100998192	VOTED WRONG VOTING AREA	1808417	ZELTZER	SEBASTIAN	107	01/23/2004	5809 E NORTH ST	85712	107	107	3146 E 4TH ST 85716	080	080
100985646	VOTED WRONG VOTING AREA	1686093	ZEMAN	ERIC	118	08/26/1999	2806 N LA CIENEGA DR	85715	118	118	1340 N AVENIDA RICARDO SMALL	128	128
100988884	VOTED WRONG VOTING AREA	1957222	ZORRILLA	PETER	229	08/18/2007	670 N FAIRHAVEN DR	85641	011	011			
101021806	REGISTERED AFTER CUTOFF DATE	2209129	ZWIRLEIN	BRITNEY	090	10/14/2014	7804 S LOCHNAY PL	85747	090	090			



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9  
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*Congress, Lea Goodwine-Cesarec, Laura*  
*Alessandra Breckenridge, Josh Adam Cohen.*  
11

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF ARIZONA

14 Ron Barber for Congress; Lea Goodwine-  
15 Cesarec, Laura Alessandra Breckenridge,  
16 Josh Adam Cohen,

17 Plaintiffs,

18 v.

19 Ken Bennett, in his official capacity as  
20 Secretary of State of the State of Arizona; the  
Pima County Board of Supervisors, a body  
21 politic; Ally Miller, in her official capacity as a  
member of the Pima County Board of  
22 Supervisors; Ramón Valadez, in his official  
23 capacity as a member of the Pima County  
Board of Supervisors; Sharon Bronson, in her  
24 official capacity as a member of the Pima  
County Board of Supervisors; Ray Carroll, in  
25 his official capacity as a member of the Pima  
County Board of Supervisors; Richard Elías, in  
26 his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
27 County Board of Supervisors, a body politic;  
28

No.

**DECLARATION KYLE QUINN-  
QUESADA IN SUPPORT OF  
PLAINTIFFS' APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

1 Patrick Call, in his official capacity as a  
2 member of the Cochise County Board of  
3 Supervisors; Ann English, in her official  
4 capacity as a member of the Cochise County  
5 Board of Supervisors; and Richard Searle, in  
his official capacity as a member of the  
Cochise County Board of Supervisors.

6 Defendants.

7  
8 KYLE QUINN-QUESADA states and declares as follows:

9 1. I am the Campaign Manager for Ron Barber for Congress ("the  
10 Campaign"). I am over the age of 18 and have knowledge of the facts stated in this  
11 declaration. The following statements are based on my personal knowledge.

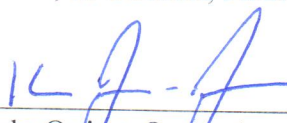
12 2. Both the Pima County and Cochise County recorder's offices has informed  
13 the Campaign that some early ballots were rejected because voters had not signed them.

14 3. The Pima County Recorder informed the Campaign that until  
15 approximately October 30, 2014, the Recorder's office returned unsigned ballots to voters  
16 to sign them. After that time, the Recorder's office took no action to correct early ballots  
17 that had not been signed.

18 4. The Cochise County Recorder informed the Campaign that the Recorder's  
19 office attempted to call voters who had submitted an early ballot that had not been signed,  
20 and sent an affidavit by mail to voters it could not reach by phone. After Election Day the  
21 Recorder's office took no action to correct early ballots that had not been signed.

22 I declare under penalty of perjury under the laws of the State of Arizona that the  
23 foregoing is true and correct to the best of my knowledge and belief.

24  
25 Signed this 23rd day of November, 2014, at Tucson, Arizona

26  
27   
28 \_\_\_\_\_  
Kyle Quinn-Quesada

1 **CERTIFICATE OF SERVICE**

2  I hereby certify that on November 24, 2014, I electronically transmitted the  
3 attached documents to the Clerk’s Office using the CM/ECF System for filing.

4  I hereby certify that, I will serve the attached document once a Judge is  
5 assigned to the matter, United States District Court of Arizona, 405 West Congress Street,  
6 Tucson, Arizona 85701.

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8 s/ S. Neilson  
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1 Daniel C. Barr (Bar No. 010149)  
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4 Email: DBarr@perkinscoie.com

5 Kevin J. Hamilton (WSBA No. 15648)  
*Pro Hac Vice Application To Be Filed*  
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9  
10 *Attorneys for Plaintiffs Ron Barber for*  
*Congress, Lea Goodwine-Cesarec, Laura*  
*Alessandra Breckenridge, Josh Adam Cohen.*  
11

12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF ARIZONA

14  
15 Ron Barber for Congress; Lea Goodwine-  
Cesarec, Laura Alessandra Breckenridge,  
16 Josh Adam Cohen,

17 Plaintiffs,

18 v.

19 Ken Bennett, in his official capacity as  
Secretary of State of the State of Arizona; the  
20 Pima County Board of Supervisors, a body  
politic; Ally Miller, in her official capacity as a  
21 member of the Pima County Board of  
Supervisors; Ramón Valadez, in his official  
22 capacity as a member of the Pima County  
Board of Supervisors; Sharon Bronson, in her  
23 official capacity as a member of the Pima  
County Board of Supervisors; Ray Carroll, in  
24 his official capacity as a member of the Pima  
County Board of Supervisors; Richard Elías, in  
25 his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
26 County Board of Supervisors, a body politic;  
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No.

**DECLARATION OF WILLIAM  
VAN NUYS III IN SUPPORT OF  
PLAINTIFFS' APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

1 Patrick Call, in his official capacity as a  
2 member of the Cochise County Board of  
3 Supervisors; Ann English, in her official  
4 capacity as a member of the Cochise County  
5 Board of Supervisors; and Richard Searle, in  
his official capacity as a member of the  
Cochise County Board of Supervisors.

6 Defendants.

7  
8 WILLIAM VAN NUYS III states and declares as follows:

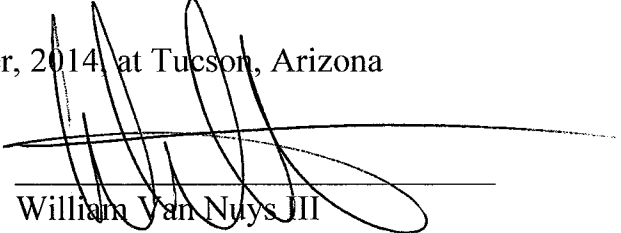
9 1. I am the Assistant Finance Director for Ron Barber for Congress ("the  
10 Campaign"). I am over the age of 18 and have knowledge of the facts stated in this  
11 declaration. The following statements are based on my personal knowledge.

12 2. In the course of my duties for the Campaign, I had a discussion with Pima  
13 County Recorder F. Ann Rodriguez regarding the Recorder's deadline for permitting  
14 voters to validate early ballots for which the Recorder had determined the signature did  
15 not match the signature on file.

16 3. On Friday, November 7, 2014, Ms. Rodriguez told me that the deadline  
17 would be noon on November 8, 2014.

18  
19 I declare under penalty of perjury under the laws of the State of Arizona that the  
20 foregoing is true and correct to the best of my knowledge and belief.

21  
22 Signed this 23rd day of November, 2014, at Tucson, Arizona

23  
24   
25 William Van Nuys III  
26  
27  
28

1 **CERTIFICATE OF SERVICE**

2  I hereby certify that on November 24, 2014, I electronically transmitted the  
3 attached documents to the Clerk’s Office using the CM/ECF System for filing.

4  I hereby certify that, I will serve the attached document once a Judge is  
5 assigned to the matter, United States District Court of Arizona, 405 West Congress Street,  
6 Tucson, Arizona 85701.

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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Ron Barber for Congress; Lea Goodwine-  
Cesarec; Laura Alessandra Breckenridge; Josh  
Adam Cohen,

Plaintiffs,

v.

Ken Bennett, in his official capacity as  
Secretary of State of the State of Arizona; the  
Pima County Board of Supervisors, a body  
politic; Ally Miller, in her official capacity as a  
member of the Pima County Board of  
Supervisors; Ramón Valadez, in his official  
capacity as a member of the Pima County  
Board of Supervisors; Sharon Bronson, in her  
official capacity as a member of the Pima  
County Board of Supervisors; Ray Carroll, in  
his official capacity as a member of the Pima  
County Board of Supervisors; Richard Elías, in  
his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
County Board of Supervisors, a body politic;  
Patrick Call, in his official capacity as a  
member of the Cochise County Board of  
Supervisors; Ann English, in her official  
capacity as a member of the Cochise County  
Board of Supervisors; and Richard Searle, in  
his official capacity as a member of the  
Cochise County Board of Supervisors,

Defendants.

No.

**[PROPOSED] TEMPORARY  
RESTRAINING ORDER**

1           Upon consideration of Plaintiffs’ Application for Temporary Restraining Order,  
2 Motion for Preliminary Injunction, and Memorandum of Points and Authorities in Support  
3 (“Plaintiffs’ Application and Motion”), the response of Defendants, and the exhibits and  
4 declarations submitted by the parties, this Court finds and concludes, for the specific  
5 reasons required under Federal Rule of Civil Procedure 65(d) and set forth in Plaintiffs’  
6 Application and Motion, that Plaintiffs have shown that (1) they are likely to succeed on  
7 the merits of their claims; (2) they are likely to suffer irreparable harm in the absence of  
8 preliminary relief; (3) the balance of equities weighs in their favor; and (4) a temporary  
9 restraining order is in the public interest.

10           THEREFORE, it is hereby ORDERED that Plaintiffs’ Application for Temporary  
11 Restraining Order is GRANTED and that Defendant Secretary of State of the State of  
12 Arizona Ken Bennett (the “Secretary of State”) and/or the members, officers, agents,  
13 employees, and/or attorneys of the Secretary of State and/or his office, and/or those  
14 persons in active concert or participation with the Secretary of State and/or his office, are  
15 TEMPORARILY RESTRAINED from certifying the results of the 2014 General Election  
16 or the need for a recount in the 2014 election for the United States House of  
17 Representatives in Arizona’s second congressional district.

18           IT IS FURTHER ORDERED that this Temporary Restraining Order shall expire at  
19 such time as the Court rules on Plaintiffs’ Motion for Preliminary Injunction.

20           IT IS FURTHER ORDERED that Plaintiffs shall not be required to post bond.  
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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

Ron Barber for Congress; Lea Goodwine-  
Cesarec; Laura Alessandra Breckenridge; Josh  
Adam Cohen,

Plaintiffs,

v.

Ken Bennett, in his official capacity as  
Secretary of State of the State of Arizona; the  
Pima County Board of Supervisors, a body  
politic; Ally Miller, in her official capacity as a  
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County Board of Supervisors; Richard Elías, in  
his official capacity as a member of the Pima  
County Board of Supervisors; the Cochise  
County Board of Supervisors, a body politic;  
Patrick Call, in his official capacity as a  
member of the Cochise County Board of  
Supervisors; Ann English, in her official  
capacity as a member of the Cochise County  
Board of Supervisors; and Richard Searle, in  
his official capacity as a member of the  
Cochise County Board of Supervisors,

Defendants.

No.

**[PROPOSED] PRELIMINARY  
INJUNCTION**

1           Upon consideration of Plaintiffs’ Application for Temporary Restraining Order,  
2 Motion for Preliminary Injunction, and Memorandum of Points and Authorities in  
3 Support, the response of Defendants, and the exhibits and declarations submitted by the  
4 parties, this Court finds and concludes that Plaintiffs are likely to succeed on the merits of  
5 their claims that (1) Defendants’ rejection of and refusal to count the votes reflected on  
6 the ballots (the “contested ballots”) submitted by the voters who signed the declarations  
7 contained in Exhibit E to the Declaration of Kevin J. Hamilton for all elections for which  
8 the voters who cast those ballots were eligible to vote violates the Equal Protection Clause  
9 of the Fourteenth Amendment, the Due Process Clause of the Fourteenth Amendment, 52  
10 U.S.C. § 21082(a)(4), Article 21, Section 2, of the Arizona Constitution, and/or other  
11 provisions of Arizona law; (2) Defendants and/or their members, officers, agents,  
12 employees, and/or attorneys, and/or those persons in active concert or participation with  
13 Defendants, are legally required to count the votes reflected on the contested ballots for all  
14 elections for which the voters who cast those ballots were eligible to vote; and (3) the  
15 votes reflected on the contested ballots for all elections for which the voters who cast  
16 those ballots were eligible to vote must be included in Defendant Secretary of State of the  
17 State of Arizona Ken Bennett’s (the “Secretary of State”) certification of the results of the  
18 2014 General Election, any certification of the need for a recount in the 2014 election for  
19 the United States House of Representatives in Arizona’s second congressional district, and  
20 all other official totals of the votes for the 2014 General Election. This Court further finds  
21 and concludes that Plaintiffs are likely to suffer irreparable harm in the absence of  
22 preliminary injunctive relief; the balance of equities weighs in their favor; and a  
23 preliminary injunction is in the public interest.

24           Accordingly, Plaintiffs’ Motion for a Preliminary Injunction is GRANTED and it is  
25 ORDERED that:

26           (i) Defendants and/or their members, officers, agents, employees, and/or  
27 attorneys, and/or those persons in active concert or participation with Defendants, must  
28 count the votes reflected on the contested ballots for all elections for which the voters who

1 cast those ballots were eligible to vote, and those votes must be included in the Secretary  
2 of State's certification of the results of the 2014 General Election, any certification of the  
3 need for a recount in the 2014 election for the United States House of Representatives in  
4 Arizona's second congressional district, and all other official totals of the votes for the  
5 2014 General Election; and

6 (ii) the Secretary of State and/or the members, officers, agents, employees,  
7 and/or attorneys of the Secretary of State and/or his office, and/or those persons in active  
8 concert or participation with the Secretary of State and/or his office, are enjoined from  
9 certifying the results of the 2014 General Election or the need for a recount in the election  
10 for the United States House of Representatives in Arizona's second congressional district  
11 until the contested ballots have been counted and the votes reflected on the contested  
12 ballots for all elections for which the voters who cast those ballots were eligible to vote  
13 are reflected in all official totals of the votes for the 2014 General Election.

14 IT IS FURTHER ORDERED that this Preliminary Injunction shall remain in effect  
15 pending final resolution of this action or further order of this Court. Because the Court  
16 finds that the balance of equities and the public interest weigh in favor of granting the  
17 preliminary injunction, Plaintiffs are directed to file a proof of bond, in the nominal  
18 amount of \$100, within five (5) business days of this Order. *See, e.g., Planned*  
19 *Parenthood Ariz., Inc. v. Betlach*, 899 F. Supp. 2d 868, 887-88 (D. Ariz. 2012); *Cupolo v.*  
20 *Bay Area Rapid Transit*, 5 F. Supp. 2d 1078, 1086 (N.D. Cal. 1997); *see also Friends of*  
21 *Earth, Inc. v. Brinegar*, 518 F.2d 322 (9th Cir. 1975).