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Lead Counsel for Republican Intervenors

Morris County Republican Committee,

Warren County Regular Republican

Organization, Inc., Republican Committee

of Union County, and Cumberland

Regular Republican Organization, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHRISTINE CONFORTI, ARATI
KREIBICH, MICO LUCIDE, JOSPEH
MARCHICA, KEVIN MCMILLAN,
ZINOVIA SPEZAKIS, and NEW JERSEY
WORKING FAMILIES ALLIANCE, INC.,

Plaintiff,

v.

CHRISTINE GIORDANO HANLON, in
her official capacity as Monmouth County
Clerk, SCOTT M. COLABELLA, in his
official capacity as Ocean County Clerk,
PAULA SOLLAMI COVELLO, in her
official capacity as Mercer County Clerk,
JOHN S. HOGAN, in his official capacity
as Bergen County Clerk, EDWARD P.
MCGETTIGAN, in his official capacity as
Atlantic County Clerk, and E. JUNIOR
MALDONADO, in his official capacity as
Hudson County Clerk,

Defendants.

Civil Action No.: 3:20-8267-ZNQ-TJB

**REPUBLICAN INTERVENORS MORRIS
COUNTY REPUBLICAN COMMITTEE,
WARREN COUNTY REGULAR
REPUBLICAN ORGANIZATION, INC.,
REPUBLICAN COMMITTEE OF UNION
COUNTY, AND CUMBERLAND
REGULAR REPUBLICAN
ORGANIZATION, INC.'S ANSWER,
AFFIRMATIVE DEFENSES, AND JURY
DEMAND**

Republican Intervenors Morris County Republican Committee (“MCRC”), Warren County Regular Republican Organization, Inc. (“WCRRO”), Republican Committee of Union County (“RCUC”), and Cumberland Regular Republican Organization, Inc. (“CRRO”) (collectively “Republican Intervenors”), who maintain their respective offices at 51 Gibraltar Dr, Morris Plains, NJ 07950 (MCRC), 352 S. Main St., Phillipsburg, NJ 08865 (WCRRO), 425 North Ave. E, Westfield, NJ 07090 (RCUC), and 424 W. Landis Ave., Vineland, NJ 08360 (CRRO), by way of Answer to Plaintiffs’ Amended Complaint herein, says:

NATURE OF THE CASE

1. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.
2. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.
3. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.
4. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.
5. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.
6. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.
7. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.
8. This paragraph is argumentative rather than stating facts. To the extent that it may

be construed to assert facts against Republican Intervenors, same are denied.

9. This paragraph is argumentative and makes legal conclusions rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

10. This paragraph is argumentative and makes legal conclusions rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

11. This paragraph is argumentative and makes legal conclusions rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

12. This paragraph asserts prayers for relief rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

13. This paragraph asserts prayers for relief rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

JURISDICTION AND VENUE

14. This paragraph improperly contains legal conclusions and argument. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

15. This paragraph improperly contains legal conclusions and argument. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

16. This paragraph improperly contains legal conclusions and argument. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

17. This paragraph improperly contains legal conclusions and argument. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

18. This paragraph improperly contains legal conclusions and argument. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

PARTIES
Plaintiffs

Christine Conforti:

19. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

20. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

21. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

22. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

23. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

Arati Krreibich:

24. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

25. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

26. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

27. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

Mico Lucide:

28. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

29. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

30. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

31. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

32. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

Joseph Marchica:

33. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

34. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

35. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

36. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

Kevin McMillan:

37. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

38. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

39. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

40. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

41. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

42. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

43. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

Zinovia Spezakis:

44. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

45. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

46. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

47. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

New Jersey Working Families Alliance, Inc.:

48. Republican Intervenors are without sufficient information to admit or deny the

allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

49. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

50. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

51. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

52. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

53. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

54. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

55. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

56. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

Defendants

57. The allegations of this paragraph are admitted.

58. The allegations of this paragraph are admitted.

59. The allegations of this paragraph are admitted.

60. The allegations of this paragraph are admitted.

61. The allegations of this paragraph are admitted.

62. The allegations of this paragraph are admitted.

63. The allegations of this paragraph are admitted.

64. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

65. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

STATEMENT OF FACTS AND LAW¹

A. Basic Ballot Layout

66. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

67. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

68. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

B. Pivot Point

69. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

70. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

71. Republican Intervenors are without sufficient information to admit or deny the

¹ Republican Intervenors include all headings from Plaintiffs' Amended Complaint for purposes of clarity only. However, by no means is the inclusion of the point headings to be construed as an admission of the statements contained therein by Republican Intervenors. To the extent a factual assertion is advanced by any of Plaintiffs' point headings, Republican Intervenors deny same.

allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

72. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

C. Bracketing

73. The allegations of this paragraph are Denied.

74. The cited statute speaks for itself, and, as such, no answer is required. To the extent that an answer may be required, the allegations of this paragraph are denied.

75. The cited statute speaks for itself, and, as such, no answer is required. To the extent that an answer may be required, the allegations of this paragraph are denied.

D. Ballot Position

76. The cited statute speaks for itself, and, as such, no answer is required. To the extent that an answer may be required, the allegations of this paragraph are denied.

77. This paragraph improperly contains legal conclusions and argument. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

78. The cited statute speaks for itself, and, as such, no answer is required. To the extent that an answer may be required, the allegations of this paragraph are denied.

79. The cited statute speaks for itself, and, as such, no answer is required. To the extent that an answer may be required, the allegations of this paragraph are denied.

80. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

81. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

E. United States Senate and Gubernatorial Candidates

82. The cited statute speaks for itself, and, as such, no answer is required. To the extent that an answer may be required, the allegations of this paragraph are denied.

83. This paragraph improperly contains legal conclusions and argument. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

84. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

85. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

F. Arbitrary Criteria for Ballot Advantage and

86. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

87. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

88. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

89. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

G. Position Bias/Primary Effect and Other Poor Ballot Design Features

90. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

91. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

92. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

93. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

94. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

95. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

96. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

97. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

98. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

99. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

100. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

H. Conforti Ballot Draw/Ballot Placement

101. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

102. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

a. Conforti's Monmouth County Ballot Draw and Placement

103. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

104. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

105. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

106. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

107. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

108. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

b. Conforti's Monmouth County Ballot Draw and Placement

109. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

110. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

111. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

112. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

113. Republican Intervenors are without sufficient information to admit or deny the

allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

c. Conforti's Mercer County Ballot Draw and Ballot Placement

114. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

115. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

116. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

117. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

I. Kreibich Ballot Draw/Ballot Placement

118. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

119. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

120. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

121. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

122. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

123. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

124. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

125. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

J. Atlantic County Ballot Draw/Ballot Placement and Licide's Upcoming Primary

126. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proof with respect to same.

127. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

128. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

129. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

130. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

131. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

K. Marchica Ballot Draw/Ballot Placement

132. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

133. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

134. Republican Intervenors are without sufficient information to admit or deny the

allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

135. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

136. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

137. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

138. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

139. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

140. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

141. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

L. McMillan Ballot Draw/Ballot Position

142. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

143. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

144. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

145. Republican Intervenors are without sufficient information to admit or deny the

allegations of this paragraph and leave Plaintiffs to their proofs.

146. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

147. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

148. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

149. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

150. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

151. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

M. Bergen and Hudson County Draws/Ballot Placement and Spezakis' Upcoming Primary

152. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

153. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

a. Bergen County Ballot Draw/Ballot Placement

154. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs with respect to same.

155. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

156. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

157. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

158. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

159. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

160. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

b. Hudson County Ballot Draw/Ballot Placement

161. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leaves Plaintiffs to their proofs.

162. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

163. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

164. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

165. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

166. Republican Intervenors are without sufficient information to admit or deny the allegations of this paragraph and leave Plaintiffs to their proofs.

N. NJWF

167. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

CLAIMS FOR RELIEF

COUNT I

(Violation of Plaintiffs' First and Fourteenth Amendment Rights Under Federal Constitution (Right to Vote/Vote Dilution) – U.S. Const. Amend I and XIV, 42 U.S.C. § 1983)

168. Republican Intervenors repeat their answers to the allegations of all prior paragraphs as though more fully set forth herein.

169. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

170. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

171. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

172. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

173. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

174. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

175. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

176. This paragraph is argumentative rather than stating facts. To the extent that it may

be construed to assert facts against Republican Intervenors, same are denied.

177. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

178. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

179. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

180. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

181. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

182. This paragraph asserts prayers for relief rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

WHEREFORE, Republican Intervenors demand judgment of dismissal of Plaintiffs' Complaint, together with costs, attorneys' fees, other expenses, and any other relief that this Court may deem just and proper.

COUNT II
(Violation of Plaintiffs' First and Fourteenth Amendment Rights Under Federal Constitution (Equal Protection) – U.S. Const. Amend I and XIV, 42 U.S.C. § 1983)

183. Republican Intervenors repeat their answers to the allegations of all prior paragraphs as though more fully set forth herein.

184. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

185. This paragraph is argumentative rather than stating facts. To the extent that the

allegations of this paragraph may be construed to assert facts, same are denied.

186. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

187. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

188. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

189. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

190. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

191. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

192. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

193. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

194. This paragraph asserts prayers for relief rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

WHEREFORE, Republican Intervenors demand judgment of dismissal of Plaintiffs' Complaint, together with costs, attorneys' fees, other expenses, and any other relief that this Court may deem just and proper.

COUNT III

(Violation of Plaintiffs' First and Fourteenth Amendment Rights Under Federal Constitution (Freedom of Association) – U.S. Const. Amend I and XIV, 42 U.S.C. § 1983)

195. Republican Intervenors repeat their answers to the allegations of all prior paragraphs as though more fully set forth herein.

196. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

197. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

198. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

199. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

200. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

201. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

202. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

203. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

204. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

205. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

206. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

207. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

208. This paragraph asserts prayers for relief rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

WHEREFORE, Republican Intervenors demand judgment of dismissal of Plaintiffs' Complaint, together with costs, attorneys' fees, other expenses, and any other relief that this Court may deem just and proper.

COUNT IV
(Violation of Elections Clause Under Federal Constitution – U.S. Const. Art. I, § 4, cl. 1,
42 U.S.C. § 1983)

209. Republican Intervenors repeat their answers to the allegations of all prior paragraphs as though more fully set forth herein.

210. The allegations of this paragraph are admitted.

211. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

212. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

213. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

214. This paragraph is argumentative rather than stating facts. To the extent that it may

be construed to assert facts against Republican Intervenors, same are denied.

215. This paragraph is argumentative rather than stating facts. To the extent that it may be construed to assert facts against Republican Intervenors, same are denied.

216. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

217. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

218. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

219. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

220. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

221. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

WHEREFORE, Republican Intervenors demand judgment of dismissal of Plaintiffs' Complaint, together with costs, attorneys' fees, other expenses, and any other relief that this Court may deem just and proper.

COUNT V
(Violation of Civil Rights Act – 42 U.S.C. § 1983)

222. Republican Intervenors repeat their answers to the allegations of all prior paragraphs as though more fully set forth herein.

223. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

224. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

225. This paragraph is argumentative rather than stating facts. To the extent that the allegations of this paragraph may be construed to assert facts, same are denied.

WHEREFORE, Republican Intervenors demand judgment of dismissal of Plaintiffs' Complaint, together with costs, attorneys' fees, other expenses, and any other relief that this Court may deem just and proper.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein fail to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred by the applicable statute of limitations.

THIRD AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred by the Doctrine of Laches.

FOURTH AFFIRMATIVE DEFENSE

The Court lacks jurisdiction over Plaintiffs' claims.

FIFTH AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred in whole in or in part by operation of the doctrines of estoppel, ratification, acquiesces, and waiver.

SIXTH AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred by the doctrine of unclean hands.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiffs have not been deprived or denied any right, privilege, or immunity guaranteed to them by the United States Constitution, any Act of Congress, or the Constitution of the State of New Jersey.

EIGHT AFFIRMATIVE DEFENSE

Granting the relief sought by Plaintiffs would impair free speech and association rights held by Republican Intervenors under the United States Constitution, any Act of Congress, or the Constitution of the State of New Jersey.

NINTH AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred for failure to exhaust administrative remedies.

TENTH AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred for failure to exhaust administrative remedies.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred by the doctrines of res judicata, collateral estoppel, and/or the entire controversy doctrine.

TWELFTH AFFIRMATIVE DEFENSE

Plaintiffs' Amended Complaint and the claims therein are barred because Plaintiffs cannot demonstrate that Republican Intervenors had the requisite intent for the asserted claims.

THIRTEENTH AFFIRMATIVE DEFENSE

Plaintiffs suffered no damages and/or any damages suffered by Plaintiffs were a result of either Plaintiffs' own conduct or the conduct of third-parties for which Republican Intervenors have no control of.

FOURTEENTH AFFIRMATIVE DEFENSE

Plaintiffs have failed to mitigate any damages they allegedly suffered, if any.

FIFTEENTH AFFIRMATIVE DEFENSE

Plaintiffs claim damages that are not recoverable in whole or in part as a matter of law.

SIXTEENTH AFFIRMATIVE DEFENSE

Plaintiffs have failed to state a claim for punitive damages.

SEVENTEENTH AFFIRMATIVE DEFENSE

Plaintiffs are not entitled to attorneys' fees.

EIGHTEENTH AFFIRMATIVE DEFENSE

At all pertinent and relevant times, Republican Intervenors acted within the scope of their statutory powers and discretion.

NINETEENTH AFFIRMATIVE DEFENSE

Plaintiffs have failed to join all necessary, indispensable, and proper parties.

Republican Intervenors reserve the right to amend and supplement Affirmative Defenses based on information learned through continuing investigations and ongoing discovery.

WHEREFORE, Republican Intervenors demand judgment of dismissal of Plaintiffs' Complaint, together with costs, attorneys' fees, other expenses, and any other relief that this Court may deem just and proper

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Republican Intervenors demands a trial by jury on all issues so triable.

LOCAL CIVIL RULE 11.2 CERTIFICATION

The undersigned counsel hereby certifies that the within matter in controversy is not the subject of any other action pending in any court or of a pending arbitration or administrative proceeding and that, to the best of counsel's knowledge, there is no other party who should be joined in this action.

Date: April 24, 2023

/s/ William J. Palatucci _____

William J. Palatucci

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*Lead Counsel for Republican Intervenors
Morris County Republican Committee,
Warren County Regular Republican
Organization, Inc., Republican Committee
of Union County, and Cumberland
Regular Republican Organization, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing to be electronically filed with the Court using CM/ECF, which will send notification of such filing to all counsel of record.

Date: April 24, 2023

/s/ William J. Palatucci
William J. Palatucci

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