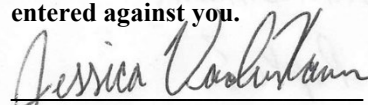


BUCKS COUNTY LAW DEPARTMENT  
Amy M. Fitzpatrick, Esquire  
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**NOTICE TO PLEAD**

**Petitioners: You are hereby notified to file a written response to the enclosed New Matter within thirty (30) days from service hereof or a judgment may be entered against you.**

  
Jessica L. VanderKam, Esquire

STUCKERT AND YATES  
Jessica L. VanderKam, Esquire  
County I.D. No. 208337  
2 North State Street  
Newtown, PA 18940  
*Attorneys for Bucks County Board of Elections*

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

REPUBLICAN NATIONAL COMMITTEE, et. al. :

Petitioners, :

v. :

Docket No. 447 MD 2022

LEIGH M. CHAPMAN, in her official capacity :

as Acting Secretary of the Commonwealth of :

Pennsylvania, et al., :

Respondents. :

**ANSWER AND NEW MATTER OF BUCKS COUNTY BOARD OF ELECTIONS TO PETITION FOR REVIEW SEEKING DECLARATORY AND INJUNCTIVE RELIEF**

Respondent Bucks County Board of Elections submits this Answer and New Matter to the Petition for Declaratory and Injunctive Relief.

1. Denied. It is denied that the Bucks County Board of Elections is departing from the directives of the Election Code. By way of further answer, the Bucks County Board of Elections faithfully follows the directives of the Election Code and the Courts in administering elections.

2. This paragraph sets forth conclusions of law to which no response is required and is therefore denied. By way of further response, Petitioners misconstrue the holding of the Pennsylvania Supreme Court's decision in *Pa. Democratic Party v. Boockvar*. The Court did not hold that cure procedures were prohibited or unlawful; rather the Court held that Board of Elections could not be compelled to implement a notice and cure procedure. *See Pa. Democratic Party v. Boockvar*, 238 A.3d 345, 374 (Pa. 2020) (“Upon review, we conclude that the Board are not required to implement a “notice and opportunity to cure” procedure for mail-in and absentee ballots that voters have filled out incompletely or incorrectly.”).

3. This paragraph sets forth conclusions of law to which no response is required and is therefore denied. By way of further response, Petitioners misconstrue the Pennsylvania Supreme Court's holding in *Pa. Democratic Party v. Boockvar*, 238 A.3d 345, 374 (Pa. 2020). The Pennsylvania Supreme Court stated that the establishment of a procedure *requiring* Election Boards to provide “notice and opportunity to cure” to electors should be addressed by the legislature.

4. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

5. This paragraph sets forth conclusions of law to which no response is required and is therefore denied. By way of further response, the bill referenced in this paragraph contained several provisions that sought to disenfranchise voters and, therefore, was not a genuine attempt to establish a requirement that all Election Boards must allow electors the opportunity to cure minor defects with respect to absentee or mail-in ballots.

6. Denied as vague, as the Petitioner fails to identify with specificity the legislation to which it refers. Further, to the extent the allegations of this paragraph characterize a particular

legislative bill, that bill is in writing and speaks for itself, and any characterization thereof is denied. To the extent that Petitioner is referring to House Bill 1300, same was a 150-page bill which included, among other things, limitations on the use of drop boxes, voter identification requirements, and signature verification requirements, and was in essence a voter suppression effort. Further, nothing in the Election Code or case law prohibits an Election Board from allowing electors the opportunity to cure minor defects with respect to absentee or mail-in ballots.

7. Admitted in part; denied in part. Admitted that Respondent has and is implementing notice and cure procedures but denied that Respondent is not acting within the scope of its legal authority by implementing notice and cure procedures. This long-standing policy was developed at the discretion of the Election Board granted by the Legislature to resolve issues not directly addressed by statute. Specifically, the General Assembly, through the Election Code, has given county boards of elections responsibility for overseeing elections in their respective counties. *See* 25 P.S. § 2641(a).

8. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

9. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

10. Denied. Respondent has disclosed and discussed its notice and cure procedures in public meetings of the Bucks County Board of Elections. Further, Respondent notifies any voters that have submitted problematic ballot outer envelopes and provides instructions to them to cure the outer envelope defect before Election Day.

11. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

12. Denied. With respect to the policies and procedures of County Boards of Elections other than Bucks County Board of Elections, Respondent is without knowledge or information sufficient to form a belief as the truth of the averment, and therefore the averment is denied. The remaining averments of this paragraph are conclusions or statements of law to which no response is required. By way of further answer, Petitioners have failed to demonstrate immediate and irreparable harm if Respondent continues its long-standing policy of allowing electors the opportunity to cure minor defects with respect to absentee or mail-in ballots.

13. This paragraph sets forth conclusions of law to which no response is required and is therefore denied. By way of further response, Petitioners' representation of the Supreme Court's holding in *Pa. Democratic Party v. Boockvar*, 238 A.3d 345, 374 (Pa. 2020) is inaccurate. The Court did not rule that Election Boards were prohibited from allowing electors to correct minor defects identified by Election Boards.

14. Denied. It is specifically denied that the granting of the requested injunction will "preserve the status quo." To the contrary, Respondent has had a long-standing procedure of allowing electors the opportunity to cure minor defects with respect to absentee or mail-in ballots and this procedure is consistent with legislative intent that the Election Code be liberally construed so as not to deprive voters of their right to elect a candidate of their choice.

15. Respondent admits the first sentence of this paragraph. The remaining sentences are conclusions of law to which no response is required and are therefore denied. It is specifically denied the Petitioners are likely to prevail when the relief requested is inconsistent with prior case law and contrary to the purpose of the Election Code in protecting electors' right to vote.

16. Respondent admits the first sentence of this paragraph. The remaining sentences are conclusions of law to which no response is required and are therefore denied. By way of further

answer, the requested injunction seeks to adversely affect the public interest and disenfranchise qualified voters in Bucks County.

17. Respondent admits the first sentence of this paragraph. The remaining sentences are conclusions of law to which no response is required and are therefore denied. It is specifically denied that the granting of the requested injunction will not adversely affect public interest. To the contrary, enjoining the use of notice-and-cure provisions would harm voters in Bucks County and across the Commonwealth whose ballots will be cast aside due to readily apparent and easily correctible errors that are detected before any votes are counted. The remaining averments of this paragraph are conclusions or statements of law to which no response is required.

18. Respondent admits the first sentence of this paragraph. The remaining sentences are conclusions of law to which no response is required and are therefore denied.

19. Denied as it pertains to Respondent. By way of further answer, Respondent cannot determine what is readily known. Respondent's notice and cure procedures have been publicly discussed and deliberated at public meetings since at least October 2020. These public meetings are routinely attended by members of the political parties. The remaining sentence is a conclusion of law to which no response is required and are therefore denied.

20. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

21. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

22. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

23. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

24. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

25. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

26. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

27. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

28. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

29. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

30. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

31. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

32. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

33. This paragraph sets forth conclusions of law to which no response is required and is therefore denied. By way of further response, assisting voters to prevent the unnecessary

disenfranchisement of qualified electors does not interfere with any voter's right to an "equal election."

34. Admitted in part; denied in part. Admitted that the notice and cure procedures by Respondent could result in an elector successfully casting a ballot. The balance of this paragraph sets forth conclusions of law to which no response is required and is therefore denied.

35. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

36. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

37. Admitted.

38. Admitted.

39. Admitted. By way of further response, the county Board of Elections have numerous other duties and obligations as set forth and granted through the Election Code.

40. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

41. Admitted.

42. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

43. Admitted.

44. Denied as stated.

45. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

46. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

47. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

48. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

49. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

50. Admitted as it relates to the language of the statute; denied as it relates to the characterization of same.

51. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

52. To the extent the allegations of this paragraph characterize a particular legislative bill, that bill is in writing and speaks for itself, and any characterization thereof is denied. By way of further response, House Bill 1360 was a 150-page bill which included, among other things, limitations on the use of drop boxes, voter identification requirements, and signature verification requirements.

53. Admitted.

54. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

55. Denied as stated. Upon information and belief, the guidance cited was not intended to assert the Secretary of the Commonwealth's position on Respondent's ability to assist voters to



prevent disenfranchisement. By way of further response, this specific “FAQ” relates to limits on pre-canvassing rather than notice and cure procedures.

56. This paragraph sets forth conclusions of law to which no response is required and is therefore denied. By way of further response, this paragraph reveals that Petitioner is aware the Pennsylvania Supreme Court did not prohibit notice and cure procedures; rather the Court held that the Boards of Election could not be compelled to implement notice and cure procedures.

57. Admitted.

58. Admitted.

59. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

60. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

61. Admitted. By way of further response, Respondent does ensure that its notice and cure procedures are honestly, efficiently, and uniformly conducted in the County of Bucks, as required by the Election Code.

62. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

63. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

64. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

65. Admitted in part; denied in part. Respondent can only respond as to Respondent’s notice and cure procedures and does admit that it has implemented notice and cure procedures.

66. Admitted. A true and correct copy of the current postcard utilized by Respondent is attached as Exhibit A.

67. Denied as stated. It is only admitted that Respondent provided a list of voters it had sent the postcards to at the request of the political parties.

68. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

69. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

70. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

71. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

72. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

73. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

74. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

75. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

76. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

77. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

78. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

79. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

80. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

81. After reasonable investigation Respondent is without the knowledge or information sufficient to form a belief as to the truth of this averment.

82. This paragraph further sets forth conclusions of law to which no response is required and is therefore denied.

83. Admitted to the extent Respondent utilizes notice and cure procedures as time allows. Denied that notice and cure procedures are dependent upon party registration.

84. Denied.

85. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

86. No response necessary.

87. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

88. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

89. Admitted upon information and belief.

90. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

91. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

92. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

93. No response necessary.

94. Admitted.

95. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

96. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

97. No response necessary.

98. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

99. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

100. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

101. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

102. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

103. This paragraph sets forth conclusions of law to which no response is required and is therefore denied.

#### **NEW MATTER**

104. Respondent refers to and incorporates its response to the preceding paragraphs.

105. The General Assembly, through the Election Code, has given county boards of elections responsibility for overseeing elections in their respective counties. *See* 25 P.S. § 2641(a).

106. As noted by our Courts, “[i]n Pennsylvania, each county runs its own elections. 25 P.S. § 2641(a). Counties choose and staff polling places. § 2642(b), (d). They buy their own ballot boxes and voting booths and machines. § 2642(c). They even count the votes and post the results. § 2642(k), (l). In all this, counties must follow Pennsylvania's Election Code and regulations. But counties can, and do, adopt rules and guidance for election officers and electors. § 2642(f). And they are charged with ensuring that elections are honestly, efficiently, and uniformly conducted. § 2642(g).” *Donald J. Trump for President, Inc. v. Sec’y Pennsylvania*, 830 Fed. Appx. 377, 382 (3<sup>rd</sup> Cir. 2020)(*quoting* 25 P.S. §2642(g)).

107. The Pennsylvania Election Code authorizes Respondent, and other county boards of election, to make such rules and regulations for the conduct of elections as they deem necessary for the guidance of the voters, as long as those rules and regulations are not inconsistent with the law. *See* 25 P.S. §2642(f).

108. Nothing in the Pennsylvania Election Code prohibits Respondent from providing notice to the electors that there is some facially deficient problem with the declaration on the outer envelope containing their ballot.

109. Respondent’s development of procedures for allowing voters to cure mail-in ballots is not regulating the “Manner of holding Elections” as Petitioners suggest. Instead, the Board is

exercising discretion granted by the Legislature to resolve issues not directly addressed by statute. The Elections Clause does not deprive the Legislature of the power to delegate such authority to county boards, which it has done.

110. Determining the scope of the county boards' authority to promulgate rules, regulations, and instructions requires "listen[ing] attentively to what the statute says, but also to what it does not say." *In re Canvassing Observation*, 241 A.3d 339, 349 (Pa. 2020). Consistent with that principle, the Pennsylvania Supreme Court has held that a command in the Elections Code that does not specify relevant parameters may "reflect the legislature's deliberate choice to leave such matters to the informed discretion of county boards of elections." *Id.* at 350.

111. Petitioners' argument that the General Assembly has prohibited county boards of election from developing a notice-and-cure procedure fails. While county boards may not adopt any such procedures that are "inconsistent with law," where the law is silent, the board may adopt procedures to promote the purpose of the Election Code: "freedom of choice, a fair election and an honest election return." *Boockvar*, 238 A.3d 345 at 356.

112. Petitioners do not allege that notice-and-cure procedure is inconsistent with the Election Code.

113. Petitioners have not identified any provision in the Election Code that prevents Bucks County Board of Elections or any county board from contacting a voter to inform them of problems with their ballot. To the contrary, boards are empowered to "make and issue ... instructions to voters," 25 P.S. § 2642(f), (i); these powers necessarily must include the power to contact voters when deemed necessary.

114. No injunction should issue in this matter because notice-and-cure procedures adopted by the Bucks County Board of Elections are fully consistent with the Election Code. The

law does not prohibit a county board from taking action to prevent disenfranchisement when it receives a mail ballot that cannot be counted due to observable defects. Instead, it permits county boards to develop procedures to contact affected voters and provide them with the opportunity to have their votes counted.

115. Notifying voters that their ballots are not compliant with the Election Code and will not be counted and providing voters with the opportunity to ensure their vote will be counted, does not cause any cognizable harm to Petitioners—or anyone else—that warrants an injunction.

116. Further, Petitioner's Petition seeking injunctive relief and declaratory judgment is barred by the doctrine of laches, as they have had more than ample time to bring such a lawsuit prior to the eve of mail-in and absentee ballots being mailed out for General Election 2022 and returned to the county boards of election.

117. Petitioner's Petition seeking injunctive relief and declaratory judgment is further barred by the doctrine of laches since Respondent has been providing notice to electors in Bucks County regarding facially deficient problems with their outer ballot envelopes since 2020 and has been providing this service to all of its voters for five (5) elections so far: Primary and General Election in 2020; Primary and General Election in 2021; and Primary Election in 2022.

118. Candidates and the political parties in Bucks County are well aware of the notice and cure procedure in Bucks County, as same has been discussed in public meetings of the Board of Elections.

119. In fact, the political parties, specifically the Bucks County Republican Committee, was present at a public Board of Elections meeting wherein the procedure of notice and cure was discussed and approved as far back as October 2020 and have been aware of the procedure for the past five election cycles.

120. At the public meeting of the Bucks County Board of Elections on Oct 22, 2020, the Board discussed their procedures for notice and cure of facially defective outer envelopes containing ballots and voted to use this notice and cure practice and procedure for the benefit of all Bucks County voters.

121. The Board further discussed providing a listing of any voters who received notice of their facially defective ballot envelope and voted to provide this information to the political parties upon their request of same.

122. A representative of the Bucks County Republican Committee asked questions about how the lists would be distributed to the parties and was informed of those procedures.

123. Subsequently, and since General Election 2020, both political parties have requested said lists and continue to be provided said lists by Bucks County Board of Elections.

124. Petitioner's Petition seeking injunctive relief and declaratory judgment is further barred by the doctrine of res judicata, as they issues have already been litigated.

125. In 2020, then-President Trump's campaign brought an unsuccessful challenge in federal court, primarily arguing that allowing county boards discretion to implement cure procedures violated the United States Constitution's Equal Protection Clause. *See Donald J. Trump for President, Inc. v. Sec'y Pennsylvania*, 830 Fed. Appx. 377 (3d Cir. 2020).

126. The Court dismissed the lawsuit, noting: "[n]ot every voter can be expected to follow this process perfectly. Some forget one of the envelopes. Others forget to sign on the dotted line. Some major errors will invalidate a ballot. For instance, counties may not count mail-in ballots that lack secrecy envelopes. But the Election Code says nothing about what should happen if a county notices these errors before election day. Some counties stay silent and do not count the



ballots; others contact the voters and give them a chance to correct their errors.” *Donald J. Trump for President, Inc. v. Sec’y Pennsylvania*, 830 Fed. Appx. 377 (3d Cir. 2020).

127. Further, the courts have already opined that “county-to-county variations do not show discrimination. Counties may, consistent with equal protection, employ entirely different election procedures and voting systems within a single state. Even when boards of elections vary . . . considerably in how they decide to reject ballots, those local differences in implementing statewide standards do not violate equal protection. *Ne. Ohio Coal. for the Homeless v. Husted*, 837 F.3d 612, 635-36 (6th Cir. 2016); see also *Wexler v. Anderson*, 452 F.3d 1226, 1231-33 (11th Cir. 2006) (recognizing that equal protection lets different counties use different voting systems). *Id.* at 388, citing *Donald J. Trump for President, Inc.*, 2020 U.S. Dist. LEXIS 188390, 2020 WL 5997680, at \*44 (collecting cases).

128. Additionally, as it pertains to Bucks County specifically, Donald J. Trump, then-candidate, filed a Petition on Election Day, 2020, in the Bucks County Court of Common Pleas, Docket No. 2020-05627, raising complaints about the notice and cure procedures in Bucks County. Said Complaint was denied and dismissed; was not appealed; and is a final order. *Donald J. Trump for President, Inc. v. Bucks County Board of Elections*, 2020-05627 (Bucks C.C.P. 2020).

129. Further, Petitioners lack standing to bring this lawsuit against the Bucks County Board of Elections as it is a generalized grievance that is insufficient to confer standing.

130. Petitioners have no substantial, direct or immediate interest in the outcome of the litigation.

131. A substantial interest is one that is distinct from and exceeds “the common interest of all citizens in procuring obedience to the law;” a direct interest is one where the challenged conduct caused petitioner’s harm; and an immediate interest is one where the harm alleged is

concrete, not speculative. *See In re Hickson*, 821 A.2d 1238, 1243 (Pa. 2003) (quoting *Indep. State Store Union*, 432 A.2d 1375 at 1379–80 (Pa. 1981)); *see also Ams. for Fair Treatment, Inc. v. Phila. Fed'n of Tchrs.*, 150 A.3d 528, 533 (Pa. Cmwlth. 2016).

132. The cornerstone of standing in Pennsylvania is therefore that the party “must be negatively impacted in some real and direct fashion.” *Pittsburgh Palisades Park, LLC v. Commonwealth*, 888 A.2d 655, 660 (Pa. 2005). If a party is not adversely affected by what it challenges, it cannot be aggrieved and therefore “has no standing.” *Soc’y Hill Civic Ass’n v. Pa. Gaming Control Bd.*, 928 A.2d 175, 184 (2007). “In particular, it is not sufficient for the person claiming to be ‘aggrieved’ to assert the common interest of all citizens in procuring obedience to the law.” *Pittsburgh Palisades Park, LLC*, 888 A.2d at 660 (citing to *In re Hickson*, 821 A.2d 1238 at 1243).

133. Petitioners fail to identify any concrete and distinct harm they have suffered as a result of the Bucks County Board of Elections implementation of notice-and-cure procedures.

134. Any hypothetical harm Petitioners suffer is limited to the same common interest of all citizens in ensuring that the mandates of the U.S. Constitution are being followed, which is insufficient to establish standing. *See Hollingsworth v. Perry*, 570 U.S. 693 (2013).

135. Petitioners’ allegations instead center on a mischaracterization of vote cancellation and dilution. That county boards may “employ entirely different election procedures and voting systems within a single state” does not, by itself, impose any injury so long as those procedures do not discriminate against certain groups of voters or infringe on an individual’s fundamental right to vote. *See Donald J. Trump for President, Inc.*, 830 F. App’x at 388; *see also Donald J. Trump for President, Inc. v. Boockvar*, 493 F. Supp. 3d 331, 383 (W.D. Pa. 2020).

136. Respondent’s notice and cure procedures do not lead to voter disenfranchisement.

Quite the opposite—voters that would otherwise be prevented from casting an effective mail ballot will now have an opportunity to ensure their ballots are counted. Meanwhile, Petitioners’ requested relief would result in *more* disenfranchisement, not less.

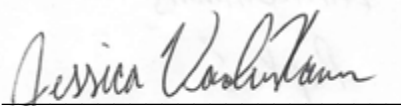
137. Enjoining the use of notice-and-cure provisions would harm voters in Bucks County and across the Commonwealth whose ballots will be cast aside due to readily apparent and easily correctible errors on the outer envelope, which are detected before any ballots are canvassed or counted.

WHEREFORE, Respondent Bucks County Board of Elections respectfully requests this Court to deny Petitioner’s Petition for Declaratory and Injunctive Relief.

Respectfully submitted,

Date: September 19, 2022

/s/ Amy M. Fitzpatrick, Esquire  
First Assistant County Solicitor  
Attorney I.D. No. 324672  
Daniel Grieser, Esquire  
Attorney I.D. No. 325445  
BUCKS COUNTY LAW DEPARTMENT  
55 East Court Street, Fifth Floor  
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\_\_\_\_\_  
Jessica L. VanderKam, Esquire  
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STUCKERT & YATES  
2 North State Street  
Newtown, PA 18940

*Attorneys for Respondent,  
Bucks County Board of Elections*

VERIFICATION

I, THOMAS FREITAG, state that I am the Director of Elections for Respondent, Bucks County Board of Elections and am authorized to make this verification on its behalf. I verify that the averments of fact made in the Response of the Board of Elections of Bucks County to the Petition for Declaratory and Injunctive Relief are true and correct to the best of my knowledge, information and belief. I understand that the statements are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

  
THOMAS FREITAG

Dated: September 16, 2022

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

REPUBLICAN NATIONAL COMMITTEE, et. al. :

Petitioners, :

v. :

Docket No. 447 MD 2022

LEIGH M. CHAPMAN, in her official capacity :  
as Acting Secretary of the Commonwealth of :  
Pennsylvania, et al., :

Respondents. :

ORDER

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2022, upon consideration of the  
Petition for Declaratory and Injunctive Relief, and the responses thereto, the Petition for  
Declaratory and Injunctive Relief is hereby DENIED and DISMISSED.

\_\_\_\_\_  
J.

RETRIEVED FROM DEMOCRACYDOCKET.COM

# **EXHIBIT “A”**

RETRIEVED FROM DEMOCRACYDOCKET.COM

**NOTICE: YOU FAILED TO SIGN  
AND/OR DATE YOUR MAILED  
BALLOT.**

- Please contact The Bucks County Board Of Elections  
Office as soon as possible to remedy this.

- For your vote to count, your ballots must be cured  
by 8:00 PM on Tuesday, May 17, 2022 (Election Day).

Call 215-348-6154 or email [Elections@BucksCounty.org](mailto:Elections@BucksCounty.org)  
for more information.  
Our office hours are 8:00 AM to 5:00 PM,  
Monday-Friday.

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**County of Bucks  
Board of Elections  
55 East Court St.  
Doylestown PA 18901**



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Doylestown PA 18901**



**County of Bucks  
Board of Elections  
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