

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

KRISTINA KARAMO,
Candidate for MI Secretary of State,

PHILIP O'HALLORAN,
MD Poll Challenger,

**Case No: 22- -AW
Hon. Timothy M. Kenny**

BRADEN GIACOBAZZI
Poll Challenger,

TIMOTHY MAHONEY,
Poll Watcher,

KRISTIE WALLS,
Detroit Election Worker,

PATRICIA FARMER,
Detroit Resident Taxpayer,

ELECTION INTEGRITY FUND AND FORCE,
A Michigan non-profit corporation
Plaintiffs,

-vs-

JANICE WINFREY,
In her official capacity as Detroit City Clerk,

CITY OF DETROIT BOARD OF ELECTION INSPECTORS, In their official capacity,

Defendants.

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RESTATEMENT OF RELIEF
REQUESTED WITH SUPPORTING STATEMENTS

NOW COME, the Plaintiffs, by and through their attorneys, pursuant to a conference on November 1, 2022 at 9 am the Defendant submits the following restatement of relief requested with supporting evidence where applicable:

The Plaintiffs seek orders to remedy the following violations of law discussed below by topic:

(i) Declaratory relief:

There is no standard rule promulgated for signature comparison and therefore no ability to fulfill the requirements for signature comparison pursuant to MCL 168.761 (2);

The Plaintiff requests the court judicial notice of (a) the ruling in *Robert Genetski and Mich Republican Party v Benson and Brater* No 20-000216-MM and (b) that the Michigan Secretary of State has promulgated no rule.

The remedy is that the court must either fashion a “standard” or require that the other alternative methods of identification be required to ensure secure access and that only legal ballots are cast

(ii) Declaratory relief

Pursuant to MCL 168.761D(4) That all ballots ballot drop boxes are required to be effectively monitored to wit that effective means that a person who deposits ballots in violation of the limitations under MCL 168.761(4) for who may transport a ballot to the drop box is enforced.

Further, the Plaintiff will require production of George Azzouz, Cory of Detroit Director of Election who will provide testimony of what the 2022 monitoring process is.

Further that the Plaintiff Phillip O'Hallaran will testify as to an out of court statement where George Azzouz made an admission that the video on the drip boxes is/was not monitored.

The Plaintiffs will provide video evidence sourced from 19 cameras depicting "ballot stuffing" showing ballots being deposited by persons in violation of law.

The Defendant requests Injunctive relief requiring compliance the requirement of effective monitoring of the ballot boxes.

(iii) Declaratory relief

MCL 168.766-767 provides a process for the signature verification by the board of election inspectors. This requires a comparison to the QVF, by the board of election inspectors (not the clerk and not by Reli-vote, and observation and a meaningful opportunity to challenge signatures by the poll challengers. Poll challengers have rights under MCL 168.798a to observe all proceedings.

Further that the use of the Reli-vote system for signature comparison on ballot envelopes is both a security risk and a non-conforming novel process not permitted or authorized by law

The Plaintiff will production of Chris Thomas who will testify about the signature verification used in Detroit by reli-vote.

The Plaintiff will present testimony from Plaintiff Phil O'Hallaran and Braden Giacobazzi as to the lack of signature verification at the AVCB and any opportunity to observe

The Plaintiffs requests injunctive relief that requires the clerk to follow the law and procedure for signature verification and to prohibit the use of reli-vote.

(iv) The Clerk is failing to reject ballots that are illegally pursuant to MCL 168.767.

Plaintiffs will call George Azzouz, Daniel Baxter, Chris Thomas, Phil O'Halloran and Braden Giacobazzi.

Plaintiff requires injunctive relief to enforce the law.

(v) Declaratory relief

MCL 168.765(5) has requirements to post the number of absentee ballots mailed and returned under) at 8 am on election day and before 9 pm on election night.

The Plaintiffs seek mandamus relief as this is a clear administrative ministerial duty

(vi). Declaratory relief

MCL 168.765 requires that a ballot be rejected when the ballot number does not match the number that the clerk mailed

The Plaintiff will show that in August 2022 the process what to “note” the discrepancy in the poll book and to allow the ballot to be processed

Plaintiff will require production of Chris Thomas and Daniel Baxter. Further, that Plaintiff will provide testimony from Phil O’Hallaran along with written challenges from 2022.

Plaintiff will produce the training video for November 2022.

The Plaintiffs seek injunctive relief preventing this process from violating law
(vii) Declaratory relief

MCL 168.798b Provides the lawful process for duplication of a defective or damaged ballot.
There is no other authority

Plaintiffs require Production of Christ Thomas and Daniel Baxter to testify as to the procedures

The clerk has provided for duplication of ballots in excess of authority granted by law which is limited only to a damaged ballot by. There is no process for duplicating portions of a 'wrong' ballot that was cast. The duplication process is also used for military and overseas voters that are emailed.

The defendant seeks injustice relief to limit the duplication of ballots to the process permitted by law

(viii) Declaratory relief

1-Michigan requires a uniform electronic voting system approved by the board canvassers.

2-The requirement is that the AVCB is to process ballots in nearly the same manner as in person pursuant to MCL 168.765(8)

3-The scanners are also not certified for use by a VSTL as configured in violation of the standards of the Help America Vote Act section 301 and do not conform to the requirement of MCL 168.795a in that they are not authorized for use.

The plaintiffs require production of Chris Thomas and Daniel Baxter.

Plaintiffs will call Phil O'Halloran and Braden Giacobazzi

The plaintiffs seek injunctive relief as to the use of equipment that is not permitted under Michigan or federal laws.

(ix) MCL 168.795(K) and HAVA Section 301 which requires an audit trail.

These scanners also create a ballot image that is altered by the adjudication process. The ballot images are then reportedly not saved after being converted into the cast vote record in the table violating

Plaintiffs will require additional oil mail time to name their expert based on availability.

The plaintiffs request injunctive relief requiring preservation of all ballot images and that the ballot saving system not be shut off

(x) Declaratory relief

There is an adjudication process that is completely unauthorized by law and contrary to Michigan law which defines a mark in MCL 168.803. The determination of a voter's intent is a violation of equal protection. The removal of a stray mark is permitted by law but not the interpretation of an improper mark contrary to instructions.

The plaintiffs require production of Chris Thomas and Daniel Baxter.

Plaintiffs will call Phil O'Halloran and Braden Giacobazzi

Plaintiff requires injunctive relief to enforce the law.

(xi) Declaratory relief

MCL 168.795(2) requires rejection of a ballot when cast in violation of the instructions, not

adjudication. It does not allow for the counting of some of the contests on the ballot. The voting system is supposed to be programmed to reject the ballot when the ballot is marked in violation of the law.

The plaintiffs require production of Chris Thomas and Daniel Baxter.

Plaintiffs will call Phil O'Halloran and Braden Giacobazzi

Plaintiff requires injunctive relief to enforce the law.

(xii) Declaratory relief

Poll challenger access is guaranteed by MCL 168.974(d) where votes are received and accumulated by MCL 168.733.

The clerk has restricted access of the poll challengers to the platform and the center at the clerk's office where votes from precincts accumulate.

The plaintiffs require production of Chris Thomas and Daniel Baxter.

Plaintiffs will call Phil O'Halloran and Braden Giacobazzi

The Plaintiffs seeks injunctive relief permitting access to these areas to execute their duties.

Respectfully submitted,

By: /s/Daniel J. Hartman
Daniel J. Hartman (P52632)

/s/Alexandria J. Taylor
Alexandria J. Taylor (P75271)

Dated: November 1, 2022

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