



649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003
(602) 382-4078
Kory Langhofer, Ariz. Bar No. 024722
kory@statecraftlaw.com
Thomas Basile, Ariz. Bar. No. 031150
tom@statecraftlaw.com
Attorneys for Blake Masters for Senate

Brett W. Johnson (#021527)
Eric H. Spencer (#022707)
SNELL & WILMER L.L.P.
One Arizona Center
400 E. Van Buren, Suite 1900
Phoenix, Arizona 85004-2202
Telephone: 602.382.6000
bwjohnson@swlaw.com
espencer@swlaw.com
*Attorneys for Plaintiffs Republican National Committee
and National Republican Senatorial Comm.*

Timothy A La Sota, SBN # 020539
TIMOTHY A. LA SOTA, PLC
2198 East Camelback Road, Suite 305
Phoenix, Arizona 85016
(602) 515-2649
tim@timlasota.com
Attorneys for Kari Lake for Arizona

Dallin Holt, Ariz. Bar No 037419
Brennan A.R. Bowen, Ariz. Bar No. 036639
Holtzman Vogel Josefiak Torchinsky, PLLC
2575 East Camelback Road, Suite 860
Phoenix, Arizona 85016
Telephone: (540) 341-8808
dholt@HoltzmanVogel.com
*Attorneys for National Republican Senatorial
Committee*

IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

REPUBLICAN NATIONAL COMMITEE,
a national political party committee;
NATIONAL REPUBLICAN SENATORIAL
COMMITTEE, a national political party
committee; BLAKE MASTERS FOR
SENATE, a federal political committee;
KARI LAKE FOR ARIZONA, an Arizona
political committee; and JILL NORGAARD,
an individual,

Plaintiffs,

v.

STEPHEN RICHER, in his official capacity as
the Maricopa County Recorder; and JACK
SELLERS, THOMAS GALVIN, BILL
GATES, CLINT HICKMAN, AND STEVE
GALLARDO, in their respective official

No. CV2022-014827

**EMERGENCY MOTION FOR
TEMPORARY RESTRAINING
ORDER OR PRELIMINARY
INJUNCTION**

(Expedited Election Matter)

capacities as members of the Maricopa County
Board of Supervisors,
Defendants.

Pursuant to A.R.S. § 12-1801 and Arizona Rule of Civil Procedure 65, Plaintiffs respectfully move that the Court immediately issue a temporary restraining order or preliminary injunction requiring the Defendants to:

- a. extend voting hours in Maricopa County until 10:00 p.m. on November 8, 2022;
- b. suspend the public release of any tabulated early ballot returns in Maricopa County until 11:00 p.m. on November 8, 2022;
- c. instruct the inspector at every polling location that voters who choose to spoil their ballot and leave the voting center without casting a ballot must be “checked out” in the electronic pollbook; and
- d. instruct the inspector at every polling location that voters whom the e-pollbook have recorded as having previously voted in this election must be permitted to complete and cast a provisional ballot.

FACTUAL BACKGROUND

Election Day in Maricopa County has been engulfed with a torrent of malfunctions, mistakes and misinformation. Almost immediately upon the opening of polling locations this morning, the electronic devices that tabulate duly cast ballots failed on a wide scale; at various points during the day, voters at more than a third of polling locations countywide were burdened with tabulators that were mechanically incapable of accepting and processing their facially compliant completed ballots. In addition to begetting unreasonably excessive waiting times, these severe operational impairments were compounded by apparently widespread poll worker error. Upon having her ballot rejected by a tabulator, a voter may, if she chooses, spoil the ballot, forego obtaining a replacement ballot, and instead cast her vote at a different (fully functional) polling location. In such situations, poll

workers must “check out” the voter on the electronic pollbook, which enables the voter to vote elsewhere. Instead, however, numerous poll workers either failed or refused to “check out” such voters. When these individuals later presented to vote at a different polling location, they were erroneously designated in the e-pollbook as having previously voted, and either (1) were denied a ballot altogether or (2) compelled to cast a provisional ballot which, in the ordinary course, will not be tabulated.

ARGUMENT

In considering a motion for preliminary relief, this Court evaluates (1) the likelihood that the movant will succeed at trial on the merits, (2) the possibility of irreparable injury to the movant not remediable by damages if the requested relief is not granted, (3) whether the balance of hardships favors the movant, and (4) whether public policy favors an injunction. *See generally Smith v. Ariz. Citizens Clean Elections Comm’n*, 212 Ariz. 407, 410–411, ¶ 10 (2006); *Apache Produce Imports, LLC v. Malena Produce, Inc.*, 247 Ariz. 160, 164, ¶ 10 (App. 2019); *Shoen v. Shoen*, 167 Ariz. 58, 63 (App. 1990).

Importantly, the moving party need not establish all four elements. Rather, the factors are considered on a sliding scale, and a movant is entitled to injunctive relief if it establishes “*either* (a) probable success on the merits and the possibility of irreparable injury; *or* (b) the presence of serious questions and ‘the balance of hardships tip sharply’ in his favor.” *Shoen*, 167 Ariz. at 63 (emphasis added); *Smith*, 212 Ariz. at 410–411. All four considerations—whether evaluated individually or in any given permutation—impel the issuance of preliminary relief.

I. Plaintiffs Are Likely to Succeed on the Merits of their Claims

A cornerstone of the constitutional edifice, the right to vote is “regarded as a fundamental political right, because preservative of all other rights.” *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886). Protected not only by the federal constitution, the franchise is secured by supplemental guarantees in the Arizona Constitution providing for equal privileges and immunities under the law, and the administration of free and equal elections. *See Ariz. Const. art. II, §§ 13, 21*. Since the early days of statehood, the Arizona Supreme

Court has recognized the sanctity of the ballot through which this right is exercised, which in turn is premised on access to the ballot and the tabulation of each and every lawful vote. *See generally Findley v. Sorenson*, 35 Ariz. 265, 269-70 (1929) (observing that “[t]he main object of the duties and restrictions imposed on election officers is to afford to every citizen having a constitutional right to vote an opportunity to exercise that right”). To effectuate this imperative, the Legislature has expressly designated thirteen hours of continuous polling place operations on Election Day. *See* A.R.S. § 16-565(A). In addition, Arizona law guarantees the right of duly qualified electors who furnish sufficient identification at the polling place to cast a regular ballot, which is thereupon promptly tabulated, *see id.* §§ 16-579, -580(B)-(C). If a prospective voter’s eligibility or identification cannot be sufficiently ascertained, he or she is always entitled to receive and submit a provisional ballot upon an affirmation of eligibility, *see id.* § 16-584.

The systemic errors and maladministration that have pervaded polling place operations in Maricopa County directly and substantially endanger all three pillars of Arizona’s election regime.

A. An Extension of Polling Hours Is Necessary to Effectuate A.R.S. § 16-565

Arizona law contemplates that polling locations will open at 6:00 a.m. and close at 7:00 p.m. on Election Day. *See* A.R.S. § 16-565(A). Particularly when (as here), a statute is imbued with constitutional dimensions, courts aspire “to effectuate the legislature’s intent. To do so, we interpret statutory language in view of the entire text, considering the context and related statutes on the same subject.” *State of the Netherlands v. MD Helicopters, Inc.*, 250 Ariz. 235, 238, ¶ 8 (2020) (cleaned up).

The gravamen of Section 16-565 is, as its plain text conveys, to ensure on Election Day a continuous period of thirteen hours during which qualified electors may obtain, complete and cast a ballot. A polling location that is nominally accessible but debilitated by severe and ongoing mechanical mishaps that impede the prompt checking-in of voters and the processing of completed ballots is not “open” within the meaning of Section 16-565.

As detailed in the accompanying sworn declarations, numerous voters witnessed other individuals leave Maricopa County polling locations without casting a ballot in apparent frustration with the poll workers' inability to remedy tabulator defects and mitigate the increasingly untenable waiting times. A reasonable extension of polling place hours until 10:00 p.m. is necessary to fully and substantively honor the right of all Arizona voters to thirteen hours of reasonably open, accessible and functional polling locations on Election Day.¹

In addition to augmenting polling place hours, the Court also should suspend any release of tabulated early ballot totals in Maricopa County until 11:00 p.m. To preserve an even electoral playing field and prevent an undue influence on individuals who have yet to vote, the Legislature has mandated that county officials must embargo all election returns until 8:00 p.m. *See* A.R.S. § 16-551(C). To honor this policy directive, the Court should conjoin any extension of polling location hours with a corresponding deferral of the release of any tabulated returns.

B. County Poll Workers Have Unconstitutionally Denied Otherwise Qualified Electors the Right to Vote By Wrongfully Issuing Provisional Ballots or Wrongfully Refusing to Issue Any Ballot at All

Qualified electors who have established their identity in the manner required by statute are entitled to receive and submit a regular, non-provisional ballot. Systemic poll worker error deprived numerous voters across Maricopa County of this constitutionally ordained right. Specifically, many electors who encountered malfunctioning tabulators chose to spoil or surrender their voted ballots and leave the polling location, foregoing the option of receiving and attempting to cast a replacement ballot. In this scenario, poll workers should have "checked out" the voter on the e-pollbook, which would have memorialized that the individual never actually submitted a ballot and hence remained eligible to cast a regular ballot at any vote center in Maricopa County. Instead, however, poll workers consistently failed or refused to "check out" certain voters who spoiled or

¹ Federal law requires that any electors who vote after a judicially-imposed extension of polling hours must cast their votes on provisional ballots. *See* 52 U.S.C. § 21082(c).

surrendered their ballots. As a consequence, these individuals remained designated in the e-pollbook as having previously voted. When they subsequently presented at a different polling location later in the day, the poll workers there alternatively (1) refused to issue them any ballot or all, or (2) issued a provisional ballot, which (absent judicial relief) will not be counted.

Both species of malfeasance operate as a direct infringement of the right to vote. Under Arizona law (which incorporates a parallel federal mandate, *see* 52 U.S.C. § 21082(a)), voters are always entitled to receive and submit a provisional ballot upon affirming their eligibility. *See* A.R.S. § 16-584. Even those voters who were issued a provisional ballot, however, were effectively divested of the franchise. Because the e-pollbook erroneously designates these individuals as having already voted, their provisional ballots will not—absent a court order—be counted. *See id.* § 16-584(D) (“If there is information showing the person did vote, the provisional ballot shall remain unopened and shall not be counted”).

Although federal courts have long inferred a fundamental right to vote from the interstices of the Fourteenth Amendment’s Equal Protection Clause, *see generally Burdick v. Takushi*, 504 U.S. 428 (1992), the Arizona Constitution explicitly preserves “the right of suffrage” and commands that “[a]ll elections shall be free and equal.” Ariz. Const. art. II, § 21, and likewise guarantees the equal treatment of all similarly situated electors, *see* § 13; *see also Chavez v. Brewer*, 222 Ariz. 309, 320, ¶ 34 (App. 2009) (holding that “Arizona’s constitutional right to a ‘free and equal’ election is implicated when votes are not properly counted.”). In this vein, courts have always recognized that equal protection principles are derogated when poll workers or elections officials—even if in good faith—routinely or systematically cause voters to engage in errors that may disqualify their ballots. *See, e.g., Ne. Ohio Coal. for the Homeless v. Husted*, 696 F.3d 580, 593-94 (6th Cir. 2012) (observing that, “as a matter of law, if a person casts a provisional ballot in the wrong precinct, it is *always* going to be due to poll-worker error unless the poll-worker has [properly] instructed the individual” where the correct polling location is and that individual ‘refuses to travel to

the [correct] polling place.”); *Curling v. Raffensperger*, 397 F. Supp. 3d 1334, 1392 (N.D. Ga. 2019) (crediting the sworn declarations of voters and poll watchers in finding a “pattern of problems with Georgia’s voting systems and registration databases” that could sustain Equal Protection Clause claims).

The relief Plaintiffs presently seek is modest in scope and easy to implement—*i.e.*, the Defendants’ dissemination of clear and explicit instructions to poll workers that (1) they are required to “check out” in the e-pollbook all voters who opt to spoil or surrender their ballot without obtaining a replacement ballot, and (2) voters whom the e-pollbook has designated as having previously voted in this election are nevertheless entitled to receive and submit a provisional ballot, which will thereafter be processed in accordance with Arizona law and any orders of this Court.²

II. Plaintiffs and their Supporters Will be Irreparably Injured Without an Injunction

An abridgement of fundamental constitutional freedoms such as the right to vote “for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373 (1976). If a polling location in Maricopa County closes at 7:00 p.m., voters who were unable to cast their ballots due to unreasonably long lines attributable to malfunctioning tabulators and maladministration of voting procedures irrevocably will be disenfranchised, which constitutes irreparable injury as a matter of law. *See S.W. Voter Regis. Educ. Proj. v. Shelley*, 344 F.3d 882, 907 (9th Cir. 2003) (“Abridgement or dilution of a right so fundamental as the right to vote constitutes irreparable injury.” (quoting *Cardona v. Oakland Unified Sch. Dist.*, 785 F. Supp. 837, 840 (N.D. Cal. 1982))); *Am. Trucking Ass’n, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1059 (9th Cir. 2009) (“[C]onstitutional violations cannot be adequately remedied through damages and therefore generally constitute irreparable harm.”).

Further, poll workers’ incorrect issuance of provisional ballots to voters who were

² As pleaded in the Verified Complaint, Plaintiffs reserve the right to seek additional remedies in connection with provisional ballot issued to voters whom poll workers had failed to “check out” but who did not previously cast any ballot in the November 8, 2022 general election.

entitled to cast a regular ballot and/or refusal to provide certain voters with a ballot of any kind not only abrogates the franchise, but also deviates from statutory strictures, and exact *per se* irreparable injuries. *See Ariz. Public Integrity All. v. Fontes*, 250 Ariz. 58, 64, ¶¶ 26-27 (2020); *see also Harrison v. Laveen*, 67 Ariz. 337, 342 (1948) (“To deny the right to vote, where one is legally entitled to do so, is to do violence to the principles of freedom and equality.”).

III. The Balance of Equities and Considerations of Public Policy Warrant Injunctive Relief

The balance of hardships skews decisively in the Plaintiffs’ favor; the threat of irreparable injury to the integrity of the franchise is not offset by any countervailing government interest. A short extension of polling place operations by a few hours will entail only a modest allocation of additional resources. *Compare Ariz. Public Integrity All.*, 250 Ariz. at 65, ¶¶ 28-29 (finding that balance of equities favored plaintiffs in litigation seeking injunction against use of challenged instructions in connection with millions of early ballots county-wide). The Plaintiffs’ request for injunctive relief ordering the Defendants to issue correct instructions to poll workers would exact no articulable burden whatsoever on the Defendants; it does not require the expenditure of any funds, consume substantial time, or demand discernibly more manpower or other elections resources at all. *See Cooper v. Raffensperger*, 472 F. Supp. 3d 1282, 1295 (N.D. Ga. 2020) (granting injunction to lower signature threshold required for ballot access, pointing out that the remedy would “require little action on the part of” elections officials); *Jones v. McGuffage*, 921 F. Supp. 2d 888, 901 (N.D. Ill. 2013) (granting injunction in ballot access context, noting that the requested relief “would not increase the state’s administrative burden”).

CONCLUSION

For the foregoing reasons, the Court should immediately issue a temporary restraining order or preliminary injunction requiring the Defendants to:

- a. extend voting hours in Maricopa County until **10:00 p.m.** on November 8, 2022;

- b. suspend the public release of any tabulated early ballot returns in Maricopa County until **11:00 p.m.** on November 8, 2022;
- c. instruct the inspector at every polling location that voters who choose to spoil their ballot and leave the voting center without casting a ballot must be “checked out” in the electronic pollbook; and
- d. instruct the inspector at every polling location that voters whom the e-pollbook have recorded as having previously voted in this election must be permitted to complete and cast a provisional ballot.

DATED this 8th day of November, 2022.

STATECRAFT PLLC

By: /s/Thomas Basile
Kory Langhofer
Thomas Basile
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003

Brett W. Johnson
Eric H. Spencer
SNELL & WILMER L.L.P.
One Arizona Center
400 E. Van Buren, Suite 1900
Phoenix, Arizona 85004-2202

Timothy A La Sota, SBN # 020539
TIMOTHY A. LA SOTA, PLC
2198 East Camelback Road, Suite 305
Phoenix, Arizona 85016

Dallin Holt, Ariz. Bar No 037419
Brennan A.R. Bowen, Ariz. Bar No. 036639
HOLTZMAN VOGEL JOSEFIK
TORCHINSKY, PLLC
2575 East Camelback Road, Suite 860
Phoenix, Arizona 85016

DECLARATION OF BILL MASON


I, Bill Mason, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Desert Christian Fellowship, 1445 W Northern Ave, Phoenix, AZ 85021.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I surrendered my uncompleted mail-in ballot so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, I was instructed to go to a neighboring polling location to cast my ballot there.
8. I was escorted by police out of the voting location and was not able to see if my ballot was spoiled.
9. I was not instructed to, nor did I otherwise, "check out" of the polling place to properly indicate in the poll book system that I had not yet voted.
10. I left the Desert Christian Fellowship and proceeded to the Church of the Beatitudes voting location, 555 W Glendale Ave, Phoenix, AZ 85021, in an attempt to properly cast my ballot.
11. When I attempted to log into the system at the Church of the Beatitudes voting location, the voting machine notified me that my vote had already been counted or that the previous tabulator had misread my ballot and would not allow me to proceed to cast a new ballot.
12. I then returned to Desert Christian Fellowship and explained the situation, whereupon the poll worker then spoiled my ballot.

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13. I then returned to Church of the Beatitudes to cast my in-person ballot, and the same error that previously occurred happened again, and I was unable to cast my ballot.
14. I then returned again to Desert Christian Fellowship, where I then completed a provisional ballot and provided it to the poll workers, who placed it into box 3.
15. During my attempts to vote, I witnessed the same situation occur with at least two additional voters, along with my spouse who was present with me in line.
16. My personal contact information is as follows:
 - a. Home Address: 8936 W 17th Ln, Phoenix, AZ 85021
 - b. Phone: (602) 320-1979
 - c. Email: arizonalowcostcomputerrepair@gmail.com

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

Signed: 
Bill Mason
Date: 11/8/2022

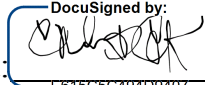
DECLARATION OF CHUCK COLBECK

I, Chuck Colbeck, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside at 14741 W Horseman Ln, Sun City West, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Trinity Bible Church of Sun City West, 14811 W R H Johnson Blvd, Sun City West, AZ 85375.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I attempted to cast my vote using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, that poll worker, a female, then spoiled my ballot by writing "spoiled" on it, and instructed me to proceed to a different voting location and cast a new ballot.
8. I witnessed the same situation occur with two additional voters that were ahead of me in line, along with my spouse who was present with me in line.
9. I followed the instructions that were given to me by the poll worker at the Trinity Bible Church of Sun City West and proceeded to the Palm Ridge Recreation Center voting location, 13800 W Deer Valley Dr, Sun City West, AZ 85375, in an attempt to properly cast my ballot.
10. At the Palm Ridge Recreation Center voting location, I was able to successfully cast a ballot and was told that my vote had been properly tabulated.
11. My personal contact information is as follows:
 - a. Home Address: 14741 W Horseman Ln, Sun City West, Arizona 85375
 - b. Phone: (248) 672-9462

c. Email: chuck.colbeck@gmail.com

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

Signed:  DocuSigned by:
Chuck Colbeck
Date: 11/8/2022

DECLARATION OF GERRY VANCE

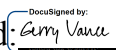
I, Gerry Vance, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Peoria, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Church of Jesus Christ of LDS Jomax, 9543 W Jomax RD, Peoria, AZ 85383.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. I was able to successfully cast an in-person ballot that was properly tabulated.
7. I arrived at the voting location on or about 6:00 a.m. where I was scheduled to serve as an observer, and I served as an observer until about 1:30 p.m.
8. While observing, I witnessed a large majority of the voters experiencing an error where their votes were being rejected by the tabulator; only 5-10% of the ballots that passed through the tabulator were processed without issue.
9. Many ballots had to be passed through the tabulator up to four times before it would work; many would not be processed at all, despite multiple attempts.
10. I witnessed poll workers instruct voters that the tabulator issue was occurring because the printer was not printing out the ballots dark enough in some areas; these voters then worked with poll workers to darken certain areas on the ballot and attempted to pass them through the tabulator again—some worked, but many did not.
11. I asked a volunteer inspector for Maricopa County—whose name, I believe, was Kathy and who was present at the Church of Jesus Christ of LDS Jomax voting location—if she could “check out” a voter who had previously “checked in” and had a ballot that was rejected by the tabulator, so that this voter could then “check in” at a new voting location.
12. The inspector was confused and did not understand what I meant by “check out” or “check in.”

13. My personal contact information is as follows:

- a. Home Address: 13195 W Hummingbird Terrace, Peoria, AZ 85383
- b. Phone: (916) 220-3499
- c. Email: hifromgeri@yahoo.com

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

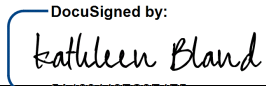
Signed:  _____
Gerry Vance
Date: 11/8/2022 _____

DECLARATION OF KATHLEEN BLAND

I, Kathleen Bland, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Buckeye, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Church of Jesus Christ of LDS Buckeye, 25800 W Southern Ave, Buckeye, AZ 85326.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. I was able to successfully cast an in-person ballot that was properly tabulated.
7. I arrived at the voting location on or about 6:45 a.m. where I was scheduled to serve as an observer, and I served as an observer until about 1:00 p.m.
8. While observing early on in the morning, I witnessed at least one-in-three voters experiencing an error where their votes were being rejected by the tabulator.
9. Upon experiencing this tabulation error, the poll workers assisted these voters by: (1) printing a new ballot that was able to be tabulated; (2) depositing the unablated ballot into box 3 to be counted at a later time; or (3) assisting voters to cast a ballot using an electronic touch device.
10. I witnessed one person whose ballot was not able to be tabulated and left the voting location with an uncompleted provisional ballot.
11. My personal contact information is as follows:
 - a. Home Address: 30952 W Mitchell Dr, Buckeye, AZ 85396
 - b. Phone: (971) 241-3611
 - c. Email: tomskat51@gmail.com

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

Signed:  SA189446FC6F4F5...
Kathleen Bland
Date: 11/8/2022


DECLARATION OF KAYE COLBECK

I, Kaye Colbeck, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside at 14741 W Horseman Ln, Sun City West, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Trinity Bible Church of Sun City West, 14811 W R H Johnson Blvd, Sun City West, AZ 85375.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I attempted to cast my vote using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, that poll worker, a female, then spoiled my ballot by writing "spoiled" on it, and instructed me to proceed to a different voting location and cast a new ballot.
8. I witnessed the same situation occur with two additional voters that were ahead of me in line, along with my spouse who was present with me in line.
9. I followed the instructions that were given to me by the poll worker at the Trinity Bible Church of Sun City West and proceeded to the Palm Ridge Recreation Center voting location, 13800 W Deer Valley Dr, Sun City West, AZ 85375, in an attempt to properly cast my ballot.
10. At the Palm Ridge Recreation Center voting location, I was able to successfully cast a ballot and was told that my vote had been properly tabulated.
11. My personal contact information is as follows:
 - a. Home Address: 14741 W Horseman Ln, Sun City West, Arizona 85375
 - b. Phone: (248) 672-9462

c. Email: tgkd97@yahoo.com

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

Signed: 
Kaye Colbeck
Date: 11/8/2022


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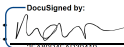
DECLARATION OF MELISSA ART

I, Melissa Art, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. I went to vote at Desert Christian Fellowship, 1445 W Northern Ave, Phoenix, AZ 85021.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. I was able to successfully cast an in-person ballot that was properly tabulated.
7. I arrived at the voting location on or about 10:00 a.m. and, while voting, I witnessed roughly a dozen people who were experiencing an error where their votes were being rejected by the tabulator.
8. Most people were told to place their ballots into a locked box to be counted later, others asked to have their ballots spoiled so they could vote elsewhere.
9. These individuals were not instructed to “check out” of the polling place to properly indicate in the poll book system that they had not yet voted.
10. I witnessed at least three people return from the other voting location they were sent to, and only one of these individuals—I later learned—had successfully “checked out” and cast a ballot at a different location.
11. My personal contact information is as follows:
 - a. Home Address: 14215 N 14th Dr, Phoenix, AZ 85023
 - b. Phone: (480) 534-0409
 - c. Email: mdwiehe@gmail.com

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

DS


Signed: 
Melissa Art
Date: 11/8/2022

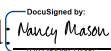
DECLARATION OF NANCY MASON

I, Nancy Mason, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Desert Christian Fellowship, 1445 W Northern Ave, Phoenix, AZ 85021.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I surrendered my uncompleted mail-in ballot so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, I was instructed to go to a neighboring polling location to cast my ballot there.
8. I was escorted by police out of the voting location and was not able to see if my ballot was spoiled.
9. I was not instructed to, nor did I otherwise, "check out" of the polling place to properly indicate in the poll book system that I had not yet voted.
10. I left the Desert Christian Fellowship and proceeded to the Church of the Beatitudes voting location, 555 W Glendale Ave, Phoenix, AZ 85021, in an attempt to properly cast my ballot.
11. When I attempted to log into the system at the Church of the Beatitudes voting location, the voting machine notified me that my vote had already been counted or that the previous tabulator had misread my ballot and would not allow me to proceed to cast a new ballot.
12. I then returned to Desert Christian Fellowship and explained the situation, whereupon the poll worker then spoiled my ballot.

13. I then returned to Church of the Beatitudes to cast my in-person ballot, and the same error that previously occurred happened again, and I was unable to cast my ballot.
14. I then returned again to Desert Christian Fellowship, where I then completed a provisional ballot and provided it to the poll workers, who placed it into box 3.
15. During my attempts to vote, I witnessed the same situation occur with at least two additional voters, along with my spouse who was present with me in line.
16. My personal contact information is as follows:
 - a. Home Address: 8936 W 17th Ln, Phoenix, AZ 85021
 - b. Phone: (602) 320-1979
 - c. Email: arizonalowcostcomputerrepair@gmail.com

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

Signed: 
Nancy Mason
Date: 11/8/2022


DECLARATION OF STEVE LEWANDOWSKI

I, Steve Lewandowski, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Church of Jesus Christ of LDS Jomax, 9543 W Jomax Rd, Peoria, AZ 85383.
5. I arrived at my voting location on at or about 6:25 a.m. on Tuesday, November 8, 2022, so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. When arrived at the Church of Jesus Christ of LDS Jomax, I was informed that none of the machines were working and that I needed to go to another location.
7. I left the Church of Jesus Christ of LDS Jomax and proceeded to the Mountain Vista Club/Vistancia voting location, 29701 N Sunrise Point, Peoria, AZ 85383, in an attempt to properly cast my ballot.
8. While at Mountain Vista Club/Vistancia, I attempted to place my completed ballot into the vote tabulator, whereupon it was rejected.
9. That ballot was then spoiled, and I was given a new ballot to complete, and upon attempted to place this completed ballot into the vote tabulator, it was also rejected.
10. I was then told by the poll worker that this second ballot would be spoiled and that I could attempted to go to a new location and attempt to cast my vote there.
11. I was not instructed to, nor did I otherwise, "check out" of the polling place to properly indicate in the poll book system that I had not yet voted.
12. I then went to Copper Hills Church/Westwing, 27035 N Black Rock Blvd, Peoria, AZ 85383, where I once more attempted to cast my ballot and have it counted through the on-site tabulator.

13. When I attempted to log into the system at Copper Hills Church/Westwing voting location, the voting machine notified me that my vote had already been counted or that the previous tabulator had misread my ballot and would not allow me to proceed to cast a new ballot.
14. I then returned to Mountain Vista Club/and explained the situation, whereupon the poll worker allowed me to vote via my mail-in ballot, which I placed in the secure box on site.
15. Upon returning to my home, I logged in online to check the status of my vote and was informed that my vote had been cast; I was confused as to why it said this, as I only recently deposited a mail-in ballot.
16. My personal contact information is as follows:
 - a. Home Address: 9534 W Running Deer Tr, Peoria, AZ 85383
 - b. Phone: (623) 910-8518
 - c. Email: SteveLewandowskiRacing@live.com

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

Signed: 
Steve Lewandowski
Date: 11/8/2022

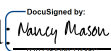
DECLARATION OF NANCY MASON

I, Nancy Mason, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Desert Christian Fellowship, 1445 W Northern Ave, Phoenix, AZ 85021.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I surrendered my uncompleted mail-in ballot so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, I was instructed to go to a neighboring polling location to cast my ballot there.
8. I was escorted by police out of the voting location and was not able to see if my ballot was spoiled.
9. I was not instructed to, nor did I otherwise, “check out” of the polling place to properly indicate in the poll book system that I had not yet voted.
10. I left the Desert Christian Fellowship and proceeded to the Church of the Beatitudes voting location, 555 W Glendale Ave, Phoenix, AZ 85021, in an attempt to properly cast my ballot.
11. When I attempted to log into the system at the Church of the Beatitudes voting location, the voting machine notified me that my vote had already been counted or that the previous tabulator had misread my ballot and would not allow me to proceed to cast a new ballot.
12. I then returned to Desert Christian Fellowship and explained the situation, whereupon the poll worker then spoiled my ballot.

13. I then returned to Church of the Beatitudes to cast my in-person ballot, and the same error that previously occurred happened again, and I was unable to cast my ballot.
14. I then returned again to Desert Christian Fellowship, where I then completed a provisional ballot and provided it to the poll workers, who placed it into box 3.
15. During my attempts to vote, I witnessed the same situation occur with at least two additional voters, along with my spouse who was present with me in line.
16. My personal contact information is as follows:
 - a. Home Address: 8936 W 17th Ln, Phoenix, AZ 85021
 - b. Phone: (602) 320-1979
 - c. Email: arizonalowcostcomputerrepair@gmail.com

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


Signed: 
Nancy Mason
Date: 11/8/2022

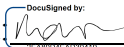
DECLARATION OF MELISSA ART

I, Melissa Art, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. I went to vote at Desert Christian Fellowship, 1445 W Northern Ave, Phoenix, AZ 85021.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. I was able to successfully cast an in-person ballot that was properly tabulated.
7. I arrived at the voting location on or about 10:00 a.m. and, while voting, I witnessed roughly a dozen people who were experiencing an error where their votes were being rejected by the tabulator.
8. Most people were told to place their ballots into a locked box to be counted later, others asked to have their ballots spoiled so they could vote elsewhere.
9. These individuals were not instructed to “check out” of the polling place to properly indicate in the poll book system that they had not yet voted.
10. I witnessed at least three people return from the other voting location they were sent to, and only one of these individuals—I later learned—had successfully “checked out” and cast a ballot at a different location.
11. My personal contact information is as follows:
 - a. Home Address: 14215 N 14th Dr, Phoenix, AZ 85023
 - b. Phone: (480) 534-0409
 - c. Email: mdwiehe@gmail.com

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

DS


Signed: 
Melissa Art
Date: 11/8/2022

DECLARATION OF KAYE COLBECK

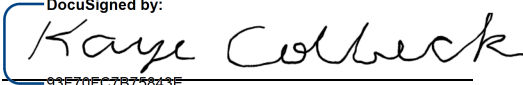
I, Kaye Colbeck, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside at 14741 W Horseman Ln, Sun City West, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Trinity Bible Church of Sun City West, 14811 W R H Johnson Blvd, Sun City West, AZ 85375.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I attempted to cast my vote using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, that poll worker, a female, then spoiled my ballot by writing "spoiled" on it, and instructed me to proceed to a different voting location and cast a new ballot.
8. I witnessed the same situation occur with two additional voters that were ahead of me in line, along with my spouse who was present with me in line.
9. I followed the instructions that were given to me by the poll worker at the Trinity Bible Church of Sun City West and proceeded to the Palm Ridge Recreation Center voting location, 13800 W Deer Valley Dr, Sun City West, AZ 85375, in an attempt to properly cast my ballot.
10. At the Palm Ridge Recreation Center voting location, I was able to successfully cast a ballot and was told that my vote had been properly tabulated.
11. My personal contact information is as follows:
 - a. Home Address: 14741 W Horseman Ln, Sun City West, Arizona 85375
 - b. Phone: (248) 672-9462

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c. Email: tgkd97@yahoo.com

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

Signed: 
Kaye Colbeck
Date: 11/8/2022

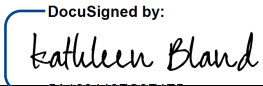
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DECLARATION OF KATHLEEN BLAND

I, Kathleen Bland, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Buckeye, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Church of Jesus Christ of LDS Buckeye, 25800 W Southern Ave, Buckeye, AZ 85326.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. I was able to successfully cast an in-person ballot that was properly tabulated.
7. I arrived at the voting location on or about 6:45 a.m. where I was scheduled to serve as an observer, and I served as an observer until about 1:00 p.m.
8. While observing early on in the morning, I witnessed at least one-in-three voters experiencing an error where their votes were being rejected by the tabulator.
9. Upon experiencing this tabulation error, the poll workers assisted these voters by: (1) printing a new ballot that was able to be tabulated; (2) depositing the unablated ballot into box 3 to be counted at a later time; or (3) assisting voters to cast a ballot using an electronic touch device.
10. I witnessed one person whose ballot was not able to be tabulated and left the voting location with an uncompleted provisional ballot.
11. My personal contact information is as follows:
 - a. Home Address: 30952 W Mitchell Dr, Buckeye, AZ 85396
 - b. Phone: (971) 241-3611
 - c. Email: tomskat51@gmail.com

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

Signed:  SA189446FC6F4F5...
Kathleen Bland
Date: 11/8/2022

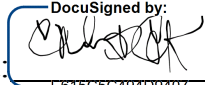
DECLARATION OF CHUCK COLBECK

I, Chuck Colbeck, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside at 14741 W Horseman Ln, Sun City West, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Trinity Bible Church of Sun City West, 14811 W R H Johnson Blvd, Sun City West, AZ 85375.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I attempted to cast my vote using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, that poll worker, a female, then spoiled my ballot by writing "spoiled" on it, and instructed me to proceed to a different voting location and cast a new ballot.
8. I witnessed the same situation occur with two additional voters that were ahead of me in line, along with my spouse who was present with me in line.
9. I followed the instructions that were given to me by the poll worker at the Trinity Bible Church of Sun City West and proceeded to the Palm Ridge Recreation Center voting location, 13800 W Deer Valley Dr, Sun City West, AZ 85375, in an attempt to properly cast my ballot.
10. At the Palm Ridge Recreation Center voting location, I was able to successfully cast a ballot and was told that my vote had been properly tabulated.
11. My personal contact information is as follows:
 - a. Home Address: 14741 W Horseman Ln, Sun City West, Arizona 85375
 - b. Phone: (248) 672-9462

c. Email: chuck.colbeck@gmail.com

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

Signed:  DocuSigned by:
Chuck Colbeck
Date: 11/8/2022

DECLARATION OF BILL MASON


I, Bill Mason, hereby declare as follows under penalty of perjury:

1. I am over the age of 18 and competent to make this declaration.
2. I am a citizen of the United States and of the State of Arizona.
3. I reside in Phoenix, Maricopa County, Arizona, where I am registered to vote.
4. My voting location is at the Desert Christian Fellowship, 1445 W Northern Ave, Phoenix, AZ 85021.
5. I arrived at my voting location the morning of Tuesday, November 8, 2022, whereupon I surrendered my uncompleted mail-in ballot so that I could cast my vote, in person, using the electronic voting machines present at my voting location.
6. Upon completing my electronic ballot, I was informed that the vote tabulator was not working.
7. After discussing the vote tabulator issue with a poll worker, I was instructed to go to a neighboring polling location to cast my ballot there.
8. I was escorted by police out of the voting location and was not able to see if my ballot was spoiled.
9. I was not instructed to, nor did I otherwise, "check out" of the polling place to properly indicate in the poll book system that I had not yet voted.
10. I left the Desert Christian Fellowship and proceeded to the Church of the Beatitudes voting location, 555 W Glendale Ave, Phoenix, AZ 85021, in an attempt to properly cast my ballot.
11. When I attempted to log into the system at the Church of the Beatitudes voting location, the voting machine notified me that my vote had already been counted or that the previous tabulator had misread my ballot and would not allow me to proceed to cast a new ballot.
12. I then returned to Desert Christian Fellowship and explained the situation, whereupon the poll worker then spoiled my ballot.

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13. I then returned to Church of the Beatitudes to cast my in-person ballot, and the same error that previously occurred happened again, and I was unable to cast my ballot.
14. I then returned again to Desert Christian Fellowship, where I then completed a provisional ballot and provided it to the poll workers, who placed it into box 3.
15. During my attempts to vote, I witnessed the same situation occur with at least two additional voters, along with my spouse who was present with me in line.
16. My personal contact information is as follows:
 - a. Home Address: 8936 W 17th Ln, Phoenix, AZ 85021
 - b. Phone: (602) 320-1979
 - c. Email: arizonalowcostcomputerrepair@gmail.com

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

Signed: 
Bill Mason
Date: 11/8/2022