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15 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**
16 **IN AND FOR MARICOPA COUNTY**

17 **KARI LAKE,**

18 **Contestant/Plaintiff,**

19 **vs.**

20 **KATIE HOBBS, personally as Contestee;**
21 **ADRIAN FONTES in his official capacity**
22 **as the Secretary of State; *et al.*,**

23 **Defendants.**

No. CV2022-095403

**PLAINTIFF KARI LAKE'S MOTION
FOR RELIEF FROM JUDGMENT;
MEMORANDUM OF POINTS AND
AUTHORITIES**

**(ASSIGNED TO HON. PETER
THOMPSON)**

(ORAL ARGUMENT REQUESTED)

1 **MOTION FOR RELIEF FROM JUDGMENT**

2 Pursuant to ARCP 60(b)(2)-(3) and (6), Plaintiff Kari Lake respectfully moves for
3 relief from judgment of the Court’s orders dismissing her claims concerning the Illegal
4 BOD Printer/Tabulator Configurations.¹

5
6 On October 11, 2022, Maricopa County certified that its election equipment,
7 including 446 tabulators used at Maricopa’s 223 vote centers passed logic and accuracy
8 (“L&A”) testing in accordance with A.R.S. §16-449(A) and the procedures set forth in the
9 Election Procedures Manual (“EPM”). New and compelling evidence shows, among other
10 things, that Maricopa falsely certified it passed L&A testing, and afterwards, secretly tested
11 all 446 vote center tabulators on October 14th, 17th, and 18th, and knew that 260 of the
12 vote center tabulators would fail on Election Day. New and compelling evidence also shows
13 that Maricopa County Director of Elections Scott Jarrett gave false testimony at trial
14 concerning the ballot on demand (“BOD”) printer failures that caused tabulators to
15 malfunction at nearly two-thirds of Maricopa’s vote centers on Election Day.
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18 For these reasons, as well as those set forth more fully below, Contestant hereby
19 moves for relief from judgment on the following grounds permitted by Rule 60(b):
20

- 21 (2) newly discovered evidence that, with reasonable diligence, could not have
22 been discovered in time to move for a new trial under Rule 59(b)(1);
23 (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation,

24 _____
25 ¹ Although Lake’s new evidence and Maricopa’s misrepresentations relate directly to
26 Count II, this motion also seeks relief from judgment with respect to Counts V (equal
27 protection) and VI (due process) as applied to logic-and-accuracy testing and the tabulator
28 issues that hampered voting on Election Day, as argued previously. Alternatively, the Court
could allow pressing those constitutional provisions as the bases for finding misconduct in
Count II.

1 or other misconduct of an opposing party

2 * * *

3 (6) any other reason justifying relief.

4 ARCP 60(b)(2)-(3), (6). This Motion is supported by the following Memorandum of
5 Points and Authorities and by the Declaration of Clay U. Parikh attached as Exhibit A.
6

7 **MEMORANDUM OF POINTS AND AUTHORITIES**

8 **I. INTRODUCTION**

9 As described in the Parikh Declaration, Plaintiff Kari Lake continued diligently to
10 investigate and analyze information regarding the ballot on demand (“BOD”) printer and
11 tabulator failures at nearly two thirds of Maricopa vote centers on Election Day, November
12 8, 2022. Parikh Decl. ¶¶ 5-7. The new information upon which this motion is based includes
13 voluminous electronic data and records produced by Maricopa pursuant to multiple public
14 records requests under A.R.S. § 39-121 through March 2023, and an analysis of the
15 findings and observations set forth in the Maricopa County 2022 General Election Ballot-
16 on-Demand Printer Investigation” Report (hereafter, “Maricopa BOD Report”) issued on
17 April 10, 2023 by former Chief Justice of the Arizona Supreme Court Ruth V. McGregor.
18
19

20 Among other things, new and disturbing evidence shows that Maricopa violated
21 Arizona law and did not perform L&A testing on *any* vote center tabulators used on Election
22 Day. Further, after Maricopa certified it passed L&A testing on October 11, 2022, Maricopa
23 secretly tested all 446 vote center tabulators on October 14th, 17th, and 18th, and knew that
24 260 of the vote center tabulators would fail on Election Day. In addition, the new evidence
25 shows that Maricopa Co-Director of Elections Scott Jarrett gave false testimony with
26 respect to the issue of 19-inch ballot images being printed on the 20-inch ballot paper (called
27
28

1 “fit to print” or “fit to page”). Jarrett’s testimony that this issue occurred at only three vote
2 centers, and was caused by temporary technicians changing printer settings in attempt to fix
3 printer problems on Election Day is false.
4

5 This new evidence directly addresses the Court’s finding that Lake had not shown
6 intentional misconduct on the part of Maricopa officials. In addition, contrary to the Court’s
7 finding thousands of ballots rejected at vote centers were not counted at MCTEC central
8 count. As such, Count II should be reinstated and this claim should proceed to trial along
9 with Count III (Signature Verification).
10

11 **II. BACKGROUND**

12 **A. Mr. Parikh’s testimony and the Court’s December 24, 2022 Order**

13 At trial, Plaintiff’s cyber expert, Clay Parikh, testified that the day before trial, he
14 inspected a sampling of ballots from six Maricopa vote centers pursuant to A.R.S. §16-677.
15 Parikh Tr. 90:15-20.² Parikh further testified that he found 19-inch ballot images printed on
16 20-inch ballot paper *at all six vote centers* from which he inspected ballots; and that the 19-
17 inch ballot issue affected 48 of 113 of the combined spoiled³ and duplicated original ballots⁴
18 he had inspected, 42 percent of spoiled and duplicated original ballots. *Id.* 91:08-98:06.
19
20
21

22 ² Excerpts of Day 1 Trial Transcript are attached as Exhibit B, and excerpts of Day 2
23 Trial Transcript are attached as Exhibit C.

24 ³ “Spoiled” ballots are ballots that a voter returns back to an election judge in return
25 for a new ballot and are not counted. A.R.S. § 16-585.

26 ⁴ “Duplicated” ballots are original ballots that are damaged or cannot be processed by
27 the tabulator thereby requiring a separate duplicate ballot be created to be counted by the
28 tabulator. The original ballot must be duplicated with witnesses present and both the
original and duplicate must be labeled with the same serial number. A.R.S. § 16-621(A).

1 Parikh testified further that the printing of a 19-inch ballot image on 20-inch paper
2 could only happen two ways: either the printer settings were set to override the ballot
3 definition programmed into the voting system, or two different ballot images were illegally
4 programmed into the voting system. *Id.* 99:13-102:06. Either way, a 19-inch ballot image
5 projected on 20-inch ballot paper would be rejected by any tabulator and require
6 duplication. *Id.* 102:11-103:20. Parikh also testified that this misconfiguration could only
7 be done by a deliberate act. *Id.* 100:17-101:05. Lastly, Parikh testified that Maricopa did
8 not keep duplicate ballot combined with the original ballot and thus there was no way to
9 tell how the duplicate ballot was actually voted. *Id.* 92:14-93:21.

12 In its December 24, 2022 Order dismissing Count II, with respect to the testimony
13 of Parikh, the Court stated:

15 [Parikh’s] primary contention was that the printer errors he saw reflected in
16 the A.R.S. § 16-677 ballot review he conducted – the printing of a 19-inch
17 ballot on a 20-inch ballot paper – must have been done intentionally, either
18 by overriding the image file that was sent from the laptop to the printer, or
19 from the ballot image definition side. ***However, if the ballot definitions were
20 changed, it stands to reason that every ballot for that particular definition
21 printed on every machine so affected would be printed incorrectly.*** As
22 Plaintiff’s next witness indicates, that was not the case on Election Day. In
23 either event, Mr. Parikh acknowledged that he had no personal knowledge of
24 any intent behind what he believes to be the error.

25 * * *

26 Plaintiff’s own expert acknowledged that a ballot that was unable to be read
27 at the vote center could be deposited by a voter, duplicated by a bipartisan
28 board onto a readable ballot, and – in the final analysis – counted. Thus,
Plaintiff’s expert on this point admitted that the voters who suffered from
tabulator rejections *would nevertheless have their votes counted*. This, at a
minimum, means that the actual impact element of Count II *could not be
proven*. The BOD printer failures did not actually affect the results of the
election.

1 Order at 6 (*italic emphasis in original, bold italic emphasis added*).

2 Under section entitled “intentional misconduct standard”, the Court stated:

3
4 The Court makes the following observations about Plaintiff’s case as a
5 general matter. Every one of Plaintiff’s witnesses – and for that matter,
6 Defendants’ witnesses as well – was asked about any personal knowledge of
7 both intentional misconduct and intentional misconduct directed to impact the
8 2022 General Election. Every single witness before the Court disclaimed any
9 personal knowledge of such misconduct. The Court cannot accept speculation
10 or conjecture in place of clear and convincing evidence.

11 Order at 8 (Dec. 24, 2022).

12 **B. Maricopa Co-Director of Elections Scott Jarrett’s Testimony**

13 On the first day at trial, Jarrett testified that extensive L&A testing is performed to
14 ensure the tabulators can properly read all ballots, including BOD printed ballots, on
15 Election Day. Day 1 Jarrett Tr. 50:22-53:10. Jarrett also testified that Maricopa’s tabulators
16 were configured to only read a 20-inch ballot image in the 2022 general election. *Id.* 51:13-
17 54:1-8. Any other sized ballot image could not be read by a tabulator and would be rejected.
18 *Id.* 55:2-10. Jarrett testified ***at least four times*** that he did not know of, nor did he hear of,
19 a 19-inch ballot image projected onto 20-inch paper in the 2022 general election. Jarrett
20 testified as follows:

21 Q. Sir, I want to go back to the earlier question about the 19-inch ballot image
22 being placed on a 20-inch paper. Did you hear of any reports of that occurring
23 in the 2022 General Election?

24 A. I did not.

25 Q. Okay. If that occurred, would that be a failure of Maricopa County’s
26 election process?

27 A. ***I’m not aware of it occurring, and I’d be surprised if there was a ballot
28 on a printer that had a 19-inch ballot on it.***

* * *

1 Q. And so I'll go back to my question again. If a 19-inch ballot image was
2 put on a 20-inch paper in the 2022 General Election, would that be a failure
3 of your election process?

4 A. It would -- if something like that happened, which I don't know how it
5 would, yes, it would have been a mistake.

6 Q. Could that have also been a deliberate act?

7 A. Again, you're asking me to speculate about things that *I have no*
8 *knowledge of occurring, so I don't know if it could have been a deliberate*
9 *act or not*. I don't believe that that occurred.

10 *Id.* 68:24-69:09, 70:02-13 (emphasis added).⁵

11 Defendants called Jarrett back to the stand the next day. Despite denying the day
12 before that 19-inch ballots could be printed on 20-inch ballot paper, on the "day two" direct
13 examination by Maricopa counsel, Jarrett testified that: just after Election Day, Maricopa
14 discovered that 19-inch ballots were found *at three vote centers* purportedly caused by
15 certain onsite technicians changing BOD printer settings to a "shrink to fit" setting (also
16 called "fit to print"); and that Maricopa was performing a root cause analysis of this issue,
17 and that "temporary technicians" had caused this issue. Day 2 Jarrett Tr: 178:23-181:17.

18 On cross-examination, Plaintiff's counsel asked Jarrett why he had not disclosed the
19 new "shrink to fit" setting excuse when he testified the day before that 19-inch
20 misconfigured ballot images on 20-inch ballot paper never happened. Jarrett claimed he did
21 not "know the exact measurements of a fit to -- fit-to-paper printing", that "he wasn't asked"
22 about "a slightly smaller image of a 20-inch image on a 20-inch paper ballot—despite the
23
24

25
26 _____
27 ⁵ *Id.* 55:09-10 ("there was no 19-inch ballot images installed on ballot on-demand
28 printers."); *Id.* 77:14-24 ("Your first question [how a 19-inch ballot could be printed on 20-
inch paper] asks if I have any idea how it could occur *and I said I do not.*").

1 fact that 19 inches is clearly “smaller” than 20 inches. [Day 2, Jarrett Tr.: 206:20-207:25,
2 208:08-209:07]

3
4 Jarrett also admitted that Maricopa had not disclosed the “shrink to fit” issue to the
5 public. *Id.* at 213:06-16. Nor was the “shrink to fit” issue discussed in Maricopa’s
6 November 26, 2022 written response to the Arizona Attorney General’s inquiry into the
7 Election Day chaos.⁶ Lastly, despite denying four times the prior day that a smaller ballot
8 image such as a 19-inch ballot could ever be imposed on larger ballot paper such as a 20-
9 inch ballot, Jarrett also testified that the “fit-to-print” issue also “happened in August 2020
10 Primary Election, the November 2020 General Election, and the August 2022 Primary
11 Election.” *Id.* 217:06-19.

12 **III. BASIS FOR RELIEF FROM JUDGMENT**

13
14 Lake seeks relief from judgment based on new evidence demonstrating Maricopa’s
15 misrepresentations during the bench trial on Count II. *See* ARCP 60(b)(2)-(3). She also
16 seeks relief under the equitable “catch-all” for “other reason[s] justifying relief.” *See* ARCP
17 60(b)(6). The *substantive bases* for her claims are set forth in Section IV, *infra*. This section
18 sets forth the *procedural bases* for her claims.
19
20

21 **A. New Evidence under Rule 60(b)(2)**

22 Motions for relief from judgment based on newly discovered evidence must meet
23 three criteria:

24 (1) the newly discovered evidence could not have been discovered before the
25 granting of judgment despite the exercise of due diligence, (2) the evidence
26 would probably change the result of the litigation, and (3) the newly

27 _____
28 ⁶ Trial Exhibit 91 attached hereto as Exhibit D.

1 discovered evidence was in existence at the time of the judgment.
2 *Boatman v. Samaritan Health Servs., Inc.*, 168 Ariz. 207, 212 (App. 1990); *In re Cruz*,
3 516 B.R. 594, 605 (B.A.P. 9th Cir. 2014) (citing *Jones v. Aero/Chem Corp.*, 921 F.2d 875,
4 878 (9th Cir. 1990)) (same); *Fantasyland Video, Inc. v. Cnty. of San Diego*, 505 F.3d 996,
5 1005 (9th Cir. 2007).⁷

7 Here, much of the evidence that existed at the time of judgment did not become
8 available to Lake until Maricopa responded to public record requests and even the system
9 log files that were available to Lake at the time of judgment required extensive analysis and
10 benefited from additional evidence that Lake’s team acquired by public records requests
11 after the judgment. *See* Section III.D, *supra* (discussing the Parikh Declaration and
12 timeliness). Moreover, some of the evidence became available only quite recently,
13 including the Maricopa BOD Report issued on April 10, 2023 and Maricopa’s responses to
14 public record requests delivered through March 2023. *See id.*

17 Finally, relief from the judgment on Count II would allow Lake to produce evidence
18 of additional votes lost, which would add to the votes at issue under the remanded Count
19 III, thereby contributing to the materiality of Maricopa’s violations of L&A testing at issue
20 here.

25
26 ⁷ Arizona courts follow federal procedural rulings on the federal rules on which the
27 Arizona rules are based. “Arizona courts give great weight to federal court interpretations
28 of the rules of procedure.” *Estate of Page v. Litzenburg*, 177 Ariz. 84, 93 (App. 1993) (citing
Edwards v. Young, 107 Ariz. 283 (1971)).

1 **B. Party Misconduct under Rule 60(b)(3)**

2 Motions for relief from judgment based on an opposing party’s misrepresentation or
3 other misconduct include even accidental omissions:⁸

4
5 “Misconduct” within the rule need not amount to fraud or misrepresentation,
6 but may include even accidental omissions. Because Federal Rule 60(b) is
7 remedial and to be construed liberally, and because of the comprehensive
8 sweep of 60(b)(3) any fraud, misrepresentation, circumvention or other
9 wrongful act of a party in obtaining a judgment so that it is inequitable for
10 him to retain the benefit thereof, constitute grounds for relief within the
11 intendment of 60(b)(3).

12 *Estate of Page*, 177 Ariz. at 93 (internal quotation marks and citations omitted); *Norwest*
13 *Bank (Minnesota), N.A. v. Symington*, 197 Ariz. 181, 186 (App. 2000) (“misconduct ...
14 include[s] discovery violations, even when such violations stem from accidental or
15 inadvertent failures to disclose material evidence”); *cf. Miller v. Picacho Elementary Sch.*
16 *Dist. No. 33*, 179 Ariz. 178, 179 (1994) (election contests do not require proof of fraud).
17 Even if a misrepresentation was “inadvertent” and “not motivated by bad faith,” the
18 “failure is enough to warrant a finding of misconduct by clear and convincing evidence”
19 for purposes of “misconduct” under Rule 60(b)(3). *Norwest Bank*, 197 Ariz. at 186.

20 The movant also bears the burden of establishing substantial interference with the
21 “ability fully and fairly to prepare for, and proceed at, trial,” which the movant can meet
22 “by establishing the material’s likely worth as trial evidence” or by “demonstrat[ing] that
23 the misconduct was knowing or deliberate,” thereby shifting to the nonmovant to make “a
24 clear and convincing demonstration that the consequences of the misconduct were [trivial].”

25
26
27 ⁸ If “new evidence” also shows the opposing party’s misconduct, courts evaluate the
28 evidence under both (b)(2) and (b)(3). *Moreno v. Jones*, 213 Ariz. 94, 97-98, ¶ 17 (2006).

1 *Estate of Page*, 177 Ariz. at 93 (interior quotation marks omitted); *accord Breitbart-Napp*
2 *v. Napp*, 216 Ariz. 74, 80 (App. 2007). Intent can be inferred from Maricopa’s surreptitious
3 means. *See, e.g., State v. Rood*, 11 Ariz. App. 102, 104 (App. 1969) (“surreptitious means
4 might support such an inference” of intent); *Mezey v. Fioramonti*, 204 Ariz. 599, 609 (App.
5 2003) (intent inferable of facts showing concealment), *overruled in part on other grounds*,
6 *Bilke v. State*, 206 Ariz. 462, 468, ¶ 28 (2003).⁹

8 Here, Maricopa’s misrepresentations are widespread and significant. *See* Parikh
9 Decl. ¶¶ 8-9 (failure to conduct L&A Testing); *id.* ¶¶ 16-25 (advance knowledge of failures
10 of ballot tabulators); *id.* ¶¶ 8, 11-13, (false testimony about L&A testing). These
11 misrepresentations clearly interfered with Lake’s ability to present her case for two reasons.
12

13 First, this Court and the appellate courts relied on the presumptions favoring election
14 officials. Order at 2 (Dec. 19, 2022); Order at 2 (Dec. 24, 2022); Ct. App. Opinion ¶¶ 6, 10.
15 Absent a statute or rule, default principles apply to presumptions. Ariz.R.Evid. 301.
16 “Whenever evidence contradicting a legal presumption is introduced the presumption
17 vanishes.” *Silva v. Traver*, 63 Ariz. 364, 368 (1945); *Golonka v. GMC*, 204 Ariz. 575, 589-
18 90, ¶48 (App. 2003) (discussing “bursting bubble” treatment of presumptions). Evidence of
19 Maricopa’s misconduct eliminates the presumptions on which this Court and the appellate
20
21
22

23 ⁹ *See also In re Glimcher*, 458 B.R. 544, 548 (Bankr. D. Ariz. 2011) (“bad faith can
24 be inferred from intentional concealment”); *United States v. Harris*, 185 F.3d 999, 1006
25 (9th Cir. 1999) ([i]ntent could be inferred from the tricks and deceptions [defendant] used
26 to cover up what he did”); *State v. Quatsling*, 24 Ariz. App. 105, 108 (App. 1975)
27 (discussing “circumstantial evidence to sustain a finding of intent based upon ...
28 surreptitious means”); *Jackson v. Am. Credit Bureau*, 23 Ariz. App. 199, 202 (App. 1975)
29 (“[t]here must be some positive act of concealment done to prevent detection”); *State v.*
Belyeu, 164 Ariz. 586, 591 (App. 1990) (intent can be inferred from circumstances).

1 courts relied to uphold the 2022 general election in Maricopa, requiring relief from
2 judgment under Rule 60(b)(3).

3
4 Second, Maricopa’s intentional misconduct puts the burden on it to demonstrate that
5 its engineered trainwreck of an Election Day did not have the effect of depressing Election
6 Day voter turnout in material numbers. *Estate of Page*, 177 Ariz. at 93.

7
8 **C. Equitable Reasons under Rule 60(b)(6)**

9 Generally, the catch-all provision in Rule 60(b)(6) applies only when one of the other
10 five provisions of Rule 60(b) do not apply:

11 To obtain relief under Rule 60(c) (6), ...a party must make two showings.
12 First, the reason for setting aside the judgment or order must *not* be one of the
13 reasons set forth in the five preceding clauses. Second, the “other reason”
14 advanced must be one that *justifies* relief. Furthermore, the subsection applies
15 only when our systemic commitment to finality of judgments is outweighed
16 by “extraordinary circumstances of hardship or injustice.” *Id.* (quoting
17 *Webb*, 134 Ariz. at 187, 655 P.2d at 11).

18 *Panzino v. City of Phoenix*, 196 Ariz. 442, 444-45 (2000) (internal quotation marks,
19 citations, and alterations omitted, emphasis in original). But Arizona’s “jurisprudence
20 [under Rule 60(b)(6)] is not a model of clarity or consistency,” *Gonzalez v. Nguyen*, 243
21 Ariz. 531, 534 (2018), and courts have found Rule 60(b)(6) to apply even in addition to
22 the other provisions in Rule 60(b): “even when relief might have been available under one
23 of the first five clauses ..., this does not necessarily preclude relief under clause (6) if the
24 motion also raises exceptional additional circumstances” warranting “relief in the interest
25 of justice.” *Amanti Elec., Inc. v. Engineered Structures, Inc.*, 229 Ariz. 430, 433 (App.
26 2012). Lake’s new evidence of secret testing and the knowledge that the election system
27 would fail on Election Day certainly qualify as exceptional. *See Reynolds v. Sims*, 377
28

1 U.S. 533, 562 (1964) (“the political franchise of voting’ [is] “a fundamental political
2 right, because preservative of all rights”) (quoting *Yick Wo v. Hopkins*, 118 U.S. 356, 370
3 (1886)). Election officials cannot set out to thwart the electorate.
4

5 This Court need not decide whether Rule 60(b)(6) extends to matters covered by
6 Rule 60(b)’s other provisions because evidence that *did not exist* at the time of the prior
7 judgment does not fall under Rule 60(b)(2). *Boatman*, 168 Ariz. at 212; *Fantasyland Video*,
8 505 F.3d at 1005. Neither the Maricopa BOD Report nor the admissions in the Maricopa
9 BOD Report existed at the time of trial and so must be evaluated under the catch-all in Rule
10 60(b)(6).
11

12 **D. Timeliness under Rule 60(c)(1)**

13 Motions for relief from judgment must be brought within a “reasonable time” and—
14 for motions under Rule 60(b)(1)-(3)—within 6 months of the underlying action. ARCP
15 60(c)(1). The 6-month condition is met because the Court acted in the first instance on
16 December 19, 24, or 27, all of which are less than 6 months ago.
17

18 The timing of Lake’s motion is reasonable under the circumstances, *vis-à-vis* both
19 the timing of the Arizona Supreme Court’s remand of Count III and the complexity of the
20 evidentiary issues with analyzing the forensic computer evidence of Maricopa’s violations
21 of the L&A testing requirements and its misrepresentations to this Court and the appellate
22 courts. *See* Parikh Decl. ¶¶ 5-6. Moreover, some of the evidence became available only
23 quite recently, including the Maricopa BOD Report on April 10, 2023 and certain Maricopa
24 responses to public record requests. *Id.* ¶¶ 6-7.
25
26
27
28

1 Rule 60(b)(6) “applies only when our systemic commitment to finality of judgments
2 is outweighed by extraordinary circumstances of hardship or injustice.” *Panzino*, 196 Ariz.
3 at 445 (emphasis in original, internal quotation marks omitted). Significantly, the short
4 timelines available in election contests do not preclude resort to relief from judgment under
5 Rule 60. *Moreno v. Jones*, 213 Ariz. 94, 97, ¶ 16 (2006). Because Lake still can bring a
6 federal action—mirroring Counts V and VI—for the substantive violations at issue in Count
7 II, *see* 42 U.S.C. § 1983,¹⁰ the results of the 2022 gubernatorial election and this litigation
8 are not so “final” that this Court can disregard the illegality and unconstitutionality of
9 Maricopa’s election. In the end, the federal Constitution is supreme to Arizona’s election-
10 contest statute: “When there is an unavoidable conflict between the Federal and a State
11 Constitution, the Supremacy Clause of course controls.” *Sims*, 377 U.S. at 584 (citing U.S.
12 CONST. art. VI, cl. 2). Accordingly, Lake’s motion is timely.

13
14
15
16 Under abstention principles, the option of suing in federal court would not become
17 viable until after this state proceeding resolves. While Arizona and its election-contest
18 statute envision expeditious resolution of election disputes, expedition cannot—or at least
19 should not—take the place of accuracy and justice. Given the viability of suing in federal
20 court under § 1983 once this suit is finished, Arizona’s interest is better served by deciding
21 this case correctly—whomever wins—so that resort to § 1983 becomes unnecessary.
22
23

24
25 ¹⁰ Because § 1983 does not have its own statute of limitations, federal courts look to
26 state law limitation periods for personal injury, which is two years. *Douglas v. Noelle*, 567
27 F.3d 1103, 1109 (9th Cir. 2009) (§ 1983 claims are governed by forum state’s statute of
28 limitations for personal injury actions, applying Arizona’s two-year statute of limitations in
A.R.S. § 12-542).

1 **IV. ARGUMENT**

2 **A. Maricopa Violated Arizona Law and Did Not Test the Vote Center**
3 **Tabulators For Logic and Accuracy**

4 L&A testing is expressly identified in A.R.S. § 16-449(A) with the purpose being
5 “to ascertain that the equipment and programs will correctly count the votes cast for all
6 offices and on all measures” prior to each election. The EPM sets forth detailed instructions
7 for conducting L&A testing. Among other things, the EPM mandates “that all of the
8 county’s deployable voting equipment must be tested.”¹¹

10 On October 11, 2022, Maricopa certified it had passed all L&A testing. Parikh Decl.
11 ¶ 12. However, as Parikh testified, the internal system log files for the Maricopa vote center
12 tabulators (and other internal documents produced by Maricopa) show that Maricopa did
13 not perform L&A testing on a single one of the 446 vote center tabulators in violation of
14 Arizona law. *Id.* ¶¶ 8(a), 11-13. Maricopa’s false certification set the first stage of the
15 Election Day debacle.
16

17
18 **B. Maricopa Unlawfully and Secretly Tested the Vote Center Tabulators**
19 **After The October 11th L&A Certification And Knew That 260 Vote**
20 **Center Tabulators Would Fail on Election Day**

21 These same tabulator system log files, and other internal documents show that after
22 Maricopa falsely certified it passed L&A testing on October 11, 2022, Maricopa set the
23 second stage of the Election Day debacle by secretly testing the 446 vote center tabulators
24 on October 14th, 17th, and 18th in violation of, *inter alia*, the requirements for public notice
25

26
27 _____
28 ¹¹ EPM, section F, “County L&A Testing.”

1 and observers set forth in A.R.S. § 16-449(A).¹² Parikh Decl. ¶¶ 14, 20-25. These secret
2 tests consisted of running an average of nine ballots through each tabulator. The system log
3 files show that 260 of the 446 vote center tabulators *failed* this unlawful “test” generally
4 with the same “Ballot Misread” and paperless “Paper-Jam” errors that plagued voters on
5 Election Day. *Id.* ¶ 8(c). Maricopa officials thus not only knew Election Day would bring
6 chaos.
7

8
9 **C. The So-Called “Fit-to-Page” Errors Were Caused By A Malicious and**
10 **Intentional Act**

11 An event recounted in Maricopa BOD Report contradicts Jarrett’s testimony that the
12 “fit-to-page” issue that arose on Election Day was caused by technicians changing printer
13 settings on Election Day at three vote centers.

14 Another printing anomaly occurred at several vote centers, where ballots were
15 re-sized as “fit to page,” a process that entirely changed the location of the
16 timing marks on the ballots and assured that neither the on-site tabulators nor
17 the central count tabulators could read the ballots. ***We could not determine***
18 ***whether this change resulted from a technician attempting to correct the***
19 ***printing issues, the most probable source of change, or a problem internal***
20 ***to the printers. During our testing, four printers randomly printed one or a***
21 ***few “fit to page” ballots in the middle of printing a batch of ballots. None***
22 ***of the technical people with whom we spoke could explain how or why that***
23 ***error occurred.***

24 Maricopa BOD Report at 12 (Ex. E).

25 This astonishing event occurred during the testing conducted by Chief Justice’s
26 McGregor’s team. The 19-inch ballot configuration on Election Day could only be due to

27 ¹² The public notice of the October 11, 2022 L&A testing is found here:
28 <https://elections.maricopa.gov/news-and-information/elections-news/public-notice-view-logic-and-accuracy-tests-on-october-11.html>.

1 malicious code, malware, or remote configuration changes. Parikh Decl. ¶¶ 36, 49. The
2 “randomly printed ... ‘fit to page’ ballots” observed by Justice McGregor’s team proves the
3 validity of Parikh’s testimony that this was an intentional act, testimony that this Court
4 previously rejected. *See* Order at 6 (Dec. 24, 2022). “Moreover, the tabulator system log
5 files internal records show that the so-called “fit-to-page” issue—first disclosed by Jarrett
6 on the second day of trial—occurred at 110 voter centers, not three vote centers as Jarrett
7 testified.
8 testified.

9
10 **D. Maricopa Vote Center Tabulators Rejected Ballots More Than 7,000**
11 **Times Every Half Hour During the Election**

12 Jarrett downplayed the debacle on Election Day and even refused to agree that there
13 was “a disruption in the election process.” Day 1, Jarrett Tr. 64:18-21. In fact, on Election
14 Day vote center tabulators were rejecting ballots more than 7,000 times every 30 minutes
15 beginning at 6:30am continuing to the vote centers closed. Parikh Decl. ¶¶ 46-48. The
16 evidence disproves Jarrett’s attempt to sweep aside the debacle on Election Day, which
17 Maricopa officials knew about in advance of Election Day due to their unlawful secret
18 testing of the tabulators as discussed above.
19 testing of the tabulators as discussed above.

20 **E. Thousands of Rejected Ballots Were Not Counted**

21 Lastly, as discussed above, the Court held in its December 24, 2022 Order that voters
22 who suffered from tabulator rejections still had their votes counted. The evidence shows
23 otherwise. In fact, the evidence shows that over 8,000 ballots, maliciously misconfigured
24 to cause a tabulator rejection, were not counted. Parikh Decl. ¶¶ 36, 38-39.
25
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1 **V. CONCLUSION**

2 The evidence shows that not only did Maricopa officials knowingly violate the law
3 mandating L&A testing, but that they knew about and planned the Election Day debacle.
4 Further, Jarrett’s demonstrably false and conflicting testimony shows that Maricopa
5 officials are attempting to cover up their misconduct. For the foregoing reasons, Plaintiff
6 respectfully requests that the court grant her relief from the judgment on Count II and her
7 tabulator and logic-and-accuracy testing claims.
8

9 Date: May 9, 2023

Respectfully submitted

10
11 /s/ Bryan James Blehm

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14 *Attorneys for Contestant/Plaintiff*

15 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**
16 **IN AND FOR MARICOPA COUNTY**

17 **KARI LAKE,**

18 **Contestant/Plaintiff,**

19 **vs.**

20 **KATIE HOBBS, personally as Contestee;**
21 **ADRIAN FONTES in his official capacity**
22 **as the Secretary of State; *et al.*,**

23 **Defendants.**

No. CV2022-095403

[PROPOSED] ORDER

(ASSIGNED TO HON. PETER THOMPSON)

24 On considering "Plaintiff Kari Lake's Motion for Relief from Judgment," the
25 materials filed in opposition to and support thereof, and the entire record herein, the Court
26 finds that the motion is well taken and it is hereby

27 **ORDERED** that Plaintiff's Motion for Relief from Judgment and her Verified
28 Petition to Inspect Ballots are GRANTED;

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IT IS FURTHER ORDERED that the dismissal of Count II is vacated;

IT IS FURTHER ORDERED that the dismissal of Counts V and VI is vacated as those counts related to tabulator problems experienced on Election Day and to logic-and-accuracy testing;

SO ORDERED.

Dated: _____, 2023

PETER A. THOMPSON
SUPERIOR COURT JUDGE

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16 **IN AND FOR MARICOPA COUNTY**

17 **KARI LAKE,**

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19 **vs.**

20 **KATIE HOBBS, personally as Contestee;**
21 **ADRIAN FONTES in his official capacity**
22 **as the Secretary of State; *et al.*,**

23 **Defendants.**

No. CV2022-095403

CERTIFICATE OF SERVICE

(ASSIGNED TO HON. PETER THOMPSON)

24 I certify that, on May 9, 2023, I electronically filed with the Arizona Superior Court
25 for Maricopa County, using the AZ Turbo Court e-filing system, Plaintiff Kari Lake's
26 Motion for Relief from Judgment. On that date, I also caused a copy of the same to be
27 emailed to:
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Maricopa County Superior Court
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/s/ Bryan James Blehm
Bryan James Blehm
Counsel for Plaintiff-Contestant Kari Lake

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EXHIBIT A

Declaration of Clay U. Parikh

I, CLAY U. PARIKH, declare under penalty of perjury that the following is true and correct:

1. I have personal knowledge of the matters set forth below and would testify competently to them if called upon to do so.

2. I have a Master of Science in Cyber Security, Computer Science from the University of Alabama in Huntsville. I have a Bachelor of Science in Computer Science, Systems Major from the University of North Carolina at Wilmington. In February 2007 I obtained the Certified Information Systems Security Professional (CISSP) certification and have continually maintained good standing. I also hold the following certifications: Certified Ethical Hacker (CEH) and Certified Hacking Forensic Investigator (CHFI).

3. Since December 2003 I have continually worked in the areas of Information Assurance (IA), Information Security and Cyber Security. I have performed countless Root Cause Analyses (RCA) to determine the root causes of equipment malfunctions, system, and network issues. I also have a IT Infrastructure Library (ITIL)v3 certification, focused on a global framework of best practices for systematic risk management, customer relations, and delivery of stable, scalable, adaptable organizational IT environments.¹

4. From 2008 to 2017, I worked through a professional staffing company for several testing laboratories that tested electronic voting machines. These laboratories included Wyle Laboratories, which was later acquired by National Technical Systems (NTS), and

¹ <https://www.cio.com/article/272361/infrastructure-it-infrastructure-library-til-definition-and-solutions.html>

Pro V&V. My duties were to perform security tests on vendor voting systems for certification of those systems by either the Election Assistance Commission (EAC), to Federal Voting System Standards (VSS) or Voluntary Voting System Guidelines (VVSG), or to a specific state's Secretary of State's requirements.

5. I have read the "Maricopa County 2022 General Election Ballot-on-Demand Printer Investigation"² report (hereafter, "Maricopa BOD Report"). I have read the transcript of *Lake v. Hobbs, CV 2022-095403 Evidentiary Hearing*. I have also read multiple emails received as responsive documents to Public Records Request (PRR) that were submitted to Maricopa County. I also have read several reports of analysis of log data from Maricopa County voting systems used in the 2022 General Election, received responsive to PRR, and have personally reviewed the data used to create the reports. I make the following observations.

Executive Summary

6. In response to a Public Records Request, Maricopa County returned the system log files for 445 voting center tabulators used in the November 8th, 2022, election on or about December 6th, 2022. A thorough, months-long analysis of the tabulator system logs was conducted as part of our investigation. The meticulous data model design and intelligence isolation exercises included over thirty million lines (~30,192,847) of system log entries. The scope of this effort encompassed several thousand-man hours in research, data

² By Ruth V. McGregor April 10, 2023.

analysis, interviews, testing and collaboration. Further complicating this time-consuming process were incomplete records which hampered the efficiency of our review.

7. To gain an accurate understanding of events relevant to the November 2022 general election in Maricopa County, multiple subsequent Public Records Requests (PRR) were made as well as receiving documents produced by Maricopa County in response to requests such as the Arizona State Senate subpoena issued by Senator Townsend. Lastly, specific information and data points sourced from the Ballot On Demand (BOD) printer investigation report (hereinafter “Maricopa-BOD Report”) by Chief Justice McGregor contributed materially to the findings detailed herein.

8. Through these efforts we have been able to definitively make the following determinations:

a. None of the 446 voting center tabulators used on Election Day in Maricopa County were tested for Logic & Accuracy on October 11th, 2022 in violation of Arizona law.

b. The only testing of the 446 voting center tabulators with the same election project as that used on Election Day, occurred on October 14, 17th or 18th, *after* Maricopa County and the Secretary of State both certified the machines.

c. Subjected to a test averaging 9 ballots, 260 of the 446 voting center tabulators failed the clandestine post-certification test with the same “Ballot Misread” and paperless “Paper-Jam” errors that plagued voters on Election Day.

d. Following the tests of October 14, 17, and 18, and with the failed state of the tabulators preserved, Maricopa County knowingly and intentionally, or with

reckless disregard, distributed the tabulators to voting centers for use on Election Day.

e. The “print to fit” issue was not caused by the reasons given, not limited to Oki BOD printers, nor was the condition isolated to only three voting centers.

f. The “print to fit” resized ballot images were found by the Maricopa BOD report to be being produced intermittently.

g. Voting center tabulator system logs reveal that over 8,000 ballots were rejected for errors unique to the print-to-fit condition, which could not be read by either voting center or central count tabulators and required duplication.

h. The speckled/faded print issue was also not caused by the reasons given by Maricopa County.

i. The combination of both printer errors yielded approximately 7,000 ballot rejections every 30 minutes. A rate which persisted and went unmitigated from the time the polls opened until they were closed.

Maricopa’s L&A Testing Did Not Comply With Arizona Law

9. The EPM specifically states, “The Board of Supervisors or officer in charge of elections is responsible for performing an L&A test on all voting equipment prior to each election. The conduct of the test must be overseen by at least two elections staff or inspectors (of different political parties) and shall be open to observation by representatives of the political parties, candidates, the press, and the public.

None of the 446 Voting Center Tabulators Were Tested for Logic & Accuracy

11. System logs and L&A records provided by Maricopa County establish that no vote center tabulators (Dominion ICP-2) used on Election Day were tested for Logic & Accuracy on October 11, 2022. A failure to test all equipment to be used for the election is a failure to comply with ARS and the EPM.

12. Maricopa County and the Arizona Secretary of State both falsely certified that L&A testing was conducted in a public test on October 11, 2022 (See **Exhibit 1**), when no vote center tabulators had been tested.

13. A review and analysis of the data acquired via multiple PRRs show undeniable evidence that L&A testing was not properly performed, violating A.R.S. § 16-449 and EPM.

All Voting Center Tabulators Were Tested After Having Been Certified

14. The only testing of the 445 voting center tabulators with the same election project as that used on Election Day (as required by the EPM) occurred on October 14, 17th, or 18th, after Maricopa County and the Secretary of State had already signed L&A testing certifications, which must now be considered fraudulent.

15. The Maricopa BOD Report does not identify any evidence that pre-election L&A testing was performed in accordance with Arizona statute, nor was any reference made to the process or L&A testing results. This is a noticeable omission, as the report repeatedly refers to “stress testing,” despite the absence of any “stress testing” definition or

requirements in either Arizona Revised Statute (ARS) or the State of Arizona's Elections Procedures Manual (EPM). Ariz. Rev. Stat. § 16-449 requires the county board of supervisors or election officers, or for state/federal candidate elections, the Secretary of State, to "have the automatic tabulating equipment and programs tested," and further states "Electronic ballot tabulating systems "shall have the automatic tabulating equipment and programs tested to ascertain that the equipment and programs will correctly count the votes cast for all offices and on all measures."³

16. Arizona law requires both central (ICC) and vote center tabulators (ICP2) to be L&A tested. Mr. Jarrett testified during the Lake v. Hobbs court case when asked about L&A testing that "For the County's logic and accuracy test, that is to run test ballots through; and for the County's tests, it's thousands of test ballots through our tabulation equipment, both the central count tabulation equipment as well as the tabulation equipment that would be used at the vote centers, to make sure that they are accurately programmed to tabulate those ballots."⁴

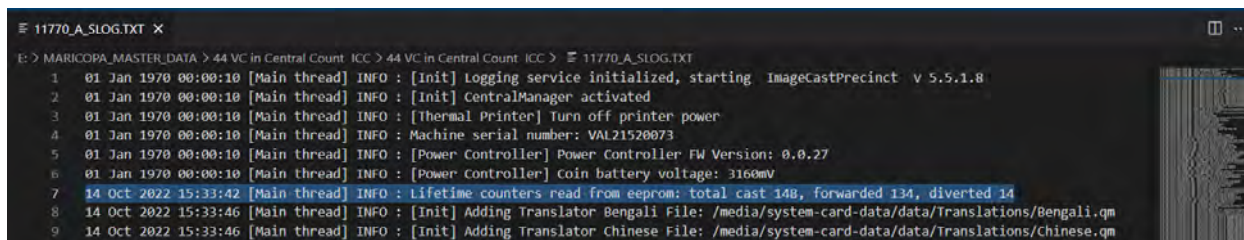
17. The 2019 EPM states that for an L&A test, the officer in charge of elections must "utilize the actual election program for Election Day (not a copy)." One record that exists which documents all tabulator activity for the election project, including all testing through the close of polls on Election Day, is called the tabulator system log, a computer log file which is created and resides on the tabulator memory cards, and which is one of the log

³ ARS 16-449.

<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/16/00449.htm>

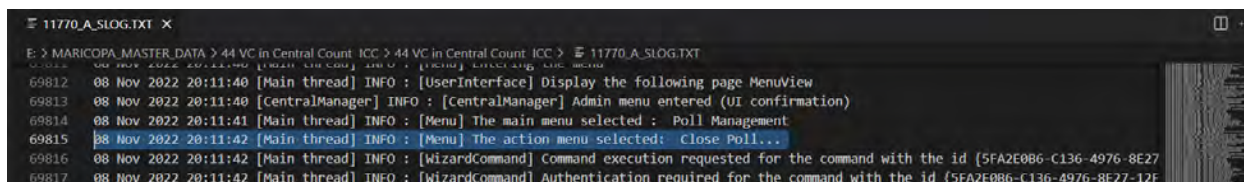
⁴ Day 1 pg. 51, Lines 5-12

files which must be preserved as an election record. A screenshot of an excerpt of the tabulator system log for tabulator 11770-A, an ICC, is shown below:



```
11770_A_SLOG.TXT X
E: > MARICOPA_MASTER_DATA > 44 VC in Central Count ICC > 44 VC in Central Count ICC > 11770_A_SLOG.TXT
1 01 Jan 1970 00:00:10 [Main thread] INFO : [Init] Logging service initialized, starting ImageCastPrecinct v 5.5.1.8
2 01 Jan 1970 00:00:10 [Main thread] INFO : [Init] CentralManager activated
3 01 Jan 1970 00:00:10 [Main thread] INFO : [Thermal Printer] Turn off printer power
4 01 Jan 1970 00:00:10 [Main thread] INFO : Machine serial number: VAL21528073
5 01 Jan 1970 00:00:10 [Main thread] INFO : [Power Controller] Power Controller FW Version: 0.0.27
6 01 Jan 1970 00:00:10 [Main thread] INFO : [Power Controller] coin battery voltage: 3160mV
7 14 Oct 2022 15:33:42 [Main thread] INFO : Lifetime counters read from eeprom: total cast 148, forwarded 134, diverted 14
8 14 Oct 2022 15:33:46 [Main thread] INFO : [Init] Adding Translator Bengali File: /media/system-card-data/data/Translations/Bengali.qm
9 14 Oct 2022 15:33:46 [Main thread] INFO : [Init] Adding Translator Chinese File: /media/system-card-data/data/Translations/Chinese.qm
```

18. The system log for the tabulator identified as “11770 A” begins on October 14th, 2022, as indicated on line 7.⁵ The same system log shows on line 69815 that the polls were closed on Election Day at 8:11 pm, thereby confirming that this log is in-fact the “actual election program for Election Day (not a copy)”. It is important to note that the log encompasses all activity for the election project beginning with the October 14th testing through the close of polls on Election Day. The tabulator log does not indicate that the tabulator was operated prior to October 14, 2022, precluding the possibility that the tabulator was tested for L&A on October 11th. The same also removes any possibility of any testing conducted on or prior to October 11 using the “actual election program.”.



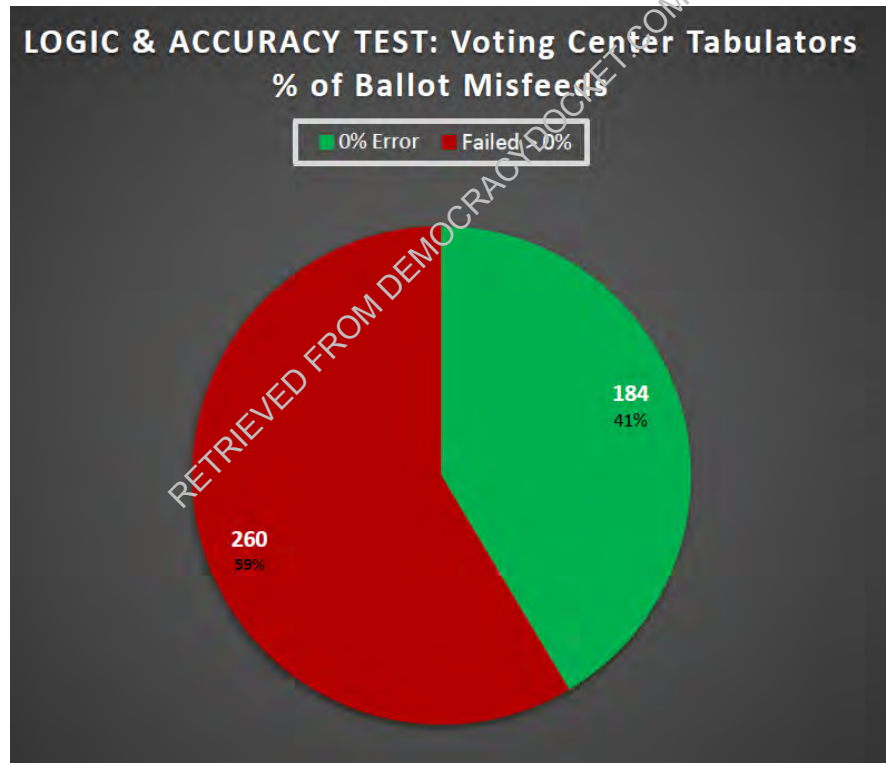
```
11770_A_SLOG.TXT X
E: > MARICOPA_MASTER_DATA > 44 VC in Central Count ICC > 44 VC in Central Count ICC > 11770_A_SLOG.TXT
69812 08 Nov 2022 20:11:40 [Main thread] INFO : [UserInterface] Display the following page MenuView
69813 08 Nov 2022 20:11:40 [CentralManager] INFO : [CentralManager] Admin menu entered (UI confirmation)
69814 08 Nov 2022 20:11:41 [Main thread] INFO : [Menu] The main menu selected : Poll Management
69815 08 Nov 2022 20:11:42 [Main thread] INFO : [Menu] The action menu selected: Close Poll...
69816 08 Nov 2022 20:11:42 [Main thread] INFO : [WizardCommand] Command execution requested for the command with the id [5FA2E086-C136-4976-8E27
69817 08 Nov 2022 20:11:42 [Main thread] INFO : [WizardCommand] Authentication required for the command with the id [5FA2E086-C136-4976-8E27-12F
```

⁵ The preceding six lines in the shown log file excerpt indicate a date/time of 01 Jan 1970 00:00:10, which is an artifact of the startup of the tabulator, and reflects a default date/time prior to the tabulator updating its internal date time to reflect the data/time settings on the connected computer.

19. All Vote Center tabulator logs have the first initialization date using the same election project as that used on Election Day of October 14th, 17th, or 18th. This is at least three days *after* the county and state certified the L&A tests.

260 of the 446 Voting Center Tabulators Failed Unlawful Post-Certification Testing

20. Every one of the 446 tabulators used on Election Day were subject to some type of test on either October 14th, 17th or 18th which included an average of only 9 ballots which 260 of the 446 tabulators failed with the same errors as those experienced-on Election Day.



21. The test described above was not open to the public, no public notice was issued, and no political party observers were present as required by Ariz. Rev. Stat. § 16-449 and the EPM.

22. There is no record of memory card seals for any of the voting center tabulators on any of the L&A Checklists in violation of Arizona Law.

The Tabulators Were Distributed For Use on Election Day in Their Failed State

23. The vote center tabulator system logs show no subsequent attempts to rescan, troubleshoot or remedy the clear and obvious failures which the testing unveiled.

24. Considering the overwhelming failure of the vote center tabulators during the post-certification testing defined above, along with the absence of any actions to identify or rectify the cause of the failure, there remains no logical expectation other than that which was experienced on Election Day- continued failure.

25. Maricopa County failed to provide the results aggregated by the Election Management System (EMS) server for the testing of the vote center tabulators, despite Maricopa County's fact-check page claiming that the purpose of L&A was to confirm the accuracy of those EMS-aggregated vote tabulation results:

The purpose of an L&A test is to "confirm that votes are attributed to the correct candidates and ballot measures in the election management system (EMS) and that each candidate and ballot measure receives the accurate number of votes" (Elections Procedures Manual pg. 86). Predetermined results are compared against the results of the L&A test. The equipment cannot be used in the election unless the results of the test are accurate.

The Central Count Tabulators Could Not Overcome Printing Failures

26. The first issue to point out from the footnote is the statement that "the central tabulators read all ballots;" this is not necessarily true. The central tabulators do and did reject defective ballots. This will be proven later. But first, it is important to understand

how the contest selections on a paper ballot are counted. Tabulators do not count or “read” directly from the paper document, but instead produce an electronic image of the ballot. The Dominion Voting System (hereafter, “Dominion”) software on both the ImageCast Central (ICC) (used for central scanning) and the ImageCast Precinct-2 (ICP2) scanner/tabulators (used at vote centers) create the same resolution image. The image is resampled on the ICC/ICP2 into either black and white (B&W) or grayscale, at a purported resolution of 150-200 dots per inch (dpi), depending upon the jurisdiction’s preferences. Only after this process is the ballot image passed to the Dominion software to analyze, authenticate, and then count the contest selections, through a software-controlled process which digitally compares that electronic ballot image with a predetermined “map” of vote choice locations to identify vote marks within those predetermined ballot vote choice areas, each of which correspond to a unique machine identifier (ID) within the election project software database, so that detected marks (votes) are tabulated in the database and correlated with vote choices per ballot race, issue, or measure. The capabilities of the scanner hardware itself have very minimal effect on the resulting ballot image that is tabulated by the Dominion software. The ICC and ICP2 function and process a ballot image in substantially, functionally identical manner, as confirmed by a former Dominion employee familiar with the two tabulation systems.

The “Print to Fit” Issue Was Not Isolated to the Oki BOD Printers

27. The proper functioning of BOD printers during an election is vital to Maricopa’s Vote Center model, and pre-election testing of both E-Pollbooks and BOD printers is

required by the EPM.⁶ Therefore, thorough pre-election testing of all BOD printers must be conducted to ensure maximum efficiency and accuracy of all components. Maricopa has approximately 760 BOD printers. Approximately 600 of those are the OKI model B432 and 160 are the Lexmark model C4150. The OKI model makes up about 78% of the printer inventory and is the most widely used printer during Election Day.

Small Testing Samples Were Inadequate Yet Showed Unmitigated Problems

28. The report then states without citation: “but the actual ballot page was clear and not damaged as to the ballot’s overall integrity. The central count tabulator successfully counted all ballots, as did an on-site tabulator.”⁷ The report’s pre-General Election testing mentions an on-site tabulator, however, the pre-Primary testing does not mention testing the on-site tabulators. From the pre-Primary section “The central count tabulator successfully counted all the ballots. ... And, during the primary election, the on-site tabulators did successfully process more than 100,000 ballots.”¹² Footnote twelve reveals several issues. One is that the on-site tabulators were not tested. “*A suggestion of a problem did occur during early voting in the primary. Ballots from early voting are returned to the MCTEC in envelopes, removed by bi-partisan teams of workers, and tabulated on central equipment. Some of the workers noted flaking or speckling on some ballots and brought it*

⁶ pp. 109

⁷ pp. 8

to the attention of supervisors. Because the central tabulators read all ballots, however, the issue was not regarded as affecting the ability to count all ballots and no testing was done using on-site tabulators. Whether such testing would have detected the problem experienced on general election day cannot now be determined. Interview with MCED personnel.”⁸

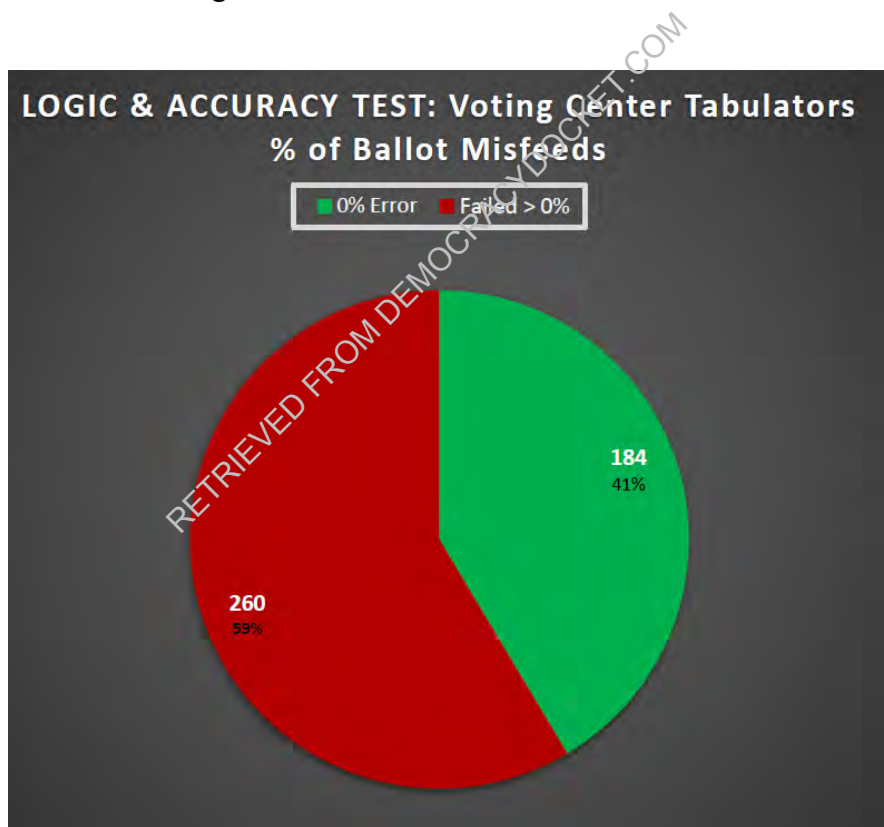
29. Maricopa County officials referred to central count tabulators (ICC) being able to properly scan defective BOD ballots which the ICP2 scanners were unable to properly scan and attribute this ability to the ICC being more powerful compared to the ICP2. The table below shows the total number of error counts from ICCs at MCTEC during the general election.

| TabType | ErrorType | ErrorCnt |
|----------------|--|-----------------|
| ED | Back Page Grid Error | 204 |
| ED | Unrecognizable Ballot Id-Top Side Error | 111 |
| ED | Ballot Id Not In Database | 84 |
| ED | Front Page Grid Error | 67 |
| ED | Unrecognizable Ballot Id-BottomSide Error | 59 |
| ED | Unrecognizable Ballot Id-Stopped Scanning as Misread | 24 |
| ED | Unrecognizable Ballot Id-Image Error | 9 |
| EV | Back Page Grid Error | 1096 |
| EV | Front Page Grid Error | 838 |
| EV | Unrecognizable Ballot Id-BottomSide Error | 236 |
| EV | Unrecognizable Ballot Id-Top Side Error | 154 |
| EV | Unrecognizable Ballot Id-Image Error | 134 |
| EV | Unrecognizable Ballot Id-Stopped Scanning as Misread | 108 |
| EV | Unknown | 1 |
| EV | Unrecognizable Ballot Id-Other | 1 |
| PR | Unrecognizable Ballot Id-Stopped Scanning as Misread | 14 |
| PR | Back Page Grid Error | 9 |
| PR | Front Page Grid Error | 5 |

⁸ Report pg. 7, footnote 12. [Italicized for emphasis]

| | | |
|----|---|------|
| PR | Unrecognizable Ballot Id-Top Side Error | 1 |
| | | 3155 |

30. The EPM states in section 4 “Errors Discovered During Testing” that an “errorless count shall be made” before systems are approved for use in elections. It also states that all errors or failures must be reported to the Secretary of State. The tests that were conducted on October 14, 17th, or 18th have massive failures even though the test included only an average of nine ballots. Over half of the voting center tabulators failed the misfeed requirement. The resulting details are listed in **Exhibit 3**.



31. There were other issues with the L&A tests. Maricopa County provided tabulator poll tapes and checklists purportedly for L&A testing for the 2022 General Election (see Exhibit 4). A poll tape is like a cash register’s paper receipt, but for a tabulator; it records

the identity and time-tagged status and activity of the tabulator. One poll tape is printed before the polls open, called a “zero tape,” which shows that each specifically identified machine has counted zero ballots, and is configured with a specific software version. A second poll tape one, called a poll “closing tape,” is printed after the polls close (normally on election night - except for those printed during L&A testing) and shows the number of votes tabulated for each candidate or selection for every contest, issue and measure, from all ballots scanned and tabulated on that specific tabulator. **Exhibit 4** highlights several issues. First, the total number of ballots tested is only 23. As defined earlier, each tabulator is required to be tested with a minimum of 59 ballots for L&A. Second, by cutting the tapes short, the serial number, date/timestamp, software version, poll worker certification, and protective counter numbers are all missing; without these data elements, the veracity of the poll tape cannot and should not be assumed – it’s like a driver’s license with no name or issue date. There is nothing shown on the tapes which can associate a given poll tape to a specific tabulator. Nearly all the tapes produced by Maricopa County in response to the PRR are similarly incomplete.

32. The tapes provided in response to a PRR for L&A testing records showed a test which was purportedly conducted from October 5th-8th which was not L&A testing. The only date associated with the tapes was on the accompanying checklists as the poll tapes were all cut short as shown in Exhibit 4. Strangely, another set of incomplete tapes was also provided for inspection in response to the same PRR and nearly all had the same seal serial numbers as those from the first “test”. The corresponding poll tapes each showed only 5 or 8 ballots cast. Poll tapes don’t reflect the number of misreads nor the number of ballots

rejected, but the tabulator system logs revealed errors consistent with those generated on Election Day due to both BOD printer problems

19” Fit to print issue was an intentional malicious act

33. During the Lake v. Hobbs case evidentiary hearing testimony,⁹ when questioned about issues on election day with ballot on-demand printers, Scott Jarrett testified “A few of the other items that we’ve identified, though, as far as our ballot on-demand printers, we did identify three different locations that had a fit-to-paper setting that was adjusted on Election Day. So those were at our Journey Church in a north Glendale/Peoria area, that had about 200 or a little over 200 ballots had that setting on it out of about 1,500 ballots voted at that voting location. That would be the same with our Gateway Fellowship church, which is an east Mesa voting location. That had about 900 ballots out of just shy of 2,000 ballots voted at the voting location. And then we had LDS church, Lakeshore, in the heart of Tempe, that had about 60 ballots out of 1,500.”¹⁰ Jarrett describes the 19” image on 20” paper as “fit-to-paper” issue. Jarrett stated that the issue “was due to our temporary technicians, when they were trying to identify solutions on Election Day, adjusting a setting.”¹¹ So Jarrett’s testimony implies that this fit-to-paper issue was limited in scope and was caused by T-techs¹² troubleshooting the speckled ballot issue. This assessment has several inconsistencies.

⁹ CV2022-095403

¹⁰ Pg. 180, Lines 1-14

¹¹ Pg. 180, Lines 15-18

¹² “T-techs” are “temporary technical workers,” as described by Maricopa County officials and described in the McGregor Report, hired by Maricopa County to, among other responsibilities,

34. However, the investigative report states this is a random occurrence. “During our testing, four printers randomly printed one or a few “fit to page” ballots in the middle of printing a batch of ballots.”¹³ Prior to this revelation it was stated that “We could not determine whether this change resulted from a technician attempting to correct the printing issues, the most probable source of change, or a problem internal to the printers.” There is no mention of how they tried to determine cause of the “fit to page” issue. The report only mentions when the issue occurred during their testing that “None of the technical people with whom we spoke could explain how or why that error occurred.” The report did not identify any cause for the random printing of misconfigured ballots.
35. Jarrett testified that techs had made changes and caused the issue. There were no troubleshooting changes made during the investigative testing. There are no settings a tech or anyone could make on the printer to make randomized size changes to a printer. If this is purely a random error caused internally by the printer it is either a software bug or extremely rare hardware issue. The software bug would have the most likelihood. However, there are no bug fixes or patches listed by the vendor. A patch or bug fix would most likely exist as this would affect every Oki printer of this type. This randomness still does not hold water as footnote 29 in the report reveals that this “fit to page” issue occurred with both Oki and Lexmark printers.¹⁴ It is impossible to have the same randomly occurring issue on two different types, models and manufacturers of printers.

set-up and test BOD printers at vote centers, and respond to technical problems which arise during elections.

¹³ Report Pg.12, second paragraph

¹⁴ Report pg. 12

36. The only cause of this is erroneous code/malware or remote configuration changes.

During his testimony, Scott Jarrett stated that the fit-to-print issue occurred because t-techs adjusted a printer setting while troubleshooting the “speckled ballot” issue at three locations. His testimony is inconsistent with all available evidence, including the McGregor Report’s admission that some of their randomly-selected printers randomly printed 19” ballot images during testing, for unknown reasons, at unpredictable times and intervals, and the printer manufacturer’s technical data, which indicates no setting or combination of setting which would allow or could cause technician settings adjustments to cause the printing of 19” ballot images on 20” paper, much less for those settings to cause or allow the random, unpredictable printing of those 19” ballot images. The McGregor Report’s admission that the “fit-to-print” issue arose in both Oki and Lexmark printers on Election Day precludes the possibility that the issue resulted from an on-printer setting on the Oki printers, and that the issue was caused by technicians troubleshooting the issue on Oki printers. Because the two printers use different hardware and software, and because the issue occurred “randomly” and unpredictably, the most likely cause is a software control external to all the printers, for example either malware or unauthorized configuration or software on the SiteBooks. That possibility was not investigated, nor evidently apparent to or considered, by the McGregor Report team, which completely lacked the cyber expertise necessary for such an investigation.

37. Both the McGregor report and Maricopa County officials have admitted that the “fit to print” (19” image on 20” paper)-affected ballots could not be tabulated on either the ICC or ICP2, which begs the question of ballot duplication. As the expert who inspected the ballots for the plaintiff in the trial. I was allowed to inspect the original ballots which were

supposedly duplicated, so as to allow their machine tabulation, however, I was not provided any of the duplicate ballots.

38. During the trial evidentiary hearing, I was asked if duplicated ballots could be duplicated; I responded “If they are duplicated correctly and they are configured correctly, yes...” However, during my inspection of the ballots the preceding day, I asked Jarrett where the duplicated ballots were. Jarrett responded in words or substance that “I can’t produce those things right now it would take me over a week with all my techs.” Because I was never provided the duplicated ballots I requested, I had and have had no way of knowing if the original ballots were duplicated at all, let alone duplicated accurately, let alone tabulated and counted.
39. Scott Jarrett’s testimony indicating a limited scope of three vote centers and 1,300 19” ballots is false. There are far more than three vote centers that experienced 19” ballot images being printed on 20” ballot paper. All of the six sites for which I inspected ballots, had instances of 19” ballot images, and Jarrett’s three-site list only shared one site with my six-site list. Jarrett’s admission and my personal inspection confirm at least eight sites. The rates of occurrence of 19” ballot image issues and number of affected sites imply a conservative estimate of 8,000 or more Election Day ballots affected by the 19” ballot image issue.
40. For example, the Victory Church, one of the vote centers ballots I inspected, contained the originals of duplicates. I recorded two of those numbers down in my notes, in case needed at trial. They were DUP006876 and DUP006865. Via a PRR we acquired an Itemized Duplication list, identifying the batches of ballots duplicated. I was able to locate the batch my sample was drawn from. I drew 15 from a batch of 427 ballots.

| | | | | | | | |
|----------------|----------------|--------------------|-----|--------------|------------|----|------|
| BOARD4HAND0499 | BOARD4HAND0516 | SPECIAL CASE | 18 | EARLY VOTE | 11/14/2022 | 9 | |
| | | | | | | | 853 |
| DUP005005 | DUP005124 | ELECTION DAY SCANS | 120 | ELECTION DAY | 11/15/2022 | 10 | |
| DUP005125 | DUP005267 | ELECTION DAY SCANS | 143 | ELECTION DAY | 11/15/2022 | 10 | |
| DUP005268 | DUP005524 | ELECTION DAY SCANS | 257 | ELECTION DAY | 11/15/2022 | 10 | |
| DUP005525 | DUP005910 | ELECTION DAY SCANS | 386 | ELECTION DAY | 11/15/2022 | 10 | |
| DUP005911 | DUP006099 | ELECTION DAY SCANS | 189 | ELECTION DAY | 11/15/2022 | 10 | 1095 |
| DUP006101 | DUP006523 | ELECTION DAY SCANS | 423 | ELECTION DAY | 11/16/2022 | 11 | |
| DUP006524 | DUP006675 | ELECTION DAY SCANS | 151 | ELECTION DAY | 11/16/2022 | 11 | |
| DUP006676 | DUP006676 | ELECTION DAY SCANS | 1 | ELECTION DAY | 11/16/2022 | 11 | |
| DUP006677 | DUP007106 | ELECTION DAY SCANS | 427 | ELECTION DAY | 11/16/2022 | 11 | |
| DUP007107 | DUP007136 | ELECTION DAY SCANS | 28 | ELECTION DAY | 11/16/2022 | 11 | |

Out of the 15 I drew, 14 were the 19” image and one was slightly torn. So the sample set was drawn at random and 93% were 19” ballot images. The sample set is just of 28% of the total batch. The probability is high that within this batch of ballots alone there are more 19” ballots. There were more door 3 ballots than the 16,724 given by Maricopa all proven by analysis of the data from the multiple PRR requests.

41. County officials announced sometime during Election Day that the remedy or temporary fix for the issue was to set all the tray settings for “media weight” to “Heavy.” This excuse does not make sense. However, the Maricopa BOD Report also mentioned that the “media type” should be changed from “plain” to “cardstock.” My team was able to duplicate the speckled errors during benchmark testing and confirmed both settings combined must be set appropriately. There were other settings we discovered such as ECO mode being on. ECO Mode allows printing to begin before the fuser reaches the set temperature. We reliably repeated the speckled ballot with ECO mode and a minimum time interval of 50 seconds. A review of Maricopa County’s printer settings for the November 2022 General Election has revealed that ECO Mode was in-fact enabled on all the Oki B432 printer

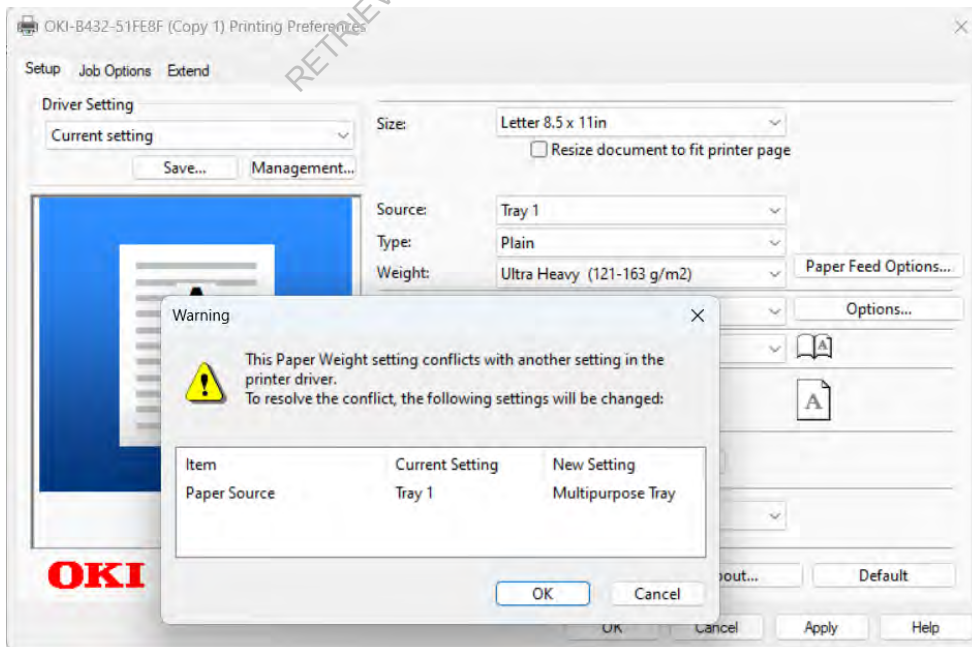
configuration records provided by Maricopa County.

```
CONFIGURATION
TRAY COUNT
MP TRAY : 271
TRAY1 : 239
TRAY2 : 278
SUPPLIES LIFE
TONER (12.0K) : REMAINING 70 %
DRUM : REMAINING 94 %
NETWORK
IPV4 ADDRESS : 192.168.10.250
SUBNET MASK : 255.255.255.0
GATEWAY ADDRESS : 192.168.10.1
MAC ADDRESS : 00:25:30:81:7D:87
NETWORK VERSION : 00.55

SYSTEM ADJUST
POW SAVE TIME : 60 MIN
SLEEP TIME : 60 MIN
AUTO PW OFF TIME : 12 HOURS
ECO MODE : ON
CLRABLE WARNING : ONLINE
AUTO CONTINUE : OFF
MANUAL TIMEOUT : 60 SEC
TIMEOUT INJOB : 40 SEC
TIMEOUT LOCAL : 40 SEC
TIMEOUT NET : 90 SEC
LOW TONER : CONTINUE
JAM RECOVERY : ON
ERROR REPORT : OFF
```

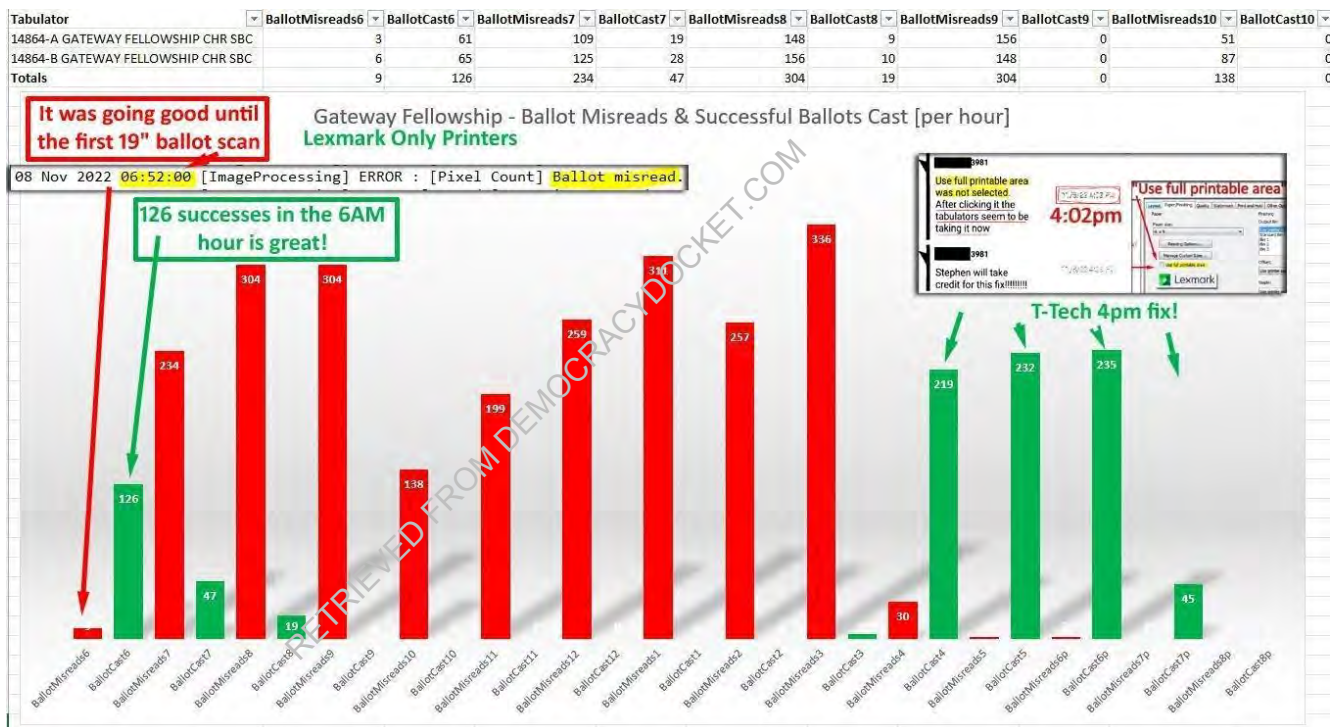
42. The weights and tray selection were other areas where the settings were incorrect. In fact, the OKI user's manual contradicts the investigative report. The printer was not pushed to extreme limits. The printer was pushed past its capabilities and limits. Duplex printing the paper weight should never exceed 80 lb. (see **Exhibit 5**).

43. The printer Error Messages Should have Alerted T-Techs. During our benchmark test we were given errors when trying to configure the printers beyond their capabilities. These warnings are impossible to miss. They should have been detected during configuration and initial testing, as well as during any subsequent trouble-shooting by t-techs.

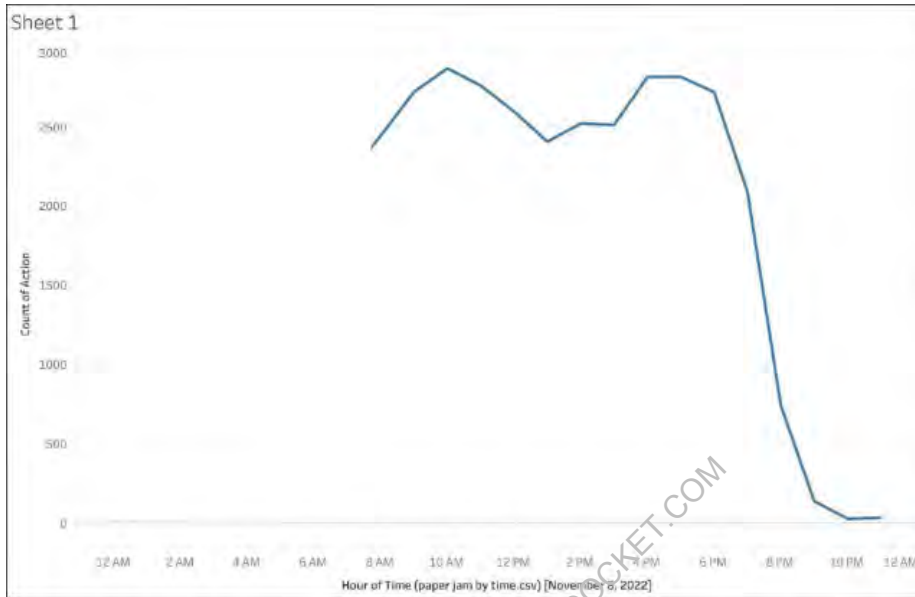


Error Rates

44. The Maricopa BOD Report discussed the differences in error rates between the Oki printers. However, Oki and Lexmark printers both experienced the “fit to page” issue. Maricopa County’s election hotline call log, video evidence and Goldenrod reports identify instances of the “fit to page” issue at 127 vote centers on Election Day. One example is Gateway Fellowship Church which only had Lexmark printers.



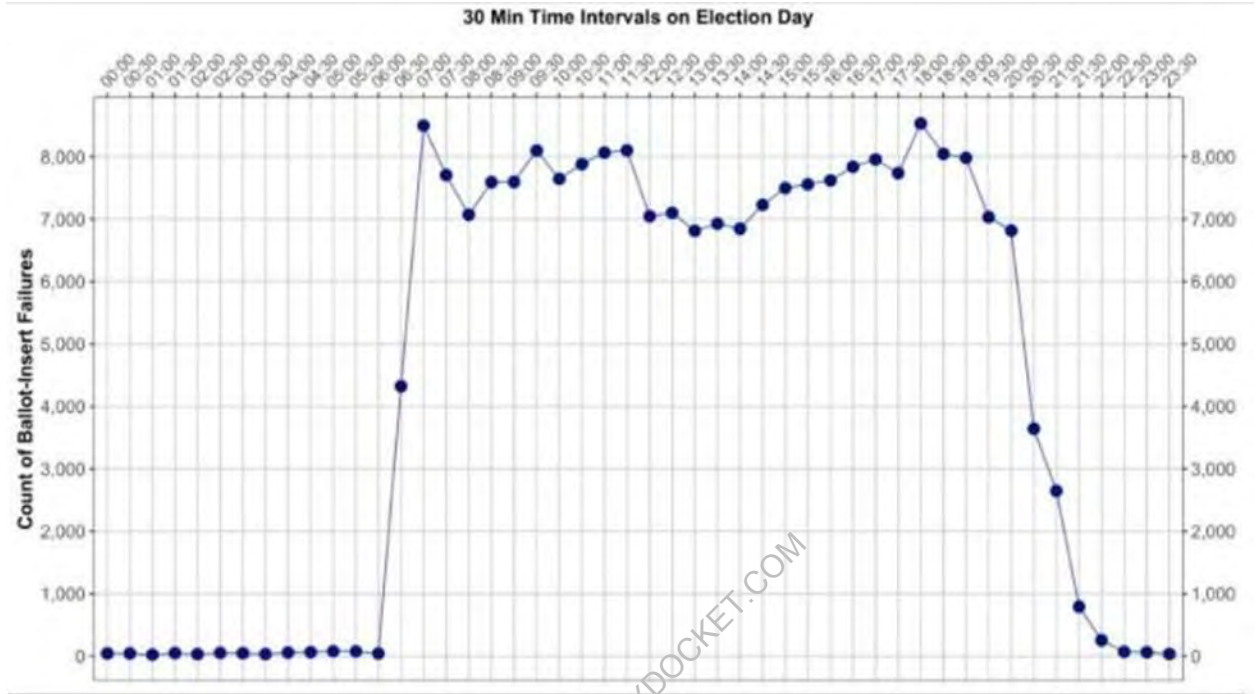
46. Maricopa County's claim that the late afternoon fixes resolved the issues is incorrect. The graph below shows thousands of false paper jam errors lasting almost all day from 6:30



a.m. to 7 p.m.

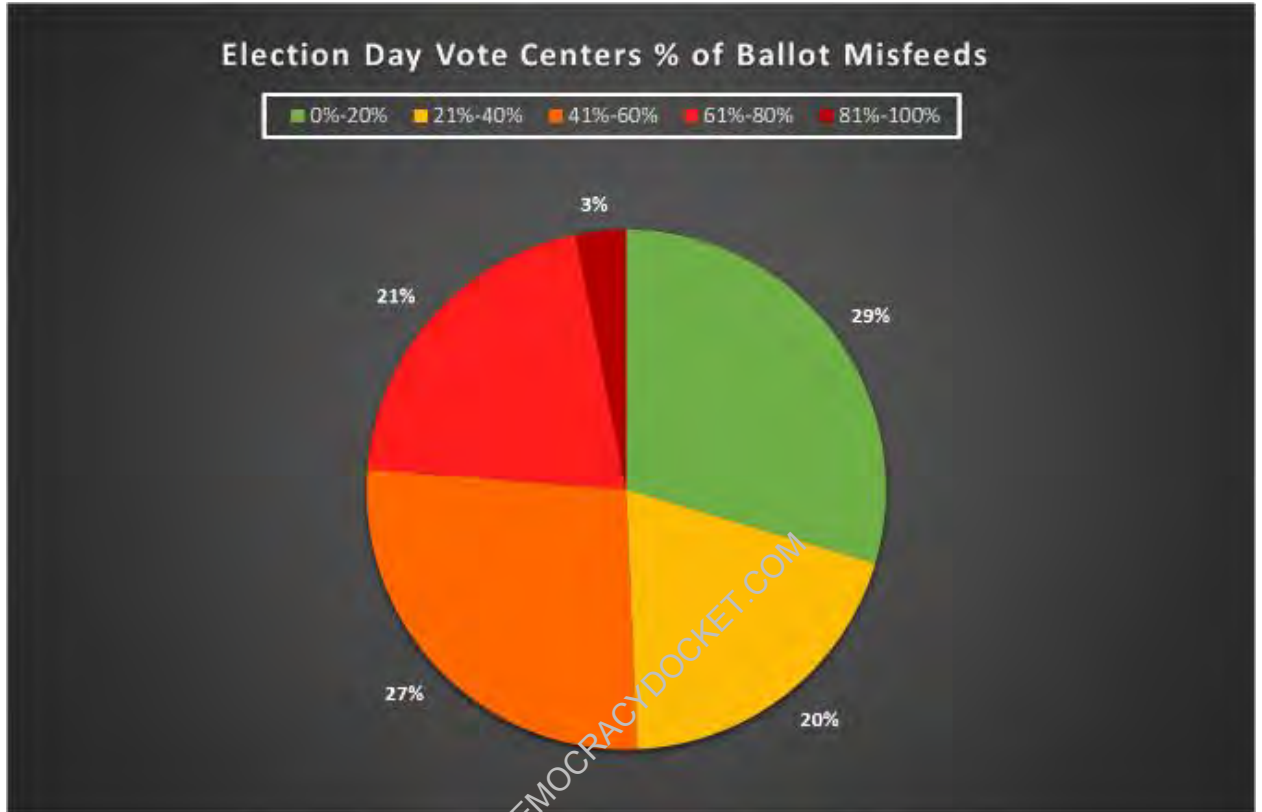
47. Election Day showed a widespread, continuous pattern of ICP scanner ballot insert failures. There was an average of 7,000 ballot insert failures every 30 minutes from 7 a.m.

to 8 p.m.



48. The following chart represents the aggregated voting center tabulator system log data from 445 machines used to scan ballots on Election Day. Using a threshold of misfeeds of over twenty 20%, nearly three fourths, or 71% of all ballots scanned on Election Day were involuntarily rejected. A 20% rate of rejection wildly fails EAC standards which limit the scanner/tabulator machine errors to .2% or .002. The extraordinarily high threshold of 20%, 100 times higher than the EAC standard, was chosen to illustrate the breadth and

magnitude of these failures.

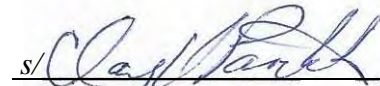


49. The random “fit to page” issue findings of the Maricopa BOD report contradicts Scott Jarrett’s explanation and testimony concerning the issue. The reports’ lack of a conclusion for the random occurrence demonstrates that the report was incomplete. The impossibility of two different printer manufacturers having the same internal malfunction reinforces the conclusion that the failures of the printers on Election Day was an intentional act. The issues for the 19” image are either from malware or remote administration changes. There are Arizona Election Procedure Manual violations dealing with testing procedures, documentation. L&A testing was not properly conducted. A full forensic audit should be

conducted on all the voting system components involved with this past General Election,
to include the SiteBooks, BOD printers and contractor equipment.

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

Executed on this 8 day of May 2023.



Clay U. Parikh

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit 1



State of Arizona

DEPARTMENT OF STATE
Office of the Secretary of State

2022 Statewide General Election

Logic & Accuracy Equipment Certificate


Pursuant to Arizona Revised Statute § 16-449, the Arizona Secretary of State's Office has completed the required logic and accuracy testing and certifies that the voting equipment, including accessible voting and tabulation equipment, in Maricopa County met the requirements for logic and accuracy testing standards on October 11, 2022.

Maricopa County will confirm that all early and provisional ballots from ICX accessible voting devices are duplicated prior to tabulation at central counting locations.

Secretary of State's Office Representatives:

Kari Laird 10/19/22
Signature and Date

Christina D. P... 10/19/22
Signature and Date



MARICOPA COUNTY ELECTIONS DEPARTMENT

Certificate of Accuracy

General Election
November 8, 2022

Tested on October 11, 2022
Optical Scan/Central Count
Accessible BMD Touchscreen
Precinct Tabulator

We, the undersigned, do hereby certify that the Pre Logic and Accuracy Test was conducted in Maricopa County for the November 8, 2022, General Election in accordance with AZ Statute 16-449. We attest that the count produced by the equipment and programs used correctly matched the predetermined manual tally of votes provided by the Maricopa County Elections Department.

| SIGNATURE | PRINT NAME | PARTY |
|--------------------------|-------------------|------------|
| <i>K. Gallagher</i> | KEVIN GALLAGHER | REPUBLICAN |
| <i>Jeffrey Greeson</i> | JEFFREY GREESON | DEMOCRAT |
| <i>Robin Greeson</i> | Robin Greeson | Democrat |
| <i>Jan D. Bryant</i> | JANICE BRYANT | REPUBLICAN |
| <i>Nancy Schreiber</i> | Nancy Schreiber | Democrat |
| <i>Kristi Passarelli</i> | Kristi Passarelli | MOTEC |
| <i>Scott Jarrett</i> | Scott Jarrett | MOTEC |
| <i>Renee Snavon</i> | Renee Snavon | OFFICE |
| <i>Renee Snavon</i> | Renee Snavon | MOTEC |
| | | |

Exhibit 2



INVOICE: 227548

| SALES PERSON | INVOICE DATE |
|--------------------|------------------|
| Sonia Galloway | October 20, 2022 |
| Customer Order No. | 2nd Reference |
| 10124SS | |

| Bill To | Ship To |
|--|--|
| MARICOPA COUNTY ELECTIONS Admin-Add Inside Delivery 111 S 3rd AVE. RM 102 Phoenix, AZ 85003 | MARICOPA COUNTY ELECTIONS Admin-Add Inside Delivery 111 S 3rd AVE. RM 102 Phoenix, AZ 85003 |

| TERMS |
|---------|
| 1%20N30 |

| JOB NO | QUANTITY | UNIT | DESCRIPTION | AMOUNT |
|-----------|--------------|-------|--|------------|
| 221587.01 | 12,936.00 | /1000 | MC AZ November 2022 General - F | 3,751.44 |
| 221587.03 | 12,936.00 | /1000 | MC AZ November 2022 General - Pre-Proof Proofs | 3,751.44 |
| 221587.06 | 2,125.00 | /1000 | MC AZ November 2022 General - SOS TEST Ballots | 616.25 |
| 221587.07 | 806.00 | /1000 | MC AZ November 2022 General - UOCAVA 1 | 233.71 |
| 221587.08 | 806.00 | /1000 | MC AZ November 2022 General - UOCAVA 1 Rep (No Registration Target Crosses) | 233.71 |
| 221587.09 | 12,936.00 | /1000 | MC AZ November 2022 General - PROOF Reprint 1 | 3,751.44 |
| 221587.10 | 64,680.00 | /1000 | MC AZ November 2022 General - TEST | 18,757.20 |
| 221587.11 | 68.00 | /1000 | MC AZ November 2022 General - SOS TEST Ballots additional print 1 | 19.72 |
| 221587.12 | 27,574.00 | /1000 | MC AZ November 2022 General - TEST DECK | 7,996.46 |
| 221587.13 | 1,892,080.00 | /1000 | MC AZ November 2022 General - MRDF 1 | 548,703.20 |
| 221587.14 | 25.00 | /1000 | MC AZ November 2022 General - UOCAVA 4 | 7.25 |
| 221587.15 | 17,270.00 | /1000 | MC AZ November 2022 General - MRDF 2 | 5,008.30 |
| 221587.16 | 20.00 | /1000 | MC AZ November 2022 General - UOCAVA 3 | 5.80 |
| 221587.17 | 7,293.00 | /1000 | MC AZ November 2022 General - Daily 1 | 2,114.97 |
| 221587.23 | 115.00 | /1000 | MC AZ November 2022 General - UOCAVA 2 | 33.35 |
| 221587.23 | 2,051,670.00 | EACH | Paper Storage | 20,516.70 |
| 221587.23 | 2,051,670.00 | EACH | Roland VoteSecure Paper | 20,516.70 |
| 221587.23 | 2,051,670.00 | EACH | 100 lb Paper | 41,033.40 |
| 221587.23 | 1.00 | EACH | Repository Art/Election Set-Up | 7,500.00 |
| 221587.23 | 1.00 | EACH | PDF Change Fee | 7,500.00 |

CENTRAL COUNT TEST DECK

ELECTION DAY TAB. TEST DECK

RETRIEVED FROM SECURE STORAGE

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|--|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| ACADEMIES AT SOUTH MOUNTAIN | 12716-A ACADEMIES AT SOUTH MOUNTAIN | 12716_A | 9 | 0 | 0 | 0 | 0% |
| ACADEMIES AT SOUTH MOUNTAIN | 12716-B ACADEMIES AT SOUTH MOUNTAIN | 12716_B | 5 | 0 | 0 | 0 | 0% |
| AGUILA FIRE DEPARTMENT | 14489-A AGUILA FIRE DEPARTMENT | 14489_A | 5 | 0 | 0 | 0 | 0% |
| AGUILA FIRE DEPARTMENT | 14489-B AGUILA FIRE DEPARTMENT | 14489_B | 10 | 0 | 1 | 1 | 10% |
| AIRE LIBRE SCHOOL | 10619-A AIRE LIBRE SCHOOL | 10619_A | 6 | 1 | 0 | 1 | 17% |
| AIRE LIBRE SCHOOL | 10619-B AIRE LIBRE SCHOOL | 10619_B | 10 | 1 | 0 | 1 | 10% |
| ALL SAINTS LUTHERAN CHURCH | 11820-A ALL SAINTS LUTHERAN CHURCH | 11820_A | 9 | 0 | 0 | 0 | 0% |
| ALL SAINTS LUTHERAN CHURCH | 11820-B ALL SAINTS LUTHERAN CHURCH | 11820_B | 7 | 1 | 3 | 2 | 29% |
| ALTRAIN MEDICAL AND DENTAL ASSISTING ACADEMY | 15728-A ALTRAIN MEDICAL AND DENTAL ASSISTING ACADEMY | 15728_A | 10 | 1 | 0 | 1 | 10% |
| ALTRAIN MEDICAL AND DENTAL ASSISTING ACADEMY | 15728-B ALTRAIN MEDICAL AND DENTAL ASSISTING ACADEMY | 15728_B | 6 | 0 | 1 | 1 | 17% |
| ASANTE LIBRARY | 15723-A ASANTE LIBRARY | 15723_A | 12 | 0 | 1 | 3 | 25% |
| ASANTE LIBRARY | 15723-B ASANTE LIBRARY | 15723_B | 6 | 0 | 1 | 1 | 17% |
| ASCENSION LUTHERAN CHURCH | 11244-A ASCENSION LUTHERAN CHURCH | 11244_A | 5 | 0 | 0 | 0 | 0% |
| ASCENSION LUTHERAN CHURCH | 11244-B ASCENSION LUTHERAN CHURCH | 11244_B | 11 | 0 | 1 | 1 | 9% |
| ASU DOWNTOWN CAMPUS | 15719-A ASU DOWNTOWN CAMPUS | 15719_A | 10 | 0 | 0 | 0 | 0% |
| ASU DOWNTOWN CAMPUS | 15719-B ASU DOWNTOWN CAMPUS | 15719_B | 10 | 0 | 0 | 0 | 0% |
| ASU POLYTECHNIC CAMPUS | 15642-A ASU POLYTECHNIC CAMPUS | 15642_A | 9 | 0 | 0 | 0 | 0% |
| ASU POLYTECHNIC CAMPUS | 15642-B ASU POLYTECHNIC CAMPUS | 15642_B | 6 | 0 | 1 | 1 | 17% |
| ASU SUN DEVIL FITNESS CENTER (FREE PARKING) | 15566-A ASU SUN DEVIL FITNESS CENTER (FREE PARKING) | 15566_A | 11 | 1 | 0 | 2 | 18% |
| ASU SUN DEVIL FITNESS CENTER (FREE PARKING) | 15566-B ASU SUN DEVIL FITNESS CENTER (FREE PARKING) | 15566_B | 5 | 0 | 0 | 0 | 0% |
| ASU WEST CAMPUS | 15105-A ASU WEST CAMPUS | 15105_A | 12 | 0 | 1 | 3 | 25% |
| ASU WEST CAMPUS | 15105-B ASU WEST CAMPUS | 15105_B | 6 | 0 | 1 | 1 | 17% |
| AVONDALE CITY HALL | 14886-A AVONDALE CITY HALL | 14886_A | 5 | 0 | 0 | 0 | 0% |
| AVONDALE CITY HALL | 14886-B AVONDALE CITY HALL | 14886_B | 14 | 0 | 4 | 4 | 29% |
| BILTMORE FASHION PARK (NEAR PARKING GARAGE) | 15667-A BILTMORE FASHION PARK (NEAR PARKING GARAGE) | 15667_A | 10 | 5 | 0 | 5 | 50% |
| BILTMORE FASHION PARK (NEAR PARKING GARAGE) | 15667-B BILTMORE FASHION PARK (NEAR PARKING GARAGE) | 15667_B | 9 | 0 | 0 | 0 | 0% |
| BLACK MOUNTAIN BAPTIST CHURCH | 14509-A BLACK MOUNTAIN BAPTIST CHURCH | 14509_A | 9 | 0 | 0 | 0 | 0% |
| BLACK MOUNTAIN BAPTIST CHURCH | 14509-B BLACK MOUNTAIN BAPTIST CHURCH | 14509_B | 5 | 0 | 0 | 0 | 0% |
| BRIDGEWAY COMMUNITY CHURCH | 14295-A BRIDGEWAY COMMUNITY CHURCH | 14295_A | 9 | 0 | 0 | 0 | 0% |
| BRIDGEWAY COMMUNITY CHURCH | 14295-B BRIDGEWAY COMMUNITY CHURCH | 14295_B | 7 | 1 | 0 | 2 | 29% |
| BROPHY COLLEGE PREP | 12897-A BROPHY COLLEGE PREP | 12897_A | 7 | 2 | 0 | 2 | 29% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|--|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| BROPHY COLLEGE PREP | 12897-B BROPHY COLLEGE PREP | 12897_B | 9 | 0 | 0 | 0 | 0% |
| BUCKEYE CITY HALL | 14044-A BUCKEYE CITY HALL | 14044_A | 9 | 0 | 0 | 0 | 0% |
| BUCKEYE CITY HALL | 14044-B BUCKEYE CITY HALL | 14044_B | 5 | 0 | 0 | 0 | 0% |
| BUCKEYE FIRE STATION 704 | 15621-A BUCKEYE FIRE STATION 704 | 15621_A | 11 | 2 | 0 | 2 | 18% |
| BUCKEYE FIRE STATION 704 | 15621-B BUCKEYE FIRE STATION 704 | 15621_B | 5 | 0 | 0 | 0 | 0% |
| BURTON BARR LIBRARY | 11405-A BURTON BARR LIBRARY | 11405_A | 9 | 0 | 0 | 0 | 0% |
| BURTON BARR LIBRARY | 11405-B BURTON BARR LIBRARY | 11405_B | 7 | 0 | 2 | 2 | 29% |
| CACTUS HIGH SCHOOL | 11363-A CACTUS HIGH SCHOOL | 11363_A | 5 | 0 | 0 | 0 | 0% |
| CACTUS HIGH SCHOOL | 11363-B CACTUS HIGH SCHOOL | 11363_B | 12 | 1 | 0 | 1 | 8% |
| CALVARY FREE LUTHERAN CH | 14432-A CALVARY FREE LUTHERAN CH | 14432_A | 15 | 0 | 1 | 4 | 27% |
| CALVARY FREE LUTHERAN CH | 14432-B CALVARY FREE LUTHERAN CH | 14432_B | 6 | 0 | 1 | 1 | 17% |
| CAMELBACK CHRISTIAN CHURCH | 10360-A CAMELBACK CHRISTIAN CHURCH | 10360_A | 9 | 0 | 0 | 0 | 0% |
| CAMELBACK CHRISTIAN CHURCH | 10360-B CAMELBACK CHRISTIAN CHURCH | 10360_B | 6 | 1 | 0 | 1 | 17% |
| CAREFREE TOWN COUNCIL CENTER | 15585-A CAREFREE TOWN COUNCIL CENTER | 15585_A | 8 | 0 | 0 | 0 | 0% |
| CAREFREE TOWN COUNCIL CENTER | 15585-B CAREFREE TOWN COUNCIL CENTER | 15585_B | 5 | 0 | 0 | 0 | 0% |
| CARTWRIGHT SCHOOL DISTRICT ANNEX | 13694-A CARTWRIGHT SCHOOL DISTRICT ANNEX | 13694_A | 8 | 0 | 0 | 0 | 0% |
| CARTWRIGHT SCHOOL DISTRICT ANNEX | 13694-B CARTWRIGHT SCHOOL DISTRICT ANNEX | 13694_B | 5 | 0 | 0 | 0 | 0% |
| CAVE CREEK TOWN HALL | 12226-A CAVE CREEK TOWN HALL | 12226_A | 5 | 0 | 0 | 0 | 0% |
| CAVE CREEK TOWN HALL | 12226-B CAVE CREEK TOWN HALL | 12226_B | 16 | 6 | 0 | 6 | 38% |
| CENTRAL CHRISTIAN CHURCH/GILBERT | 15407-A CENTRAL CHRISTIAN CHURCH GILBERT | 15407_A | 9 | 0 | 0 | 0 | 0% |
| CENTRAL CHRISTIAN CHURCH/GILBERT | 15407-B CENTRAL CHRISTIAN CHURCH GILBERT | 15407_B | 20 | 5 | 0 | 5 | 25% |
| CENTRAL CHRISTIAN CHURCH/MESA | 11901-A CENTRAL CHRISTIAN CHURCH MESA | 11901_A | 9 | 0 | 0 | 0 | 0% |
| CENTRAL CHRISTIAN CHURCH/MESA | 11901-B CENTRAL CHRISTIAN CHURCH MESA | 11901_B | 5 | 0 | 0 | 0 | 0% |
| CHANDLER BIBLE CHURCH | 13836-A CHANDLER BIBLE CHURCH | 13836_A | 10 | 0 | 0 | 0 | 0% |
| CHANDLER BIBLE CHURCH | 13836-B CHANDLER BIBLE CHURCH | 13836_B | 6 | 1 | 0 | 1 | 17% |
| CHANDLER CITY HALL | 15551-A CHANDLER CITY HALL | 15551_A | 5 | 0 | 0 | 0 | 0% |
| CHANDLER CITY HALL | 15551-B CHANDLER CITY HALL | 15551_B | 9 | 0 | 0 | 0 | 0% |
| CHANDLER NATURE CENTER | 15486-A CHANDLER NATURE CENTER | 15486_A | 12 | 8 | 0 | 3 | 25% |
| CHANDLER NATURE CENTER | 15486-B CHANDLER NATURE CENTER | 15486_B | 5 | 0 | 0 | 0 | 0% |
| CHANDLER UNIFIED SCHOOL DISTRICT OFFICE | 10003-A CHANDLER UNIFIED SCHOOL DISTRICT OFFICE | 10003_A | 10 | 0 | 1 | 1 | 10% |
| CHANDLER UNIFIED SCHOOL DISTRICT OFFICE | 10003-B CHANDLER UNIFIED SCHOOL DISTRICT OFFICE | 10003_B | 5 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|---|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| CHANDLER UNITED METHODIST CHURCH | 15416-A CHANDLER UNITED METHODIST CHURCH | 15416_A | 5 | 0 | 0 | 0 | 0% |
| CHANDLER UNITED METHODIST CHURCH | 15416-B CHANDLER UNITED METHODIST CHURCH | 15416_B | 10 | 0 | 0 | 0 | 0% |
| CHANDLER/GILBERT COMMUNITY COLLEGE | 13905-A CHANDLER GILBERT COMMUNITY COLLEGE | 13905_A | 10 | 2 | 0 | 2 | 20% |
| CHANDLER/GILBERT COMMUNITY COLLEGE | 13905-B CHANDLER GILBERT COMMUNITY COLLEGE | 13905_B | 5 | 0 | 0 | 0 | 0% |
| CHARLES W HARRIS SCHOOL | 10958-A CHARLES W HARRIS SCHOOL | 10958_A | 20 | 5 | 2 | 7 | 35% |
| CHARLES W HARRIS SCHOOL | 10958-B CHARLES W HARRIS SCHOOL | 10958_B | 6 | 2 | 0 | 1 | 17% |
| CHRIST THE REDEEMER LUTHERAN CH | 12667-A CHRIST THE REDEEMER LUTHERAN CH | 12667_A | 12 | 3 | 0 | 3 | 25% |
| CHRIST THE REDEEMER LUTHERAN CH | 12667-B CHRIST THE REDEEMER LUTHERAN CH | 12667_B | 7 | 1 | 1 | 2 | 29% |
| CHRISTIAN COMMUNITY CHURCH | 11770-A CHRISTIAN COMMUNITY CHURCH | 11770_A | 14 | 6 | 0 | 6 | 43% |
| CHRISTIAN COMMUNITY CHURCH | 11770-B CHRISTIAN COMMUNITY CHURCH | 11770_B | 5 | 0 | 0 | 0 | 0% |
| CHURCH AT LITCHFIELD PARK | 10647-A CHURCH AT LITCHFIELD PARK | 10647_A | 10 | 0 | 1 | 1 | 10% |
| CHURCH AT LITCHFIELD PARK | 10647-B CHURCH AT LITCHFIELD PARK | 10647_B | 6 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS BUCKEYE | 15595-A CHURCH OF JESUS CHRIST OF LDS BUCKEYE | 15595_A | 5 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS BUCKEYE | 15595-B CHURCH OF JESUS CHRIST OF LDS BUCKEYE | 15595_B | 10 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS GILBERT | 15268-A CHURCH OF JESUS CHRIST OF LDS GILBERT | 15268_A | 10 | 1 | 0 | 1 | 10% |
| CHURCH OF JESUS CHRIST OF LDS GILBERT | 15268-B CHURCH OF JESUS CHRIST OF LDS GILBERT | 15268_B | 8 | 0 | 3 | 3 | 38% |
| CHURCH OF JESUS CHRIST OF LDS GREENFIELD | 15090-A CHURCH OF JESUS CHRIST OF LDS GREENFIELD | 15090_A | 12 | 0 | 1 | 1 | 8% |
| CHURCH OF JESUS CHRIST OF LDS GREENFIELD | 15090-B CHURCH OF JESUS CHRIST OF LDS GREENFIELD | 15090_B | 6 | 1 | 0 | 1 | 17% |
| CHURCH OF JESUS CHRIST OF LDS JOMAX | 15592-A CHURCH OF JESUS CHRIST OF LDS JOMAX | 15592_A | 12 | 2 | 1 | 3 | 25% |
| CHURCH OF JESUS CHRIST OF LDS JOMAX | 15592-B CHURCH OF JESUS CHRIST OF LDS JOMAX | 15592_B | 10 | 4 | 1 | 5 | 50% |
| CHURCH OF JESUS CHRIST OF LDS LAKESHORE | 14357-A CHURCH OF JESUS CHRIST OF LDS LAKESHORE | 14357_A | 11 | 2 | 0 | 2 | 18% |
| CHURCH OF JESUS CHRIST OF LDS LAKESHORE | 14357-B CHURCH OF JESUS CHRIST OF LDS LAKESHORE | 14357_B | 6 | 1 | 0 | 1 | 17% |
| CHURCH OF JESUS CHRIST OF LDS SOUTHERN | 15216-A CHURCH OF JESUS CHRIST OF LDS SOUTHERN | 15216_A | 5 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS SOUTHERN | 15216-B CHURCH OF JESUS CHRIST OF LDS SOUTHERN | 15216_B | 10 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS UNION HILLS | 14326-A CHURCH OF JESUS CHRIST OF LDS UNION HILLS | 14326_A | 11 | 0 | 2 | 2 | 18% |
| CHURCH OF JESUS CHRIST OF LDS UNION HILLS | 14326-B CHURCH OF JESUS CHRIST OF LDS UNION HILLS | 14326_B | 5 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS/MESA MARICOPA STAKE | 10895-A CHURCH OF JESUS CHRIST OF LDS MESA MARICOPA STAKE | 10895_A | 9 | 0 | 0 | 0 | 0% |
| CHURCH OF JESUS CHRIST OF LDS/MESA MARICOPA STAKE | 10895-B CHURCH OF JESUS CHRIST OF LDS MESA MARICOPA STAKE | 10895_B | 5 | 0 | 0 | 0 | 0% |
| CHURCH OF THE BEATITUDES | 13020-A CHURCH OF THE BEATITUDES | 13020_A | 11 | 1 | 1 | 2 | 18% |
| CHURCH OF THE BEATITUDES | 13020-B CHURCH OF THE BEATITUDES | 13020_B | 5 | 0 | 0 | 0 | 0% |
| COMMUNITY OF CHRIST | 14168-A COMMUNITY OF CHRIST | 14168_A | 10 | 1 | 0 | 1 | 10% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject/W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|---|---------|----------------------------|--------------------------------|------------------------|--------------------|----------------------|
| COMMUNITY OF CHRIST | 14168-B COMMUNITY OF CHRIST | 14168_B | 15 | 4 | 1 | 5 | 33% |
| COMMUNITY OF CHRIST CHURCH | 10756-A COMMUNITY OF CHRIST CHURCH | 10756_A | 10 | 0 | 0 | 0 | 0% |
| COMMUNITY OF CHRIST CHURCH | 10756-B COMMUNITY OF CHRIST CHURCH | 10756_B | 5 | 0 | 0 | 0 | 0% |
| COMMUNIVERSITY | 15675-A COMMUNIVERSITY | 15675_A | 5 | 0 | 0 | 0 | 0% |
| COMMUNIVERSITY | 15675 B COMMUNIVERSITY | 15675_B | 17 | 0 | 3 | 3 | 18% |
| COMPASS CHURCH | 15355-A COMPASS CHURCH | 15355_A | 9 | 1 | 0 | 1 | 11% |
| COMPASS CHURCH | 15355-B COMPASS CHURCH | 15355_B | 5 | 0 | 0 | 0 | 0% |
| COPPER CANYON SCHOOL | 13237-A COPPER CANYON SCHOOL | 13237_A | 11 | 0 | 2 | 2 | 18% |
| COPPER CANYON SCHOOL | 13237-B COPPER CANYON SCHOOL | 13237_B | 5 | 0 | 0 | 0 | 0% |
| COPPER HILLS CHURCH/ WESTWING | 15558-A COPPER HILLS CHURCH WESTWING | 15558_A | 12 | 2 | 1 | 3 | 25% |
| COPPER HILLS CHURCH/ WESTWING | 15558-B COPPER HILLS CHURCH WESTWING | 15558_B | 6 | 1 | 0 | 1 | 17% |
| CORTEZ HIGH SCHOOL (#205) | 12814-A CORTEZ HIGH SCHOOL #205 | 12814_A | 14 | 5 | 0 | 5 | 36% |
| CORTEZ HIGH SCHOOL (#205) | 12814-B CORTEZ HIGH SCHOOL #205 | 12814_B | 7 | 2 | 0 | 2 | 29% |
| COTTONWOOD COUNTRY CLUB | 12407-A COTTONWOOD COUNTRY CLUB | 12407_A | 9 | 0 | 0 | 0 | 0% |
| COTTONWOOD COUNTRY CLUB | 12407-B COTTONWOOD COUNTRY CLUB | 12407_B | 9 | 1 | 3 | 4 | 44% |
| DAVID CROCKETT SCHOOL | 11380-A DAVID CROCKETT SCHOOL | 11380_A | 10 | 1 | 1 | 2 | 20% |
| DAVID CROCKETT SCHOOL | 11380-B DAVID CROCKETT SCHOOL | 11380_B | 10 | 4 | 1 | 5 | 50% |
| DAYSRING UNITED METHODIST CHURCH | 11884-A DAYSRING UNITED METHODIST CHURCH | 11884_A | 13 | 3 | 1 | 4 | 31% |
| DAYSRING UNITED METHODIST CHURCH | 11884-B DAYSRING UNITED METHODIST CHURCH | 11884_B | 12 | 6 | 1 | 7 | 58% |
| DEER VALLEY AIRPORT | 12875-A DEER VALLEY AIRPORT | 12875_A | 10 | 1 | 0 | 1 | 10% |
| DEER VALLEY AIRPORT | 12875-B DEER VALLEY AIRPORT | 12875_B | 6 | 1 | 0 | 1 | 17% |
| DEER VALLEY LUTHERAN CHURCH | 12740-A DEER VALLEY LUTHERAN CHURCH | 12740_A | 5 | 0 | 0 | 0 | 0% |
| DEER VALLEY LUTHERAN CHURCH | 12740-B DEER VALLEY LUTHERAN CHURCH | 12740_B | 8 | 0 | 0 | 0 | 0% |
| DEER VALLEY UNIFIED SCHOOL DISTRICT OFFICE | 11462-A DEER VALLEY UNIFIED SCHOOL DIST OFF | 11462_A | 6 | 1 | 0 | 1 | 17% |
| DEER VALLEY UNIFIED SCHOOL DISTRICT OFFICE | 11462-B DEER VALLEY UNIFIED SCHOOL DIST OFF | 11462_B | 14 | 4 | 0 | 4 | 29% |
| DESERT CHRISTIAN FELLOWSHIP | 12662-A DESERT CHRISTIAN FELLOWSHIP | 12662_A | 11 | 2 | 0 | 2 | 18% |
| DESERT CHRISTIAN FELLOWSHIP | 12662-B DESERT CHRISTIAN FELLOWSHIP | 12662_B | 5 | 0 | 0 | 0 | 0% |
| DESERT FOOTHILLS UNITED METH CH | 13953-A DESERT FOOTHILLS UNITED METH CH | 13953_A | 5 | 0 | 0 | 0 | 0% |
| DESERT FOOTHILLS UNITED METH CH | 13953-B DESERT FOOTHILLS UNITED METH CH | 13953_B | 13 | 2 | 1 | 3 | 23% |
| DESERT HILLS COMMUNITY CHURCH | 12362-A DESERT HILLS COMMUNITY CHURCH | 12362_A | 12 | 3 | 0 | 3 | 25% |
| DESERT HILLS COMMUNITY CHURCH | 12362-B DESERT HILLS COMMUNITY CHURCH | 12362_B | 6 | 1 | 0 | 1 | 17% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|---------------------------------------|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| DESERT OASIS AQUATIC CENTER | 13838-A DESERT OASIS AQUATIC CENTER | 13838_A | 9 | 0 | 0 | 0 | 0% |
| DESERT OASIS AQUATIC CENTER | 13838-B DESERT OASIS AQUATIC CENTER | 13838_B | 6 | 0 | 1 | 1 | 17% |
| DIST 6 COMMUNITY SERVICE CENTER | 12215-A DIST 6 COMMUNITY SERVICE CENTER | 12215_A | 5 | 0 | 0 | 0 | 0% |
| DIST 6 COMMUNITY SERVICE CENTER | 12215-B DIST 6 COMMUNITY SERVICE CENTER | 12215_B | 10 | 0 | 1 | 1 | 10% |
| DIST 7 COMMUNITY SVC CTR | 13856-A DIST 7 COMMUNITY SVC CTR | 13856_A | 7 | 2 | 0 | 2 | 29% |
| DIST 7 COMMUNITY SVC CTR | 13856-B DIST 7 COMMUNITY SVC CTR | 13856_B | 10 | 0 | 0 | 0 | 0% |
| DOVE OF THE DESERT UNTD METHODIST CHR | 13869-A DOVE OF THE DESERT UNTD METHODIST CHR | 13869_A | 5 | 0 | 0 | 0 | 0% |
| DOVE OF THE DESERT UNTD METHODIST CHR | 13869-B DOVE OF THE DESERT UNTD METHODIST CHR | 13869_B | 11 | 5 | 2 | 3 | 27% |
| DREAM CITY CHURCH PHOENIX CAMPUS | 12800-A DREAM CITY CHURCH PHOENIX CAMPUS | 12800_A | 9 | 0 | 0 | 0 | 0% |
| DREAM CITY CHURCH PHOENIX CAMPUS | 12800-B DREAM CITY CHURCH PHOENIX CAMPUS | 12800_B | 5 | 0 | 0 | 0 | 0% |
| DREAM CITY CHURCH SCOTTSDALE CAMPUS | 15151-A DREAM CITY CHURCH SCOTTSDALE CAMPUS | 15151_A | 10 | 1 | 0 | 1 | 10% |
| DREAM CITY CHURCH SCOTTSDALE CAMPUS | 15151-B DREAM CITY CHURCH SCOTTSDALE CAMPUS | 15151_B | 6 | 1 | 0 | 1 | 17% |
| DYSART COMMUNITY CENTER | 15203-A DYSART COMMUNITY CENTER | 15203_A | 7 | 2 | 0 | 2 | 29% |
| DYSART COMMUNITY CENTER | 15203-B DYSART COMMUNITY CENTER | 15203_B | 14 | 5 | 0 | 5 | 36% |
| EL MIRAGE CITY HALL | 12350-A EL MIRAGE CITY HALL | 12350_A | 13 | 4 | 0 | 4 | 31% |
| EL MIRAGE CITY HALL | 12350-B EL MIRAGE CITY HALL | 12350_B | 7 | 2 | 0 | 2 | 29% |
| EL TIANGUIS MERCADO | 15521-A EL TIANGUIS MERCADO | 15521_A | 10 | 0 | 1 | 1 | 10% |
| EL TIANGUIS MERCADO | 15521-B EL TIANGUIS MERCADO | 15521_B | 5 | 0 | 0 | 0 | 0% |
| ELDORADO PARK COMMUNITY CENTER | 11564-A ELDORADO PARK COMMUNITY CTR | 11564_A | 10 | 1 | 0 | 1 | 10% |
| ELDORADO PARK COMMUNITY CENTER | 11564-B ELDORADO PARK COMMUNITY CTR | 11564_B | 10 | 5 | 0 | 5 | 50% |
| ENVISION COMMUNITY CENTER | 15682-A ENVISION COMMUNITY CENTER | 15682_A | 9 | 0 | 0 | 0 | 0% |
| ENVISION COMMUNITY CENTER | 15682-B ENVISION COMMUNITY CENTER | 15682_B | 5 | 0 | 0 | 0 | 0% |
| ESCALANTE COMMUNITY CENTER/TEMPE | 12165-A ESCALANTE COMMUNITY CENTER TEMPE | 12165_A | 5 | 0 | 0 | 0 | 0% |
| ESCALANTE COMMUNITY CENTER/TEMPE | 12165-B ESCALANTE COMMUNITY CENTER TEMPE | 12165_B | 18 | 7 | 0 | 7 | 39% |
| ESTRELLA FOOTHILLS HIGH SCHOOL #201 | 14506-A ESTRELLA FOOTHILLS HIGH SCHOOL #201 | 14506_A | 12 | 1 | 2 | 3 | 25% |
| ESTRELLA FOOTHILLS HIGH SCHOOL #201 | 14506-B ESTRELLA FOOTHILLS HIGH SCHOOL #201 | 14506_B | 5 | 0 | 0 | 0 | 0% |
| ESTRELLA MOUNTAIN COMMUNITY COLLEGE | 14218-A ESTRELLA MOUNTAIN COMMUNITY COLLEGE | 14218_A | 9 | 0 | 0 | 0 | 0% |
| ESTRELLA MOUNTAIN COMMUNITY COLLEGE | 14218-B ESTRELLA MOUNTAIN COMMUNITY COLLEGE | 14218_B | 7 | 2 | 0 | 2 | 29% |
| ESTRELLA MTN SCHOOL/GOODYEAR | 12234-A ESTRELLA MTN SCHOOL GOODYEAR | 12234_A | 7 | 2 | 0 | 2 | 29% |
| ESTRELLA MTN SCHOOL/GOODYEAR | 12234-B ESTRELLA MTN SCHOOL GOODYEAR | 12234_B | 17 | 7 | 0 | 7 | 41% |
| FAITH BAPTIST CHURCH | 10492-A FAITH BAPTIST CHURCH | 10492_A | 9 | 0 | 0 | 0 | 0% |

Exhibit 3

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|---|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| FAITH BAPTIST CHURCH | 10492-B FAITH BAPTIST CHURCH | 10492_B | 6 | 1 | 0 | 1 | 17% |
| FAITH LUTHERAN CHURCH | 12773-A FAITH LUTHERAN CHURCH | 12773_A | 10 | 2 | 0 | 2 | 20% |
| FAITH LUTHERAN CHURCH | 12773-B FAITH LUTHERAN CHURCH | 12773_B | 5 | 0 | 0 | 0 | 0% |
| FIRST BAPTIST CHURCH CHANDLER | 15277-A FIRST BAPTIST CHURCH CHANDLER | 15277_A | 5 | 0 | 0 | 0 | 0% |
| FIRST BAPTIST CHURCH CHANDLER | 15277-B FIRST BAPTIST CHURCH CHANDLER | 15277_B | 10 | 1 | 0 | 1 | 10% |
| FIRST UNITED METHODIST CHURCH OF GILBERT | 11932-A FIRST UNITED METHODIST CHURCH OF GILBERT | 11932_A | 12 | 3 | 0 | 3 | 25% |
| FIRST UNITED METHODIST CHURCH OF GILBERT | 11932-B FIRST UNITED METHODIST CHURCH OF GILBERT | 11932_B | 6 | 0 | 1 | 1 | 17% |
| FLITE GOODYEAR | 15705-A FLITE GOODYEAR | 15705_A | 12 | 1 | 2 | 3 | 25% |
| FLITE GOODYEAR | 15705-B FLITE GOODYEAR | 15705_B | 6 | 0 | 1 | 1 | 17% |
| FLORENCE ELY NELSON DESERT PARK REC CTR | 14227-A FLORENCE ELY NELSON DESERT PARK REC CTR | 14227_A | 10 | 0 | 1 | 1 | 10% |
| FLORENCE ELY NELSON DESERT PARK REC CTR | 14227-B FLORENCE ELY NELSON DESERT PARK REC CTR | 14227_B | 10 | 0 | 0 | 0 | 0% |
| FOOTPRINT CENTER | 15736-A FOOTPRINT CENTER | 15736_A | 10 | 0 | 1 | 1 | 10% |
| FOOTPRINT CENTER | 15736-B FOOTPRINT CENTER | 15736_B | 6 | 1 | 0 | 1 | 17% |
| FORT MCDOWELL INDIAN COMM REC CENTER | 12015-A FORT MCDOWELL INDIAN COMM REC CENTER | 12015_A | 8 | 0 | 0 | 0 | 0% |
| FORT MCDOWELL INDIAN COMM REC CENTER | 12015-B FORT MCDOWELL INDIAN COMM REC CENTER | 12015_B | 6 | 1 | 0 | 1 | 17% |
| FOUNTAIN HILLS COMMUNITY CENTER | 14400-A FOUNTAIN HILLS COMMUNITY CENTER | 14400_A | 10 | 1 | 0 | 1 | 10% |
| FOUNTAIN HILLS COMMUNITY CENTER | 14400-B FOUNTAIN HILLS COMMUNITY CENTER | 14400_B | 10 | 4 | 1 | 5 | 50% |
| FOWLER SCHOOL | 10403-A FOWLER SCHOOL | 10403_A | 12 | 0 | 2 | 2 | 17% |
| FOWLER SCHOOL | 10403-B FOWLER SCHOOL | 10403_B | 5 | 0 | 0 | 0 | 0% |
| GATEWAY FELLOWSHIP CHR/SBC | 14864-A GATEWAY FELLOWSHIP CHR SBC | 14864_A | 6 | 0 | 1 | 1 | 17% |
| GATEWAY FELLOWSHIP CHR/SBC | 14864-B GATEWAY FELLOWSHIP CHR SBC | 14864_B | 10 | 0 | 1 | 1 | 10% |
| GCC NORTH CHINLE BLDG | 14225-A GCC NORTH CHINLE BLDG | 14225_A | 16 | 2 | 3 | 7 | 44% |
| GCC NORTH CHINLE BLDG | 14225-B GCC NORTH CHINLE BLDG | 14225_B | 5 | 0 | 0 | 0 | 0% |
| GILA BEND SCHOOL DISTRICT | 10438-A GILA BEND SCHOOL DISTRICT MEDIA CENTER | 10438_A | 7 | 2 | 0 | 2 | 29% |
| GILA BEND SCHOOL DISTRICT | 10438-B GILA BEND SCHOOL DISTRICT MEDIA CENTER | 10438_B | 16 | 7 | 0 | 7 | 44% |
| GILBERT FREESTONE REC CENTER | 14669-A GILBERT FREESTONE REC CENTER | 14669_A | 6 | 1 | 0 | 1 | 17% |
| GILBERT FREESTONE REC CENTER | 14669-B GILBERT FREESTONE REC CENTER | 14669_B | 30 | 21 | 0 | 21 | 70% |
| GILBERT PRESBYTERIAN CHURCH | 12354-A GILBERT PRESBYTERIAN CHURCH | 12354_A | 14 | 1 | 1 | 5 | 36% |
| GILBERT PRESBYTERIAN CHURCH | 12354-B GILBERT PRESBYTERIAN CHURCH | 12354_B | 5 | 0 | 0 | 0 | 0% |
| GILBERT PUBLIC WORKS NORTH AREA SERVICE CENTER | 15720-A GILBERT PUBLIC WORKS NORTH AREA SERVICE CENTER | 15720_A | 9 | 0 | 0 | 0 | 0% |
| GILBERT PUBLIC WORKS NORTH AREA SERVICE CENTER | 15720-B GILBERT PUBLIC WORKS NORTH AREA SERVICE CENTER | 15720_B | 5 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|--|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| GLENDALE CHRISTIAN CHURCH | 10098-A GLENDALE CHRISTIAN CHURCH | 10098_A | 13 | 2 | 0 | 2 | 15% |
| GLENDALE CHRISTIAN CHURCH | 10098 B GLENDALE CHRISTIAN CHURCH | 10098_B | 7 | 2 | 0 | 2 | 29% |
| GLENDALE COMMUNITY COLLEGE/STUDENT UNION | 10378-A GLENDALE COMMUNITY COLLEGE/STUDENT UNION | 10378_A | 6 | 0 | 1 | 1 | 17% |
| GLENDALE COMMUNITY COLLEGE/STUDENT UNION | 10378 B GLENDALE COMMUNITY COLLEGE/STUDENT UNION | 10378_B | 11 | 2 | 0 | 2 | 18% |
| GLENDALE MISSION AND MINISTRY CENTER | 10381-A GLENDALE MISSION AND MINISTRY CENTER | 10381_A | 10 | 0 | 1 | 1 | 10% |
| GLENDALE MISSION AND MINISTRY CENTER | 10381-B GLENDALE MISSION AND MINISTRY CENTER | 10381_B | 5 | 0 | 0 | 0 | 0% |
| GOELET A.C. BEUF COMMUNITY CENTER | 15144-A GOELET A.C. BEUF COMMUNITY CENTER | 15144_A | 9 | 0 | 0 | 0 | 0% |
| GOELET A.C. BEUF COMMUNITY CENTER | 15144-B GOELET A.C. BEUF COMMUNITY CENTER | 15144_B | 6 | 0 | 1 | 1 | 17% |
| GOLDEN GATE COMMUNITY CENTER | 11593 A GOLDEN GATE COMMUNITY CENTER | 11593_A | 11 | 1 | 1 | 2 | 18% |
| GOLDEN GATE COMMUNITY CENTER | 11593-B GOLDEN GATE COMMUNITY CENTER | 11593_B | 5 | 0 | 0 | 0 | 0% |
| GOODYEAR CITY HALL | 12921-A GOODYEAR CITY HALL | 12921_A | 9 | 0 | 0 | 0 | 0% |
| GOODYEAR CITY HALL | 12921 B GOODYEAR CITY HALL | 12921_B | 7 | 2 | 0 | 2 | 29% |
| GOODYEAR CITY HALL (NEW) | 15724-A GOODYEAR CITY HALL (NEW) | 15724_A | 5 | 0 | 0 | 0 | 0% |
| GOODYEAR CITY HALL (NEW) | 15724 B GOODYEAR CITY HALL (NEW) | 15724_B | 14 | 5 | 0 | 5 | 36% |
| GRACE IN THE DESERT ADVENTIST CHURCH | 11988-A GRACE IN THE DESERT ADVENTIST CHURCH | 11988_A | 9 | 0 | 0 | 0 | 0% |
| GRACE IN THE DESERT ADVENTIST CHURCH | 11988 B GRACE IN THE DESERT ADVENTIST CHURCH | 11988_B | 5 | 0 | 0 | 0 | 0% |
| GRACE UNITED METHODIST CHURCH | 11634-A GRACE UNITED METHODIST CHURCH | 11634_A | 11 | 1 | 1 | 2 | 18% |
| GRACE UNITED METHODIST CHURCH | 11634-B GRACE UNITED METHODIST CHURCH | 11634_B | 5 | 0 | 0 | 0 | 0% |
| GRANADA WEST ELEMENTARY SCHOOL | 12039-A GRANADA WEST ELEMENTARY SCHOOL | 12039_A | 5 | 0 | 0 | 0 | 0% |
| GRANADA WEST ELEMENTARY SCHOOL | 12039 B GRANADA WEST ELEMENTARY SCHOOL | 12039_B | 13 | 3 | 1 | 4 | 31% |
| HAPPY TRAILS RESORT | 12154-A HAPPY TRAILS RESORT | 12154_A | 9 | 0 | 0 | 0 | 0% |
| HAPPY TRAILS RESORT | 12154 B HAPPY TRAILS RESORT | 12154_B | 8 | 0 | 0 | 3 | 38% |
| HI-WAY BAPTIST CHR | 14286-A HI-WAY BAPTIST CHR | 14286_A | 10 | 1 | 0 | 1 | 10% |
| HI-WAY BAPTIST CHR | 14286 B HI-WAY BAPTIST CHR | 14286_B | 6 | 0 | 1 | 1 | 17% |
| HOLIDAY PARK SCHOOL | 10574-A HOLIDAY PARK SCHOOL | 10574_A | 6 | 1 | 0 | 1 | 17% |
| HOLIDAY PARK SCHOOL | 10574-B HOLIDAY PARK SCHOOL | 10574_B | 15 | 6 | 0 | 6 | 40% |
| HOLY TRINITY GREEK ORTHODOX CATHEDRAL | 11868-A HOLY TRINITY GREEK ORTHODOX CATHEDRAL | 11868_A | 14 | 5 | 1 | 6 | 43% |
| HOLY TRINITY GREEK ORTHODOX CATHEDRAL | 11868 B HOLY TRINITY GREEK ORTHODOX CATHEDRAL | 11868_B | 7 | 0 | 1 | 1 | 14% |
| HORIZON COMMUNITY CENTER | 13859 A HORIZON COMMUNITY CENTER | 13859_A | 9 | 0 | 0 | 0 | 0% |
| HORIZON COMMUNITY CENTER | 13859-B HORIZON COMMUNITY CENTER | 13859_B | 5 | 0 | 0 | 0 | 0% |
| HORIZON PRESBYTERIAN CHURCH | 13877-A HORIZON PRESBYTERIAN CHURCH | 13877_A | 9 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|---|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| HORIZON PRESBYTERIAN CHURCH | 13877-B HORIZON PRESBYTERIAN CHURCH | 13877_B | 5 | 0 | 0 | 0 | 0% |
| IBEW LOCAL 640 ELECTRICAL WORKERS | 11651-A IBEW LOCAL 640 ELECTRICAL WORKERS | 11651_A | 5 | 0 | 0 | 0 | 0% |
| IBEW LOCAL 640 ELECTRICAL WORKERS | 11651-B IBEW LOCAL 640 ELECTRICAL WORKERS | 11651_B | 10 | 0 | 1 | 1 | 10% |
| INDIAN BEND WASH VISITOR CENTER | 11490-A INDIAN BEND WASH VISITOR CENTER | 11490_A | 15 | 6 | 0 | 6 | 40% |
| INDIAN BEND WASH VISITOR CENTER | 11490-B INDIAN BEND WASH VISITOR CENTER | 11490_B | 6 | 0 | 0 | 0 | 0% |
| ISLAMIC CENTER - SCOTTSDALE | 15170-A ISLAMIC CENTER - SCOTTSDALE | 15170_A | 5 | 0 | 0 | 0 | 0% |
| ISLAMIC CENTER - SCOTTSDALE | 15170-B ISLAMIC CENTER - SCOTTSDALE | 15170_B | 10 | 0 | 1 | 1 | 10% |
| ISLAMIC CENTER OF THE EAST VALLEY | 15717-A ISLAMIC CENTER OF THE EAST VALLEY | 15717_A | 10 | 1 | 0 | 1 | 10% |
| ISLAMIC CENTER OF THE EAST VALLEY | 15717-B ISLAMIC CENTER OF THE EAST VALLEY | 15717_B | 5 | 0 | 0 | 0 | 0% |
| ISLAMIC COMMUNITY CENTER OF PHOENIX | 11449-A ISLAMIC COMMUNITY CENTER OF PHOENIX | 11449_A | 12 | 2 | 1 | 3 | 25% |
| ISLAMIC COMMUNITY CENTER OF PHOENIX | 11449-B ISLAMIC COMMUNITY CENTER OF PHOENIX | 11449_B | 6 | 1 | 0 | 1 | 17% |
| JAMES W RICE SCHOOL | 14820-A JAMES W RICE SCHOOL | 14820_A | 6 | 1 | 0 | 1 | 17% |
| JAMES W RICE SCHOOL | 14820-B JAMES W RICE SCHOOL | 14820_B | 10 | 1 | 0 | 1 | 10% |
| JOURNEY CHURCH | 15731-A JOURNEY CHURCH | 15731_A | 19 | 10 | 0 | 10 | 53% |
| JOURNEY CHURCH | 15731-B JOURNEY CHURCH | 15731_B | 5 | 0 | 0 | 0 | 0% |
| KAKA VILLAGE COMMUNITY CENTER | 13481-A KAKA VILLAGE COMMUNITY CENTER | 13481_A | | | | | |
| KAKA VILLAGE COMMUNITY CENTER | 13481-B KAKA VILLAGE COMMUNITY CENTER | 13481_B | 5 | 0 | 0 | 0 | 0% |
| KNIGHTS OF PYTHIAS LODGE | 15359-A KNIGHTS OF PYTHIAS LODGE | 15359_A | 9 | 0 | 0 | 0 | 0% |
| KNIGHTS OF PYTHIAS LODGE | 15359-B KNIGHTS OF PYTHIAS LODGE | 15359_B | 5 | 0 | 0 | 0 | 0% |
| LAKES REC CTR @ WESTBROOK VILLAGE | 12187-A LAKES REC CENTER @ WESTBROOK VILLAGE | 12187_A | 9 | 0 | 0 | 0 | 0% |
| LAKES REC CTR @ WESTBROOK VILLAGE | 12187-B LAKES REC CENTER @ WESTBROOK VILLAGE | 12187_B | 5 | 0 | 0 | 0 | 0% |
| LAVEEN BAPTIST CHURCH | 11622-A LAVEEN BAPTIST CHURCH | 11622_A | 13 | 5 | 0 | 5 | 38% |
| LAVEEN BAPTIST CHURCH | 11622-B LAVEEN BAPTIST CHURCH | 11622_B | 6 | 1 | 0 | 1 | 17% |
| LAVEEN ELEMENTARY SCHOOL DISTRICT OFFICE | 13770-A LAVEEN ELEMENTARY SCHOOL DISTRICT OFFICE | 13770_A | 5 | 0 | 0 | 0 | 0% |
| LAVEEN ELEMENTARY SCHOOL DISTRICT OFFICE | 13770-B LAVEEN ELEMENTARY SCHOOL DISTRICT OFFICE | 13770_B | 16 | 4 | 4 | 8 | 50% |
| LIBERTY ELEMENTARY SCHOOL DISTRICT OFFICE | 15469-A LIBERTY ELEMENTARY SCHOOL DISTRICT OFFICE | 15469_A | 10 | 1 | 0 | 1 | 10% |
| LIBERTY ELEMENTARY SCHOOL DISTRICT OFFICE | 15469-B LIBERTY ELEMENTARY SCHOOL DISTRICT OFFICE | 15469_B | 9 | 4 | 0 | 4 | 44% |
| LIFEWAY CHURCH | 14884-B LIFEWAY CHURCH | 14884_B | 9 | 0 | 0 | 0 | 0% |
| LIFEWAY CHURCH | 14884-A LIFEWAY CHURCH | 14884_A | 5 | 0 | 0 | 0 | 0% |
| LIGHT AND LIFE CHURCH | 12903-A LIGHT AND LIFE CHURCH | 12903_A | 5 | 0 | 0 | 0 | 0% |
| LIGHT AND LIFE CHURCH | 12903-B LIGHT AND LIFE CHURCH | 12903_B | 11 | 0 | 1 | 1 | 9% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|--|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| LITCHFIELD PARK FIRST BAPTIST CH | 11682-A LITCHFIELD PARK FIRST BAPTIST CH | 11682_A | 10 | 1 | 0 | 1 | 10% |
| LITCHFIELD PARK FIRST BAPTIST CH | 11682 B LITCHFIELD PARK FIRST BAPTIST CH | 11682_B | 5 | 0 | 0 | 0 | 0% |
| LITCHFIELD SCHOOL DISTRICT SUPPORT SERVICES BLDG A | 15578-A LITCHFIELD SCHOOL DISTRICT SUPPORT SERVICES BLDG | 15578_A | 9 | 0 | 0 | 0 | 0% |
| LITCHFIELD SCHOOL DISTRICT SUPPORT SERVICES BLDG A | 15578-B LITCHFIELD SCHOOL DISTRICT SUPPORT SERVICES BLDG | 15578_B | 6 | 0 | 1 | 1 | 17% |
| LIVING WATER LUTHERAN CHURCH | 14773-A LIVING WATER LUTHERAN CHURCH | 14773_A | 9 | 0 | 0 | 0 | 0% |
| LIVING WATER LUTHERAN CHURCH | 14773-B LIVING WATER LUTHERAN CHURCH | 14773_B | 8 | 1 | 2 | 3 | 38% |
| LIVING WORD BIBLE CHURCH AHWATUKEE | 14988-A LIVING WORD BIBLE CHURCH AHWATUKEE | 14988_A | 9 | 0 | 0 | 0 | 0% |
| LIVING WORD BIBLE CHURCH AHWATUKEE | 14988-B LIVING WORD BIBLE CHURCH AHWATUKEE | 14988_B | 6 | 0 | 1 | 1 | 17% |
| LOVE OF CHRIST LUTHERAN CHR | 13196-A LOVE OF CHRIST LUTHERAN CHR | 13196_A | 13 | 2 | 2 | 4 | 31% |
| LOVE OF CHRIST LUTHERAN CHR | 13196-B LOVE OF CHRIST LUTHERAN CHR | 13196_B | 10 | 4 | 1 | 5 | 50% |
| LOYAL ORDER OF THE MOOSE LODGE | 10238-A LOYAL ORDER OF THE MOOSE LODGE | 10238_A | 10 | 1 | 0 | 1 | 10% |
| LOYAL ORDER OF THE MOOSE LODGE | 10238 B LOYAL ORDER OF THE MOOSE LODGE | 10238_B | 7 | 2 | 0 | 2 | 29% |
| MADISON BAPTIST CHURCH | 12807-A MADISON BAPTIST CHURCH | 12807_A | 5 | 0 | 0 | 0 | 0% |
| MADISON BAPTIST CHURCH | 12807 B MADISON BAPTIST CHURCH | 12807_B | 8 | 0 | 0 | 0 | 0% |
| MARICOPA COUNTY COOPERATIVE EXT | 11621-A MARICOPA COUNTY COOPERATIVE EXT | 11621_A | 9 | 0 | 0 | 0 | 0% |
| MARICOPA COUNTY COOPERATIVE EXT | 11621 B MARICOPA COUNTY COOPERATIVE EXT | 11621_B | 5 | 0 | 0 | 0 | 0% |
| MARLEY PARK | 15349-A MARLEY PARK | 15349_A | 10 | 0 | 2 | 2 | 20% |
| MARLEY PARK | 15349-B MARLEY PARK | 15349_B | 5 | 0 | 0 | 0 | 0% |
| MARYVALE BRIDGE UNITED METHODIST CHURCH | 10074-A MARYVALE BRIDGE UNITED METHODIST CHURCH | 10074_A | 5 | 0 | 0 | 0 | 0% |
| MARYVALE BRIDGE UNITED METHODIST CHURCH | 10074-B MARYVALE BRIDGE UNITED METHODIST CHURCH | 10074_B | 10 | 1 | 0 | 1 | 10% |
| MCQUEEN PARK ACTIVITY CENTER | 13939-A MCQUEEN PARK ACTIVITY CENTER | 13939_A | 13 | 3 | 0 | 3 | 23% |
| MCQUEEN PARK ACTIVITY CENTER | 13939-B MCQUEEN PARK ACTIVITY CENTER | 13939_B | 8 | 5 | 0 | 3 | 38% |
| MEMORIAL PRESBYTERIAN CHURCH | 11316-A MEMORIAL PRESBYTERIAN CHURCH | 11316_A | 16 | 6 | 1 | 7 | 44% |
| MEMORIAL PRESBYTERIAN CHURCH | 11316 B MEMORIAL PRESBYTERIAN CHURCH | 11316_B | 5 | 0 | 0 | 0 | 0% |
| MESA BAPTIST CHURCH | 12082-A MESA BAPTIST CHURCH | 12082_A | 5 | 0 | 0 | 0 | 0% |
| MESA BAPTIST CHURCH | 12082-B MESA BAPTIST CHURCH | 12082_B | 11 | 0 | 1 | 1 | 9% |
| MESA COMMUNITY COLLEGE AT RED MTN | 14202-A MESA COMMUNITY COLLEGE AT RED MTN | 14202_A | 19 | 8 | 1 | 10 | 53% |
| MESA COMMUNITY COLLEGE AT RED MTN | 14202 B MESA COMMUNITY COLLEGE AT RED MTN | 14202_B | 7 | 1 | 1 | 2 | 29% |
| MESA CONVENTION CENTER BUILDING A | 15634-A MESA CONVENTION CENTER - BUILDING A | 15634_A | 9 | 0 | 0 | 0 | 0% |
| MESA CONVENTION CENTER BUILDING A | 15634-B MESA CONVENTION CENTER - BUILDING A | 15634_B | 6 | 0 | 1 | 1 | 17% |
| MESQUITE GROVES AQUATIC CENTER | 15622-A MESQUITE GROVES AQUATIC CENTER | 15622_A | 9 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|---|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| MESQUITE GROVES AQUATIC CENTER | 15622-B MESQUITE GROVES AQUATIC CENTER | 15622_B | 5 | 0 | 0 | 0 | 0% |
| MESSINGER MORTUARY | 14396-A MESSINGER MORTUARY | 14396_A | 7 | 2 | 0 | 2 | 29% |
| MESSINGER MORTUARY | 14396-B MESSINGER MORTUARY | 14396_B | 9 | 0 | 0 | 0 | 0% |
| MOUNT CALVARY BAPTIST CHURCH | 11109-A MOUNT CALVARY BAPTIST CHURCH | 11109_A | 14 | 0 | 4 | 4 | 29% |
| MOUNT CALVARY BAPTIST CHURCH | 11109-B MOUNT CALVARY BAPTIST CHURCH | 11109_B | 5 | 0 | 0 | 0 | 0% |
| MOUNTAIN PARK HEALTH CENTER | 15680-A MOUNTAIN PARK HEALTH CENTER | 15680_A | 10 | 0 | 1 | 1 | 10% |
| MOUNTAIN PARK HEALTH CENTER | 15680-B MOUNTAIN PARK HEALTH CENTER | 15680_B | 5 | 0 | 0 | 0 | 0% |
| MOUNTAIN PARK MARYVALE CLINIC | 15584-A MOUNTAIN PARK MARYVALE CLINIC | 15584_A | 9 | 0 | 0 | 0 | 0% |
| MOUNTAIN PARK MARYVALE CLINIC | 15584-B MOUNTAIN PARK MARYVALE CLINIC | 15584_B | 6 | 1 | 0 | 1 | 17% |
| MOUNTAIN VIEW PARK COMM CTR | 10982-A MOUNTAIN VIEW PARK COMM CTR | 10982_A | 11 | 3 | 0 | 3 | 27% |
| MOUNTAIN VIEW PARK COMM CTR | 10982-B MOUNTAIN VIEW PARK COMM CTR | 10982_B | 5 | 0 | 0 | 0 | 0% |
| MOUNTAIN VIEW SCHOOL | 15737-A MOUNTAIN VIEW SCHOOL | 15737_A | 10 | 1 | 0 | 1 | 10% |
| MOUNTAIN VIEW SCHOOL | 15737-B MOUNTAIN VIEW SCHOOL | 15737_B | 9 | 3 | 1 | 4 | 44% |
| MOUNTAIN VISTA CLUB/VISTANCIA | 15511-A MOUNTAIN VISTA CLUB VISTANCIA | 15511_A | 11 | 4 | 1 | 5 | 45% |
| MOUNTAIN VISTA CLUB/VISTANCIA | 15511-B MOUNTAIN VISTA CLUB VISTANCIA | 15511_B | 11 | 1 | 0 | 1 | 9% |
| MURPHY SCHOOL DISTRICT EDUCATION CENTER | 15616-A MURPHY SCHOOL DISTRICT EDUCATION CENTER | 15616_A | 13 | 3 | 0 | 3 | 23% |
| MURPHY SCHOOL DISTRICT EDUCATION CENTER | 15616-B MURPHY SCHOOL DISTRICT EDUCATION CENTER | 15616_B | 6 | 1 | 0 | 1 | 17% |
| NADABURG SCHOOL DISTRICT OFFICE | 15282-A NADABURG SCHOOL DISTRICT OFFICE | 15282_A | 11 | 2 | 0 | 2 | 18% |
| NADABURG SCHOOL DISTRICT OFFICE | 15282-B NADABURG SCHOOL DISTRICT OFFICE | 15282_B | 7 | 1 | 1 | 2 | 29% |
| NORTH PHOENIX BAPTIST CHURCH PV CAMPUS | 10769-A NORTH PHOENIX BAPTIST CHURCH PV CAMPUS | 10769_A | 11 | 1 | 0 | 1 | 9% |
| NORTH PHOENIX BAPTIST CHURCH PV CAMPUS | 10769-B NORTH PHOENIX BAPTIST CHURCH PV CAMPUS | 10769_B | 5 | 0 | 0 | 0 | 0% |
| NORTH SCOTTSDALE UNITED METHODIST CHURCH | 12219-A NORTH SCOTTSDALE UNITED METHODIST CHURCH | 12219_A | 22 | 11 | 0 | 11 | 50% |
| NORTH SCOTTSDALE UNITED METHODIST CHURCH | 12219-B NORTH SCOTTSDALE UNITED METHODIST CHURCH | 12219_B | 5 | 0 | 0 | 0 | 0% |
| NORTH VALLEY FREE WILL BAPTIST CHURCH | 14098-A NORTH VALLEY FREE WILL BAPTIST CHURCH | 14098_A | 15 | 2 | 4 | 6 | 40% |
| NORTH VALLEY FREE WILL BAPTIST CHURCH | 14098-B NORTH VALLEY FREE WILL BAPTIST CHURCH | 14098_B | 7 | 2 | 0 | 2 | 29% |
| NOZOMI AQUATIC CENTER | 15494-A NOZOMI AQUATIC CENTER | 15494_A | 7 | 1 | 1 | 2 | 29% |
| NOZOMI AQUATIC CENTER | 15494-B NOZOMI AQUATIC CENTER | 15494_B | 12 | 1 | 1 | 2 | 17% |
| OASIS COMMUNITY CHURCH | 12913-A OASIS COMMUNITY CHURCH | 12913_A | 10 | 1 | 0 | 1 | 10% |
| OASIS COMMUNITY CHURCH | 12913-B OASIS COMMUNITY CHURCH | 12913_B | | | | | |
| OUTLETS AT ANTHEM | 15607-A OUTLETS AT ANTHEM | 15607_A | 9 | 0 | 0 | 0 | 0% |
| OUTLETS AT ANTHEM | 15607-B OUTLETS AT ANTHEM | 15607_B | 5 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|---|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| PALM LANE SCHOOL | 10248-A PALM LANE SCHOOL | 10248_A | 9 | 3 | 1 | 4 | 44% |
| PALM LANE SCHOOL | 10248-B PALM LANE SCHOOL | 10248_B | 16 | 6 | 1 | 7 | 44% |
| PALM RIDGE RECREATION CENTER | 13302-A PALM RIDGE RECREATION CENTER | 13302_A | 6 | 1 | 0 | 1 | 17% |
| PALM RIDGE RECREATION CENTER | 13302-B PALM RIDGE RECREATION CENTER | 13302_B | 10 | 0 | 0 | 0 | 0% |
| PARADISE VALLEY COMMUNITY COLLEGE | 12103-A PARADISE VALLEY COMMUNITY COLLEGE | 12103_A | 11 | 1 | 1 | 2 | 18% |
| PARADISE VALLEY COMMUNITY COLLEGE | 12103-B PARADISE VALLEY COMMUNITY COLLEGE | 12103_B | 7 | 0 | 2 | 2 | 29% |
| PARADISE VALLEY TOWN HALL | 13977-A PARADISE VALLEY TOWN HALL | 13977_A | 16 | 7 | 0 | 7 | 44% |
| PARADISE VALLEY TOWN HALL | 13977-B PARADISE VALLEY TOWN HALL | 13977_B | 5 | 0 | 0 | 0 | 0% |
| PEACE LUTHERAN CHURCH | 13888-A PEACE LUTHERAN CHURCH | 13888_A | 5 | 0 | 0 | 0 | 0% |
| PEACE LUTHERAN CHURCH | 13888-B PEACE LUTHERAN CHURCH | 13888_B | 10 | 0 | 0 | 0 | 0% |
| PENDERGAST SCHOOL/DISTRICT OFFICE | 10055-A PENDERGAST SCHOOL DISTRICT OFFICE | 10055_A | 11 | 0 | 2 | 2 | 18% |
| PENDERGAST SCHOOL/DISTRICT OFFICE | 10055-B PENDERGAST SCHOOL DISTRICT OFFICE | 10055_B | 8 | 3 | 0 | 3 | 38% |
| PERRY BRANCH LIBRARY/GILBERT | 15308-A PERRY BRANCH LIBRARY GILBERT | 15308_A | 9 | 0 | 0 | 0 | 0% |
| PERRY BRANCH LIBRARY/GILBERT | 15308-B PERRY BRANCH LIBRARY GILBERT | 15308_B | 6 | 1 | 0 | 1 | 17% |
| PHOENIX ART MUSEUM | 15729-A PHOENIX ART MUSEUM | 15729_A | 6 | 0 | 1 | 1 | 17% |
| PHOENIX ART MUSEUM | 15729-B PHOENIX ART MUSEUM | 15729_B | 15 | 4 | 0 | 4 | 27% |
| PHOENIX LAESTADIAN LUTHERAN CHURCH | 12449-A PHOENIX LAESTADIAN LUTHERAN CHURCH | 12449_A | 21 | 11 | 1 | 12 | 57% |
| PHOENIX LAESTADIAN LUTHERAN CHURCH | 12449-B PHOENIX LAESTADIAN LUTHERAN CHURCH | 12449_B | 11 | 5 | 1 | 6 | 55% |
| PHOENIX UNION HIGH SCHOOL DISTRICT OFFICE | 14187-A PHOENIX UNION HIGH SCHOOL DISTRICT OFFICE | 14187_A | 10 | 0 | 1 | 1 | 10% |
| PHOENIX UNION HIGH SCHOOL DISTRICT OFFICE | 14187-B PHOENIX UNION HIGH SCHOOL DISTRICT OFFICE | 14187_B | 5 | 0 | 0 | 0 | 0% |
| PRAISE AND WORSHIP CENTER | 15523-A PRAISE AND WORSHIP CENTER | 15523_A | 7 | 2 | 0 | 2 | 29% |
| PRAISE AND WORSHIP CENTER | 15523-B PRAISE AND WORSHIP CENTER | 15523_B | 13 | 4 | 0 | 4 | 31% |
| PROGRESSIVE BAPTIST CHURCH | 11145-A PROGRESSIVE BAPTIST CHURCH | 11145_A | 19 | 8 | 0 | 8 | 42% |
| PROGRESSIVE BAPTIST CHURCH | 11145-B PROGRESSIVE BAPTIST CHURCH | 11145_B | 5 | 0 | 0 | 0 | 0% |
| PYLE ADULT RECREATION CENTER | 11072-A PYLE ADULT RECREATION CENTER | 11072_A | 5 | 0 | 0 | 0 | 0% |
| PYLE ADULT RECREATION CENTER | 11072-B PYLE ADULT RECREATION CENTER | 11072_B | 8 | 0 | 0 | 0 | 0% |
| QUEEN CREEK LIBRARY | 15550-A QUEEN CREEK LIBRARY | 15550_A | 5 | 0 | 0 | 0 | 0% |
| QUEEN CREEK LIBRARY | 15550-B QUEEN CREEK LIBRARY | 15550_B | 10 | 0 | 0 | 0 | 0% |
| RADIANT CHURCH SUN CITY | 10371-A RADIANT CHURCH SUN CITY | 10371_A | 26 | 14 | 1 | 15 | 58% |
| RADIANT CHURCH SUN CITY | 10371-B RADIANT CHURCH SUN CITY | 10371_B | 14 | 9 | 0 | 9 | 64% |
| SALT RIVER PIMA COMMUNITY CENTER | 10580-A SALT RIVER PIMA COMMUNITY CENTER | 10580_A | 11 | 0 | 1 | 1 | 9% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|---|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| SALT RIVER PIMA COMMUNITY CENTER | 10580-B SALT RIVER PIMA COMMUNITY CENTER | 10580_B | 5 | 0 | 0 | 0 | 0% |
| SAN LUCY DIST ADMIN BLDG | 13851-A SAN LUCY DIST ADMIN BLDG | 13851_A | 12 | 1 | 1 | 2 | 17% |
| SAN LUCY DIST ADMIN BLDG | 13851-B SAN LUCY DIST ADMIN BLDG | 13851_B | 5 | 0 | 0 | 0 | 0% |
| SAN TAN VILLAGE (NEAR HARKINS) | 15664-A SAN TAN VILLAGE MALL (NEAR HARKINS) | 15664_A | 5 | 0 | 0 | 0 | 0% |
| SAN TAN VILLAGE (NEAR HARKINS) | 15664-B SAN TAN VILLAGE MALL (NEAR HARKINS) | 15664_B | 13 | 0 | 3 | 3 | 23% |
| SAVE THE FAMILY | 15726-A SAVE THE FAMILY | 15726_A | 11 | 0 | 2 | 2 | 18% |
| SAVE THE FAMILY | 15726-B SAVE THE FAMILY | 15726_B | 5 | 0 | 0 | 0 | 0% |
| SCOTTSDALE ELKS LODGE PBOE #2148 | 11966-A SCOTTSDALE ELKS LODGE PBOE #2148 | 11966_A | 13 | 4 | 0 | 4 | 31% |
| SCOTTSDALE ELKS LODGE PBOE #2148 | 11966-B SCOTTSDALE ELKS LODGE PBOE #2148 | 11966_B | 8 | 1 | 2 | 3 | 38% |
| SCOTTSDALE WORSHIP CENTER | 10215-A SCOTTSDALE WORSHIP CENTER | 10215_A | 19 | 0 | 0 | 6 | 32% |
| SCOTTSDALE WORSHIP CENTER | 10215-B SCOTTSDALE WORSHIP CENTER | 10215_B | 5 | 0 | 0 | 0 | 0% |
| SE REGIONAL LIBRARY/GILBERT | 10443-A SE REGIONAL LIBRARY GILBERT | 10443_A | 6 | 0 | 1 | 1 | 17% |
| SE REGIONAL LIBRARY/GILBERT | 10443-B SE REGIONAL LIBRARY GILBERT | 10443_B | 11 | 0 | 1 | 1 | 9% |
| SECOND CHURCH OF CHRIST SCIENTIST | 11731-A SECOND CHURCH OF CHRIST SCIENTIST | 11731_A | 5 | 0 | 0 | 0 | 0% |
| SECOND CHURCH OF CHRIST SCIENTIST | 11731-B SECOND CHURCH OF CHRIST SCIENTIST | 11731_B | 11 | 0 | 0 | 0 | 0% |
| SEVILLA ELEMENTARY SCHOOL | 10432-A SEVILLA ELEMENTARY SCHOOL | 10432_A | 13 | 0 | 0 | 0 | 0% |
| SEVILLA ELEMENTARY SCHOOL | 10432-B SEVILLA ELEMENTARY SCHOOL | 10432_B | 5 | 0 | 0 | 0 | 0% |
| SHADOW MOUNTAIN HIGH SCHOOL | 12774-A SHADOW MOUNTAIN HIGH SCHOOL | 12774_A | 12 | 2 | 1 | 3 | 25% |
| SHADOW MOUNTAIN HIGH SCHOOL | 12774-B SHADOW MOUNTAIN HIGH SCHOOL | 12774_B | 5 | 0 | 0 | 0 | 0% |
| SHADOW ROCK CONGREGATIONAL CHURCH | 12771-A SHADOW ROCK CONGREGATIONAL CHURCH | 12771_A | 6 | 0 | 1 | 1 | 17% |
| SHADOW ROCK CONGREGATIONAL CHURCH | 12771-B SHADOW ROCK CONGREGATIONAL CHURCH | 12771_B | 11 | 0 | 2 | 2 | 18% |
| SHEPHERD OF THE HILLS UNITED CHURCH OF CHRIST | 10287-A SHEPHERD OF THE HILLS UNITED CHURCH OF CHRIST | 10287_A | 12 | 0 | 0 | 3 | 25% |
| SHEPHERD OF THE HILLS UNITED CHURCH OF CHRIST | 10287-B SHEPHERD OF THE HILLS UNITED CHURCH OF CHRIST | 10287_B | 9 | 3 | 1 | 4 | 44% |
| SHERIFFS POSSE OF SUN CITY WEST | 15730-A SHERIFFS POSSE OF SUN CITY WEST | 15730_A | 13 | 3 | 1 | 4 | 31% |
| SHERIFFS POSSE OF SUN CITY WEST | 15730-B SHERIFFS POSSE OF SUN CITY WEST | 15730_B | 5 | 0 | 0 | 0 | 0% |
| SKYWAY CHURCH - WEST VALLEY | 15022-A SKYWAY CHURCH - WEST VALLEY | 15022_A | 5 | 0 | 0 | 0 | 0% |
| SKYWAY CHURCH - WEST VALLEY | 15022-B SKYWAY CHURCH - WEST VALLEY | 15022_B | 15 | 4 | 2 | 6 | 40% |
| SOUTH PHOENIX BAPTIST CHURCH | 10611-A SOUTH PHOENIX BAPTIST CHURCH | 10611_A | 13 | 3 | 0 | 3 | 23% |
| SOUTH PHOENIX BAPTIST CHURCH | 10611-B SOUTH PHOENIX BAPTIST CHURCH | 10611_B | 8 | 2 | 1 | 3 | 38% |
| SPIRIT OF GRACE LUTHERAN CHURCH | 13927-A SPIRIT OF GRACE LUTHERAN CHURCH | 13927_A | 11 | 2 | 0 | 2 | 18% |
| SPIRIT OF GRACE LUTHERAN CHURCH | 13927-B SPIRIT OF GRACE LUTHERAN CHURCH | 13927_B | 5 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|------------------------------------|--|---------|----------------------------|--------------------------------|------------------------|--------------------|----------------------|
| ST ANDREW LUTHERAN CHURCH | 11092-A ST ANDREWS LUTHERAN CHURCH | 11092_A | 7 | 1 | 1 | 2 | 29% |
| ST ANDREW LUTHERAN CHURCH | 11092-B ST ANDREWS LUTHERAN CHURCH | 11092_B | 10 | 0 | 0 | 0 | 0% |
| ST JOHNS LUTHERAN CHURCH | 10440-A ST JOHNS LUTHERAN CHURCH | 10440_A | 9 | 0 | 0 | 0 | 0% |
| ST JOHNS LUTHERAN CHURCH | 10440-B ST JOHNS LUTHERAN CHURCH | 10440_B | 9 | 3 | 1 | 4 | 44% |
| ST MARGARETS CATHOLIC CHURCH | 11054-A ST MARGARETS CATHOLIC CHURCH | 11054_A | 9 | 4 | 0 | 4 | 44% |
| ST MARGARETS CATHOLIC CHURCH | 11054-B ST MARGARETS CATHOLIC CHURCH | 11054_B | 10 | 2 | 0 | 2 | 20% |
| ST NIKOLAS SERBIAN ORTHODOX CHURCH | 12268-A ST NIKOLAS SERBIAN ORTHODOX CHURCH | 12268_A | 10 | 0 | 1 | 1 | 10% |
| ST NIKOLAS SERBIAN ORTHODOX CHURCH | 12268-B ST NIKOLAS SERBIAN ORTHODOX CHURCH | 12268_B | 5 | 0 | 0 | 0 | 0% |
| STANDING STONES COMMUNITY CHURCH | 15405-A STANDING STONES COMMUNITY CHURCH | 15405_A | 10 | 1 | 0 | 1 | 10% |
| STANDING STONES COMMUNITY CHURCH | 15405-B STANDING STONES COMMUNITY CHURCH | 15405_B | 6 | 0 | 0 | 1 | 17% |
| SUN LAKES UNITED METHODIST CHURCH | 12938-A SUN LAKES UNITED METHODIST CHURCH | 12938_A | 5 | 0 | 0 | 0 | 0% |
| SUN LAKES UNITED METHODIST CHURCH | 12938-B SUN LAKES UNITED METHODIST CHURCH | 12938_B | 11 | 0 | 2 | 2 | 18% |
| SUNLAND VILLAGE EAST | 12374-A SUNLAND VILLAGE EAST | 12374_A | 12 | 3 | 0 | 3 | 25% |
| SUNLAND VILLAGE EAST | 12374-B SUNLAND VILLAGE EAST | 12374_B | 6 | 0 | 1 | 1 | 17% |
| SUNRISE UNITED METHODIST CHURCH | 12809-A SUNRISE UNITED METHODIST CHURCH | 12809_A | 8 | 0 | 0 | 0 | 0% |
| SUNRISE UNITED METHODIST CHURCH | 12809-B SUNRISE UNITED METHODIST CHURCH | 12809_B | 7 | 0 | 2 | 2 | 29% |
| SUNSET CANYON SCHOOL | 14814-A SUNSET CANYON SCHOOL | 14814_A | 12 | 0 | 1 | 1 | 8% |
| SUNSET CANYON SCHOOL | 14814-B SUNSET CANYON SCHOOL | 14814_B | 6 | 0 | 1 | 1 | 17% |
| SURPRISE CITY HALL | 14239-A SURPRISE CITY HALL | 14239_A | 10 | 0 | 1 | 1 | 10% |
| SURPRISE CITY HALL | 14239-B SURPRISE CITY HALL | 14239_B | 5 | 0 | 0 | 0 | 0% |
| SURPRISE SENIOR CENTER | 11007-A SURPRISE SENIOR CENTER | 11007_A | 13 | 2 | 2 | 4 | 31% |
| SURPRISE SENIOR CENTER | 11007-B SURPRISE SENIOR CENTER | 11007_B | 12 | 5 | 4 | 7 | 58% |
| TEMPE HISTORY MUSEUM | 15612-A TEMPE HISTORY MUSEUM | 15612_A | 12 | 1 | 2 | 3 | 25% |
| TEMPE HISTORY MUSEUM | 15612-B TEMPE HISTORY MUSEUM | 15612_B | 8 | 2 | 1 | 3 | 38% |
| TEMPE MOUNTAIN PARK HEALTH CENTER | 15695-A TEMPE MOUNTAIN PARK HEALTH CENTER | 15695_A | 5 | 0 | 0 | 0 | 0% |
| TEMPE MOUNTAIN PARK HEALTH CENTER | 15695-B TEMPE MOUNTAIN PARK HEALTH CENTER | 15695_B | 10 | 0 | 1 | 1 | 10% |
| THE REFINERY CHRISTIAN CHURCH | 15735-A THE REFINERY CHRISTIAN CHURCH | 15735_A | 11 | 0 | 2 | 2 | 18% |
| THE REFINERY CHRISTIAN CHURCH | 15735-B THE REFINERY CHRISTIAN CHURCH | 15735_B | 6 | 0 | 1 | 1 | 17% |
| TOLLESON COUNCIL CHAMBERS | 15429-A TOLLESON COUNCIL CHAMBERS | 15429_A | 3 | 0 | 0 | 0 | 0% |
| TOLLESON COUNCIL CHAMBERS | 15429-B TOLLESON COUNCIL CHAMBERS | 15429_B | 4 | 0 | 0 | 0 | 0% |
| TOMAHAWK SCHOOL | 10692-A TOMAHAWK SCHOOL | 10692_A | 9 | 1 | 0 | 1 | 11% |

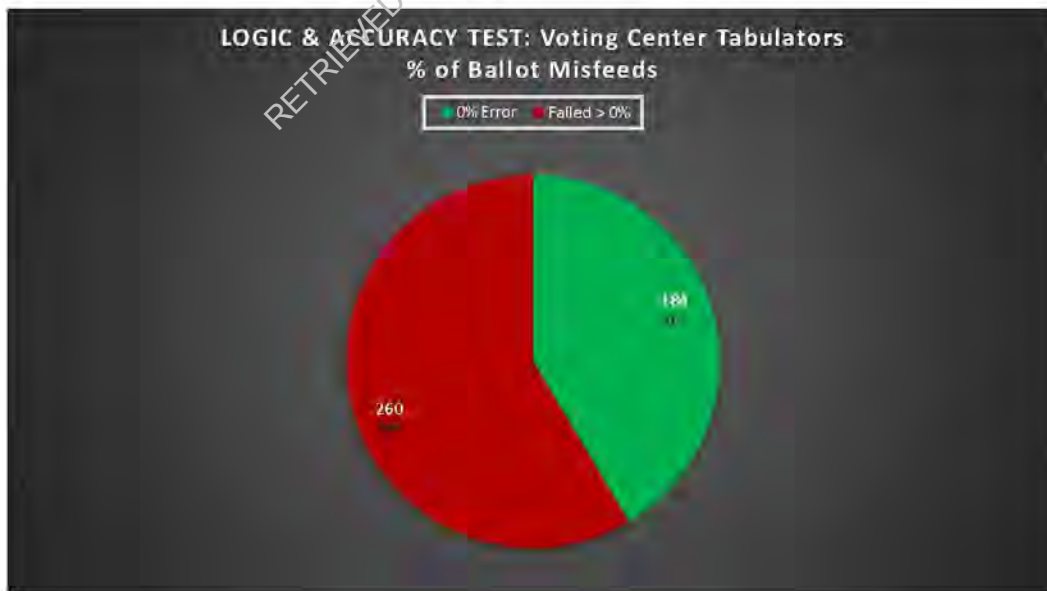
Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|---|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| TOMAHAWK SCHOOL | 10692-B TOMAHAWK SCHOOL | 10692_B | 5 | 0 | 0 | 0 | 0% |
| TRIOLOGY @ POWER RANCH | 14134-A TRIOLOGY @ POWER RANCH | 14134_A | 5 | 0 | 0 | 0 | 0% |
| TRIOLOGY @ POWER RANCH | 14134-B TRIOLOGY @ POWER RANCH | 14134_B | 18 | 7 | 1 | 8 | 44% |
| TRINITY BIBLE CHURCH OF SUN CITY WEST | 14584-A TRINITY BIBLE CHURCH OF SUN CITY WEST | 14584_A | 12 | 2 | 1 | 3 | 25% |
| TRINITY BIBLE CHURCH OF SUN CITY WEST | 14584-B TRINITY BIBLE CHURCH OF SUN CITY WEST | 14584_B | 5 | 0 | 0 | 0 | 0% |
| TUMBLEWEED RECREATION CENTER | 15418-A TUMBLEWEED RECREATION CENTER | 15418_A | 6 | 1 | 0 | 1 | 17% |
| TUMBLEWEED RECREATION CENTER | 15418-B TUMBLEWEED RECREATION CENTER | 15418_B | 10 | 2 | 0 | 2 | 20% |
| UNION ELEMENTARY SCHOOL/DISTRICT OFFICE | 11289-A UNION ELEMENTARY SCHOOL DISTRICT OFFICE | 11289_A | 10 | 0 | 1 | 1 | 10% |
| UNION ELEMENTARY SCHOOL/DISTRICT OFFICE | 11289-B UNION ELEMENTARY SCHOOL DISTRICT OFFICE | 11289_B | 9 | 0 | 4 | 4 | 44% |
| UNIVERSITY LUTHERAN CHURCH | 11063-A UNIVERSITY LUTHERAN CHURCH | 11063_A | 5 | 0 | 0 | 0 | 0% |
| UNIVERSITY LUTHERAN CHURCH | 11063-B UNIVERSITY LUTHERAN CHURCH | 11063_B | 12 | 2 | 0 | 2 | 17% |
| UNIVERSITY PRESBYTERIAN CHURCH | 10323-A UNIVERSITY PRESBYTERIAN CHURCH | 10323_A | 12 | 2 | 1 | 3 | 25% |
| UNIVERSITY PRESBYTERIAN CHURCH | 10323-B UNIVERSITY PRESBYTERIAN CHURCH | 10323_B | 8 | 3 | 0 | 3 | 38% |
| VALLEY BAPTIST CHR/TONOPAH | 14178-A VALLEY BAPTIST CHR TONOPAH | 14178_A | 6 | 1 | 0 | 1 | 17% |
| VALLEY BAPTIST CHR/TONOPAH | 14178-B VALLEY BAPTIST CHR TONOPAH | 14178_B | 11 | 1 | 1 | 2 | 18% |
| VALOR CHRISTIAN CENTER | 15567-A VALOR CHRISTIAN CENTER | 15567_A | 9 | 0 | 0 | 0 | 0% |
| VALOR CHRISTIAN CENTER | 15567-B VALOR CHRISTIAN CENTER | 15567_B | 6 | 0 | 1 | 1 | 17% |
| VELDA ROSE UNITED METHODIST CHURCH | 11186-A VELDA ROSE UNITED METHODIST CHURCH | 11186_A | 5 | 0 | 0 | 0 | 0% |
| VELDA ROSE UNITED METHODIST CHURCH | 11186-B VELDA ROSE UNITED METHODIST CHURCH | 11186_B | 9 | 0 | 0 | 0 | 0% |
| VENUE 8600 | 15599-A VENUE 8600 | 15599_A | 10 | 1 | 1 | 2 | 20% |
| VENUE 8600 | 15599-B VENUE 8600 | 15599_B | 5 | 0 | 0 | 0 | 0% |
| VIA LINDA (SCOTTSDALE) SENIOR CENTER | 13833-A VIA LINDA (SCOTTSDALE) SENIOR CENTER | 13833_A | 5 | 0 | 0 | 0 | 0% |
| VIA LINDA (SCOTTSDALE) SENIOR CENTER | 13833-B VIA LINDA (SCOTTSDALE) SENIOR CENTER | 13833_B | 10 | 0 | 0 | 0 | 0% |
| VICTORY LUTHERAN CHURCH | 11349-A VICTORY LUTHERAN CHURCH | 11349_A | 5 | 0 | 0 | 0 | 0% |
| VICTORY LUTHERAN CHURCH | 11349-B VICTORY LUTHERAN CHURCH | 11349_B | 11 | 0 | 3 | 3 | 27% |
| VINEYARD CHURCH OF NORTH PHOENIX | 14644-A VINEYARD CHURCH OF NORTH PHOENIX | 14644_A | 18 | 2 | 0 | 7 | 39% |
| VINEYARD CHURCH OF NORTH PHOENIX | 14644-B VINEYARD CHURCH OF NORTH PHOENIX | 14644_B | 9 | 4 | 0 | 4 | 44% |
| WASHINGTON ELEMENTARY SCHOOL DISTRICT OFFICE | 14138-A WASHINGTON ELEMENTARY SCHOOL DISTRICT | 14138_A | 11 | 0 | 2 | 2 | 18% |
| WASHINGTON ELEMENTARY SCHOOL DISTRICT OFFICE | 14138-B WASHINGTON ELEMENTARY SCHOOL DISTRICT | 14138_B | 8 | 1 | 2 | 3 | 38% |
| WESLEY COMMUNITY CENTER | 12104-A WESLEY COMMUNITY CENTER | 12104_A | 9 | 0 | 0 | 0 | 0% |
| WESLEY COMMUNITY CENTER | 12104-B WESLEY COMMUNITY CENTER | 12104_B | 5 | 0 | 0 | 0 | 0% |

Exhibit 3

| VOTING CENTER | TABULATOR NAME | TAB ID | LAT Total Ballots Inserted | LAT Misfeed: Reject W/O Review | LAT Misfeed: Paper Jam | LAT Total Misfeeds | LAT Ballot Misfeed % |
|--|--|---------|----------------------------------|-----------------------------------|---------------------------|--------------------------|----------------------------|
| WEST VALLEY UNITARIAN UNIVERSALIST CHURCH | 15136-A WEST VALLEY UNITARIAN UNIVERSALIST CHURCH | 15136_A | 5 | 0 | 0 | 0 | 0% |
| WEST VALLEY UNITARIAN UNIVERSALIST CHURCH | 15136-B WEST VALLEY UNITARIAN UNIVERSALIST CHURCH | 15136_B | 12 | 1 | 1 | 2 | 17% |
| WESTWOOD ELEMENTARY SCHOOL | 11307-A WESTWOOD ELEMENTARY SCHOOL | 11307_A | 6 | 0 | 1 | 1 | 17% |
| WESTWOOD ELEMENTARY SCHOOL | 11307-B WESTWOOD ELEMENTARY SCHOOL | 11307_B | 9 | 0 | 0 | 0 | 0% |
| WICKENBURG COMMUNITY CENTER | 11322-A WICKENBURG COMMUNITY CENTER | 11322_A | 9 | 0 | 0 | 0 | 0% |
| WICKENBURG COMMUNITY CENTER | 11322-B WICKENBURG COMMUNITY CENTER | 11322_B | 7 | 2 | 0 | 2 | 29% |
| WORSHIP & WORD CHURCH | 15581-A WORSHIP & WORD CHURCH | 15581_A | 10 | 1 | 0 | 1 | 10% |
| WORSHIP & WORD CHURCH | 15581-B WORSHIP & WORD CHURCH | 15581_B | 5 | 0 | 0 | 0 | 0% |
| YOUNGKER HIGH SCHOOL # 201 | 15322-A YOUNGKER HIGH SCHOOL # 201 | 15322_A | 8 | 0 | 0 | 0 | 0% |
| YOUNGKER HIGH SCHOOL # 201 | 15322-B YOUNGKER HIGH SCHOOL # 201 | 15322_B | 5 | 0 | 0 | 0 | 0% |
| YOUNGTOWN CLUBHOUSE | 12156-A YOUNGTOWN CLUBHOUSE | 12156_A | 6 | 0 | 1 | 1 | 17% |
| YOUNGTOWN CLUBHOUSE | 12156-B YOUNGTOWN CLUBHOUSE | 12156_B | 10 | 0 | 0 | 0 | 0% |
| ALL ELECTION DAY VOTE CENTERS | | | 3908 | 531 | 194 | 725 | 19% |

| Logic & Accuracy Test: Voting Center Tabulators | |
|--|----------------------|
| % of Ballot Misfeed | % of Ballot Misfeeds |
| 0% Error | 184 |
| Failed > 0% | 260 |



POLL TAPES PROVIDED IN RESPONSE TO PUBLIC RECORDS REQUEST FOR LOGIC & ACCURACY TESTING RECORDS

POLL ZERO TAPE

```
*****
Maricopa County
20221108 General Election
Tuesday, November 8, 2022

Tabulator Name
11770-A CHRISTIAN COMMUNITY CHURCH

Tabulator ID
117701

Voting Location
Maricopa

Voting Location ID
1

-----
Total Cast          : 0
Total Voters        : 0

-----
TOTALS for ALL Ballots
Total Cast          : 0
Total Voters        : 0

-----
US Senate (1)
MASTERS, BLAKE (REP)          : 0
KELLY, MARK (DEM)            : 0
VICTOR, MARC J. (LBT)       : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-1 (1)
SCHWEIKERT, DAVID (REP)      : 0
HERDGE, JEVIN D. (DEM)      : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-2 (1)
CRANE, ELLI (REP)            : 0
O'HALLERAN, TOM (DEM)       : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-3 (1)
ZINK, JEFF NELSON (REP)      : 0
GALLEGO, RUBEN (DEM)        : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-4 (1)
COOPER, KELLY (REP)          : 0
STANTON, GREG (DEM)         : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-5 (1)
BIGGS, ANDY (REP)            : 0
RAMOS, JAVIER GARCIA (DEM)   : 0
SMITH, CLINT WILLIAM (IND)   : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-6 (1)
FOZZOLO, LUIS (REP)          : 0
GRIJALVA, RAUL (DEM)        : 0
Write-In                     : 0
Total Votes                  : 0
```

POLL CLOSING TAPE

```
*****
Maricopa County
20221108 General Election
Tuesday, November 8, 2022

Tabulator Name
11770-A CHRISTIAN COMMUNITY CHURCH

Tabulator ID
117701

Voting Location
Maricopa

Voting Location ID
1

-----
Total Cast          : 23
Total Voters        : 23

-----
TOTALS for ALL Ballots
Total Cast          : 23
Total Voters        : 23

-----
US Senate (1)
MASTERS, BLAKE (REP)          : 5
KELLY, MARK (DEM)            : 6
VICTOR, MARC J. (LBT)       : 8
Write-In                     : 1
Total Votes                  : 18

US Rep Dist CD-1 (1)
SCHWEIKERT, DAVID (REP)      : 1
HERDGE, JEVIN D. (DEM)      : 2
Write-In                     : 0
Total Votes                  : 3

US Rep Dist CD-2 (1)
CRANE, ELLI (REP)            : 0
O'HALLERAN, TOM (DEM)       : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-3 (1)
ZINK, JEFF NELSON (REP)      : 0
GALLEGO, RUBEN (DEM)        : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-4 (1)
COOPER, KELLY (REP)          : 2
STANTON, GREG (DEM)         : 4
Write-In                     : 0
Total Votes                  : 6

US Rep Dist CD-5 (1)
BIGGS, ANDY (REP)            : 0
RAMOS, JAVIER GARCIA (DEM)   : 0
SMITH, CLINT WILLIAM (IND)   : 0
Write-In                     : 0
Total Votes                  : 0

US Rep Dist CD-7 (1)
FOZZOLO, LUIS (REP)          : 0
GRIJALVA, RAUL (DEM)        : 0
Write-In                     : 0
Total Votes                  : 0
```

Reflects the date of the election. Not the date that the tapes were printed

A total of only 23 ballots were tested

Both poll tapes show that the printing was stopped and tape is incomplete/cut short

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Exhibit 5

OKI User's Manual Enter keywords
Site Map

Top Page > Basic Information > ... > About Paper Types That Can be Loaded and Storage Methods

TOC

Basic Information

- Names of Components
- Checking the Device Information and Status
- Setting or Checking by Opening the Web Page of the Printer
- Loading Paper or Envelopes
 - About Paper Types That Can be Loaded and Storage Methods
 - About Paper Sizes, Weight, and Number of Sheets That Can be Loaded
- Loading Paper
- Loading Envelopes
- Registering the Paper Size, Type, or Weight
- About Paper Output
- Saving Power Consumption with the Power Save Function
- Reducing Power Consumption by Automatically Turning the Machine Off
- Switching the Printer Online
- Windows Operation
- Checking the Menu Hierarchy of the Printer (Menu Tree)

About Paper Sizes, Weight, and Number of Sheets That Can be Loaded

Available paper types

To perform high-quality printing, be sure to use the supported paper types that satisfy requirements, such as material, weight, or paper surface finishing. If you print on paper that is not recommended by OKI, check the print quality and the movement of the paper thoroughly in advance to ensure that there are no problems.

Print quality and the movement of paper cannot be guaranteed if paper (media) with curls or warpage before printing is used.

| Type | Size Unit: mm (inch) | | Weight |
|--|---|---|--|
| Plain paper | A4 | 210 x 297 | Paper weight 60 to 163 g/m ² |
| | A5 | 148 x 210 | For duplex printing: Paper weight 60 to 120 g/m ² |
| | A6 | 105 x 148 | |
| | E5 | 182 x 257 | |
| | Letter | 215.9 x 279.4 (8.5 x 11) | |
| | Legal (13 inches) | 215.9 x 330.2 (8.5 x 13) | |
| | Legal (13.5 inches) | 215.9 x 342.9 (8.5 x 13.5) | |
| | Legal (14 inches) | 215.9 x 355.6 (8.5 x 14) | |
| | Statement | (5.5 x 8.5) | |
| | Executive | 184.2 x 266.7 (7.25 x 10.5) | |
| | 16K 184 x 260 mm | 184 x 260 | |
| | 16K 195 x 270 mm | 195 x 270 | |
| | 16K 197 x 273 mm | 197 x 273 | |
| | 4" x 6" | | |
| 5" x 7" | | | |
| Custom* ¹ * ² * ³ | Width: 86 to 216 Length: 140 to 1321 | Paper weight 60 to 163 g/m ² | |
| Banner 210 x 900 mm | 210 x 900 mm | * ¹ : Tray 1 supports a paper width of 100 to 216 mm and a paper length of 148 to 356 mm. | |
| Banner 215 x 900 mm | 215 x 900 mm | * ² : Tray 2 supports a paper width of 148 to 216 mm and a paper length of 210 to 356 mm. | |
| Banner | 215 x 1200 mm | * ³ : MP tray supports a paper width of 86 to 216 mm and a paper length of 140 to 1321 mm. | |

120 g/m² converts to a duplex printing capacity limit of 80-pound paper.

OKI Web Manual Enter keywords
Site Map


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TOC

Troubleshooting

- If Paper Jams Occur
- If the ATTENTION indicator on the Operator Panel Lights Up or Flashes
- Print Problems
- About Problems with Printing Results
 - Table of Problems with Printing Results
 - Vertical White Lines Appear
 - Printed Images are Fading Vertically
 - Printed Images are Light
 - White Spots and Lines Appear
 - Dew Condensation Appears on Printed Paper

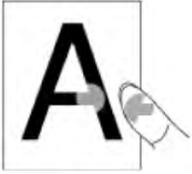
Black or White Dots Appear



| Cause | Solution | Reference |
|--|---|--|
| The paper is unsuitable. | Use recommended paper. | Loading Paper |
| If the intervals of lines or spots are approximately 94 mm (3.7 inches), the green tube of the image drum is damaged or dirty. | Lightly wipe the image drum with a soft tissue paper. Replace the image drum if it is damaged. | Replacing the Image Drum |

Exhibit 5

Toner Comes Off When Printed Paper is Rubbed



| Cause | Solution | Reference |
|--|---|---|
| The settings of the media type and weight are incorrect. | Press Δ or ∇ on the operator panel, select [MENUS] > [TRAY CONFIG] > select the paper tray you are using, and then set appropriate values to <u>[MEDIATYPE]</u> and <u>[MEDIaweIGHT]</u> . Alternatively, set a greater value to [MEDIaweIGHT]. | Registering the Paper Size, Type, or Weight |
| Recycled paper is used. | Press Δ or ∇ on the operator panel, select [MENUS] > [TRAY CONFIG] > select the paper tray you are using, and then set a greater value to [MEDIaweIGHT]. | Registering the Paper Size, Type, or Weight |

Print Media Paper Weight (cont.)

Index

| Setting | Index (metric) |
|----------------|---|
| Auto (default) | 35 to 118.6-lb. (64 to 216 g/m ²) |
| Light | 35-lb. (64 g/m ²) |
| Medium Light | 37 to 40-lb. (68 to 74 g/m ²) |
| Medium | 42 to 50-lb. (75 to 90 g/m ²) |
| Medium Heavy | 52 to 56-lb. (94 to 105 g/m ²) |
| Heavy | 60 to 71-lb. (109 to 128 g/m ²) |
| Ultra heavy 1 | 73 to 104-lb. (132 to 188 g/m ²) |

Printer Features

- Check paper in any other tray: On
- Check paper in the multi-purpose tray: Off
- Media Weight:** Printer Setting
- Tray Switch: On
- Multipurpose tray
- Page Rotate: None

Media Weight dropdown options:

- Printer Setting
- Light (60-64 g/m²)
- Medium Light (65-74 g/m²)
- Medium (75-89 g/m²)
- Medium Heavy (90-104 g/m²)
- Heavy (105-120 g/m²)
- Ultra Heavy (121-163 g/m²)

Buttons: Cancel

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EXHIBIT B

1 As I've informed this Court, my audio and
2 video specialist and I did come to this courtroom and
3 test our audio video equipment on this Court's system,
4 Your Honor, and we used a cable that was attached in
5 this desk here that is no longer present. Everything
6 functioned perfectly at that test, Your Honor. And so
7 we came today and that cable is gone and we're using a
8 different cable. It's my understanding the staff is
9 working with the technical side to try and fix what's
10 happening, but I wanted the Court to be aware that we
11 did do our due diligence and we come before this Court
12 to do that.

09:59:45

13 THE COURT: Thank you, Mr. Blehm. Okay.

14 Who would be your next witness?

15 MR. OLSEN: Your Honor, Plaintiffs would
16 call Mr. Jarrett.

17 THE COURT: All right. Sir, if you'll make
18 your way in front of my clerk, she will swear you in.

19 ROBERT SCOTT JARRETT,
20 called as a witness, having been duly sworn, testified
21 as follows:

22 THE COURT: Thank you, sir. If you would
23 just make your way over to the witness stand.

24 As soon as you're ready, Mr. Olsen, you may
25 proceed.

1 MR. OLSEN: Yes, Your Honor.

2 DIRECT EXAMINATION

3 BY MR. OLSEN:

4 Q. Good morning, Mr. Jarrett.

5 A. Good morning.

6 Q. Could you please state your full name for the
7 record?

8 A. Yeah, Robert Scott Jarrett.

9 Q. And what is your occupation?

10:01:05 10 A. I am the Co-Elections Director. I oversee
11 in-person voting and tabulation.

12 Q. How long have you held that position?

13 A. So I was appointed by the Board of Supervisors,
14 the Maricopa County Board of Supervisors, in June 2019.

15 Q. Okay. Can you please explain to the Court what
16 your role is in overseeing elections in that capacity?

17 A. Yeah. So I oversee all in-person voting
18 operations, which -- for that I actually report up to
19 both the Maricopa County Board of Supervisors and the
10:01:37 20 Recorder, so that would be the early in-person, as well
21 as the Election Day operations. That includes
22 recruitment and training of poll workers, that includes
23 our warehouse operations for distributing all materials
24 and supplies out to voting locations, and then I also
25 oversee all tabulation functions.

1 Q. When you say it includes all tabulation
2 functions, what do you mean by that?

3 A. So that would include tabulation at our central
4 count facility, so where we had about 84 percent of the
5 early ballots come through and be tabulated at central
6 count. That would also include at our voting locations
7 where we have an on-site tabulator as well. So it would
8 include the programming of that equipment or the staff
9 that do the actual programming. I oversee them and
10 supervise them, as well as any of the tabulation that
11 happens on-site, so the poll workers and the training on
12 how they would assist voters as they are inserting their
13 ballots into those tabulators.

14 Q. And are you following the procedures set forth in
15 the 2019 Election Procedure Manual when you're
16 performing the tests of the tabulators prior to an
17 election?

18 A. That's correct.

19 Q. And would that -- would those procedures require
20 you to perform logic and accuracy testing?

21 A. That's correct.

22 Q. And what is logic and accuracy testing?

23 A. So a logic and accuracy test, that is a two
24 different sets of tests for a federal or a statewide
25 election that requires that a test be performed by the

1 County itself as well as a test performed by the
2 Secretary of State. So I don't oversee the Secretary of
3 State's logic and accuracy test, I have to make the
4 equipment available for the Secretary of State's logic
5 and accuracy test. For the County's logic and accuracy
6 test, that is to run test ballots through; and for the
7 County's tests, it's thousands of test ballots through
8 our tabulation equipment, both the central count
9 tabulation equipment as well as the tabulation equipment
10 that would be used at the vote centers, to make sure
11 that they are accurately programmed to tabulate those
12 ballots.

13 Q. And when you say that to make sure that they are
14 accurately programmed to tabulate those ballots, what
15 are you referring to being programmed?

16 A. So for every election, we have to design a unique
17 election program to tabulate the specific ballot,
18 because each ballot is unique or specific to an
19 election. In Maricopa County, we had over 12,000
20 different ballot styles, and so -- and that were for all
21 the various different precincts that we have in Maricopa
22 County, as well as our early ballot style or provisional
23 ballot style, and our Election Day ballot style. So,
24 essentially, making sure that the tabulation equipment
25 will then be able to read a ballot and then be able to

1 determine how that -- if a voter fills in that ballot
2 that it will accurately count the votes for those
3 ballots.

4 Q. So it's very important for the tabulator to read
5 the ballots, that it would be properly programmed with
6 respect to the ballot definition, correct?

7 A. That's correct.

8 Q. And Maricopa County uses ballot on-demand
9 printers, correct?

10:04:47 10 A. That's correct.

11 Q. And what is a ballot on-demand printer?

12 A. So a ballot on-demand printer, we have two
13 different ballot on-demand printers, one is a Lexmark
14 printer and one is an OKI printer, and those allow us at
15 our voting locations to print any one of those 12,000
16 ballot styles.

17 Q. Prior to performing logic and accuracy testing
18 prior to the 2022 General Election, did you perform, or
19 did your office perform logic and accuracy testing with
10:05:18 20 test ballots from ballot on-demand printers in the
21 precinct-based tabulators?

22 A. So, yes, we did. We printed ballots from our
23 ballot on-demand printers, and those were included in
24 the tests that the Secretary of State did. We also
25 performed stress testing before the logic and accuracy

1 tests with ballots printed from our ballot on-demand
2 printers that went through both central count tabulation
3 equipment as well as our precinct-based tabulators for
4 the voting locations.

5 Q. And how are those test ballots configured in
6 terms of the size of the ballot?

7 A. They were the exact same size of the ballot that
8 we were using in -- in the General Election.

9 Q. And what size was that, sir?

10:06:02 10 A. 20-inch ballot.

11 Q. 20-inch ballot.

12 What would happen if a ballot was printed out of
13 a ballot on-demand printer at the vote center if it was
14 printed with a 19-inch image on 20-inch paper and run
15 through the tabulator?

16 A. You need to be more specific with your question.

17 Q. So we talked about the ballot definition, and for
18 the 2022 General Election, Maricopa was operating with a
19 20-inch ballot image, correct?

10:06:47 20 A. That's correct.

21 Q. And the tabulators at the vote center were
22 programmed for -- to accept and read a ballot with a
23 20-inch image, correct?

24 A. That's correct.

25 Q. What would happen if the ballot on-demand printer

1 printed out a 19-inch image on the 20-inch paper and ran
2 it through the tabulation?

3 A. We do not specifically test for that, because in
4 this specific election, because none of the ballots on
5 our ballot on-demand printers had a 19-inch ballot, they
6 all had a 20-inch ballot. So I can answer a question
7 about our testing related to the 20-inch ballot that was
8 installed on all of our ballot on-demand printers.

10:07:40

9 Q. If a 19-inch image was installed -- or strike
10 that. If a 19-inch ballot image was printed out on a
11 print -- a ballot on-demand printer and run through the
12 tabulation that was configured for the 2022 General
13 Election, would that tabulator accept that ballot or
14 reject it?

15 MR. LARUE: Objection, Your Honor. First,
16 this calls for speculation, and, second, I think the
17 witness just said he hasn't run that test. I don't --

18 THE COURT: I got your objection,
19 speculation, without speaking objection.

10:08:09

20 So, Mr. Jarrett, if you've understood the
21 question, you can answer it. If you haven't understood
22 the question, you can ask to have it rephrased; or if
23 you don't know, don't guess. Just tell us you don't
24 know.

25 So, do you want the question re-asked or

1 rephrased, sir, before you answer?

2 THE WITNESS: So I'm willing to say that I
3 don't know specifically for this 2020 Election. I know
4 based on my historical -- or the 2022 Election. I know
5 based on my historical knowledge, the timing marks on
6 the ballot matter, and it would need a 20-inch ballot to
7 run through that tabulation equipment; but we did not
8 specifically test a 19-inch ballot through the 2022
9 tabulation equipment because there was no 19-inch ballot
10 images installed on ballot on-demand printers.

10:08:59

11 BY MR. OLSEN:

12 Q. Prior to the 2022 General Election, did Maricopa
13 County employ a 19-inch ballot image?

14 A. Yes, we did.

15 Q. And when did Maricopa County employ a 19-inch
16 image just prior to the 2022 General Election?

17 A. The most recent election would be the August 2022
18 Primary Election.

19 Q. Did Maricopa County perform logic and accuracy
20 testing -- strike that.

10:09:27

21 What evidence exists that shows the results of
22 the logic and accuracy testing that you say was
23 performed in connection with the 2022 General Election?

24 A. So the stress testing, we have a report that
25 summarizes that stress testing that we performed of --

1 so I'm aware of that. That would be documentation. I
2 also know that the Secretary of State produces a
3 summary-level report for their testing that they
4 performed using those ballot on-demand printers, 20-inch
5 ballot on our precinct-based tabulators or vote center
6 tabulators.

7 Q. So if we were to issue a subpoena or a discovery
8 request, would your office be able to produce such
9 testing results?

10:10:24 10 A. I can produce them for the ones that -- Maricopa
11 County has that information, yes.

12 Q. Yes. Mr. Jarrett, I would like to introduce what
13 has been marked as Defendants' Exhibit 3 -- or excuse
14 me, 2 -- which is the 2022 Elections Plan. And it's up
15 on the screen, if you can see that.

16 A. I can see it.

17 Q. Is this a document that you oversaw the creation
18 of?

19 A. That's correct.

10:11:24 20 Q. And what's the purpose of this document, sir?

21 A. This purpose was to establish the guidance that
22 the Elections Department would use in carrying out the
23 August Primary Election and the November General
24 Election, and it is to present that information to the
25 Maricopa County Board of Supervisors so then they can

1 approve the plan, and then our team within the Elections
2 Department will implement that plan based on this
3 document.

4 Q. How much effort is put in by your office in
5 creating this plan?

6 A. Significant amount of effort.

7 Q. And why such a significant amount of effort?

8 A. Because carrying out elections in the second
9 largest voting jurisdiction with millions of different
10 voters and hundreds of different voting locations and
11 then tabulating millions of different ballots takes a
12 significant amount of planning and preparations.

13 Q. And part of that is because you want these
14 elections to go off without a hitch, all things
15 considered, correct?

16 A. I'd say there's no perfect election, but yes, to
17 minimize the issues and then be able to have redundancy
18 plans to be able to respond to those issues.

19 Q. I'd like to go to the page that's Bates stamped
20 last three digits 041, which is page 11 of the actual
21 document.

22 While we're doing that, sir, do you have any
23 reason to not believe that this is a true and accurate
24 copy of the 2022 Election Plan?

25 A. I have no reason to believe. I take your word

1 for that.

2 Q. And this is your counsel's production, so do you
3 have any reason to disbelieve?

4 A. No, I do not.

5 MR. OLSEN: And, Your Honor, at this time, I
6 would like to move to enter this exhibit into the
7 record.

8 THE COURT: Exhibit 2?

9 MR. OLSEN: Yes, Your Honor.

10:13:30 10 THE COURT: Any objection?

11 MS. KHANNA: No objection, Your Honor.

12 THE COURT: Exhibit 2 is admitted.

13 Thank you.

14 BY MR. OLSEN:

15 Q. Sir, at Bates number last three digits 041, which
16 is, again, page 11 of actual document, you'll see at the
17 top there's a section entitled: 2.0 - Forecasting
18 Turnout and Reducing Wait Times.

19 Do you see that?

10:13:56 20 A. Yes, I do.

21 Q. What is the purpose of forecasting turnout?

22 A. It is to guide us on resource planning to
23 determine how many poll workers we need to hire, how
24 many poll workers -- sorry -- not just poll workers, but
25 temporary workers that work at MCTEC, how much training

1 we need to provide, how many voting locations that we
2 need to identify and find, how many check-in stations
3 that we will need in each of our voting locations, how
4 much paper we need to procure. So all of those types of
5 information are based off the forecast.

6 Q. How much of an effort does your office place on
7 producing an accurate forecast in order to plan for the
8 election?

9 A. So every election is unique, so we go back to
10 historical elections, similar or like-type elections, to
11 try to identify how many people participate in those
12 different elections, because that's the best guidepost.
13 So usually it's the most recent-liked elections, so in
14 this case it would have been the 2018 Gubernatorial
15 Election or the 2014 Gubernatorial Election, but then we
16 also use other factors, other similar and close
17 elections, so the 2020 elections; differences in how a
18 -- the difference in the turnout between a gubernatorial
19 election and the subsequent presidential election, how
20 that impacts turnout. And then we also went back to
21 decades and decades of turnout rates and ranges to
22 identify.

23 So a significant amount of effort goes into
24 forecasting turnout.

25 Q. And is that performed -- is that analysis

1 performed in-house, or do you outsource it to, you know,
2 an outside?

3 A. It's performed in-house.

4 Q. Okay. And is it fair to say that you rely on
5 those forecasts in planning for the election, correct?

6 A. Yes, that's correct.

7 Q. And a significant amount of money is expended by
8 the County in reliance on this forecast, correct?

9 A. That's correct.

10:16:00 10 Q. And you generally trust those forecasts before
11 you promulgate them in this document, before you, you
12 know, go ahead and start actually undertaking actual
13 efforts to -- to manage the election?

14 A. We understand that they are forecasts.

15 Q. Correct.

16 A. So they are not exact, yes, but we use those
17 forecasts to make decisions.

18 Q. I'd like to turn to the page that is Bates
19 stamped last three digits 043, it's actually page 13 of
10:16:37 20 the actual document.

21 Do you see that, sir?

22 A. I do.

23 Q. Do you see where it says, The First Forecast
24 Model - 2022 November General Election?

25 A. I do.

1 Q. And under 2022, projected voters for Election Day
2 turnout, the forecast was for 291,863, correct?

3 A. That's correct.

4 Q. And if we turn to the next page, Bates stamped
5 044, you'll see a second forecast model.

6 Do you see that, sir?

7 A. I do.

8 Q. And the projected turnout under the second
9 forecast model was a lower number of 251,615, correct?

10:17:26 10 A. That's correct.

11 Q. Why did you do two forecast models?

12 A. Again, because you're looking at historical
13 elections, and variances can occur. So the first
14 forecast model looked at 2014 and 2018. My
15 recollection, 2014 was a historically low turnout year.
16 2018 was one of the higher turnout years. So we
17 expanded this model to look at more and broader number
18 of elections to include in that forecast model. So it
19 was the two combined, which gave us a guiding. And when
10:18:01 20 I look at this 251,615, we had 248,000 in-person voters
21 on Election Day, so very close.

22 Q. So this document was put out prior to the 2022
23 Primary Election, correct?

24 A. In May of 2022.

25 Q. And how was the turnout for the Election Day

1 turnout for the Primary for the 2022 Primary Election?

2 A. I don't remember the specific, but it was, I
3 think, right around 106 or 108,000, which was in line
4 with our turnout forecast for the August Primary as
5 well.

6 Q. And if we turn back to the page that's Bates
7 stamped, the preceding page 043, and you see the first
8 forecast model for the 2022 August Primary Election,
9 that's 108,080, correct?

10:19:10 10 A. That's correct.

11 Q. And that's associated with the first forecast
12 model which was the higher turnout, correct?

13 A. That's correct.

14 Q. So the second forecast model, which had a lower
15 Election Day turnout for the Primary, was not the most
16 accurate, correct?

17 A. It was within the range of both. But, yes, this
18 first forecast model for the August Primary aligned
19 closer with the turnout for August or the in-person
10:19:49 20 turnout for the August Primary.

21 Q. Part -- did the forecast -- well, strike that.

22 You recall that there were issues with ballots
23 being rejected on November 8, 2022, in the Election Day,
24 correct?

25 A. I don't recall ballots -- issues with ballots

1 being rejected.

2 Q. Do you recall tabulators rejecting ballots at, at
3 least, 70 vote centers during Election Day?

4 A. Yes, I recall that there's about 70 voting
5 locations that we sent technicians out to change printer
6 settings at because our tabulators were not reading
7 those ballots in.

8 Q. Okay. And did -- did your forecast model for the
9 -- for the second forecast where you forecasted 251,615
10 Election Day turnout figures, do you see that?

10:20:55

11 A. Yes, I do.

12 Q. Did that take into account the problems you just
13 mentioned in terms of the tabulators at 70 locations
14 having issues to reject ballots?

15 A. What is your specific question?

16 Q. So was the Election Day issues that we just
17 discussed, and by the County's own admission occurred at
18 70 vote centers, was that event factored into or an
19 event like it, factored into the second forecast model?

10:21:36

20 A. So, first, let me clarify. I didn't acknowledge
21 that there were 70 vote centers that had printer issues.
22 I acknowledged that we sent out 70 technicians to 70
23 voting locations.

24 Now, for this forecast was just based off of
25 prior historical models turnout. There was no analysis

1 to include if there was an issue on-site at any voting
2 location.

3 Q. So there was no analysis in the second forecast
4 model of 251,000 projected turnout that took into
5 account a disruption in the election on Election Day
6 November 8, 2022?

7 A. None of the forecast models include that type of
8 analysis.

9 Q. Okay. Would a disruption, such as what was
10:22:21 10 experienced -- I mean, would you agree with me there's a
11 disruption on November 8, 2022, in the election?

12 A. I would say that we had some printers that were
13 not printing some tiny marks on our ballots dark enough
14 to be read in by our tabulation equipment. Voters had
15 legal and ballot options to still be able to participate
16 within our voting locations, so I don't agree and would
17 not couch it as a disruption.

18 Q. So you don't believe that what happened on
19 November 8th was not a disruption in the election
10:22:53 20 process?

21 A. I do not couch it as that.

22 Q. Are you aware that Supervisor Gates came out on
23 Election Day and said 20 percent of all vote centers
24 were affected by these issues with ballots being
25 rejected by the tabulators?

1 A. Again, we didn't have ballots rejected by
2 tabulators, they weren't being read in by tabulators;
3 but that's not a disruption when voters still had valid
4 options to participate in ballots in our Secure Door
5 Number 3, which is a similar process that eight other
6 counties use as their only option for voters to be able
7 to return their ballots.

8 Q. Sir, you're not answering my question. My
9 question isn't what other options existed for other
10:23:40 10 voters, my question is: Would you agree there's a
11 disruption of at least 20 percent of the vote centers in
12 Maricopa that caused delays in the voting process?

13 MR. LARUE: Objection, Your Honor. The
14 witness has already answered this question as to whether
15 he characterizes it as a disruption.

16 THE COURT: I'll overrule. If you can
17 answer it, you may, sir.

18 THE WITNESS: I'm not changing my response.

19 BY MR. OLSEN:

10:24:06 20 Q. Okay. Is it -- do you believe that -- did you
21 hear of any reports of wait times to vote of over
22 60 minutes?

23 A. Yes, I did.

24 Q. And what is the target wait time for in your --
25 in your model? Do you know?

1 A. On average, a half an hour.

2 Q. Please turn to Bates number 047, that's page 17.

3 THE COURT: Still Exhibit 2, correct?

4 MR. OLSEN: Yes, Your Honor.

5 THE COURT: Thank you.

6 BY MR. OLSEN:

7 Q. Do you see the section entitled: Time Needed to
8 Vote a Ballot, Mr. Jarrett?

9 A. Yes, I do.

10:24:57

10 Q. And do you see the second paragraph under that
11 section where it says, "on average, we estimate that it
12 will take voters between 4.4 and 6.4 minutes to vote in
13 the 2022 Primary ballot and between 8.5 and 10.5 minutes
14 to vote the 2022 November General Election ballot"?

15 A. That's to complete and fill out the ballot.

16 Q. So is it your testimony then that 30 minutes is
17 the time allotted projected for a normal election to
18 enter into the vote center, cast your ballot and leave?

10:25:42

19 A. No. Our average was 30 minutes in line to check
20 in, and then to -- a few minutes to receive their
21 ballot, upwards of 8.5 to 10.5. So on the 2020 General
22 Election, 8.5 to 10.5 minutes to complete the ballot,
23 and there could be some time to then wait in line at the
24 tabulator to put in their ballot and feed it into a
25 tabulator.

1 Q. Did you ever become aware of multiple reports at
2 various vote centers in Maricopa County where wait times
3 exceeded two hours?

4 A. Exceeded two hours, no.

5 Q. You were not aware of that?

6 A. Our data shows that we had some voting locations
7 approaching two hours, but not exceeding.

8 Q. Even at some locations approaching two hours,
9 would you consider that a disruption?

10:26:34 10 A. That's why we post wait times on our website,
11 which was highly publicized and advertised. And all of
12 those locations, we had close-by locations.

13 So, for example, Biltmore was approaching two
14 hours in the last hour of the voting day. With two
15 miles away at Faith Lutheran there was a voting location
16 that had a one-minute wait time, during that same time,
17 the longest time, that last hour of the day.

18 So there were options for voters to participate
19 even at those other voting locations.

10:27:06 20 Q. What are you basing your report, the accuracy of
21 the reported wait times on?

22 A. Information that poll workers returned to us, so
23 it's the number of voters in line at that point in time.
24 They report those every 15 minutes, and then we can
25 calculate the wait time based on how long it would take

1 someone to check in at a voting location.

2 Q. So if those poll workers were testifying under
3 oath of wait times over -- exceeding two hours at
4 multiple locations, how would that square with what the
5 County was reporting on its system? Are they just
6 mistaken or --

7 A. Saying people can make estimates, but unless they
8 are actually timing them they could be inaccurate. Our
9 wait times are based off exactly how long it takes a
10 voter to check in through that process and have a ballot
11 printed, and based off those numbers of voters that are
12 standing in line at that point in time.

13 Q. And how is that figure calculated? You say it's
14 based off that number, how do you calculate it?

15 A. Based off prior elections. So we can gauge how
16 long it takes a voter to get checked in, then we can
17 also see how many voters are checking in at a voting
18 location throughout the day.

19 Q. Okay. So you're basing the wait time calculation
20 on prior elections, not on what's actually happening on
21 scene at the day of election?

22 A. Based on how quickly a voter can check in through
23 that process, that's correct.

24 Q. Sir, I want to go back to the earlier question
25 about the 19-inch ballot image being placed on a 20-inch

1 paper.

2 Did you hear of any reports of that occurring in
3 the 2022 General Election?

4 A. I did not.

5 Q. Okay. If that occurred, would that be a failure
6 of Maricopa County's election process?

7 A. I'm not aware of it occurring, and I'd be
8 surprised if there was a ballot on a printer that had a
9 19-inch ballot on it.

10:29:21 10 Q. I understand that, sir.

11 A. And the reason why is we did not design a 2022
12 General Election on a 19-inch ballot. That ballot does
13 not exist. The only ballot that exists is a 20-inch
14 ballot.

15 Q. Okay. And when you say "we designed," who
16 designed the ballot? Is that outsourced to another
17 company, or is that done in-house by Maricopa?

18 A. In-house by Maricopa County staff.

19 Q. Who -- what department would that staff fall
10:29:47 20 under? Is there a specific name for it?

21 A. Our Ballot Tabulation Team, so reports to me.

22 Q. And do you maintain records as to the ballot
23 definition that was created for the 2022 General
24 Election?

25 A. Yes, we have records of all the ballots that were

1 designed.

2 Q. And so I'll go back to my question again.

3 If a 19-inch ballot image was put on a 20-inch
4 paper in the 2022 General Election, would that be a
5 failure of your election process?

6 A. It would -- if something like that happened,
7 which I don't know how it would, yes, it would have been
8 a mistake.

9 Q. Could that have also been a deliberate act?

10:30:41 10 A. Again, you're asking me to speculate about things
11 that I have no knowledge of occurring, so I don't know
12 if it could have been a deliberate act or not. I don't
13 believe that that occurred.

14 Q. How involved are you in creating the ballot
15 definition?

16 A. So my team does, and then I overview it, and I'll
17 review examples of those, yes.

18 MR. OLSEN: Thank you, Mr. Jarrett. I don't
19 have any further questions at this time.

10:31:15 20 THE COURT: Okay. Thank you.

21 MR. LARUE: Your Honor, a quick clarifying
22 question as to how the Court would like us to proceed.
23 We intend to call Mr. Jarrett in our case in chief
24 tomorrow, and so if the Court would like me to reserve
25 all questions for him until tomorrow, we are happy to do

1 that. However, I would like to ask him a few questions
2 directed just to what was just discussed during the
3 direct examination of Mr. Jarrett.

4 THE COURT: You can choose to do it either
5 way you wish. I won't dictate how you try your case,
6 but you need to stay within the time.

7 MR. LARUE: Understood, Your Honor. I have
8 just a very brief cross then.

9 THE COURT: Very well.

10:32:00

10

CROSS-EXAMINATION

11 BY MR. LARUE:

12 Q. Good morning, Mr. Jarrett. Thank you for being
13 here today.

14 A. Thanks, Joe.

15 Q. Just a few very quick questions.

16 I believe you testified that your Election Day
17 Plan called for, you know, assumed an average wait time
18 of a half hour for each vote center.

19 Was that what you testified?

10:32:28

20

A. That's correct.

21 Q. Okay. Do you know what the actual average wait
22 time was?

23 A. It was less than a few minutes on Election Day,
24 average for all of our vote centers.

25 Q. Average for all vote centers were less than a few

1 minutes on Election Day, is that what you said?

2 A. That's correct. In our Canva's presentation, we
3 have the exact number. I don't recall it off the top
4 right now.

5 Q. Thank you, Mr. Jarrett.

6 Are you aware that one of the political parties
7 urged their voters to forgo early voting and vote in
8 person on Election Day?

9 A. Yes, I'm aware of that.

10:33:02 10 Q. Okay. You're aware of that today?

11 A. That's correct.

12 Q. All right. Were you aware of that when you
13 prepared your analysis for the Election Day Plan?

14 A. No, I was not.

15 Q. Okay. So I'm assuming that -- you tell me,
16 please, this urging by a political party was not
17 factored into your Election Day Plan; is that correct?

18 A. That's correct.

19 Q. Okay. Thank you.

10:33:26 20 Prior to each election -- strike that.

21 Are you familiar with the term EMS?

22 A. Yes, Election Management System.

23 Q. The Election Management System. What does the
24 Election Management System do?

25 A. So it is our tabulation system. So it's what we

1 use to program and design all the ballots. It is also
2 the system that as we're running ballots through our
3 tabulators that it's then counting those ballots. It's
4 also then what sends ballots to be sent to our
5 electronic adjudication system. Then it also holds the
6 application for our results tallying and reporting.

7 So everything that was related to the ballot
8 creation, to tabulating the ballots, to reporting
9 results, is housed within our Election Management
10 System.

10:34:17

11 Q. Okay. How many elections can be housed within
12 the EMS?

13 A. Well, multiple elections can be housed. Given
14 the number of ballots that Maricopa County has to
15 tabulate, we usually only have, especially for a General
16 Election, we will only have one housed on our Election
17 Management System at a time.

18 Q. Okay. So for the 2022 General, did you only have
19 the 2022 General on the EMS?

10:34:45

20 A. That's correct. That's what my understanding is.
21 We only had those and all the data related to those
22 files.

23 Q. What happens to the other data, the 2022 Primary?
24 What happened to it?

25 A. So we transferred those to backup archived

1 storage devices and store those. We have one storage
2 device onsite within our tabulation center and one
3 offsite.

4 Q. Okay. And, Mr. Jarrett, you testified earlier
5 that I believe you said you did not design a 19-inch
6 ballot for the 2022 General Election; is that correct?

7 A. That's correct.

8 Q. So if it was not designed for the 2022 General
9 Election, does it stand to reason that there would not
10 have been a 19-inch ballot on the EMS?

11 A. That's correct.

12 Q. And if there was no 19-inch ballot on the EMS,
13 does that also mean that there would have been no
14 19-inch ballot programmed into the ballot on-demand
15 printers?

16 A. That's correct.

17 Q. Okay. Thank you, Mr. Jarrett.

18 You were asked about deliberate acts with regard
19 to the printers. Mr. Jarrett, I'm going to ask you a
20 very direct question: Did you personally do anything to
21 any ballot on-demand printer to cause it to print too
22 lightly to be read by a precinct-based tabulator?

23 A. No, I did not.

24 Q. Did you give an order to any of your personnel to
25 do any such thing?

1 A. I did not.

2 Q. Are you aware of any order like that being given?

3 A. I'm not aware of that.

4 Q. Are you aware of any of your personnel engaging
5 in such an act?

6 A. I am not aware.

7 Q. Are you aware of anybody engaging in such an act
8 on any of our ballot on-demand printers used in the
9 2020 -- 2022 General Election?

10:36:26 10 A. I'm not aware.

11 MR. LARUE: That's all I have, Your Honor.
12 Thank you.

13 THE COURT: Very well. May we excuse the
14 witness?

15 MR. OLSEN: Brief recross, sir?

16 THE COURT: Recross?

17 MR. OLSEN: Well, redirect, excuse me. I'll
18 be brief, Your Honor.

19 THE COURT: Very well.

10:36:41 20 REDIRECT EXAMINATION

21 BY MR. OLSEN:

22 Q. Mr. Jarrett, I believe you were just asked if
23 questions about whether or not members of a political
24 party encouraged their constituents, the Republican
25 party, to come out and vote on Election Day.

1 Do you recall that?

2 A. Yes.

3 Q. And was that event factored into your forecast
4 for turnout on Election Day?

5 A. When we made the initial forecast for the plans
6 that were mentioned to the Board in May, no, it was not.

7 Q. So your estimates in the forecast would
8 necessarily be low because they didn't take into account
9 that factor, correct?

10:37:32 10 A. Our forecast forecasts 251,000, our lowest model,
11 and there's 248,000. So I think they pretty accurately
12 forecasted how many people turned out in person on
13 Election Day.

14 Q. Well, tell me how that squares when, you know,
15 counsel just asked you a question, you know, were you
16 aware that members of the Republican party were telling
17 Republican voters to come out on Election Day, and you
18 didn't account for that, how does that square with a
19 lower forecast number?

10:38:07 20 A. Well, we had record turnout -- near record
21 turnout for the 2022 General Election, so 64 percent.
22 You have -- the only turnout in the recent several
23 decades that exceeded that was actually 2018, which was
24 64-point-something percent turnout as well.

25 So our forecast model was forecasting at

1 potentially the highest turnout percentage that the
2 voters would turn out, so that's why it captured and
3 forecasted 251,000 which was very close to 248,000.

4 Q. Actually, your forecast model, you had the other
5 one, forecasted over 290,000, correct?

6 A. That's correct.

7 Q. And that model didn't take into account
8 Republican leaders telling their -- their Republicans to
9 come out on Election Day and vote, correct?

10:38:57 10 A. It did not. It factored in 2020 Presidential and
11 2016 Presidential factors, which usually a presidential
12 election is much higher, so that's why it was ranging up
13 to 290,000.

14 Q. Counsel asked you some questions about a 19-inch
15 ballot image being projected onto a 20-inch paper.

16 Do you recall that I asked you questions about
17 that?

18 A. Yes, I recall that.

19 Q. Do you have any idea how that could occur?

10:39:52 20 A. I do not.

21 Q. Would it require two different ballot definitions
22 to be installed on the EMS?

23 A. Your first question asks if I have any idea how
24 it could occur and I said I do not.

25 Q. Okay. Do you know what a site book is?

1 A. Yes, that's our check-in station.

2 Q. And the site book pulls up the vote -- voter,
3 correct?

4 A. Yes, it's connected to our -- the Recorder's
5 voter registration system through a virtual private
6 network secure, so that when a voter checks in, it pulls
7 up their specific information, and would alert our
8 ballot on-demand printer which ballot style to print.

9 Q. So where does the ballot definition reside then?

10:40:37 10 A. So it's on a laptop that's connected to our
11 ballot on-demand printers.

12 MR. OLSEN: Thank you. I have nothing
13 further.

14 THE COURT: May we excuse the witness?

15 MR. OLSEN: Yes, Your Honor.

16 MS. KHANNA: Subject to recall tomorrow in
17 our case in chief, of course.

18 THE COURT: Very well. Thank you, Mr.
19 Jarrett. Please step down, sir.

10:41:01 20 (Witness excused.)

21 THE COURT: I've allocated some time to take
22 a midmorning break, some of that has to do with my court
23 reporter. So we do need to take a recess for that.

24 Who would you be calling as your next
25 witness?

1 MR. OLSEN: Your Honor, as a matter of fact,
2 I was just talking with counsel about asking the Court
3 for a short break. I want to reassess given the time,
4 and so if I may.

5 THE COURT: Yes. You certainly may because
6 I'm going to have a midmorning break here. So what I'm
7 trying to assess, though, is whether I can shave five
8 minutes off of that or not.

9 MR. OLSEN: Your Honor, whatever you --

10:41:59 10 THE COURT: Do you need a full 15 minutes?

11 MR. OLSEN: No, Your Honor.

12 THE COURT: Okay. Ten minutes. We'll be
13 back on the record then. We'll stand in recess.

14 COURTROOM ASSISTANT: All rise.

15 (Recess taken, 10:42 a.m.)

16 (Proceedings resume, 10:53 a.m.)

17 THE COURT: All right. We're back on the
18 record in CV2022-095403, Lake v. Hobbs. Present for the
19 record are parties and counsel, their representatives
10:53:38 20 and counsel.

21 I was just going to bring up a moment -- a
22 matter of housekeeping. You okay with Mr. Blehm not
23 being here, Mr. Olsen?

24 MR. OLSEN: Yes, Your Honor.

25 THE COURT: All right. Okay. At the risk

1 of OSHA violations from my court reporter, I'm -- what I
2 would like to do is try and maximize the amount of time
3 we have. Rather than starting at 1:30, we'll start back
4 at 1 o'clock. So we'll go from 12:00 to 1:00, cutting
5 30 minutes off of the lunch break. So we'll do that
6 today. And tomorrow I'd like to start at 8:30 tomorrow
7 rather than 9 o'clock, if we can, stretch a little more
8 out of the day. But I think by 4:30 -- you know, I
9 don't want to burn the midnight oil on this. I think
10 that we need to have focus and attention and be
11 clear-minded by, I think, starting at 8:30, coming back
12 early from lunch that I'm not taxing anybody's mental
13 capacity with that.

14 Do you agree, Plaintiffs?

15 MR. OLSEN: Yes, Your Honor.

16 THE COURT: Defendants?

17 MS. KHANNA: Yes, Your Honor.

18 MR. LARUE: County agrees, Your Honor.

19 MR. GOANA: Fine with the Secretary, Your
20 Honor.

21 THE COURT: So that's what we'll do.

22 All right. Are you prepared for your next
23 witness?

24 MR. BLEHM: Yes, Your Honor.

25 MR. OLSEN: Yes, Your Honor. We call Clay

1 Parikh.

2 THE COURT: Very well, sir.

3 Mr. Parikh, if you could come forward, sir,
4 and stand in front of my clerk to be sworn, sir.

5 CLAY UDAY PARIKH,
6 called as a witness, having been duly sworn, testified
7 as follows:

8 THE COURT: Sir, if you could make your way
9 around to the witness stand and have a seat. As soon as
10 your witness is situated you may begin. Are you doing
11 the questioning, Mr. Olsen?

12 MR. OLSEN: Yes, Your Honor.

13 DIRECT EXAMINATION

14 BY MR. BLEHM:

15 Q. Good morning, Mr. Parikh. Could you please state
16 your full name for the record?

17 A. My name is Clay Uday Parikh.

18 Q. And where do you currently work?

19 A. I work at Northrop Grumman, a defense contractor.

10:55:52 20 Q. And what do you do with Northrop Grumman?

21 A. I'm an information security officer. I,
22 basically, spend my week auditing classified systems,
23 making sure the systems are functioning properly,
24 looking for insider threats and those such actions.

25 Q. And do you have any experience with electronic

1 voting systems?

2 A. Yes, sir, I do. I have nine years of experience
3 in three voting labs. It's actually two physical sites,
4 because while I transferred the NTS laboratories,
5 national testing lab, and then at Pro V & V.

6 Q. Does this relate to -- are you familiar with
7 what's called is the EAC, the Election Assistance
8 Commission?

9 A. Yes, sir, I am. In 2008, my very first tasking
10 was to evaluate Wyle Laboratories test procedures in
11 which I had to evaluate the voting system guidelines.

12 Q. And did you perform testing on electronic voting
13 systems in order to certify them in accordance with EAC
14 guidelines?

15 A. Yes, sir, I was.

16 Q. And you did that for how long?

17 A. For nine years.

18 Q. And that was through Pro V & V, a voting system
19 testing lab?

10:56:38 20 A. I was through a professional staffing company,
21 and that's how I was -- I was contracted on, because
22 they had -- none of the labs had a permanent security
23 specialist on -- on the payroll. I was the only one.

24 Q. And when you say you refer to the labs, in this
25 case Pro V & V, what is a voting system testing lab?

1 A. The voting system testing lab is where a vendor
2 submits to the EAC a test plan. It gets submitted to
3 the EAC. It gets approved and they go to a voting
4 system test lab, there's a project that's done up, and
5 they get tested. These tests can go either by the EAC
6 for federal certification or they can go by the
7 Secretary of the State, that depends on the state's
8 requirements under their laws as far as their
9 certification efforts.

10:57:54 10 Q. Do you know what voting system testing lab
11 certifies the electronic voting machines used in
12 Maricopa County?

13 MS. KHANNA: Objection, Your Honor.
14 Relevance. I believe this line of question about
15 certification is no longer on the table given the
16 Court's ruling earlier this week.

17 THE COURT: Yeah, I'll allow the question
18 for certification, I mean, qualifications purposes. So
19 I'll give a little bit of leeway. You can answer the
20 question if you're able to, Mr. Parikh.

21 THE WITNESS: Yes, it's Pro V & V.

22 BY MR. OLSEN:

23 Q. Do you have a background in cyber security, Mr.
24 Parikh?

25 A. I have about 20 years experience in cyber

1 security.

2 Q. Can you, you know, just briefly go through some
3 of your qualifications with the Court in cyber security?

4 A. Yes, sir, I can. I have a Master of Science in
5 cyber security, which it's on a computer science track.
6 Also I have a bachelor's in computer science systems
7 major. I have Certified Information Systems Security
8 Professional certification, I've had that for since the
9 beginning of 2007. That is the gold standard as far as
10 security certifications are considered. I'm also a
11 Certified Ethical Hacker and I'm also a Certified
12 Hacking Forensic Investigator.

13 Q. What is a Certified Hacking Forensic
14 Investigator?

15 A. That means, you go in, you do a forensic analysis
16 specifically looking for malicious malware, you do root
17 cause analysis; you find out what the malware was, how
18 it infected. These are not your standard forensics-type
19 approaches that most law enforcement agencies would use.
20 Their standard is a little bit slower because of the
21 evidentiary stuff; but if you're in an incident response
22 center, as I've helped run in the past, when you have an
23 emergency or something happens, you have to react then.
24 And these are the type of actions that you learn. You
25 learn to get in, do the analysis quickly, make sure

1 you're secure in your analysis, because you have to come
2 up with remediation efforts.

3 Q. Prior to -- how long have you been at Northrop
4 Grumman?

5 A. Just about three years.

6 Q. So prior to working with Northrop Grumman, did
7 you work in cyber capacity for the U.S. government?

8 A. Yes, I have.

9 Q. Could you -- could you describe some of your
10 positions starting, you know, for the past 15 years, 20
11 years, that you've been involved in and what you did,
12 just briefly?

13 A. I've worked in anywhere from midsize companies
14 that dealt with cyber security information assurance to
15 as large as some of the larger ones. I've worked with
16 Lockheed Martin, which is a good tenure of my time.
17 Leidos Corporation, VAE Systems, and in all those
18 capacities, I did inform assurance, cyber security. Had
19 one stint with a smaller company I was to perform threat
20 for an agency within the United States Army.

21 Q. Did you ever work with the Marshall Space Flight
22 Center?

23 A. Yes, I was. I was the IT security manager for
24 the enterprise operations.

25 Q. And just briefly what -- what does the IT

1 security manager do?

2 A. I'm in charge of making sure the vulnerability
3 scans were done, that all the security configurations,
4 that all the governance and compliance that NASA
5 developed for their security postures in daily
6 operations and continuity of operations were followed.

7 Q. Did you ever work for the Army Corps of
8 Engineers?

9 A. Yes, sir. I was the deputy cyber manager for
10 their enterprise operation, which includes 52 major
11 sites throughout the world.

12 Q. And in that capacity, what were your job
13 responsibilities?

14 A. I was the deputy cyber manager, and because of my
15 certification and qualifications, I helped the security
16 operation center manager, handled his task in
17 monitoring, and I also helped the security incident
18 response manager in her functions, because they were the
19 ones that react to when the Army Corps is attacked, and
20 they are attacked a lot.

21 Q. Do you possess a security clearance, Mr. Parikh?

22 A. Yes, sir, I do. I'm currently a Top Secret
23 cleared, but I've held SCI levels before.

24 Q. Okay. Were you -- did you ever work with the
25 Army Threat Systems Management Office?

1 A. Yes, sir, that's where I played threat. I attack
2 systems, and -- whether it was an information systems, a
3 medical system or a weapon system.

4 Q. Do you have any other certifications besides
5 CISSP or the certified forensic -- Certified Hacking
6 Forensic Investigator or Certified Ethical Hacker?

7 A. Yes, sir. I have an ITIL 3 certification, which
8 is an international process for handling IT service
9 management. It's much like the Six Sigma, several
10 companies like Lockheed Martin have their own, that's
11 called LM21, these are all process improvements to
12 refine and affect the quality output and service that
13 you provide.

14 Q. Have you ever -- are you familiar with the phrase
15 of root cause analysis?

16 A. I am very familiar with root cause analysis.

17 Q. Could you please just briefly explain what root
18 cause analysis refers to?

19 A. In simple -- in simple terms, it's basically
20 troubleshooting, but you have to find what caused the
21 initial issue to happen. Sometimes this can be very
22 complicated. Sometimes it can be fairly easy, but you
23 have to have an intense understanding of the overall
24 process involved in any organization. And this root
25 cause analysis could be done from what's called a

1 governance perspective, where you look at documentation
2 process and procedures, because faults within those can
3 produce the issue, or it can be from a technical
4 finding. I've done hundreds to probably thousands of
5 root cause analyses in all different types of
6 environments.

7 Q. Could you give an example of an actual event in
8 which you led the effort for a root cause analysis and
9 just kind of a quick overview?

11:04:21 10 A. I've done one for the Navy Marine Corps internet,
11 which is the world's largest WAN, which has tens of
12 thousands of workstations. There was an issue that
13 resolved. They were having after upgrades of the
14 operating systems, they had technical issues. And based
15 on those type of issues, I analyzed and know what was
16 going on. I requested that the bios data be provided
17 and that ended up the root cause, because the problem
18 systems have that, because they did not properly manage
19 the bios. That's a low-level technical one.

11:04:54 20 There's been others involved where the Air Force
21 had what's -- I would say world facing internet site.
22 It was on the internet, got pulled down because a
23 vulnerability was found. And I did the root -- I was
24 put in charge to do the root cause analysis to find out
25 how the system was compromised, what happened, and

1 suggested the mitigation efforts.

2 Q. Have there ever been any criminal prosecutions
3 that have resulted from your work?

4 A. Yes, both federally and from -- privately from an
5 employer.

6 Q. So the federal government relied on your
7 assessment of a situation in order to bring criminal
8 charges against somebody?

9 A. Several times. Some of those I cannot talk about
10 because of the nature and the classification.

11 Q. Did you do an analysis of the events that took
12 place in the Election Day operations in Maricopa County?

13 A. Yes, sir, I did.

14 Q. And what did you do in terms of your assessment
15 of that situation?

16 A. I do like I do with any system that's involved
17 with electronic voting systems, I look at the state
18 statutes and what they reported to the federal
19 government. As in this case, Arizona follows HAVA, and
20 that's in their laws and statutes. Then I go from that,
21 look at the systems they use, then I look at the
22 procedures. I downloaded the Secretary of State's
23 Elections Manual, the Maricopa Elections Manual. I've
24 read through testimony, declarations. I reviewed the
25 EAC certification of the electronic voting system, the

1 test reports from Pro V & V concerning the election
2 system. I read -- I downloaded and read the applicable
3 Title 16 part of the Arizona statutes, which covers the
4 election systems. Then I read a lot of testimony, I
5 watched a lot of the video televised meetings that
6 Maricopa conducted and a lot of the video testimonies.

7 Q. Okay. And did you interview or speak with any
8 Election Day workers, like technicians, who
9 participated, retained by Maricopa, to work at the
10 various vote centers on November 8, 2022?

11:07:24

11 A. Yes, sir, I did. I had spoken with a -- after
12 seeing the declaration and interview conducted for the
13 declaration, I asked to interview them and asked
14 specific questions.

15 Q. Did you perform an inspection of the ballots on
16 behalf of Plaintiff in connection with an inspection
17 pursuant to A.R.S. 16-677?

18 A. Yes, sir, I did.

19 Q. And when did that inspection take place?

11:08:02

20 A. That was just yesterday.

21 Q. And without saying what your conclusion was from
22 that inspection, did you reach a conclusion?

23 A. It confirmed my initial -- my initial assumptions
24 on the possible effects of what caused the technical
25 issues, yes, sir.

1 MR. OLSEN: Your Honor, at this time, we'd
2 like to offer Mr. Parikh as an expert.

3 THE COURT: Arizona doesn't do that.
4 Basically, you can ask the questions and then it's an
5 objection as to foundation, so --

6 MR. OLSEN: Okay. Yes, Your Honor.

7 BY MR. OLSEN:

8 Q. Mr. Parikh, you examined the ballots and the
9 inspection performed at MCTEC yesterday, correct?

11:08:49 10 A. Yes, I was allowed to select a sampling, per the
11 request in the Court's instruction.

12 Q. Did you have a plan going into that inspection
13 with what ballots you wanted to select and inspect?

14 A. Yes, sir.

15 Q. Could you describe that plan?

16 A. Through a FOIA request the cast vote records were
17 publicly available. I reviewed those, analyzed the data
18 and selected the roundness based so I could follow the
19 Court's directions for the petition. So I knew exactly
11:09:23 20 what to request, because it was time-consuming and
21 Maricopa County was gracious enough to give us that
22 time, and I wanted to use it wisely and make my decision
23 quickly and accurately.

24 Q. Approximately do you know how many vote centers
25 you were able to inspect ballots from?

1 A. I was allowed to inspect from six vote centers.

2 Q. Were you able to execute on your plan after you
3 went into MCTEC to select ballots?

4 A. There were some modifications to the plans
5 because the Election Day ballot data, the cast vote
6 records, which would be referred to as a system of
7 record, because it has to be maintained in its
8 integrity, was no longer valid due to the recounts.

11:10:18

9 Q. When you say it was no longer valid, what do you
10 mean?

11 A. The ballots had been -- they had been
12 re-tabulated for the recounts, thus they -- Maricopa
13 County was unable to map those back.

14 Q. And were some of the ballots that you inspected
15 duplicated ballots?

16 A. Yes, sir, they were.

17 Q. And what are duplicated ballots?

11:10:44

18 A. Duplicated ballots are when there's an issue with
19 the ballot and it cannot be ran through the tabulation
20 system; therefore, it is duplicated and then that
21 duplication is run through the system.

22 Q. And is that duplication then the ballot that is
23 actually tabulated and counted?

24 A. Yes, sir. The way the process works is the
25 original ballot has to have the duplication ID attached

1 to it, which Maricopa did. The part where they filled
2 in the statute is, according to the standards, that
3 duplication ballot is supposed to be easily relatable to
4 the original ballot. They said they could not find --
5 let me correct that -- they could not find the
6 duplicated ballot which was tabulated.

7 Q. So you inspected the original ballot that was
8 duplicated?

9 A. Yes, sir.

11:11:28 10 Q. And do I understand correctly that under -- your
11 understanding of Arizona law is that the -- the
12 duplicate ballot and the original ballot are supposed to
13 be maintained together physically?

14 A. Yes, sir. That's -- that's the EAC requirement.
15 That's -- that's a standard. When duplication is done.

16 Q. And the duplicate ballot which is the ballot that
17 was counted?

18 A. Yes, sir.

19 Q. Was not available for you to inspect because of
11:11:56 20 that?

21 A. No, sir, it was not.

22 Q. Why would there be -- could you tell me again why
23 there might be a duplicated ballot situation?

24 A. It would be because it physically -- it was
25 physically damaged. I did see torn ballots. They could

1 have coffee stains on them. They could have ink marks,
2 or they could just be improperly configured.

3 Q. How long did you take to conduct your inspection?

4 A. We were there all day except for a 45-minute
5 lunch break. It took the morning because of not being
6 able to track the selected ballots that I wanted to look
7 at. We worked together and found the samplings, and
8 that took all morning to get that sorted out.

11:12:52

9 Q. And did you take notes contemporaneously with
10 your inspection?

11 A. Yes, sir.

12 Q. Approximately how many ballots did you inspect?

13 A. There were 348 that were set aside, and then
14 there were approximately 25, because we did not finish
15 because of the time restraint.

16 Q. And out of that 348 that were set aside, how many
17 were ballots printed from that ballot on-demand printer?

11:13:30

18 A. In what I analyzed, between the six vote centers,
19 I specifically -- and then there were the spoiled
20 ballots that could be examined, I requested that the
21 spoiled ballots be from those same vote centers. This
22 allows me a more accurate response to look at a spoiled
23 ballot and see it's the same ballot ID and the same
24 actual ballot style as another ballot within that same
25 voting center. The one thing that I have to point out

1 is out of all the spoiled ballots and the duplicated
2 original ballots, there were a total of 113 ballots
3 examined. 48 of those existed because there was a
4 19-inch image of a ballot printed on 20-inch paper.

5 MS. KHANNA: Objection, Your Honor. Move to
6 strike as non-responsive. I'm not sure what question he
7 was answering.

8 THE COURT: Well, I don't know that it was
9 non-responsive. I'll overrule it. You can
10 cross-examine.

11:14:26

11 MS. KHANNA: Thank you, Your Honor.

12 BY MR. OLSEN:

13 Q. So, Mr. Parikh, it's your testimony upon
14 inspection of these ballots that you determined that
15 there was a 19-inch ballot image projected onto the
16 20-inch paper; is that accurate?

17 A. Yes, that is accurate. That's one of the initial
18 things when I initially reviewing evidence that was
19 presented, and in the public, I saw that the ballots --
20 and it was, to me, it was easily identifiable.

11:14:54

21 Q. Okay. And is this something that's going into
22 this inspection you had seen evidence of?

23 A. Yes, sir.

24 Q. And what evidence was that?

25 A. That was a photograph of a spoiled ballot right

1 next to the reprinted ballot from a vote center, and
2 that's included in my declaration.

3 Q. When you say that's included, do you mean the
4 photographs?

5 A. Yes, sir.

6 Q. So when you were inspecting the ballots yesterday
7 and you determined that the duplicated ballots and the
8 spoiled ballots -- strike that.

9 How many duplicated ballots did you inspect?

11:15:35 10 A. Fifteen total.

11 Q. And out of that -- and duplicated, again, means
12 that the ballot was not -- was rejected by the
13 tabulation for some reason?

14 A. Yes, sir. It could not be tabulated either at
15 ICP2's, which are at the vote center, or the ICC at
16 MCTEC.

17 Q. Out of that 15, how many of those contained a
18 19-inch ballot image on 20-inch paper?

19 A. Fourteen.

11:16:05 20 Q. Fourteen. What about the other remaining?

21 A. It was physically defective. It was slightly
22 torn.

23 Q. Slightly torn. Can you explain to the Court how
24 a 19-inch ballot image -- strike that.

25 How did you determine that it was a 19-inch

1 ballot image projected on to 20-inch paper?

2 A. Because these ballot images are a PDF file, which
3 gets stored along with configuration settings. That's
4 what makes up the ballot style and the ballot
5 definition, which is created usually on that EMS, which
6 the actual application that does the ballot style was
7 called EED, right? That's the application that actually
8 does the ballot style. It's usually installed on the
9 EMS servers. That application creates that style, the
10 definition, because it needs those things because it
11 gets loaded on the tabulator, that's how it's evaluated
12 when the image is created, and that's the print job, to
13 use a common term, that gets sent to the printer.

11:17:00

14 Q. And how could an -- how did you determine that it
15 was actually a 19-inch image projected on to a 20-inch
16 paper?

17 A. I can -- I can determine that 100 percent of all
18 the ballots are rejected because the mechanics of a
19 printer, the feeds are not always accurate. On the
20 20-inch ballots, you can see the same -- I refer to them
21 as tick marks, but they are actually the borders of the
22 image that is sent. And on the 20-inch ballot, you'll
23 see at the very corner above the borders where there's
24 misfeed. On the 19-inch ballots, they were well
25 viewable in the margins. They are 90-degree right

11:17:37

1 angles at each corner of the page, of the image.

2 Q. And did you physically measure the ballots to
3 determine that?

4 A. Yes, sir, I did. I requested a ruler and
5 Maricopa graciously got me one, and they got one of the
6 other inspectors a ruler.

7 Q. How could a 19-inch ballot image appear -- well,
8 strike that.

9 You've heard previous testimony, were you here
10 for Mr. Jarrett's testimony?
11:18:26

11 A. Yes, sir, I was.

12 Q. And did you hear Mr. Jarrett testify that in the
13 November 2022 General Election a 20-inch ballot was
14 used?

15 A. Yes, sir, I did.

16 Q. And did you hear Mr. Jarrett testify that it
17 would be a failure of the system if a 19-inch ballot
18 image was projected on to a 20-inch paper?

19 MR. LIDDY: Objection, Your Honor. That
20 misstates the testimony of the prior witness, as to the
21 word failure.
11:18:53

22 THE COURT: I'm assuming you're going to
23 follow up with a question. For an opinion, I think you
24 can frame it as a hypothetical without arguing about --

25 MR. OLSEN: Yes, Your Honor.

1 THE COURT: Go ahead. Rephrase.

2 BY MR. OLSEN:

3 Q. In an election which is purportedly designed to
4 take place with a 20-inch ballot image on 20-inch paper,
5 how could a 19-inch ballot image appear?

6 MS. KHANNA: Objection. Calls for
7 speculation.

8 THE COURT: Let's ask a question first. Yes
9 or no, if you can tell. Ask him if he can tell, and
10 then the objection, and you can re-ask the question.

11 MR. OLSEN: Yes, Your Honor.

12 BY MR. OLSEN:

13 Q. Mr. Parikh, given your experience and training
14 particularly with electronic voting systems, nine years,
15 can you tell what the cause of a 19-inch ballot image
16 being projected on 20-inch paper would be?

17 A. Yes, I can. I can give you both the technical
18 ways that it could happen. There are only two ways that
19 it can happen.

20 Q. Can you tell the Court the two ways that that can
21 happen?

22 A. One way is by changing the printer adjustments
23 that would make the printer adjustments and settings
24 override the image file that was sent. The other is
25 from the application side, or the operating system side.

1 This is the same for anybody who ever prints anything at
2 home. Your Microsoft Word can send the settings or it
3 can use the default settings of the printers. The
4 application doing it, in this case, as it's a ballot,
5 would have to be that there was a 19-inch image ballot
6 definition.

7 Q. And where does that definition reside?

8 A. That can vary depending on the system. But from
9 what I heard in the testimony, it resides on the laptop
10 that's connected to the printer, which would -- I've
11 seen it referred to as a control printer, but this is
12 actually what would be called a print spooler, and it
13 controlled the print jobs to allow the printer to take
14 on the load. And as there were multiple site books,
15 this would be the technical use that that laptop should
16 be used for.

17 Q. Is there any way, in your opinion, for a 19-inch
18 ballot image to be projected on a 20-inch ballot by
19 accident?

20 A. No, sir.

21 Q. Why not?

22 A. Because the settings and the configurations and
23 the procedures that are used cannot allow that. These
24 are not a bump up against the printer and the settings
25 changed. They are security configurations. I've

1 reviewed the evidence and the printers are configured
2 via script which, by any large organization that has to
3 do multiple systems, is a standard. This takes away the
4 human error of somebody miscoding in the instructions
5 either on the printer.

6 Q. Prior to an election, would the -- strike that.

7 Prior to an election, would it be detectable that
8 a 19-inch ballot image had been projected onto 20-inch
9 paper?

11:22:31 10 A. Yes. If logic and accuracy tested that all
11 voting styles or ballot definitions were included, which
12 a standard logic and accuracy testing should test every
13 style that's available and there should be a listing of
14 such styles.

15 Q. Is it -- you performed testing for EAC
16 certification, correct?

17 A. Yes, sir, I have.

18 Q. Is it permissible to have two different ballot
19 definitions in the same election with respect to the
11:23:08 20 size of the ballot image?

21 A. No, sir. If, for example, if you live in an
22 apartment building and your neighbor and you have the
23 same school board district, you have the same precinct,
24 all the jurisdictions for whether it's local, county,
25 state or federal are basically the same, that

1 ballot-style definition, the ID for it, should be
2 singular. If you do not, then you have two different
3 styles, you're assessing them differently. That can
4 also produce forgery. There's only supposed to be one
5 ballot style per those voting options, and that --
6 that's what controls it.

7 Q. The 19-inch ballot image that you observed in
8 your inspection on multiple ballots including duplicated
9 and spoiled ballots, correct?

11:23:56 10 A. Yes, sir.

11 Q. What effect would a 19-inch ballot image
12 projected on a 20-inch piece of paper used in the
13 election in Maricopa for November 2022 have when it was
14 placed into one of these vote center tabulators?

15 A. It would cause it to be rejected. According to
16 the Dominion's documentation, they performed somewhere
17 between 200 and 300 checks on the actual physical paper
18 ballot that gets inserted into the system. They state,
19 and this is according to Dominion, the vendor who
11:24:33 20 created the application, that it can reject the ballot
21 for any one of those. A 19-inch image being on 20-inch
22 paper increases the margin. Once the timing marks are
23 seen and they are evaluated, the actual physical printer
24 that created the image is saying by the application
25 telling it, you're done, but there's a remaining inch of

1 paper in there, so it would assume there's a paper jam.
2 And to detect, I specifically asked, there were paper
3 jams to where he opened up and there was no paper.

4 So from a programming perspective, the machine
5 would throw the paper jam error, but yet there would be
6 no paper.

7 Q. And you're referring to a tech, you said you
8 spoke to a tech, would that be Aaron Smith?

9 A. Yes, sir.

11:25:15 10 Q. Okay. And what did Mr. Smith tell you -- first
11 of all, who is Aaron -- who is your -- what is your
12 understanding of Mr. Smith's role during the
13 November 2022 election?

14 A. I think he repeatedly followed all the procedures
15 that he was instructed to follow. He put a good solid
16 effort forward to resolve the issues. It finally became
17 to where the issue could not be resolved, according to
18 the procedures, and he had to actually request a
19 replacement tabulator, which so happened to be
11:25:52 20 mis-configured.

21 Q. Do you know why Aaron wanted to testify today?

22 A. I think --

23 MS. KHANNA: Objection, Your Honor. Calls
24 for speculation, lack of foundation.

25 THE COURT: That's going to call for

1 speculation.

2 MR. OLSEN: Withdraw the question, Your
3 Honor.

4 BY MR. OLSEN:

5 Q. You mentioned that there are only two
6 possibilities for how a 19-inch image could be
7 configured onto the system to be put on a 20-inch piece
8 of paper, correct?

9 A. Yes. My assessment applies to anything that is
10 printed, not just -- not just the specifics of this, but
11 to anything that's printed. These are the way the
12 technology functions.

13 Q. But you testified that there's only two ways --

14 A. Yes, there is.

15 Q. -- this situation could arise?

16 A. There are only two.

17 Q. What would it take for you to determine which of
18 the two possibilities is what occurred?

19 A. Specifically, as I did yesterday, inspecting the
11:27:11 20 ballots. There were some ballots that were spotty, but
21 the spottiness was also on batches from the vote centers
22 that were correctly tabulated, so that confused me. And
23 the stuff that was mentioned about the fusers and the
24 heating, because, too, they first said it was a toner
25 issue, which it was not, it's a tray weight issue, which

1 affects the heat of the fusers.

2 The mechanical function of a fuser and heater
3 from what I observed from the spottiness did not match
4 what is a standard error or example that would be
5 demonstrated. There were one or two occasions that were
6 exactly that way, but that was about two ballots out of
7 all that I examined.

8 Q. But if you were to try to determine whether it
9 was a printer issue, configuration issue, or an issue
10 with the ballot definition with respect to how a 19-inch
11 image was projected onto 20-inch paper, what would you
12 need to do?

13 A. I would need to see the ballot styles and the
14 ballot definitions. In totality, if there's 15,000 of
15 them, all of them should be examined.

16 Q. Do you have -- obviously you have been practicing
17 in the cyber field for two decades, correct?

18 A. Yes, sir, and it includes everything to include
19 printers.

11:28:41 20 Q. That's what I was going to ask you. Can you --
21 do you work with printers? Do you understand how
22 printers function and work, and at what level is your
23 experience?

24 A. To a detailed level to where I actually caused
25 one of the government agencies in the missile defense

1 side to get highly upset, because I understand the
2 protocols that run. And it's not just printers, there
3 are multifunctional devices, MFDs as we refer to them,
4 because they can scan, they can print, they can send
5 file transfers. And I've evaluated protocols, I've also
6 done root cause analysis, because classified printers
7 have -- they could print classified data even when they
8 are not supposed to because of the rollers, and this is
9 one thing I called -- refer to as ghost printing. I did
10 see that repeatedly on the early vote ballots that were
11 printed by Runbeck, because in my opinion the ink was a
12 little bit too deep and too shiny for that, and that --
13 and I did. I was able to even see candidates' names in
14 white space. It's very light gray, but that's why I
15 refer to it as ghost printing.

16 Q. Um-hum. What would you recommend be done with
17 the ballots currently stored at MCTEC now, given your
18 findings from the inspection?

19 MS. KHANNA: Objection to relevance. Lack
20 of foundation. Speculation.

21 THE COURT: You need to rephrase the
22 question. I'm going to sustain it.

23 BY MR. OLSEN:

24 Q. Do you have any concerns regarding the security
25 of the ballots, given your findings from your inspection

1 yesterday that a 19-inch image was projected onto the
2 samples from six different vote centers that you
3 examined of 20-inch paper?

4 A. Yes, I can. If it's okay with the Court, I have
5 to answer this in two ways. They are both pertinent.
6 But, first, I observed while ballots were being pulled
7 out and sampled, and they obliged in every direction,
8 whether top, middle, or that, that they were provided.
9 I observed more improperly imaged ballots that were not
10 inspected that were there.

11:31:16

11 Now, to answer the question, those should be
12 secured. I will state in my capacity I handle
13 everything from physical security to accrediting
14 buildings for classified information storage. I've been
15 a classified courier, which means I'm authorized to
16 transport classified information. As a forensic
17 investigator, I fully understand chain of custody. And
18 what I will cite is that the facility and the security
19 and chain of custody at the vault and the tabulation
20 center are highly inaccurate, and those ballots could be
21 tampered with. They should be -- they should be sealed
22 and appropriate actions.

11:31:52

23 For example, security seals were only placed on
24 the boxes that we inspected, and that was due to the
25 court order, and they wanted to ensure that the proper

1 security was done.

2 MS. KHANNA: Objection, Your Honor. I'm
3 going to move to strike as non-responsive. I'm not
4 sure, again, what question that was answering.

5 THE COURT: That was non-responsive to the
6 questions and beyond the scope, so -- of what's before
7 the Court, so --

8 MS. KHANNA: Thank you, Your Honor.

9 THE COURT: -- strike the last part of his
10 answer dealing with the security measures.

11 MR. OLSEN: Your Honor, just a point of
12 clarification. You said strike the last part and --

13 THE COURT: His answer, he had two parts to
14 his answer. He said, first, he observed ballots,
15 improperly imaged ballots beyond what was sampled. That
16 was part 1. Part 2 is the commentary about the
17 continued or ongoing storage, and the -- it's all right,
18 I've been accused of soft-spoken. Part 2 was the
19 testimony that related to the ongoing security concerns.
20 That's the part that is not relevant to the issues that
21 are before the Court today.

22 MR. OLSEN: Yes, Your Honor.

23 BY MR. OLSEN:

24 Q. Mr. Parikh, you mentioned that you saw other
25 ballots that you could see -- do I understand that

1 correctly -- had a 19-inch ballot image projected onto
2 20-inch paper?

3 A. Yes, sir.

4 Q. And how could you tell that?

5 A. Because the difference in the margin, as they
6 were being taken out of the box and placed on the table
7 and shuffled around, it was obvious. It was apparent to
8 me.

9 Q. Okay. Is there -- when -- on these ballots with
11:33:46 10 a 19-inch image, are there marks that kind of -- that
11 are different around the corners than the 20-inch
12 ballots?

13 A. Yes, sir. You will see the corner edges of the
14 image, which would be considered, you know, the actual
15 size of the paper. Those right-angle marks at each --
16 the top left, top right, bottom left, bottom right, are
17 within the margin space. They are clearly visible.

18 Q. Did you -- you mentioned that you kept notes --

19 A. Yes, sir.

11:34:17 20 Q. -- of your inspection. Did you draft a report
21 that summarized those notes with conclusions?

22 A. Yes, sir, I did.

23 Q. If the Court were to ask you for it, would you be
24 able to provide it to the Court?

25 A. Yes, sir, I would.

1 Q. And would that report be -- would you swear to
2 the accuracy of your conclusions in that report?

3 A. Yes, I would.

4 Q. And would you swear to the accuracy of your --
5 the results of your inspection in that report?

6 A. Yes, sir, I would.

7 Q. You testified earlier that having a 19-inch
8 ballot image projected on a 20-inch ballot as you
9 observed appearing from ballots cast in six different
10 vote centers --

11:35:23

11 A. Yes.

12 Q. -- duplicated ballots, spoiled ballots, that
13 could only arise from -- could it be by accident or is
14 it?

15 A. No, sir, it could not be by accident. Those are
16 configuration changes they are administrative level on
17 the printer aren't -- with a ballot style or ballot
18 definition file, and those are done on the EMS system,
19 which has password security and everything else. The
20 EED application is actually the one that creates the
21 ballot style. That's what's used. It's commonly --
22 it's commonly put on the EMS server because that's,
23 like, the centerpiece, and those two systems are
24 controlled access.

11:35:54

25 Q. You testified earlier that you have been involved

1 in other assessments of failures relating to
2 cyber-related issues, correct?

3 A. Yes, sir.

4 Q. And that we call that a root cause analysis,
5 correct?

6 A. Yes, sir. I was part of the working group that
7 established what was called the IARA process, which is a
8 risk analysis and assessment process for the missile
9 defense agency years ago. It's a standard risk analysis
10 and assessment, and in order to do that, that's the
11 basis of how you analyze threat and then you also,
12 that's why you conduct root cause analysis, because you
13 have to be specific when you assess risk -- risk, excuse
14 me.

15 Q. In the performance, in your experience, and you
16 testified earlier that the federal government -- was it
17 the federal government that had actually criminally
18 prosecuted people based on your findings in a root cause
19 analysis?

11:36:42 20 A. Yes, sir, and sometimes they ignored my analysis,
21 but that's beyond.

22 Q. Given your opinion that -- strike that.

23 Given your opinion and your knowledge of how
24 ballot definitions are configured and how printers work,
25 does your finding of a 19-inch image, ballot image base

1 placed on 20-inch paper, does that implicate violations
2 of criminal law?

3 MS. KHANNA: Objection.

4 THE COURT: Wait. Hold on before you answer
5 that.

6 MS. KHANNA: Objection, Your Honor. Calls
7 for speculation. Lack of foundation, and it calls for
8 legal conclusion.

11:38:17

9 THE COURT: It does call for a legal
10 conclusion.

11 MR. OLSEN: Your Honor, the witness has
12 testified that --

13 THE COURT: I heard.

14 MR. OLSEN: Yes, Your Honor. I'll sit down.
15 BY MR. OLSEN:

11:38:53

16 Q. Based on what you have determined on your
17 physical examination of these ballots, your experience
18 both in the industry as a Certified Forensic Hacking
19 Investigator, your CISSP, your skills with, I believe,
20 you called it IRAP, is that --

21 A. It's IARA, that's the acronym that does it. They
22 are different -- and this is specifically for technical
23 risk and assessment. This is one of the issues when I
24 worked for the voting system test labs to get all the
25 vendors, I've dealt with over seven of them to my

1 memory, right, none of them performed it. The labs
2 didn't perform it. I eventually convinced one lab to do
3 this, because this is vital to when you're doing system
4 testing let alone security system testing, and this
5 applies not just to an electronic voter systems, this is
6 to all information systems, all technology. These are
7 standard engineering principles.

8 Q. Is there any way you could be wrong about a
9 19-inch image being placed on 20-inch paper?

11:39:43 10 A. No, sir. I give the technical options that are
11 there. There are two ways that this can happen, and
12 based on this system and the controls in place, this
13 could not have been an accident, and there are only two
14 options. It would take further investigation, further
15 forensic examination for me to determine exactly which
16 one it was.

17 MR. OLSEN: Thank you, Mr. Parikh.

18 Cross.

19 THE COURT: Cross-exam, will that be you,
11:40:20 20 Mr. Liddy?

21 MS. KHANNA: Your Honor, I think we're going
22 to break up the cross-examination, if possible. One
23 from the County and one for the Governor-Elect Hobbs as
24 well, and if we could do the County's first, I think we
25 might get to the other one after lunch.

1 THE COURT: Mr. Liddy?

2 CROSS-EXAMINATION

3 BY MR. LIDDY:

4 Q. Thank you, Your Honor. I appreciate that as some
5 of these allegations go directly to the conduct of the
6 election by my client Maricopa County.

7 Mr. Parikh, is that correct pronunciation?

8 A. Yes, sir, it is.

9 Q. And where do you reside, Mr. Parikh?

11:40:57 10 A. I reside in Huntsville, Alabama.

11 Q. You traveled up to Maricopa County for this
12 proceeding?

13 A. Yes, sir, I did.

14 Q. And who paid for your travel?

15 A. The attorney fund.

16 Q. The attorney fund. What's the attorney fund?

17 A. It's the legal fund. I believe it's -- it's for
18 all the attorneys associated with this.

19 Q. With this particular litigation?

11:41:23 20 A. Yes.

21 Q. And did the attorney fund pay for lodging as
22 well? Paid for your lodging?

23 A. Yes, lodging is always considered travel.

24 Q. And are you being paid for your time?

25 A. Yes.

1 Q. And what is the rate at which you're being paid
2 for your time?

3 A. \$250 an hour.

4 Q. That's also coming from the attorney fund?

5 A. Yes.

6 Q. Are you familiar with an event called Michael
7 Lindell's Moment of Truth?

8 A. Yes, I spoke at the event.

9 Q. You appeared and spoke at the event?

11:41:54 10 A. Yes, I did.

11 Q. And where was that event held?

12 A. In Missouri.

13 Q. In Missouri. And was your travel from Alabama to
14 Missouri paid for by someone other than yourself?

15 A. Yes, sir.

16 Q. And who paid for that?

17 A. That, I assume, would be Michael Lindell. All
18 the travel was arranged. He asked me to speak at the
19 event and I spoke.

11:42:17 20 Q. And that would be true for your time, did you
21 also get paid for your time there?

22 A. I did not charge for my time.

23 Q. And your lodging?

24 A. That's considered travel that was provided to me.

25 Q. And when you say Mr. Lindell, you're referring to

1 the My Pillow guy?

2 A. Yes, sir.

3 Q. And you are a cyber security professional?

4 A. Yes, sir, I am.

5 Q. During your investigation of this election, did
6 you detect any hacking involved in the '22 General
7 Election in Maricopa County?

8 A. No, sir.

9 Q. I believe you testified that yesterday you were
10 down at MCTEC performing the court-ordered inspection of
11 the ballots; is that correct?

12 A. Yes, sir, I was.

13 Q. And you were asked to select batches of ballots?

14 A. Yes.

15 Q. You were asked to identify them. Did you use a
16 highlighter and highlight the boxes?

17 A. Yes, I did.

18 Q. Did you observe the custodian of those ballots
19 opening those boxes?

11:43:40 20 A. Yes.

21 MR. OLSEN: Objection.

22 THE WITNESS: They opened them in front of
23 all the inspectors. There was a court report inspected,
24 there was the other inspector for the other, the
25 gentleman sitting over there that says he was an

1 attorney. We all were there as they went through.

2 BY MR. LIDDY:

3 Q. Did the individual who opened the box break the
4 seal?

5 A. By seal, are you referring to the red tape, which
6 is simply red tape and not a security seal?

7 Q. Well, I'm asking you what you observed.

8 A. I would not categorize what closed the boxes as a
9 seal.

11:44:13 10 Q. Did you see the serial numbers on it?

11 A. There were no serial numbers.

12 Q. So in your professional opinion, the ballots were
13 not sealed?

14 A. The ballots did not have an appropriate security
15 seal on the boxes.

16 Q. That's -- so, okay, fine. My question was: Were
17 the ballots sealed?

18 A. They were closed with tape.

19 Q. And where were they stored?

11:44:41 20 A. In the vault and in the tabulation center.

21 Q. Now, would you say in your profession, details
22 are important?

23 A. Yes, they are highly important.

24 Q. And you said that you reviewed the statutes prior
25 to initiating this investigation?

1 A. I always have to do that, because it's relevant,
2 especially if a state has a statute.

3 Q. So that's a yes?

4 A. Yes.

5 Q. And you also reviewed federal statutes?

6 A. Yes.

7 Q. HAVA, I think you said?

8 A. I go as far back as the 1990 FEC standards. I
9 reviewed them all, every version of the VVSG.

11:45:33 10 Q. And you downloaded Title 16?

11 A. Yes, I like to have references for when they are
12 referred to, because they have been referred to. And in
13 the Secretary of State's manual, they were referred to
14 in the Maricopa manuals and procedures. So I like to
15 actually read what's referred to, to ensure that it's
16 accurate.

17 Q. And when you read those documents, you pay close
18 attention to detail, because that's required by your
19 profession; is that correct?

11:45:58 20 A. I'm not a legal attorney, and so I read the laws
21 for what they state and how they are.

22 Q. Now, you testified that you reviewed some
23 documents that were provided to the Lake campaign by a
24 FOIA request; is that accurate?

25 MR. OLSEN: Objection, Your Honor. I don't

1 believe he ever testified to that.

2 THE COURT: Well, it's cross-exam, so he can
3 answer the question, if he understands it. If you don't
4 understand the questions, Mr. Parikh --

5 THE WITNESS: No, these were public record
6 requests. They came from me from other technical
7 professionals.

8 BY MR. LIDDY:

9 Q. So they were not FOIA requests?

11:46:36

10 A. Those records were obtained via FOIA requests.

11 Q. Are you familiar with FOIA? Can you tell me what
12 F-O-I-A stands for?

13 A. It's the Freedom of Information Act.

14 Q. Is that statute a federal statute or a state
15 statute?

16 A. That depends on what you're requesting the FOIA
17 for. That's categorized at the federal level and state
18 levels, to my knowledge.

11:47:00

19 Q. So a FOIA can either be a state or a federal, in
20 your understanding?

21 A. Yes.

22 Q. And federal was FOIA and state was a public
23 records request under the Arizona statute, that would be
24 a detail that doesn't interest you?

25 A. That -- if -- if the data was illegally obtained

1 --

2 Q. That's not the question. The question is: Is
3 the detail, the difference between a federal statute and
4 a state statute, of interest to you?

5 A. When I'm provided evidence, I always ask the
6 source of it. And I have received, in my experience, I
7 have received evidence from law enforcement officials
8 that, in my opinion, were not properly attained. And as
9 a forensic investigator who understands chain of custody
10 and all the legal ramifications, because for the court's
11 record, the majority of that deals with the statutes.

12 For example, the lock picks that I own as part of
13 my security thing, in my state, I have to have a private
14 investigator license. These are the statutes that a
15 forensic investigator handling evidence has to be aware
16 of.

17 Q. Thank you. And when you're working with your
18 security thing, as you said it, are you familiar with
19 federal statutes and state statutes?

11:48:10 20 MR. OLSEN: Objection, Your Honor. I'm not
21 sure about the question.

22 THE COURT: Well, if he's confused --

23 MR. LIDDY: I'll withdraw the question, Your
24 Honor.

25 THE COURT: Thank you. Next question.

1 BY MR. LIDDY:

2 Q. You just testified that you receive information
3 from law enforcement that's both federal and state law
4 enforcement; is that correct?

5 A. I didn't say that. I said it was law enforcement
6 and I --

7 Q. And you testified both federal law enforcement
8 and state law enforcement; is that correct?

9 A. What I just told you is I said I received it from
10 law enforcement.
11:48:39

11 Q. Well, when you receive information in your
12 profession from law enforcement, are you familiar
13 whether the law enforcement is federal or state?

14 A. Yes, when they provide me the evidence, yes.

15 Q. Is that a detail that's important to you?

16 A. Yes.

17 Q. I believe you testified that you examined some
18 ballots that had been duplicated; is that correct?

19 A. Yes.

11:49:06 20 Q. And you testified that you examined the
21 originals, but not the duplicates; is that correct?

22 A. That's correct.

23 Q. And you examined -- and you testified that the
24 duplicates were not kept next to the duplicate -- the
25 duplicates were not kept next to the originals; is that

1 correct?

2 A. That's correct. They are supposed to be
3 traceable and easily identifiable. Mr. Jarrett said
4 that he would have to get his techs busy and it would
5 take them over a week to try and find them.

6 Q. That's your recollection of what Mr. Jarrett
7 said?

8 A. That is what Mr. Jarrett said.

9 Q. And if the ballots, the originals and the
10 duplicates, were in the boxes right next to each other,
11 would that surprise you?

12 A. The duplicates that I was shown, because they
13 were duplicated, were part of, one, of the vote centers,
14 and he opened both those boxes; and, two, because they
15 couldn't identify some of the original duplicates, they
16 had to run and count them so they could try to map them
17 back to which site they belonged to.

18 Q. So that's your recollection of what Mr. Jarrett
19 said when you asked to see the originals of the
20 duplicates?

21 A. No.

22 Q. That's a detail that's important. You're telling
23 this Court that when you asked Mr. Jarrett to view the
24 duplicates of the originals that he told you it would
25 take six hours?

1 A. To clarify, I did not ask to see duplicates.
2 They were part of the vote center, and they provided the
3 entirety of what they had for the vote center. They
4 could not provide what was --

5 Q. Thank you, Mr. Parikh. I think the important
6 point, and I want to ask you this to make sure that I
7 understand it correctly, is that you did not ask to see
8 the duplicates?

9 MR. OLSEN: Objection. Misstates his prior
10 testimony. Argumentative.
11:51:02

11 THE COURT: This is cross. Just for
12 reference, on all cross, if he doesn't understand the
13 question, he can have it rephrased; but particularly
14 with an expert witness, I think he's capable of
15 answering. If you don't understand, you can have him
16 rephrase. If you do understand, you can go ahead and
17 answer.

18 Would you like the question restated to you?

19 THE WITNESS: Yes, sir, if you would.

20 THE COURT: Please, Mr. Liddy.
11:51:24

21 BY MR. LIDDY:

22 Q. Mr. Parikh, is it your recollection that when you
23 asked Mr. Jarrett to see the duplicates and the
24 originals that he told you it would take six hours to
25 get them?

1 A. One, I did not ask to see them. They were --

2 Q. That's the answer to my question, Mr. Parikh.
3 You did not ask to see them.

4 THE WITNESS: Your Honor, if I may --

5 THE COURT: Wait. There's just -- your
6 counsel will have redirect.

7 THE WITNESS: Yes, sir.

8 THE COURT: So just answer his questions.

9 THE WITNESS: Yes, sir. I just want to
10 state we were following --

11 THE COURT: Wait

12 MR. LIDDY: I have another question, if it's
13 appropriate.

14 THE COURT: Please.

15 BY MR. LIDDY:

16 Q. You've testified that you have a working theory
17 that some of the ballots for the 2022 General Election
18 were on 20-inch paper but were printed at 19 inches; is
19 that correct?

11:52:31 20 A. 19-inch image printed on 20-inch paper, it is not
21 a theory.

22 Q. Okay. So it was 20-inch paper, the ballot was
23 20 inches, correct?

24 A. The paper was 20 inches.

25 Q. And the image was 19 inches, according to your

1 testimony, correct?

2 A. The ballot image was 19 inches, yes.

3 Q. Are you familiar with a shrink-to-fit setting on
4 a printer?

5 A. Yes, I am.

6 Q. Could a shrink-to-fit setting account for some of
7 the ballots you observed being 19 inches on 20-inch
8 paper?

9 A. That is a possibility, but it would -- it would
10 violate the configuration settings they had for the
11 voting systems and the tabulators.

12 Q. And you've testified that you're familiar with
13 the election process?

14 A. Yes, sir.

15 Q. And you testified that if one were to take a
16 20-inch ballot that's shrunk to 19 inches and put it
17 into a vote center precinct tabulator, it would not get
18 tabulated?

19 A. It would not get tabulated at any tabulator.

11:53:38 20 Q. Any tabulator?

21 A. That encompasses ICP or ICCs at central.

22 Q. So if it went down to central, according to your
23 understanding, and it was tried to run through the tower
24 tabulators, it would also not be tabulated; is that
25 correct?

1 A. That is correct.

2 Q. And you've just testified that you observed some
3 duplicated ballots. Is it your understanding that a
4 ballot that cannot be tabulated by precinct-based
5 tabulator and cannot be tabulated by a tower-configured
6 tabulator at central would then be duplicated?

7 A. It would have to be, because it wouldn't be
8 tabulated, so it would require duplication.

9 Q. And after duplication, what would happen to that
10 ballot?
11:54:18

11 A. The duplicated ballot, which is supposed to be
12 marked with a specific ID, and that ID must be recorded
13 on the original, and I saw those stickers on the
14 originals.

15 Q. The question is: What would happen to that
16 ballot?

17 A. Then the ballot would be re-run through the --
18 the duplicated ballot would be run through the
19 tabulator.

11:54:38 20 Q. So it would be tabulated, is that your testimony?

21 A. The duplicated ballot would be tabulated, yes, it
22 should be.

23 Q. Okay. So if a voter walked into a vote center on
24 Election Day, filled out a ballot, maybe had a
25 shrink-to-fit setting on it so it wouldn't be counted on

1 the tabletop, would go into Door Number 3, goes on down
2 to MCTEC. They put it into a tower -- tower tabulator,
3 it doesn't get counted, and then it gets duplicated and
4 then it gets counted, so that voter's ballot was voted
5 and tabulated; is that your understanding?

6 A. But you started -- you started --

7 Q. Is that your understanding?

8 THE WITNESS: Your Honor, I can't answer
9 that question the way he asked the question because it's
10 inaccurate.

11:55:23

11 THE COURT: If you don't understand, you can
12 say I don't understand and he can rephrase it so you can
13 understand. But if you don't like the way it's phrased,
14 that's something that your counsel has to clear up.

15 THE WITNESS: Yes, sir. Your Honor, if I
16 may address the Court?

17 THE COURT: No.

18 THE WITNESS: I'm provided for technical
19 expertise and give those options. And if the technical
20 scenario is inaccurate, I cannot answer the question.

11:55:50

21 MR. LIDDY: Let me try again.

22 BY MR. LIDDY:

23 Q. Ms. Lake right here in this room, bona fide
24 candidate for Governor of the Grand Canyon state,
25 hundreds of thousands of voters would love to have had

1 her as the next governor. One of them chooses not to
2 vote in the 26 days of early voting or mail-in voting,
3 or emergency vote center voting, but chooses to show up
4 on Election Day, gets a ballot from a ballot on-demand
5 printer, and somebody either intentionally or
6 inadvertently has hit the shrink-to-fit setting, and
7 this 20-inch ballot paper comes out 19 inches, this
8 voter fills it out. Kari Lake, wanting her bid to be
9 next governor, throws it into the precinct tabulator.

11:56:49

10 It comes out, goes into Door Number 3, goes down to
11 MCTEC, the much more sensitive tabulators, according to
12 you, it would not count it. It would then go to
13 duplication, it would be duplicated, then it would be
14 tabulated.

15 Is that your understanding of the elections in
16 Maricopa County?

17 A. Your technical description is not possible.

18 Q. I apologize. I wasn't attempting to give a
19 technical description. I was just saying what happens.

11:57:25

20 Based on your testimony, so you're saying in that
21 scenario, that voter who wanted to vote for Kari Lake
22 would never have that vote tabulated; is that your
23 testimony?

24 A. My testimony is that a shrink-to-fit setting
25 would rely at the application level, which would reside

1 on the EMS, which Mr. Jarrett just testified sends the
2 print job to the printer. Therefore, it can't be
3 accidental as all the employees that man the EMS are
4 trained.

5 Q. Whether it's accidental or inadvertent --

6 A. I gave the two options, sir.

7 Q. Please allow me to ask the question, and I'll
8 allow you to answer.

9 Whether it's accidental or inadvertent, if the
11:58:11 10 shrink-to-fit 19-inch ballot has to be duplicated, once
11 it's duplicated, would it be tabulated, to your
12 understanding?

13 A. There are two technical ways that that image
14 would be there. None of the ways you --

15 MR. LIDDY: Your Honor --

16 THE WITNESS: It's not possible, Your Honor.

17 THE COURT: I understand what you're saying,
18 Mr. Parikh. That's not responsive to his question. If
19 you are able to answer his question, you can do that.

11:58:45 20 BY MR. LIDDY:

21 Q. Sir, are you able to answer the question?

22 A. I'm unable to answer your question.

23 Q. Okay. Let me ask a different question.

24 Are duplicated ballots tabulated, Maricopa County
25 General Election, 2022?

1 A. If they are duplicated correctly and they are
2 configured correctly, yes, they should be.

3 MR. LIDDY: Thank you. No further
4 questions, Your Honor.

5 THE COURT: Okay. We're at the point where
6 we need to break. We're going to take a one-hour, not
7 one-and-a-half-hour recess. So we'll be back here at
8 1 o'clock to resume. So just come back at 1 o'clock,
9 Mr. Parikh, and we'll resume where we left off.

11:59:33 10 THE WITNESS: Yes, sir. And I realize I'm
11 still under oath, sir.

12 THE COURT: You read my mind.

13 THE WITNESS: Yes, sir.

14 THE COURT: Thank you very much.

15 (Recess taken, 11:59 a.m.)

16 (Proceedings resume, 12:58 p.m.)

17 THE COURT: All right. This is
18 CV2022-095403. This is Lake v. Hobbs, et al.
19 Continuation of the hearing on the election challenge.
13:00:16 20 Present for the record are parties -- are party
21 representatives and their respective counsel. We have
22 Mr. Parikh still on the witness stand under oath, and we
23 are ready to continue with the cross examination. This
24 will be by, Ms. Khanna, I believe.

25 MS. KHANNA: With the opportunity to

1 streamline over the lunch break, we have no further
2 questions at this time.

3 THE COURT: Well then. Thank you.

4 MR. OLSEN: Your Honor, I have very brief
5 redirect to clear up a few points, Your Honor.

6 THE COURT: No, that is fine. You get
7 redirect. I'm smiling because I have a lawyer
8 characterizing something as brief and --

9 MR. OLSEN: I do my best, Your Honor.

13:00:53 10 THE COURT: Excuse my smile.

11 But there is redirect, Mr. Olsen. You may
12 proceed.

13 REDIRECT EXAMINATION

14 BY MR. OLSEN:

15 Q. Mr. Parikh, Mr. Liddy asked you some questions
16 about duplicate ballots. And kind of like, hey, if
17 there was a shrink-to-fit that that was no big deal
18 because the duplicate would be captured or accepted by
19 the tabulator.

13:01:21 20 What happens during the duplication process?

21 A. The original ballot is examined, another clean
22 ballot is set beside it and the ballot is duplicated.
23 All those votes are transferred and verified.

24 Q. In the duplicated -- duplication process, could
25 the image of a 19-inch image from the original be

1 transposed onto a 20-inch ballot?

2 A. As the duplicated ballot?

3 Q. Yes. In other words, if you had a 19-inch image
4 on 20-inch paper, the original image, and then the
5 ballot is duplicated and run through the scanner, could
6 the duplicated ballot be brought up to a 20-inch image
7 or --

13:02:18

8 A. Yes, it should be if the ballot was originally a
9 20-inch ballot, the blank ballot that they would bring
10 to put the votes transfer the votes to would be 20-inch,
11 so yes, it would be -- it would be tabulated.

12 Q. It would necessarily be moved to a 20-inch image
13 in order to be tabulated?

14 A. Yes, that's the only way it could be tabulated.

15 Q. Yes. And at the point of duplication, anything
16 could happen to alter, or not, the original ballot,
17 correct, if you're duplicating a ballot?

18 A. Yes.

13:02:53

19 Q. What's to stop somebody from altering the ballot
20 from its original --

21 MS. KHANNA: Objection, Your Honor. My
22 apologies. This is beyond the scope of direct and
23 cross, I believe. He's asking for new opinions that he
24 never offered.

25 MR. OLSEN: Your Honor, if I may? Mr. Liddy

1 is the one who brought up duplication and then it was no
2 big deal. This is directly relevant to his examination
3 and implication that duplication means that no harm, no
4 foul.

5 THE COURT: I agree with you in terms of the
6 scope of redirect. I'm a little concerned about
7 foundation, but --

8 MR. OLSEN: Yes, Your Honor.

9 THE COURT: -- go ahead and ask whatever
10 questions.

11 Mr. Liddy, you're standing.

12 MR. LIDDY: Thank you, Your Honor. I
13 apologize. The duplication process is in Title 16, it's
14 a very important part of the process. I would never and
15 have never characterized it as no big deal, and I object
16 as mischaracterization of my description of that
17 important process.

18 THE COURT: Not a problem, so noted.

19 Mr. Olsen, do you have another question,
20 please?

21 BY MR. OLSEN:

22 Q. Mr. Parikh, Mr. Liddy asked you if you had asked
23 for the duplicated ballots, and you said in the
24 beginning of your testimony is that you had asked Mr.
25 Jarrett and were given an answer that there was no way

1 to trace. And then subsequent to that when you were
2 asked the question again, you said you did not ask.

3 What was the distinction that you were drawing in
4 terms of asking for the duplicated ballot?

5 A. I thought Mr. Liddy was asking me if I had
6 planned on -- if it was in my plan of what I selected
7 and wanted to see, as far as the sample size, and I did
8 not plan that. I did not plan that. It was made clear
9 there was time taken to ensure that all the inspectors
10 were aware of how the process would be, the amounts we
11 were allowed, and all that. And they -- they were --
12 they were provided to us. And when they were, I asked
13 were the duplicates -- I did ask where the duplicated
14 were, but that was part of the court order process to
15 look at those, yes.

16 Q. And when you -- so that the record is clear, when
17 you asked for the duplicated ballot while you were there
18 at MCTEC, and what was the -- and who did you ask again,
19 Mr. Jarrett?

20 A. Mr. Jarrett, yes.

21 Q. And what was his response?

22 A. He said they would have to get techs and it would
23 take up to a week to trace that down.

24 Q. Okay. And you heard Mr. Jarrett testify that
25 there was no way that a 19-inch image was placed on

1 20-inch paper in the November 2022 General Election,
2 correct?

3 A. Yes, sir.

4 Q. And is there any way that a 19-inch ballot image
5 placed on 20-inch paper in this election in Maricopa,
6 whether it was tabulated by the vote center tabulator or
7 the tabulators at MCTEC, that that 19-inch ballot image
8 would be accepted by the tabulator?

9 A. There is no way a 19-inch image on 20-inch paper
10 could be accepted by the tabulator.

11 Q. You also examined early votes, correct?

12 A. Yes, sir, I did.

13 Q. And you testified that those were votes that were
14 printed by Runbeck?

15 A. Yes, sir.

16 Q. Did you see out of any of those early votes that
17 you inspected or observed a 19-inch image on 20-inch
18 paper?

19 A. No, sir, I did not.

13:06:35 20 Q. So the 19-inch image on 20-inch paper was only an
21 existing condition on the ballot on-demand printed
22 ballots, which were the day of the election; is that
23 accurate?

24 A. Yes, sir, that's accurate.

25 Q. You took a picture of those ballots side by side

1 in your report, correct?

2 A. I did not take the picture physically. The
3 photograph was provided to me.

4 Q. Okay.

5 A. When I initially saw it, it may not to a normal
6 voter or user to pick this up; but again, I examine all
7 types of media in all types of way, and it jumped out at
8 me. And I requested to get a copy of that image,
9 because to me that -- that was very damning. And then
10 that photograph was an overlay, and it did confirm my
11 conclusions that it was a shrinkage and that it was a
12 19-inch image printed on a 20-inch ballot.

13 Q. Should there ever be, as Mr. Liddy characterized,
14 a shrink-to-fit ballot that comes out for some people's
15 ballots and not others?

16 A. I'm here to state the technical scientific facts.
17 I gave the options. Mr. Liddy's assumptions of a
18 shrink-to-fit is inaccurate, and to boot -- or to
19 further on add -- that if the ballot definition is
20 20 inches and you print it on 20-inch paper,
21 shrink-to-fit will do nothing. The margins will be
22 exactly the same as they are on a regular ballot, and
23 they should be tabulated. But what he referred to
24 cannot happen. The only other technical possibility for
25 that happening is if somebody messed with the print

1 drivers and made -- even though 20-inch paper was
2 loaded -- made the printer think it was 19 inches and
3 that would cause the shrink-to-fit. Those are the only
4 technical -- that's the only technical option that would
5 address Mr. Liddy's scenario.

6 MR. OLSEN: Thank you, Mr. Parikh. No
7 further questions, Your Honor.

8 THE COURT: Well, may we excuse the witness?

9 MS. KHANNA: Yes, Your Honor.

10 13:09:07 MR. OLSEN: Yes, Your Honor.

11 THE COURT: Thank you, Mr. Parikh. You are
12 excused, sir.

13 (Witness excused.)

14 THE COURT: Mr. Blehm, Mr. Olsen, who is
15 your next witness?

16 MR. OLSEN: Your Honor, at this time, we
17 would like to call Aaron Smith.

18 MS. KHANNA: Your Honor, I'm not sure that
19 we have Mr. Smith on the witness list.

20 13:09:39 MR. OLSEN: Absolutely was disclosed.

21 MS. KHANNA: On the witness list that you
22 filed with the Court yesterday?

23 MR. OLSEN: I have to look, but I know that
24 we disclosed him.

25 THE COURT: I don't see a Mr. Smith on the

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EXHIBIT C

1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

2 IN AND FOR THE COUNTY OF MARICOPA

3 - - -

4 KARI LAKE,)

5 Contestant/Plaintiff,)

CV2022-095403

6 - vs -)

7 KATIE HOBBS, personally as)

8 Contestee and in her official)

9 capacity as Secretary of)

10 State; Stephen Richer in his)

11 official capacity as Maricopa)

12 County Recorder; Bill Gates,)

13 Clint Hickman, Jack Sellers,)

14 Thomas Galvin, and Steve)

15 Gallardo, in their official)

16 capacities as members of the)

17 Maricopa County Board of)

18 Supervisors; Scott Jarrett,)

19 in his official capacity as)

20 Maricopa County Director of)

21 Elections; and the Maricopa)

22 County Board of Supervisors,)

23 Defendants/Contestees.)

24 December 22, 2022

25 Courtroom 206, Southeast Facility

Mesa, Arizona

26 BEFORE: THE HONORABLE PETER A. THOMPSON, J.

27 REPORTER'S TRANSCRIPT OF PROCEEDINGS

28 BENCH TRIAL - DAY 2

29 Reported by:

30 Robin G. Lawlor, RMR, CRR, FCRR
31 Official Court Reporter No. 50851

1 THE COURT: Thank you, Mr. Valenzuela.

2 You're excused, sir.

3 (Witness excused.)

4 THE COURT: County's next witness, please.

5 MS. HARTMAN-TELLEZ: Your Honor, we call

6 Scott Jarrett.

7 THE COURT: Go ahead and take the stand.

8 (Witness previously sworn.)

9 THE COURT: Mr. Jarrett, you remain under

13:28:49 10 oath from your previous appearance. Do you understand

11 that, sir?

12 THE WITNESS: Yes, I do, Your Honor.

13 THE COURT: Thank you. You may proceed,

14 Counsel.

15 DIRECT EXAMINATION

16 BY MS. CRAIGER:

17 Q. Good afternoon, Mr. Jarrett. Could you please

18 state your name?

19 A. Yeah, Robert Scott Jarrett.

13:29:01 20 Q. And where do you currently work, Mr. Jarrett?

21 A. I work for the Maricopa County Elections

22 Department.

23 Q. What is your current position?

24 A. So I am the Co-Director of the Elections

25 Department. I oversee in-person voting and tabulation

1 operations.

2 Q. How long have you held this position?

3 A. I was appointed by the Board of Supervisors in
4 2019.

5 Q. And could you just briefly describe your job
6 duties in that position?

7 A. Yes. So I oversee all in-person voting
8 operations, so that includes early in-person voting that
9 I report up to the Maricopa County Recorder for, that
10 does include drop boxes.

13:29:37

11 I also then oversee in-person voting on Election
12 Day, as well as -- so that will be all the recruiting
13 and training of poll workers, recruiting of temporary
14 staff that work at MCTEC or the Maricopa County
15 Elections and Tabulations Center; and then I would also
16 oversee warehouse operations then all tabulation
17 functions, including at the central count facility as
18 well as at the voting locations.

19 Q. And what's your educational background?

13:30:08

20 A. So I have a Bachelor's Degree in Accounting from
21 the Arizona State University.

22 Q. What did you do before you were the Co-Elections
23 Director?

24 A. So I was an internal auditor with Maricopa County
25 and then also had some time with the Maricopa County

1 Community College District auditing performance,
2 auditing risk management, risk mitigation, as well as
3 compliance audits.

4 Q. So we're just going to generally discuss how
5 elections are conducted in Maricopa County on Election
6 Day.

7 To start, what was the total voter turnout in
8 Maricopa County for the 2022 General Election?

9 A. So voter turnout was 64 percent or 1,562,000
10 voters, or approximately there.

11 Q. And how did that compare to previous midterm
12 elections?

13 A. So it was one of the higher percentages. If you
14 go back for several decades, all the way back to the
15 '70s, it was actually the second highest as far as voter
16 turnout; 2018 only exceeded it by a small percentage.
17 And then even more recently, the three -- the average of
18 the three midterm elections was about 54 percent, so
19 that would be 2018, 2014, and then 2010. So turnout in
20 2022 was about 10 percentage points higher.

21 Q. So we've talked about vote centers. Just briefly
22 explain how the vote center model works?

23 A. Yes. So a vote center model works is it allows a
24 voter to vote at any location that Maricopa County is
25 offering. We offer 223 vote centers in the 2022 August

1 -- or, sorry -- November General Election. That was an
2 increase over the August Primary, which we had 200 --
3 210, so -- and it was also an increase over 2020, which
4 we had 175 vote centers.

5 So we're able to offer that option through our
6 site book check-in station. So that will confirm if a
7 voter is registered, confirm that they have not voted
8 previously, and then it will allow us, in conjunction
9 with our ballot on-demand technology, our printers, to
10 print that specific ballot for that voter. Maricopa
11 County had over 12,000 different ballot styles, so we
12 cannot offer a vote center model without that ballot
13 on-demand technology.

13:32:30

14 Q. So, thank you. How does the Elections
15 Department -- well, actually, what's the average
16 distance between vote centers? What was the average
17 distance in the 2022 general?

18 A. So we perform that calculation actually based off
19 the August Primary where we had 210 vote centers, and
20 that average distance was just under two miles per vote
21 center, 1.98. We did add then those 13 additional vote
22 centers for the General Election, so that actually
23 distance would be smaller, but I don't have that
24 specific calculation.

13:33:08

25 Q. Okay. So on Election Day when people are voting,

1 and at times waiting in line to vote at certain vote
2 centers, how does the Elections Department communicate
3 with the public about the wait times that are at the
4 various vote centers?

5 A. So when we're tracking this information through
6 our site books, our poll workers are going, gathering
7 the number of voters in line, and they will go count all
8 the way until the end of those lines. They report that
9 back to us through that site book. Then we post that
10 information onto our website that is updated about every
11 15 minutes from every one of our voting locations, so
12 voters will know when they are attempting or driving to
13 a voting location, what is that wait time at that
14 location. We advertise that through -- we have many
15 different press conferences leading up to the election
16 informing voters to use that website. All in-person
17 voters are also provided a sample ballot, and on that
18 sample ballot, it directs voters. It provides their
19 closest location, but also they could go to locations at
20 maricopa.vote website to identify what are all their
21 voting options, and in-person voting locations.

22 Q. So based on Maricopa County's calculations, which
23 -- well, let's start with you heard Dr. Mayer's
24 testimony earlier today regarding his analysis of wait
25 times; is that right?

1 A. That's correct.

2 Q. And did you agree with his description of the way
3 that Maricopa County makes that calculation?

4 A. So we make our calculation based off of how many
5 voters are in line and how quickly they are able to
6 check in to those voting locations, so that is how long
7 it's taking them, from the end of the line, to be able
8 to check in to then receive their ballot; and that's
9 based off historical knowledge, as well as the
10 throughput, how many voters are getting through and
11 checking in at a site book.

12 Q. And I think you heard -- or I recall Dr. Mayer
13 testifying about people's perceptions sometimes being
14 incorrect about the length of time. What are some of
15 the things that you've observed or experienced impacting
16 that perception or misperception, perhaps?

17 A. Yeah, I think when someone is making an estimate
18 about how long they've waited in line, they may be
19 making that off of when they arrived. They parked at
20 the voting location, right, whether they've then stood
21 in line, right, to be checked in at the voting location,
22 how long it took them to get their ballot, but also then
23 how long it would take them to actually vote their
24 ballot. And that can vary greatly, right? So some
25 voters we had in Maricopa County, one of the longest

1 ballots ever, on average over 85 contests. So some
2 voters come in very, very prepared, right? They may
3 even bring a sample ballot with them, and that can help
4 them expedite and fill out that ballot much more
5 quickly. Some voters may come in and they'll see the
6 contest and they only want to vote a few, so that might
7 only take them a minute, or fewer, to even complete that
8 ballot. But then some voters, and this is in -- we
9 allow this, we encourage voters to be able to do this,
10 we want them to be informed. So they will go get a
11 publicity pamphlet and they may investigate and read all
12 the different information about each individual contest
13 and then make their decisions in that voting booth. For
14 example, one day in early voting, we had a voter show
15 up, our voting location closed at 5:00, they showed up
16 at about shortly before 4:00 p.m., and that voter didn't
17 end up leaving the voting booth until close to 7:00 p.m.

18 So they did not wait in any line to check in,
19 they did not wait in any line to get their ballot
20 printed out on ballot on-demand printer, but they spent
21 several hours in the voting booth completing their
22 ballot then put that into an affidavit envelope to be
23 returned to the Elections Department. So when voters
24 calculate the time that they spent voting, it's all
25 based on some of their choices, their own choices that

1 they make, and how long they are going to complete their
2 ballot, or whether they are going to put their ballot
3 into a tabulator or drop it into Door Number 3, a secure
4 ballot box.

5 Q. So based on the County's analysis, what were the
6 longest wait times on Election Day?

7 A. So we had at about 16 locations wait times
8 approaching about two hours or between 90 minutes and
9 two hours, and that was not for the entire day, that was
10 intermittent; some of those were towards the end of the
11 day. But in every one of those instances, we have
12 locations that were close by where a voter could be able
13 to choose a different option to be able to drive to, and
14 some of those cases it was less than one minute wait
15 times.

16 Q. And just to reiterate earlier, that's all
17 communicated and publicly available to the public on the
18 County's websites?

19 A. That's correct. They could sort on our website
20 not only by entering in their address, they can sort by
21 wait times as well. And we had more than 85 percent of
22 our voting locations on Election Day never had a wait
23 time in excess of 45 minutes, and it was, I believe, it
24 was over 160 locations, never had a wait time over
25 30 minutes.

13:38:00

13:38:28

1 Q. So this -- this information that you just
2 provided, was this part of the analysis that was
3 provided in the report to the Attorney General that was
4 discussed yesterday?

5 A. Yes, that's correct. So I drafted that report.
6 It was based off of all the information that we had, the
7 data that we had in the Maricopa County Elections
8 Department, so every aspect of that. And regarding wait
9 times, it's based off that very systematic approach in
10 how we train voters, or how we train our poll workers to
11 enter that data, based on the number of voters in line.

13:39:18

12 Q. So is it your belief that the information in that
13 report was accurate and correct?

14 A. That's correct, I believe that it was accurate.
15 And what I communicated to the Attorney General through
16 that report, was done with integrity and was accurate.

17 Q. Okay. So let's move on to actually Election Day.
18 And you talked about the ballot on-demand printers and
19 you discussed that more than 12,000 ballot styles
20 Maricopa County has, and that's why those ballot
21 on-demand printers are required, right?

13:39:54

22 A. That's correct.

23 Q. Okay. On Election Day in 2022, were there issues
24 with some of the County's ballot on-demand printers?

25 A. Yes, there were some issues with some of our

1 printers.

2 Q. And can you describe what those issues were?

3 A. So we are in the middle of our root cause
4 analysis still on this, but we have identified a few
5 items that contributed to the printer issues. The first
6 was our -- what we would have our smaller printers, or
7 OKI printer, and that was we had -- it was not printing
8 ballot timing marks on the back of the timing mark dark
9 enough, or some of them were speckled, and that was due
10 to what we identified was the printer settings or the
11 heat settings on the fuser, and we needed to adjust
12 those printer settings to all be consistent at the
13 highest heat setting.

14 Now, we had used these heat settings for prior
15 elections in 2020 as well as the August 2022 Primary,
16 the exact same heat settings. We had gone through
17 stress testing and identified that this was not an issue
18 or was not identified through that testing; but on
19 Election Day, we identified that due to the variants and
20 the number of ballots being printed through, as well as
21 the affidavit envelope, as well as the control slip, we
22 needed to change those heat settings to be consistent
23 for all three types of items being printed from those
24 printers to be at the highest heat setting or the heavy
25 heat setting.

1 A few of the other items that we've
2 identified, though, as far as our ballot on-demand
3 printers, we did identify three different locations that
4 had a fit-to-paper setting that was adjusted on Election
5 Day. So those were at our Journey Church in a north
6 Glendale/Peoria area, that had about 200 or a little
7 over 200 ballots had that setting on it out of about
8 1,500 ballots voted at that voting location. That would
9 be the same with our Gateway Fellowship church, which is
10 an east Mesa voting location. That had about 900
11 ballots out of just shy of 2,000 ballots voted at the
12 voting location. And then we had LDS church, Lakeshore,
13 in the heart of Tempe, that had about 60 ballots out of
14 1,500.

15 So just shy of 1,300 ballots, and that was
16 due to our temporary technicians, when they were trying
17 to identify solutions on Election Day, adjusting a
18 setting -- now this was not direction that we provided
19 from the Maricopa County Elections Department -- but
20 adjusting that setting to a fit-to-paper setting, and
21 that was -- that was one of the vote centers that was
22 reviewed in the inspection by -- by the Plaintiffs in
23 this trial on Monday.

24 Q. So that --

25 A. Or was that Tuesday? I forget the day. I've

1 been working every day through the weekend.

2 Q. So -- so if I'm understanding you, on Election
3 Day, when there was troubleshooting trying to identify
4 this ballot on-demand printer issue, one of the T Techs,
5 or some of the T Techs, adjusted that setting and that
6 impacted some of the ballots that were cast at that --
7 at those three locations; is that right?

8 A. That's correct, and that was a -- not a 19-inch
9 ballot, right? When that happens, it's a 20-inch
10 ballot, a definition of a 20-inch ballot that's loaded
11 on the laptop from -- that is connected to the ballot
12 on-demand printer that gets printed onto then a 20-inch
13 piece of paper; but because of the fit-to-paper setting,
14 that actually shrinks the size of that ballot. And then
15 that ballot would not be tabulated onsite at the voting
16 location and also cannot be -- tabulated onsite at
17 central count.

18 Q. So if it couldn't be tabulated at the voting
19 location and at central count through the regular
20 tabulators, what happened to those ballots?

21 A. So those ballots came back to the central count
22 facility, and then we had hired duplication boards, a
23 bipartisan team, Republicans and Democrats, to duplicate
24 that ballot. So they first affix a marrying number to
25 that ballot, so that would then be able to identify that

1 ballot back to then the ballot that gets duplicated
2 onsite at the Elections Department so it can marry those
3 two up, and all the votes get -- get transferred to the
4 duplicated ballot that gets counted and tabulated.

5 Q. So ultimately all of those ballots were
6 tabulated?

7 A. That's correct.

13:44:43

8 Q. So just to sort of close the loop on this, there
9 were heat settings that had been identified so far in
10 your investigation; there were the T Techs who had
11 changed the fit-to-page setting, and that impacted some
12 of the ballots that were printed on Election Day. Were
13 there any other issues that you discovered at this point
14 that impacted the ability for some tabulators at vote
15 centers to be able to read ballots that were cast on
16 Election Day?

13:45:17

17 A. So there's a few other instances that we've
18 identified. One is the use of a very thin writing
19 utensil, such as a ballpoint pen, and then voters using
20 checkmarks or X's, and that is because our
21 precinct-based tabulators, or vote center tabulators
22 that are onsite, they cannot read an ambiguous mark,
23 right?

24 So if a voter has ambiguous mark on their ballot,
25 the tabulator alerts the voter there is an ambiguous

1 mark, right? And then that voter is given the option to
2 either spoil that ballot and vote a new ballot, or to
3 put that ballot into the secure Door Number 3, the drop
4 box, so then that can then be returned to the Elections
5 Department and duplicated. So we did identify about
6 10 percent of those Door Number 3 ballots were the cause
7 of having an ambiguous mark on the ballot.

8 We also did identify in our Door Number 3 as well
9 some early ballots that were inserted into that, so that
10 was an indication that a voter took the early ballot out
11 of the affidavit envelope, attempted to insert those
12 into the vote center tabulator, which is not unusual.
13 That happens every election. We also identified a few
14 provisional ballots as well. So that's when a voter
15 would be issued a provisional ballot onsite, they take
16 it out of the envelope and then attempt to insert that
17 into the tabulator as well.

18 So our poll workers are trained not to look at
19 the voter's ballot to see how they voted, but they work
20 with the voter to identify, okay, this ballot is not
21 reading, and then if they were issued a provisional, ask
22 them where's your affidavit envelope, you need to insert
23 that into the affidavit envelope. But at that point in
24 time it becomes the voter's choice. Do they want to
25 insert it back into the affidavit envelope, do they want

1 to drop it into Door Number 3?

2 Q. And to be clear, can the onsite -- I think you've
3 testified to this, but just to be clear, can the onsite
4 tabulators read early ballots?

5 A. They cannot read early ballots or provisional
6 ballots, they are specifically programmed not to read
7 those ballots as a control measure to prevent double
8 voting.

9 Q. So we've talked now about the issue that arose.
10 I want to talk a little bit about, sort of, the timing
11 of when you learned that this was happening and the
12 process that the County took to try and identify a
13 resolution that you said was identified. At about what
14 point in the day did you determine -- did you learn that
15 there were some issues with tabulation?

16 A. We received our first call from our first vote
17 centers starting about 6:20 to 6:30. And that point in
18 time, we once we started receiving those calls, we
19 alerted the poll workers to follow their training, which
20 was to -- a couple options -- one was to have those
21 voters and give them the option to drop their ballot
22 into that secure Door Number 3, or drop box, a practice
23 that we've used in Maricopa County since the '90s,
24 right, ever since we first introduced onsite tabulators
25 at those voting locations.

1 Again, voters being able to put their ballots in
2 that secured drop box at -- there's 15 counties in
3 Maricopa County -- eight of them, so if you go to the
4 five largest counts in Arizona, Pima County, slightly
5 Democratic leaning; you look at Pinal County, the third
6 largest, slightly Republican leaning; you look at
7 Yavapai County, again slightly Republican leaning; and
8 Mohave County, all of those don't offer onsite
9 tabulation. They only offer a secure ballot drop box.

13:48:43

10 So we alerted our voters to be able -- or our
11 poll workers, remind voters that they had that option to
12 drop off their ballot in that secure ballot drop box.
13 We also reminded them that they can have those voters
14 spoil that ballot, check in again, get a new ballot.
15 And then we had also implemented a cleaning procedure
16 for this election for our troubleshooters, and so we had
17 some of our troubleshooters start cleaning those
18 precinct-based tabulators, so that was right away at
19 about 6:20 to 6:30 point.

13:49:12

20 We also deployed T Techs, or technicians, out
21 into the field. We had over 90 of them deployed on
22 Election Day, and they started investigating and
23 troubleshooting the issue. So that took us about a
24 couple hours to rule out that it was not a tabulator
25 issue. So at that point in time, those first couple

1 hours, we were -- was it a tabulator issue? Was it a
2 printer issue? We started getting reports back by about
3 8:30 that it was the timing marks on the ballots
4 themselves, that they were not printed dark enough. So
5 at that point in time, we needed to determine why that
6 was, because all of our stress testing at that point in
7 time had never identified this as being an issue.

8 So once we went through and were investigating
9 that, we were working with our print vendor. They had
10 13:49:59 members out in the field deployed as well. We also had
11 members from our tabulation company out in the field
12 investigating as well.

13 So by about 10:15, we identified the solution, or
14 a potential solution, and that was to change those heat
15 settings. At that point in time, we need to replicate
16 it. So then it took us about another hour at several
17 different sites to replicate that that would be the
18 solution on Election Day. Once we had identified that
19 solution between then, I think it was around 11:30 all
20 13:50:32 the way through 7:00 p.m., which that's the time that's
21 referenced in the Attorney General's report, the
22 7:00 p.m. timeline, we were making -- and going out and
23 changing those heat settings on those tabulators.

24 Q. So just to take a step back. Some of the vote
25 centers at Maricopa County are also early voting

1 locations; is that right?

2 A. That's correct. We use a phased-in opening
3 approach for our vote centers.

4 Q. So why is it that this issue with the ballot
5 on-demand printers wouldn't have been discovered through
6 the early voting process?

7 A. Well, because we didn't have any onsite
8 tabulators at any of our early voting locations. So all
9 of the timing -- the timing marks that were printed, so
10 the lighter timing marks, all of those were able to
11 actually be read through our central count tabulation
12 equipment. So during early voting, a voter puts in
13 their ballot into an affidavit envelope and brings it
14 back to central count. Those get then run through our
15 central count tabulation equipment. So those were
16 running fine, we had no issues.

17 So only ones, actually, that weren't running
18 through our central count or our tabulator were the ones
19 that were the fit-to-page setting for those printers,
20 and none of those were occurring during early voting as
21 well.

22 Q. So, Mr. Jarrett, do you have any reason to
23 believe that the issues that occurred on Election Day
24 was some ballot on-demand prints was caused by
25 intentional misconduct?

1 A. I have no knowledge or no reason to believe that.

2 Q. Okay. We're going to switch gears a little and
3 talk about chain-of-custody documents.

4 So you heard Mr. Valenzuela talking about the
5 Early Ballot Transport Statements. You're familiar with
6 those documents, correct?

7 A. That's correct, because I oversee the in-person
8 voting operations.

9 Q. And what are -- just to reiterate, what are those
10 documents used for?
13:52:26

11 A. So those are used by our bipartisan courier teams
12 to go out to vote centers and drop boxes used during
13 early voting, the early voting period all the way up
14 until the day before Election Day, to retrieve early
15 ballots that are in that affidavit envelope, and to
16 document how they are transferred from those vote
17 centers back to the central count tabulation center. So
18 documents all the tamper-evident seals, who those
19 individuals were, as well as once they get back to the
20 central count facility the count of the number of early
21 ballots that were transported.
13:52:58

22 Q. So then that gets us to the day before Election
23 Day, right? Let's talk about Election Day and the
24 chain-of-custody documents that are used on Election
25 Day. Can we put Plaintiff's Exhibit 85, please?

1 So I believe, Your Honor, that this has
2 already been admitted into evidence.

3 THE COURT: I believe you're correct, right?

4 82 --

5 MS. CRAIGER: Okay. So, thank you, Your
6 Honor. I'll take some -- a minute to establish the
7 foundation for this document.

8 BY MS. CRAIGER:

9 Q. Mr. Jarrett, do you recognize this document?

13:53:43

10 A. Yes, this is an example of one of our precinct
11 ballot reports that are completed -- well, first, the
12 seal numbers that are here are actually during our logic
13 and accuracy tests. When we're scanning those in, those
14 seal numbers are for the tabulators that are onsite at
15 every voting location. So some of this information is
16 populated by the Elections Department. Pre to it
17 occurring on Election Day, we deliver all of these
18 precinct ballot reports to our inspectors, so those are
19 the supervisors at every voting location, and then the
20 inspectors, along with their fellow poll workers, will
21 complete these documents onsite at the voting location.
22 Some of those tasks are done during the opening
23 procedures; some of those tasks are done during the
24 closing procedures.

13:54:15

25 Q. So let's walk through section by section what's

1 on here. So you talked the purpose of this is for the
2 inspector and some of the poll workers on Election Day
3 to -- to document what's -- what's occurred at that
4 location. So what is the first section that's
5 identified as opening polls? What information is
6 provided in that section?

7 A. Well, so I will say there is a name of the
8 facility that was just higher up on the voting location.
9 So each one of our facilities has this report, so it
10 identifies the location of the facility. The next
11 section talks about the tabulators and our accessible
12 voting device. So this is to document that each door or
13 port on that tabulator has a seal number affixed, right?
14 Those seals were affixed by the Elections Department
15 employees prior to or during the logic and accuracy
16 test, and those are what the poll workers use to verify
17 that those tabulators have not been tampered with
18 between the time that the Elections Department affixed
19 those seals and when the poll workers are opening up the
20 voting location and opening the polls on Election Day.

21 You also have information related to the
22 accessible voting device. You have a lifetime counter
23 that is -- that is being added to the -- the right there
24 beginning lifetime counter under the accessible voting
25 device. And then if there were any beginning total

1 ballots printed, the accessible voting device is not
2 widely used at all of our different voting locations.
3 So it's not unusual for them not to have a ballot count
4 on that next line, the Beginning Total Ballots Printed.

5 Q. Okay. And I think you said that the inspectors
6 and the poll workers are completing these documents.
7 What, just briefly, kind of training do the inspectors
8 get prior to having that role at the vote centers on
9 Election Day?

13:56:37 10 A. So we go into in-depth in-person training on this
11 form for all of our poll workers on how to complete
12 this, not only our inspectors; but it's covered through
13 a PowerPoint presentation that goes through what is
14 their responsibilities. We also provide a training
15 manual that details exactly how this form should be
16 completed, and then there's different checklists in our
17 training manual for assignments on what the different
18 poll workers and the roles of the poll workers play in
19 completely this form.

13:57:07 20 Q. So there's two tabulators at every location,
21 correct?

22 A. That's correct. We had two tabulators at every
23 location, except for one, which is our DACA village
24 location, which is actually to get there, we have to go
25 through Pinal County and it serves the Tohono O'odham

1 Nation.

2 Q. So --

3 A. Every other vote center had two tabulators.

4 Q. Thank you. So if we could scroll down a little
5 further on the document.

6 So let's talk about the closing poll section in
7 the middle. What information is provided in that
8 section and when is that -- well, let's start with what
9 information is provided?

13:57:48

10 A. So at the end of the night after the polls have
11 closed, all voters have finished voting and left the
12 voting location, the poll workers start their closing
13 operations, and then they start getting and compiling
14 some information. Some of that information comes from
15 the tabulators themselves, so that's what we see, the
16 ballot count on tabulator screen. So there's the two
17 different tabulators, so then they'll log how many
18 ballots were counted on each tabulator. They'll then
19 check off as they are performing some specific tasks,
20 whether they removed the memory cards, so those memory
21 cards are what are going to be read in on election night
22 to report results. So they are going to be removing
23 those, they are going to be taking off the
24 tamper-evidence seal. Actually they are going to be
25 affixing that tamper-evidence seal to the back of this

13:58:18

1 form, and then they are going to then take those memory
2 cards, put them into what we call a bubble pack that's
3 going to be in a container, so that those memory cards
4 can be securely and safely transported back from the
5 voting locations.

6 After both memory cards from the two different
7 tabulators onsite are in those -- those bubble packs,
8 those are then affixed with a tamper-evidence seal as
9 well, which is logged here in this information.

13:58:59 10 Q. And that I believe is the second or the next page
11 of this exhibit under seals. Is that what you're
12 describing?

13 A. That's correct. So they tape the actual seal
14 itself, and then they'll affix it to the back of the
15 form.

16 Q. So let's then move down to the bottom section.
17 It says, security seals. What information is being
18 provided in that section?

19 A. So here is where we're documenting the chain of
13:59:30 20 custody of items being returned back from the voting
21 location. So if they have a black bag, so those black
22 canvas bags, those are what the poll workers use to
23 return the voted ballots, so those live loose ballots
24 that are not in an affidavit envelope so they'll put
25 those in a black canvas bag, then they'll affix a

1 tamper-evidence seal to those bags, and then they'll log
2 that information here.

3 Now, every voting location has two black bags
4 that we issue to it. Sometimes the voters will only use
5 one of the precinct-based tabulators, so they only take
6 out the ballots from one of those locations, put it into
7 that black canvas bag, so there will only be one seal
8 that's logged, they are logging here.

9 The other information here is a red box, our red
14:00:16 10 box seal, so those are the forms that are being returned
11 to us from the voting location. So it's a secure
12 container that is able -- has a closing lid, and then
13 they'll be able to affix tamper-evident seals to those,
14 and then log that information here on this form. And
15 then those blue box seals, those are the transport
16 containers that we're delivering the early ballots that
17 are in those affidavit envelopes back to the elections
18 department. So it's very clear, they are not loose
19 ballots at this point in time. They are in a sealed
14:00:46 20 green affidavit envelope with a unique Piece ID on that
21 affidavit envelope. Those go into these blue bins and
22 they got logged -- the seals on those get logged onto
23 this form, and this is what documents the secure
24 transport from the voting location from the poll workers
25 to the Elections Department.

1 Q. So before we talk about how all of this
2 information and all of these items make their way back
3 to MCTEC, Scott, in your position, are you familiar with
4 the Elections Procedures Manual?

5 A. Yes, I am.

6 Q. And in talking about this section on the blue box
7 seals and the process that you just described for
8 putting those green affidavit envelopes that were
9 collected on Election Day into those boxes and sealing
10 them, is that consistent with the requirements of the
11 Elections Procedures Manual?

12 A. Yes, it is. Chapter 9, subsection 8, subpart
13 B -- I believe it's on page 192 -- it describes that at
14 the end during -- that's closing procedures for our
15 elections -- elections boards at our voting locations.
16 So they will -- it provides for them to be able to put
17 those -- those early ballot affidavit envelopes with the
18 ballots sealed inside into a secured container. It does
19 not require that we count those at the voting location.
20 It just requires that we put those into a secure
21 container -- container, affix that with tamper-evident
22 seals, and return it back to the Elections Department.

23 MS. CRAIGER: Your Honor, before we move to
24 that, I would like to move Plaintiff's Exhibit 85 into
25 evidence?

1 THE COURT: Any objection?

2 MR. BLEHM: No objection, Your Honor.

3 MR. OLSEN: No objection, Your Honor.

4 THE COURT: All right. 85 is admitted.

5 BY MS. CRAIGER:

6 Q. If we can go to -- it's page 192 that Mr. Jarrett
7 just referenced.

8 Mr. Jarrett, is this the section that you were
9 referring to?

14:03:06

10 A. That's correct -- correct, on that subpart B,
11 Election Board Close-Out Duties, and if you go -- so you
12 can see that on the left page 192, on the right
13 page 193, it's actually that bullet G, the number of
14 early ballots received by the voting location. So it
15 asks that -- we document that on the -- what we call our
16 Precinct Ballot Report, unless the ballots are
17 transported in a secure sealed transport container to
18 the central counting place.

19 Q. And that's the practice of Maricopa County?

14:03:33

20 A. That's correct.

21 Q. So once the form is completed, what happens next
22 with the items that are documented on there and the
23 forms?

24 A. So those secure containers will then be
25 transported one of two ways. One will be by the poll

1 workers directly to MCTEC, our central counting
2 facility, if it's one of the locations that's close by,
3 the central counting facility. So most of those are
4 within central Phoenix.

5 If it is a more remote location, then we set up a
6 receiving site that has sheriff deputies onsite, we have
7 bipartisan teams, we have truck drivers at those voting
8 locations, so -- and then those would be receiving sites
9 where the poll workers then will deliver all the items,
10 including the ballots, those loose ballots, that are in
11 a black canvas bag that are sealed, the memory cards,
12 the red transport containers and the blue transport
13 containers.

14 Once they arrive onsite, we have bipartisan teams
15 filling out chain-of-custody documents receiving all
16 those items, so documenting them coming into that
17 receiving site. We're also then for the first time now
18 scanning those items, so all those tamper-evident seals
19 have a little barcode can be scanned, so we're scanning
20 all those items that are coming in from the voting
21 location to the receiving site.

22 They get loaded up, so all of the different
23 receiving sites that are close by, so if we have one,
24 like, at Surprise City Hall, all the voting locations
25 that are close by to Surprise City Hall drive there,

1 deliver their items. Those will then be escorted from
2 two different patrol deputies from the Maricopa County
3 Sheriff's Office, those trucks, all the way back to
4 MCTEC.

5 Once they arrive back at MCTEC, we're then
6 scanning in all of those seals again, documenting that
7 transfer of chain of custody from the truck drivers to
8 MCTEC.

9 Then once all those seals are scanned, then for
10 those early ballots that are in those blue transport
11 containers, we send them through our bipartisan teams,
12 which we call our blue line. So that's where those --
13 those seals will finally be broken, once they get to the
14 Elections Department, and then we will begin sorting
15 them. So what will be in there are green affidavit
16 envelopes, so those would be any of the early ballot
17 drop-offs. There could be some of those white
18 envelopes, those counter ballots that were still there
19 from the night before so on that Monday, during
20 emergency voting, if voters had participated, or there
21 could be provisional ballots in all of those.

22 So that blue line team is now sorting those into
23 different mail trails -- trays by ballot type. So, and
24 then, those will then be going into secure cages, and in
25 those secure cages, we're able to estimate and provide

1 an estimate of the number of ballots that are in each of
2 those trays as well as those -- those secure cages. We
3 then have a bipartisan team then in a truck deliver
4 those to Runbeck on election night.

5 We also employ a two-member team at Runbeck. So
6 when we are delivering that first ballot, those first
7 ballots, those early ballots, again, in a green
8 affidavit envelope, there's a team onsite at Runbeck.
9 One of them is a permanent employee. That permanent
10 employee has a County-issued cell phone so they can take
11 pictures of forms that are being scanned through and
12 counts and numbers documenting the exact numbers that
13 are being scanned in by Runbeck.

14 We also had a temporary staff member that was
15 appointed by the County chairman for the -- for the
16 Republican party that was also onsite during this whole
17 process. Those members are signing those Inbound Scan
18 Receipt Forms, so as they are going through and being
19 counted by those high-capacity scanners counting those
20 green affidavit envelopes on election night, all the way
21 through until the next day, which was not completed
22 until actually 5:00 p.m., or just shortly after
23 5:00 p.m., they were scanning each one of those, and
24 they would be able to scan them by ballot types. So
25 here's the number of green affidavits that were in spec,

1 right? So some of them are underweight, so we're even
2 documenting how many of those ballots were underweight.
3 How many of those ballots were overweight, how many of
4 those ballots actually didn't have a valid ID number.
5 Those are a voter returning to us in a green affidavit
6 envelope. There may be primary ballot or their 2020
7 ballot, and so we're documenting all of those. So once
8 they are scanned in, we have a one-for-one tracking for
9 every one of those affidavit envelopes, but we also have
10 a total count, and we had a total count of 291,890 early
11 ballots scanned in and the Elections Department with our
12 vendor -- best-in-class vendor, Runbeck, certified
13 vendor -- was performing those counts under the direct
14 supervision and observation of Maricopa County
15 employees, and we signed every single one of those
16 inbound scanned forms as they were coming in. They
17 documented the start time of the scan; they documented
18 the end time of the scan. That's how we maintained
19 chain of custody for every one of those early ballots
20 all the way through the process until we transferred it
21 over to Runbeck; and then we had a one-for-one, that
22 Piece ID on every affidavit envelope, so we would know
23 if a ballot was inserted or rejected or lost in any one
24 part of that process, we would know it.

25 Q. Thank you, Scott.

1 So I just want to be clear on the number. So
2 this 291,890 are the number of ballot or, I mean, early
3 ballot packets that came in on election night; is that
4 right?

5 A. That's correct.

6 Q. So earlier Mr. Valenzuela talked about the need
7 to use the high-speed scanners at Runbeck to be able to
8 process a number that high; is that correct?

9 A. That's correct, and that's why we had a team,
10 right, following that chain of custody all the way
11 through the process until we got to Runbeck, and then
12 even after Runbeck, we had teams hired by Maricopa
13 County to maintain that custody until it was transferred
14 and we had an actual count of those ballots.

15 Q. So could we pull up Defendants' Exhibit 33,
16 please?

17 So this is a little challenging to read, Scott,
18 but do you recognize this document?

19 A. Yes, I do.

14:10:15 20 Q. And is this the inbound receipt of delivery forms
21 that you were talking about?

22 A. That's correct. So that is a Runbeck, it's a
23 three-part form that's completed, and then you can see
24 and not in the best image quality, but you can see right
25 under where you can see the grid or the boxes, there's

1 some staff member's signatures that are being signed
2 right there, and those are the Maricopa County
3 employees.

4 MS. CRAIGER: Sorry. Just a little
5 housekeeping, Your Honor, did we admit Exhibit
6 Number 85? Plaintiff's Exhibit 85, I believe?

7 THE COURT: Today, yes, it was.

8 BY MS. CRAIGER:

9 Q. Okay. Sorry, Scott.

14:11:11 10 So, I'm sorry, so we started -- these are the
11 ones that are used on election night I believe you just
12 said?

13 A. That's correct.

14 Q. Okay. So let's talk about the information that's
15 documented on here starting at the top.

16 A. So it will be identifying the date and the
17 operator at Runbeck that's running their equipment,
18 right, and then we have an election number that's
19 assigned for every election, so that's documented at the
14:11:37 20 very top of this.

21 The next items are going to be the batch ID
22 that's assigned by Runbeck and that's being scanned
23 through their inbound scanning equipment, and then the
24 next pieces of information start counting the number of
25 green affidavit envelopes that are being scanned in

1 through their equipment. So the inbound scan here
2 showing there's 9,940 inbound scanned green affidavit
3 envelopes. Also will then show the number of
4 provisionals, and here I can't read it on -- on this
5 equipment because the image quality. It will also show
6 the number of early ballot affidavit envelopes that are
7 overweight, so that could be that the voter kept the
8 instructions in that green affidavit envelope. It will
9 show then the number of green affidavit envelopes that
10 are underweight, so maybe that's an empty affidavit
11 envelope, or maybe the ballot is damaged inside, is not
12 a complete ballot. It will also show then the number of
13 ballots that didn't have or had an invalid ID, so those
14 are potentially the green affidavit envelopes that are
15 from the primary election, right? Or then if it's
16 unreadable, so there are some times where there's a
17 damaged green affidavit envelope or that affidavit
18 envelope can't be read, so we're taking that image and
19 those will go through special handling, be turned over
20 to the Recorder's Office in the early voting team to
21 document that transfer of the custody.

22 Q. And I think you testified before that at all
23 times of this process from when these are taken out of
24 the blue bins, placed into the trays, into the cages,
25 transported to Runbeck, that is all done under the

1 observation of Maricopa County permanent employees; is
2 that right?

3 A. That's correct.

4 Q. Okay. And so if you look at this document again,
5 and it's hard to see it on here, but where do you see
6 that the County employees have signed off and verified
7 the information on here?

8 A. So it's that -- those signatures just below that
9 grid, and you can see two different signatures. One of
10 those is one of our permanent employees, and one of
11 those was then that temporary employees; and by the way,
12 it was a Democrat and a Republican there so that we had
13 that bipartisan representation as well.

14 And then our permanent employee with their
15 County-issued cell phone after each one of these were
16 scanned in, they would take a -- they take a picture of
17 that, and then they send that via e-mail to me, Mr.
18 Valenzuela, and a few of the other election directors,
19 or assistant election directors within so we had then an
20 accounting for these via image as well.

21 Q. And just to be clear, the temporary employee that
22 you were referred to as appointed by --

23 A. The County Republican Chair for the Maricopa
24 County Republican Party.

25 Q. Thank you. And then once this process is

1 completed, then these go -- am I correct that these go
2 through then the signature verification process like Mr.
3 Valenzuela described in his testimony; is that right?

4 A. That's correct. So these ballots would then be
5 secured and stored in an vault. Right under them we
6 have security guard onsite, a Maricopa County employee
7 security guard onsite for 24 hours a day. And then once
8 they are completed with the signature verification
9 process, then they won't be transferred back to the
10 County until that's completed, and all of those are
11 documented through those forms that Rey, or Mr.
12 Valenzuela, went through.

14:14:58

13 MS. CRAIGER: Your Honor, I would like to
14 move Defendants' Exhibit 33 into evidence, please.

15 THE COURT: Any objection?

16 MR. OLSEN: No, Your Honor.

17 THE COURT: 33 is admitted.

18 BY MR. CRAIGER:

14:15:23

19 Q. All right. One last point, Scott. During the
20 course of this process we've heard suggestions of the
21 275,000-plus estimate that was made after voting was
22 completed on Election Day. Can you explain how that
23 number -- how that estimate gets made on election night?

24 A. So those were based off -- all those green
25 affidavit envelopes coming back through those blue

1 transfer bins that we broke the tamper-evident seals on
2 inserting -- taking those out and organizing them into
3 those mail trays. So at that point, it's just an
4 estimate. And so then Mr. Recorder Richer, he made an
5 estimate early in the day following Election Day, on
6 11/9, the day after. We had not finished our
7 scanning-in process. That wasn't completed until much
8 later in the evening, just shortly after 5:00 p.m. when
9 we had that full accounting for all those 290,000 early
10 ballots. So that estimate was released earlier in the
11 day to just give an indication of there was going to be
12 275,000-plus early ballots that still needed to be
13 counted.

14 MS. CRAIGER: Thank you, Scott. One moment.
15 All right. Thank you, Your Honor.

16 THE COURT: Okay. Cross?

17 MR. OLSEN: Yes, Your Honor.

18 CROSS-EXAMINATION

19 BY MR. OLSEN:

14:17:03 20 Q. Mr. Jarrett, do you recall your testimony
21 yesterday?

22 A. Yes, I do.

23 Q. And yesterday you testified that a 19-inch ballot
24 image being imprinted on a 20-inch ballot did not happen
25 in the 2022 General Election.

1 Do you recall that?

2 A. Yes, I recall that there was not a 19-ballot
3 definition in the 2022 General Election.

4 Q. But that wasn't my question, sir. I asked you
5 specifically about a 19-inch ballot image being
6 imprinted on a 20-inch piece of paper.

7 So are you changing your testimony now with
8 respect to that?

9 A. No, I'm not. I don't know the exact measurements
10 of a fit to -- fit-to-paper printing. I know that it
11 just creates a slightly smaller image of a 20-inch image
12 on a 20-inch paper ballot

13 Q. Slightly smaller image. How come you didn't
14 mention that yesterday?

15 A. I wasn't asked about that.

16 Q. Well, I was asking you is 19 inches smaller than
17 20 inches? It is, isn't it? Sure.

18 A. Yes.

19 Q. So when I said, you know, asked you questions
14:18:14 20 about a 19-inch ballot image being imprinted on a
21 20-inch piece of paper, and you denied that that
22 happened in the 2022 General Election, did you not think
23 it would be relevant to say, hey, by the way, you know,
24 there was this fit-to-print image issue that we
25 discovered?

1 MS. CRAIGER: Your Honor, I object. Counsel
2 is misstating Mr. Jarrett's testimony from yesterday.

3 THE COURT: Okay. Once again, if he's able
4 to understand the question and answer it, he can do so.
5 If you don't understand or need it rephrased, you can do
6 that as well, Mr. Jarrett. If you're able to answer,
7 please do so.

8 THE WITNESS: What I recall from yesterday's
9 questioning was that there was a 19-inch definition,
10 which that did not occur, ballot definition.

14:18:58

11 BY MR. OLSEN:

12 Q. So if your testimony reflects my question or --
13 strike that -- if the back and forth between our
14 question and answer shows me asking you specifically
15 about a 19-inch ballot image being printed on a 20-inch
16 piece of paper, you are now saying that you interpreted
17 that as a ballot definition issue?

18 A. Yes, that's correct.

14:19:36

19 Q. And you wouldn't think it would be relevant, even
20 in that circumstance to say, hey, we learned about this
21 fit-to-print issue? Did you know about the -- when did
22 you learn about this fit-to-print issue?

23 A. When we started doing the audit reconciliation of
24 those Door 3 ballots, we identified some of those
25 ballots had then a fit-to-paper issue.

1 Q. And when was that?

2 A. I don't remember the exact dates, but a few days
3 after Election Day.

4 Q. And who told you about that?

5 A. Our ballot tabulation team and our -- our audit
6 review team that was then doing -- doing the inspection
7 of the Door 3 ballots.

8 Q. So, and I believe your testimony was that you
9 discovered this only in three vote center locations,
10 correct?

14:20:29

11 A. That's correct.

12 Q. So did you look at the other locations to see if
13 this so-called fit-to-print issue arose at other
14 locations?

15 A. We looked at all the Door 3 misread ballots that
16 were in the secured Door 3, and we didn't identify any
17 of those that a fit-to-paper issue.

18 Q. Fit-to-paper issue.

19 So if evidence showed up that there was a 19-inch
20 ballot imprinted on a 20-inch piece of paper out of the
21 Anthem location, that's not one of the locations that
22 you identified, is it?

14:21:00

23 A. I did not identify that at -- from Anthem.

24 Q. When did this so-called adjustment to the printer
25 settings happen on Election Day that gave rise to this

1 fit-to-print issue?

2 A. I don't have the specific time, but it was during
3 the course of Election Day.

4 Q. And was this fit-to-print issue, how did those
5 settings get changed? Was it at the direction of
6 somebody from Maricopa or just somebody on their own
7 doing it?

8 A. It was not at the direction of anyone from
9 Maricopa County.

14:21:51 10 Q. So was the change in the settings in response to
11 tabulator issues?

12 A. So we believe at least at one of the sites one of
13 the technicians was attempting to troubleshoot and then
14 made that change.

15 Q. So if other sites, if the tabulator issues arose
16 immediately before any technician made any changes to
17 the print settings, then your theory of a fit-to-print
18 issue would not be correct, yes?

19 A. No, I disagree.

14:22:22 20 Q. So when would the changes to the printer settings
21 have been made?

22 A. So the reason I know it didn't occur prior is
23 because during our test prints prior to Election Day
24 there was no identified fit to paper setting issue.

25 Q. And when was that?

1 A. We do that during -- when we're setting up each
2 voting location, we run test prints on all of the
3 printers.

4 Q. And how would you know that it didn't arise?

5 A. It was never reported back through our chain of
6 custody from the technicians to -- up to me, which they
7 would have reported that to me.

8 Q. Why do you think they would have reported it to
9 you?

14:22:59 10 A. Because I meet with the team routinely and
11 throughout the day, and I've even asked them
12 subsequently, and they have said that they never
13 identified it during any of the setups.

14 Q. So did you have a meeting with all these
15 technicians and ask them this question?

16 A. I had a meeting with our command center teams.

17 Q. Were all the technicians asked about this
18 fit-to-print issue?

19 A. I don't know if all the technicians were.

14:23:25 20 Q. Is there any documentation of any inquiry about
21 this fit-to-print issue?

22 A. I don't know if there's any documentation.

23 Q. So you said you performed a root cause analysis
24 to determine the -- how these problems arose on Election
25 Day?

1 A. We're in the process of performing a root cause
2 analysis.

3 Q. And as part of that root cause analysis, you
4 determined that there was this fit-to-print issue at
5 three locations, correct?

6 A. That's correct.

7 Q. Is there any documentation preceding yesterday's
8 testimony that identifies this issue?

9 A. As part of -- yes, there is some documentation.

14:24:06 10 Q. What documentation?

11 A. So some of our audit reconciliation forms that
12 identified the three locations.

13 Q. And what do those audit reconciliation forms
14 show?

15 A. They show the number of check-ins from voting
16 locations. They show the number of Door 3 ballots and
17 then notes based off our audit reconciliation.

18 Q. Does it say fit-to-print issue was the cause, or
19 words to that effect on those forms?

14:24:33 20 A. It actually is using the term shrink-to-fit, not
21 fit-to-shrink.

22 Q. Shrink-to-fit, shrink-to-fit. And was that
23 determined to be the cause, or is that a -- was that an
24 assumption as a possibility?

25 A. It was determined to be the cause for those three

1 locations, for the ones wouldn't be read at the voting
2 location and then be read at central count.

3 Q. And, again, you did not mention this in your
4 testimony yesterday, did you?

5 A. I did not.

6 Q. Did you publish anywhere that there was this
7 shrink-to-fit issue after the election?

8 A. I believe not.

9 Q. So you didn't tell the public, hey, we've
10 discovered -- I mean, you're performing your root cause
11 analysis and you find out that there was this
12 shrink-to-fit issue that gave rise to problems in the
13 tabulators, and you did not inform the public about
14 this?

15 A. We're still in the process of our root cause
16 analysis.

17 Q. With respect to the chain-of-custody issues that
18 you testified to, does Maricopa County know the exact
19 number of ballots that come in -- Election Day ballots,
20 not early vote ballots -- do they know the number of
21 ballots that come in to MCTEC on Election Day, the exact
22 number?

23 A. Through our memory cards or what are read in from
24 that memory cards we have an accounting for what gets
25 reported.

1 Q. And how this memory card is generated with the
2 ballots, where do the numbers come from on them?

3 A. From our vote center tabulators, those onsite
4 tabulators. So every ballot that gets read into a vote
5 -- a vote center tabulators get logged, and then those
6 results are read on to that memory card.

7 Q. Before they are sent to the tabulator, aren't the
8 ballots sent up to Runbeck for scanning and processing?

9 A. Are you referring to Election Day ballots?

14:26:38

10 Q. Yes.

11 A. The ones that are tabulated onsite, no.

12 Q. No, not tabulated onsite, that are -- aren't they
13 ballots envelopes delivered to Runbeck for scanning and
14 processing then sent back to MCTEC?

15 A. I'm sorry. When you say Election Day ballots,
16 you didn't say the early ballots that were dropped off
17 on Election Day, so I misunderstood.

18 So can you repeat your question?

14:27:05

19 Q. The Election Day ballots, does Maricopa County
20 maintain an exact count of them before they are shipped
21 to Runbeck?

22 A. So you're referring to, again, the early ballots
23 that are dropped off on Election Day, are those the
24 ballots that you're referring to?

25 Q. No. I'm referring to the ballots that come in on

1 Election Day that are dropped off?

2 A. I don't understand your question, because the
3 Election Day ballots, we refer to those as the ballots
4 that are tabulated onsite. So I'm asking you, the ones
5 that go to Runbeck are the early ballots that are in
6 affidavit envelopes that get transferred at Runbeck, so
7 that's what I'm asking you. Are those the ballots that
8 your referring to?

9 Q. What about the ballots that are dropped off in
10 drop boxes on Election Day?
14:27:43

11 A. Yes. So those are the early ballots in the green
12 affidavit envelopes. Those go to Runbeck to be counted
13 by our -- and then we have a team onsite when that
14 accounting happens.

15 Q. So Maricopa does not maintain an exact count of
16 those ballots prior to them being transferred to
17 Runbeck?

18 A. That's not true.

19 Q. You do?

20 A. Because we have employees onsite that entire
21 time.
14:28:04

22 Q. Onsite where?

23 A. At Runbeck.

24 Q. So why would somebody from MCTEC -- strike that.

25 Is it your testimony that the printer set changes

1 that gave rise to this so-called shrink-to-fit issue,
2 was that done on Election Day?

3 A. That's correct.

4 MR. OLSEN: Thank you. I have no further
5 questions.

6 MS. CRAIGER: Thank you, Your Honor. I just
7 have a couple questions.

8 REDIRECT EXAMINATION

9 BY MS. CRAIGER:

14:28:56 10 Q. Scott, to be clear, the question you were asked
11 yesterday was whether or not there was an 19-inch
12 definition in the Election Management System; is that
13 correct?

14 A. That's correct.

15 MR. OLSEN: Objection, Your Honor. The
16 record will speak for itself in terms of what question
17 he was asked and whether there was -- it was asked with
18 the question of a definition.

19 THE COURT: Fair. Overruled. I'll let him
14:29:18 20 answer and you can both argue. Go ahead.

21 BY MS. CRAIGER:

22 Q. Scott, was that your understanding of the
23 question that was being asked of you?

24 A. Yes, that was my understanding.

25 Q. And that was true yesterday and that's true

1 today; is that right?

2 A. That's correct.

3 Q. There were no 19-inch definitions in the Election
4 Management System?

5 A. That's correct.

6 Q. So this fit-to-print issue that we're talking
7 about, has this ever happened before in any previous
8 elections?

9 A. Yes, it has.

14:29:45 10 Q. When did it happen before?

11 A. So it happened in August 2020 Primary Election,
12 the November 2020 General Election, and the August 2022
13 Primary Election.

14 Q. So is it safe to say that this, you know, falls
15 into the category of, you know, an Election Day hiccup
16 and it's related to a human error on that day trying to
17 resolve a problem related to the printers; is that
18 right?

19 A. That's correct.

14:30:14 20 Q. Okay. And you testified before the total number
21 of ballots that were impacted by this shrink-to-print --
22 fit -- I'm sorry -- fit-to-print issue. What was that
23 total number?

24 A. That was just -- I don't have that exact count,
25 it was just under 1,300.

1 Q. Okay. And I believe you testified before, but
2 what's the process then for once those are identified so
3 that those ballots can get tabulated?

4 A. So then those would go to a bipartisan
5 duplication board, and then they together would make
6 determinations to -- on voter intent for each contest on
7 the ballot. Those would then get duplicated, that
8 ballot would be printed and that ballot would then be
9 run through a central count tabulator to be counted and
10 then reported.

14:30:59

11 Q. And the bipartisan adjudication board process, is
12 that observed?

13 A. That is by political parties.

14 Q. Okay. And you testified that there were a few --
15 thus far in the root cause analysis, there had been a
16 few different issues that have been identified that
17 caused some ballots to be placed into Door 3; is that
18 right?

19 A. That's correct.

14:31:20

20 Q. Okay. And have you -- is the root cause analysis
21 completed?

22 A. No, it's not.

23 Q. Have you presented it publicly to the Board of
24 Supervisors yet?

25 A. We have not.

1 MS. CRAIGER: I have no further questions,
2 Your Honor.

3 THE COURT: All right. May the witness be
4 excused?

5 MR. OLSEN: Yes, Your Honor.

6 MS. CRAIGER: Yes, Your Honor.

7 THE COURT: Thank you, Mr. Jarrett. You're
8 excused, sir.

9 (Witness excused.)

14:31:46 10 THE COURT: Okay. County have another
11 witness? Does defense?

12 MS. DUL: Bo Dul on behalf of the Secretary
13 of State. With Your Honor's permission, I would like to
14 call Ryan Macias and put him on from counsel table.
15 He'll be appearing remotely so that he can see me while
16 I'm examining him.

17 MR. BLEHM: From counsel table?

18 THE COURT: She's going to sit there rather
19 than be at the podium.

14:32:12 20 MR. BLEHM: Oh, yeah. That's fine.

21 THE COURT: Not a problem. So you're
22 calling Mr. Macias?

23 MS. DUL: Yeah, I believe he's in the
24 waiting room, Your Honor.

25 MR. BLEHM: Your Honor, I just want to point

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EXHIBIT D



MARICOPA COUNTY

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The Vote Center Model

During the 2022 General Election, Maricopa County offered 223 Vote Anywhere Vote Centers located throughout the county at an average distance of less than 1.8 miles apart. The Vote Center model is a very popular option, with 756,780 voters (over 48%) visiting a Vote Center to cast a ballot in person or drop off an early ballot during the 2022 General Election. On Election Day, over 540,000 voters visited a site, which is more Election Day voters than all prior General Elections since 2008.

Nationally, one of the top complaints made by in-person voters is arriving at a voting location to find out they are at the wrong site. A Vote Center model eliminates this issue for voters. Other universal and frequent voter complaints include long lines, voting provisionally, and arriving at an unexpectedly closed location. In the 2022 General Election, Election Day voters waited in line an average of six minutes. If you include the voters that skipped the line to drop off their early ballots, the wait-time average is below 3 minutes. Maricopa County also provided a large number of in-person voting options beginning 27 days before the election (E27), in which voters experienced an average wait time of less than one minute. See below for the wait-times by voting phase.

- **12 Vote Centers** were open 27-Days before Election Day (Average Wait Time E27 – E12: 0 Minutes)
- **56 Vote Centers** were open 12-Days before Election Day (Average Wait Time E12 – E1: 0 Minutes)
- **128 Vote Centers** were open 1-Day before Election Day (Average Wait Time E1: Less Than 1 Minutes)
- **223 Vote Centers** were open on Election Day (Average Wait Time: 6 Minutes)

While a few¹ 2022 General Election locations encountered 80-115 minute wait-times on Election Day, Maricopa County posted these wait-times on our website (Locations.Maricopa.Vote) informing voters of other nearby options that had shorter wait-times. The Locations.Maricopa.Vote website was highly publicized leading up to and on Election Day. It was also referenced on the sample ballot mailer sent to all voters that had not requested an early ballot. As shown in the table below, the longest wait-time for 85% of Maricopa County Vote Centers ranged between 0 and 45 minutes.

| Table 1: Vote Center Wait-Times | | |
|---------------------------------|-------------------|---|
| Longest Reported Wait-Time | # of Vote Centers | Comment |
| 0 – 15 Minutes | 114 (51%) | 23 of 114 had a confirmed printer issue |
| 16 – 30 Minutes | 47 (21%) | 8 of 47 had a confirmed printer issue |
| 31 – 45 Minutes | 28 (13%) | 8 of 28 had a confirmed printer issue |
| 46 – 60 Minutes | 18 (8%) | 4 of 18 had a confirmed printer issue |
| Over an Hour | 16 (7%) | 6 of 16 had a confirmed printer issue |

¹ Seven Locations experienced a wait time between 80 minutes – 115 minutes. Those locations include Asante Library in Surprise (81 minute avg. during 6pm hour), ASU West (95 minute avg. during 6pm hour), Biltmore Fashion Park (98-minute avg. during 5pm hour), Church of Jesus Christ LDS – Southern (88 Minute avg. during 5pm hour), Desert Hills Community Church (85 minute avg. during 3pm hour) Living Word Bible Church in Ahwatukee (114 minute avg. during 5pm hour), Red Mountain Community College (80 minute avg. during 4pm hour). Each of these locations had one or more nearby Vote Centers within a few miles that had a wait-time ranging from 1 minute to 25 minutes during the period they were experiencing their longest wait-times.



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In addition to providing more convenience for voters, the Vote Center model also significantly reduces provisional ballots and adds a layer of redundancy if a voting location becomes inoperable due to power outages or other unforeseen situations. Prior to the Vote Center model, Maricopa County routinely issued tens or hundreds of thousands of provisional ballots during a General Election. In 2022, Maricopa County issued 6,915 provisional ballots on Election Day, a significant reduction from prior years as shown by the table below.

| Table 2: Vote Center vs. Precinct Voting Comparison of Provisional Ballots Casts 2014 – 2022 | | |
|---|---------------------------------|--|
| Year | # Provisionals (% of ED Voters) | # Voting Locations / Model |
| 2022 | 6,915 (3%) | 223 Vote Centers |
| 2020 | 18,310 (10%) | 175 Vote Centers |
| 2018 | 16,409 (6%) | 40 Vote Centers and 457 Precinct Locations |
| 2016 | 52,173 (13%) | 671 Precinct Locations |
| 2014 | 39,577 (19%) | 651 Precinct Locations |

With over 12,000 ballot styles used in Maricopa County for the 2022 General Election, the only option for providing a Vote Center model is to print ballots on-demand at the voting location.

Ballot-on-Demand Printers

While our root cause analysis review is still underway, we can confirm that all printers used in the 2022 had updated firmware, were installed with uniform settings, and used the same settings that were used in prior Elections, including in the August 2022 Primary, November 2020 General, and the August 2020 Primary Elections.

Ballot-on-Demand Printer Fleet

In 2021, the County made significant investments to upgrade its ballot-on-demand printer fleet. The County replaced two older printer models, the Oki 9650 and the Lexmark 923 with Lexmark C4150 printers. In 2020, the County retrofitted its Oki B432 printers turning them into a Ballot-on-Demand printer. During the 2022 August Primary and November General Elections, the County used two Ballot-on-Demand printers, the Oki B432 and the Lexmark C4150. These are shown to the right.

Lexmark C4150



Oki B432





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2022 General Election Day

Despite stress testing the printers before Election Day, installing the latest firmware, using uniform printer settings, and using the same settings as programmed in prior elections, the Oki B432 printer experienced an issue affecting the ability of the on-site tabulators to accept the ballot. If an on-site tabulator could not read the ballot, the voter was instructed to deposit the ballot into a secure ballot box (“Door 3”) to be counted at Maricopa County’s central counting facility. These 16,724 Door 3 ballots represent 1% of the total ballots issued to voters during the 2022 General Election

Using the central counting facility to tabulate Election Day ballots is common. So common that every Arizona county either uses it as their only method of counting Election Day ballots or as a backup plan like Maricopa County.

- Counties that place all Election Day ballots in a secure container at the voting location and tabulate those ballots at Central Count: Apache Co., Coconino Co., Gila Co., Mohave Co., Pima Co., Pinal Co., Santa Cruz Co., Yavapai Co.;
- Counties that use Central Count as a back-up plan to tabulate Election Day ballots: Cochise Co., Graham Co., Greenlee Co., La Paz Co., Maricopa Co., Navajo Co., Yuma Co.

On Election Day, our poll workers began reporting issues to our hotline around 6:30 a.m. We immediately began troubleshooting the issue and, consistent with the training, directed poll workers to have voters place their ballots into the secure ballot box below the tabulator (Door 3). The County also met with media outlets and published content on its social media platforms to inform voters of their voting options (Exhibit: #COUNTY ANNOUNCEMENT).

The secure Door 3 option has been a decades-long practice in Maricopa County. Despite this being a legal, secure, and reliable voting option, many high profile and influential individuals instructed voters to not deposit their ballots in Door 3 (Exhibit: #DOOR 3). Consequently, some voters refused to use this viable voting option.

As the morning progressed, County IT staff and technicians from our printer vendor worked in tandem both within our hotline and out in the field to troubleshoot and identify a solution. The techs tested a change to the printer heat settings so that the timing marks printed darker.

Our preliminary root cause analysis shows the issue was not with the ink or toner, instead it was the fuser. The printers have three profiles, one for each item that we print for voters, the ballot, receipt, and envelope. The ballot “media weight” setting was set to heavy, as recommended, and the receipt and envelope were on a lighter setting, as recommended. These settings were exactly the same as in prior elections. The solution implemented on Election Day for the 2022 General Election was to set all three “media weight” settings to heavy.

Once identified, we began guiding poll workers to make this change over the phone and dispatching technicians to make changes at the sites with reported issues. The changes had to be completed onsite at the Vote Center and could not be made remotely. We also asked technicians to proactively make these changes at other sites that had not yet reported an issue. By mid-afternoon, most sites were no longer experiencing the printer issue. See the timeline on the next page.



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Table 3: Election Day Response Timeline

| Time | Activity |
|------------------|---|
| 6:20-6:30 am | A few Vote Centers begin informing the hotline that tabulators were not reading ballots. The County reminded poll workers of the Door 3 option. |
| 6:25-9am | County dispatches T-techs, tabulation technicians, and printer technicians into the field to troubleshoot the issue. Techs report back that installed printer settings were the uniform approved settings used in prior elections and stress tested (Fuser Settings: Control Slip Media Weight = Medium; Ballot Media Weight = Heavy; Envelope Media Weight = Medium) - (See Exhibits: # 2022 GE LOAD BALLOT OKI 458, # 2022 GE PREP OKI 458, # 2022 PE PREP OKI 458) |
| 8:30-9am | Technicians begin reporting that some of the impacted sites were experiencing lighter or speckled timing marks printed on the back of the ballot. The County concludes it is not a tabulator issue and continues troubleshooting to find a solution to the printers. |
| 8:30-10:45am | Hotline technicians and printer technicians work in tandem to test potential solutions. |
| 10:14am | Printer technicians identified a potential solution to adjust printer settings. (Fuser Settings: Control Slip Media Weight = Heavy; Ballot Media Weight = Heavy; Envelope Media Weight = Heavy). Confirmed successful print and tabulation at one site. |
| 10:15-11:30am | Begin testing the proposed solution of using the Heavy settings for all media weights at additional sites to verify the solution could be successfully implemented at other Vote Centers. |
| 11:30am | Issued guidance to all technicians in the field to make setting changes to the Oki printers. |
| 11:30am – 7:00pm | Visited 71 impacted sites to make changes to printer settings. |

In total, our in-progress analysis has found that we responded to calls and changed the printer settings at 71 vote centers, which represents 31% of the 223 Vote Centers that were open on Election Day.

However, not all the 71 Vote Centers were experiencing a printer issue. During the Elections Department’s in-progress review, 43 Vote Centers have been confirmed to have experienced an intermittent printer issue. We have also identified other common in-person voting factors that resulted in ballots being deposited into Door 3.

One of these other factors that resulted in ballots being deposited into Door 3 was the combined use of ballpoint pens and ovals completed with checkmarks. On nearly 1,600 of the 16,724 Door 3 ballots, we have found that the use of a ball point pen in combination with a checkmark or other thin mark on the ballot resulted in an oval not being sufficiently completed. This resulted in an ambiguous mark on the ballot. Ambiguous marks cannot be read by the Vote Center tabulator and result in the voter needing to either spoil and re-vote their ballot or place their ballot into secure Door 3. We found this occurred at over 180 vote centers. There were 19 Vote Centers that had between 20 and 40 ballots with ambiguous marks and this was likely the sole reason why those ballots were not being read by the tabulators at these locations.



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The Elections Department has expanded its analysis to include 84 total Vote Centers, of which 21 have been ruled out as having a printer issue (Exhibit: #VOTE CENTER LOG).

When onsite tabulation became Maricopa County's process in the 1990s, Maricopa County recognized that printer and tabulator issues are routine Election Day issues that can occur. To overcome these challenges, Maricopa County implemented a redundant, legal, and secure process for voters to drop their ballots into the secure ballot box (Door 3).

While Maricopa County's printer issue in 2022 impacted more Vote Centers than normal, every voter was afforded the ability to legally and securely cast their ballot.

Election Day Check-out Process

Maricopa County uses a SiteBook (e-Pollbook) to check-in voters at voting locations. This technology allows voters to check-in, prove their identity, print their specific ballot, and to spoil their ballot if they make a mistake and need a new one. Voters commonly ask to spoil their ballots and poll workers are very familiar with the process of issuing them a new ballot. The ability to spoil a ballot using the SiteBook is covered during all in-person training courses and included on pages 115 of the training manual (Exhibit: #PW TRAINING MANUAL).

For the 2022 General Election, the Elections Department added additional SiteBook programming to allow a voter to check-out of a SiteBook and vote at an alternative voting location. This added functionality was implemented as a voter centric precaution if a voter needed to spoil their ballot and return to another, potentially more convenient, Vote Center later in the day.

To ensure poll workers were aware of the check-out procedure, we covered this topic during November 2022 General Election in-person trainings. We also included the check-out procedure (Exhibit: # CHECKOUT PROCEDURE) in every Inspector's packet of materials. The County provided weekly Inspector workshops where the check-out procedure was covered in detail. These weekly Inspector workshops provided in-depth training beyond standard in-person training and provide the Inspectors more hands-on opportunities to troubleshoot issues.

There were a total of 206 voters that checked-in at one location and then voted at a second location. Of these 206 voters, 84 successfully checked-out of the first voting location and checked-in at the second location. Since these 84 voters successfully checked out of their first location, they were issued a standard ballot at the second location. As shown in the chart on the next page, poll workers were aware of this check-out procedure and were able to implement it early in the day on Election Day.



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| Table 4: Voters that successfully checked-out of their first voting location and were issued a standard ballot at their second location | |
|---|---|
| Timeframe | Number of Voters that Successfully Checked-out of First Vote Center |
| 6-8am | 19 Voters |
| 8-10am | 28 Voters |
| 10am-Noon | 20 Voters |
| Noon-2pm | 9 Voters |
| 2pm-4pm | 5 Voters |
| After 4pm | 3 Voters |
| Total | 84 Total Voters |

The remaining 122 voters that voted at two locations on Election Day did not check out at their first location and were issued a provisional ballot at their second location. For these 122 voters, the Elections Department performed a review to confirm if there was a printer issue at the first location and if there was a variance in the number of check-ins as compared to the number of ballots tabulated.

After this review, the Elections Department determined that the provisional ballot should count for 109 of the 122 voters. There were two additional voters that the Elections Department would have counted their ballot, but the voter did not insert the provisional ballot into the provided envelope and then drop their envelope in the onsite early/provisional ballot box. The ballots for the remaining 11 voters were not counted because the Elections Department could not verify that a printing issue occurred at the voter’s first location and/or that there was a variance between the number of check-ins and the number of ballots counted at the first voting location.

Secure Ballot Box (Door 3) Reconciliation

As described in the Ballot-on-Demand Printer section above, the Elections Department has used a secure ballot box (Door 3) as a reliable, legal, backup option for decades. In every election, there is a possibility that a tabulator or printer may experience an issue. These issues are not uncommon and can be caused by a variety of reasons including poll workers locking themselves out of the tabulator when they have entered the password too many times, a faulty outlet causing the tabulator to not have sufficient power to operate, or a printer misalignment occurring after replacing ballot paper. If an issue does occur, Door 3 provides voters with the option to drop their ballot into a secure ballot box until the issue can be resolved or for the ballot to be read at Central Count.

We train workers and instruct them that Door 3 ballots are segregated from the ballots read by the tabulator by a divider within the ballot box. When polls close, poll workers complete a Precinct Ballot Report (Exhibit: #PBR) that logs the number of ballots cast at the voting location, the number of misread ballots, and spoiled ballots. Poll workers return Door 3 ballots in a sealed envelope.

During the November 2022 General Election, the Elections Department provided direction to poll workers that they could use one of the two black ballot transport canvass bags that each Vote Center was provided to transport the Door 3 ballots if the quantity exceeded the capacity of the envelope. All ballots transported in



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the black canvass bags were sealed inside with the use of tamper evident seals. The seal numbers were logged on the Precinct Ballot Reports.

The following information is documented on the Precinct Ballot Report.

- Tamper Evident Seal Numbers
- Asset Tags
- Beginning Lifetime Tabulator Count balances
- Polls Closing Tabulator Counts on Screen
- Quantity of Misread Ballots, Spoiled Ballots, and Unused Ballot Stock

In addition to the Precinct Ballot Report, each tabulator in use at a Vote Center prints an opening and closing polls tally receipt. The opening tally receipts confirm and document that no votes were on the tabulator when the polls opened. The closing tally receipt confirms and documents the number of ballots and votes tabulated on each tabulator when the poll is closed. Poll workers sign these tally receipts and return them to the Elections Department. These receipts are hundreds of feet long and cannot be easily digitized. Both the Precinct Ballot Reports and the tally receipts are available for in-person review at the Elections Department.

As a decades-long practice and as required by the Elections Procedures Manual (see Chapter 10, Section II, Subsection H), the Elections Department performs an audit of check-ins, ballots received, and information from the Precinct Ballot Reports. If the Elections Department identifies variances, the Election Department is required to investigate and resolve those variances.

Variances between check-ins and ballots received are not uncommon. Some common causes for variances include the following:

- Fled Voter: A voter checks-in, receives a ballot and for some unexplained reason they choose not to vote the ballot (e.g., leave to get glasses, forgot their completed sample ballot at home, encounter a technical issue, and choose not to come back and vote). If this occurs, poll workers are trained to check the voter out of the SiteBook, however, voters do not always inform poll workers when they leave. If a voter does not alert the poll worker so they can be checked out, this will result in a variance.
- Provisional Ballots Inserted into Door 3: A voter is issued a provisional ballot. The voter may prefer not to have that ballot sent back to the Elections Department for research. That voter may attempt to insert their provisional ballot into the Vote Center tabulator. The Vote Center tabulator is programmed not to accept provisional ballots. When this occurs, the poll workers will ask the voter to insert the ballot into the provisional envelope that they received to have it researched and possibly counted by the Elections Department. At this point, it is the choice of the voter to place the ballot in the provisional envelope, spoil the ballot, or insert it into Door # 3. If the voter spoils the ballot or inserts the ballot into Door 3 without the envelope, this will create a variance.
- Early Ballot Voter with an Election Day Check-in: A voter may bring in their Early Ballot to use as a guide for completing their Election Day ballot at a Vote Center. Upon beginning to complete their Election Day ballot, the voter decides to insert their Early Ballot into the tabulator instead of the Election Day ballot. As a control to prevent double voting, our Vote



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Center tabulators are designed to reject early ballots. At this point the voter is given the option to complete their Election Day ballot. If the voter chooses not to complete their Election Day ballot and they do not check out of the SiteBook, this will create a variance.

For the 2022 General Election, the Officer in Charge of Elections oversaw an audit reconciliation procedure to identify every location that had a variance between the number of check-ins and the number of ballots counted onsite at each Vote Center. The audit reconciliation was observed by members of the political parties² and included the following procedures.

1. Compare the number of check-ins with ballots reported by Vote Center (on memory cards from each tabulator) plus the number of ballots inserted into Door 3.
2. If the number of check-ins at a Vote Center equals the number of ballots reported on the memory cards for the tabulators at the Vote Center plus the number of ballots inserted into Door 3, accept the official results reported on Election Night along with the additional ballot scanned from Door 3.
3. If the number of check-ins at a Vote Center does not equal the number of voters reported on the memory drives for the tabulators at the Vote Center plus the number of ballots inserted into Door 3, audit the vote count from the Vote Center by comparing the number of check-ins against the returned ballots.

The results of the audit reconciliation are summarized below (Exhibit: #RECONCILIATION)

- 158 Vote Centers with no variance
- 35 Vote Centers with a variance of 1
- 16 Vote Centers with a variance of 2 – 3
- 14 Vote Centers with a variance of greater than 3 (and none greater than 22)

Two Vote Centers did not separate their Door 3 ballots and the ballots that were counted by the Vote Center tabulator. For these two Vote Centers³, the Elections Department backed out the results that were reported Election Night and retabulated the entire batch of ballots to ensure that no ballot was double counted and that all ballots cast at the Vote Center were counted.

Vote Center Audit Reconciliation Comparison

When compared to other elections, the audit reconciliation for the 2022 General Election had a lower variance as a percent of Election Day voters than previous Primary and General Elections. See chart on the next page for comparison to prior elections.

² As required by the Chapter 10 of the Elections Procedures Manual, the audit reconciliation was performed under the observation of political party appointees (2 Democrat Observers appointed by the County Party, 2 Republican Observers appointed by the County Party, 1 Republican Observer appointed by the “For Prop 309” Committee, and a “Republican Observer from the U.S. Congressional Delegation”).

³ Church of Jesus Christ of LDS Gilbert, Desert Hills Community Church.



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Table 5: Comparison of Fled Voters, Early Voters with Check-ins, and Provisionals with Prior Elections

| Year / Election | # of Reconciling Sites | # of Sites with a Variance | Total Variance (Fled, Early, Provisional) / % of Election Day Ballots Cast |
|-----------------------|------------------------|----------------------------|--|
| 2020 August Primary | 62 of 100 (62%) | 39 of 100 | 100 (.0019%) |
| 2020 November General | 122 of 210 (58%) | 53 of 175 | 188 (.0011%) |
| 2022 August Primary | 92 of 210 (44%) | 118 of 210 | 210 (.0019%) |
| 2022 November General | 155 of 223 (69%) | 68 of 223 | 170 (.0007%) |

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EXHIBIT E

**Maricopa County 2022 General Election
Ballot-on-Demand Printer Investigation**

Submitted By

Ruth V. McGregor

April 10, 2023

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Introduction

On general election day in November 2022, a substantial number of ballot-on-demand (BOD) printers at vote centers in Maricopa County produced ballots that could not be tabulated by on-site tabulators. Most of the printers had been used during the August 2022 primary election, as well as in prior elections, without experiencing similar problems.¹

The Maricopa County Attorney's Office (MCAO) retained me to conduct a focused, fact-specific independent review to determine why printers that performed successfully during the primary election evidenced problems during the general election. Specifically, the MCAO asked the investigative team to determine what factor or factors caused the printing problems on general election day; why the problems had not occurred on primary election day; and whether and how Maricopa County can prevent similar problems from occurring in future elections. I was also asked to review the chain-of-custody policies affecting BOD printers and consider whether the election day issues resulted from human error or process and equipment issues.

The MCAO and Maricopa County Board of Supervisors made it clear at the outset that this investigation should be independent and free of any outside influence. We have encountered nothing during the investigation that appeared intended to or that did undermine the independence of the investigation. Both the Maricopa County Election Department (MCED or the Department) and the Maricopa County Recorder's Office personnel have provided all documents and assistance requested.

Summary

During February and March 2023, our investigative team printed and tabulated 9,100 ballots on randomly selected printers and tabulators. We interviewed, often on multiple occasions, seventeen Maricopa County and

¹ Although this investigation examines only the possible explanations for the printer malfunctions on election day, I note that subsequent proceedings have established that all votes were counted, with most of the misprinted ballots being transported to the more powerful election central tabulators, which tabulated them without issue. *Lake v. Hobbs*, CV 2022-095403 ("Plaintiff's own expert acknowledged that a ballot that was unable to be read at the vote center could be deposited by a voter, duplicated by a bipartisan board onto a readable ballot, and – in the final analysis – counted."), affirmed, Arizona Court of Appeals, 1 CA-CV 22-0779, review denied, Arizona Supreme Court, CV-23-0046-PR (March 22, 2023).

Runbeck Elections Systems employees involved with preparing, testing, deploying and operating printers and tabulators. We consulted with several persons who are experts in election procedures, and reviewed thousands of pages of documents. Based on our tests, and for the reasons described in this report, we concluded that the combined effect of using 100-pound ballot paper and a 20-inch ballot during the 2022 general election was to require that the Oki B432 printers perform at the extreme edge of their capability, a level that could not be reliably sustained by a substantial number of printers. Although we further concluded that nothing in the printers' past performance or pre-election stress testing indicated that such a failure was likely, we recommend several alternative approaches that could minimize the likelihood of a similar failure in future elections, including the use of more robust stress testing designed to mimic on-site circumstances.

Investigation Team

With the approval of the MCAO, I added several subject matter experts to the investigation team. Two of them have broad experience and expertise in conducting elections, specifically elections that use vote centers and BOD printers. Neal Kelley served more than 15 years as Registrar of Voters in Orange County, California, the fifth largest voting jurisdiction in the country and similar in size and complexity to Maricopa County. Mr. Kelley presided over the transition from neighborhood polling places to vote centers in Orange County. He has been recognized for his work with county, state and national efforts to improve election administration. Lynn Constabile served as the Elections Director for Yavapai County, Arizona, from 2004 until 2022. During her tenure, Yavapai County transitioned to vote centers.² Ms. Constabile is intimately familiar with Arizona's election procedures and laws. I asked Mr. Kelley and Ms. Constabile to analyze Maricopa County's procedures and training programs related to the testing and use of the BOD printers, with the goals of identifying factors that may have contributed to the failure to anticipate the printer problems encountered in 2022 and of recommending steps that could be taken to prevent similar problems in future elections. Each worked independently; each provided us valuable

² Yavapai County, as is true of Apache, Coconino, Gila, Mohave, Pima, Pinal, and Santa Cruz Counties, transports all ballots from its vote centers to its central election office to be tabulated, rather than use on-site tabulators as does Maricopa County.

information about election systems and each assisted us in identifying areas for consideration.

We retained the services of Doug Meyer, owner and president of Meyer Enterprises, Inc., operating under the name CTS Office Supply, in Cottonwood, Arizona. For many years, Mr. Meyer has provided and maintained the BOD printers used by Yavapai County, Arizona, including Oki printers similar to those used in Maricopa County. His company also provides Oki printers to the Salt River Materials Group in their various operations in five states.³ Mr. Meyer oversaw the print tests we conducted using Oki B432 and Lexmark C4150 printers that had been used in the primary and general elections in Maricopa County and analyzed print test results. His business partner, Barbara Meyer, served as a technician throughout the testing.

Finally, I associated attorney Sandra Thomson, who recently retired after serving nearly twenty years as a permanent judicial law clerk at the Arizona Court of Appeals, the United States District Court for the District of Arizona, and the Ninth Circuit Court of Appeals. Ms. Thomson assisted in all aspects of the investigation.

Sources of Information

Although the focus of this investigation is narrowly centered on the performance of the BOD printers in the 2022 general election, understanding all the factors that could have affected their performance required that we have a broad understanding of election procedures. To learn about the procedures followed in preparing and testing the BOD printers, we spoke on multiple occasions with Scott Jarrett, Co-Director of Elections for Maricopa County. We conducted in-person interviews with employees in charge of IT for the MCED and the Recorder's Office, the Department's vote center manager and head of the election day command center, tabulation manager, tabulation analyst lead, help desk supervisor, and the personnel in charge of printer preparation and testing.

We also interviewed several temporary technical workers involved in both the 2022 primary and general elections. For the 2022 general election, Maricopa County hired approximately 60 temporary technical workers, referred to as t-

³ Maricopa County is not part of the area served by Mr. Meyer's company.

techs. Among other responsibilities, the t-techs set up and test the BOD printers after they are installed at the vote centers; they also respond to technical problems that arise during the elections. We spoke with five experienced t-techs, who had been present for both the primary and general elections and who were retained until December 2022 to assist in post-election testing, about their training, the procedure followed in setting up vote centers, and their experiences on general election day, as well as with those responsible for training and supervising the t-techs. We also spoke with experienced poll workers.

Maricopa County's election system depends in several ways upon services and assistance provided by Runbeck Election Services. To understand Runbeck's role, both before and during the primary and general elections, we spoke with Jeff Ellington, CEO of Runbeck Election Services, and Anthony Paiz, who has now retired from his position as Vice President, Field Services.

In addition, we reviewed the following documents: 2022 Elections Plans for the August Primary and November General; November General Election Canvass; 2022 November General Election Training; 2022 General Election Poll Worker Training; 2022 Vote Center Technical Procedures, including Auditor Checklist, ICX Set-up Guide, Quality Control Checklist for Vote Centers, Tabulator Setup, and T-Tech Training; Maricopa County's November 27, 2022 Response Report to the Attorney General; 2022 General Election Printer Assignments; Printer Configuration Quality Assurance Documents; 2022 Spanish Sample Quality Assurance; General Election Reporting System Tickets from Vote Centers on Election Day; and Runbeck reports of election day technical assistance.

History of Ballot on Demand Printers in Maricopa County

Prior to 2018, Maricopa County utilized a precinct model, under which voters were assigned to a single precinct on election day and could vote only at that location. In 2018, the County used a hybrid model consisting primarily of precinct locations in conjunction with a small number of vote centers using BOD printers for ballots and receipts and separate printers for envelopes. In 2020, the MCED fully implemented an in-person "vote anywhere" vote center model to provide more convenience for voters.⁴ Under that model, a voter can vote at any center regardless of the precinct in which the voter resides. Because Maricopa

⁴ Maricopa County Elections Department 2022 Elections Plan, p.7.

County must make available at each center thousands of ballot styles to assure that a voter can obtain a ballot specific to the voter's precinct, BOD printers, which can print any of the more than 12,000 ballot styles required during the 2022 general election, provide the only realistic option for making all those forms available at each center.⁵

The County made significant investments to upgrade its BOD printer fleet. In 2017, the County had acquired commercial off the shelf Oki B432 printers to use with the Oki 9650 BOD printers.⁶ In 2020, the County retrofitted the Oki B432 printers, which previously printed only voter envelopes, to function as BOD printers, capable of printing ballots, control slips, and envelopes. In 2021, the County replaced two older BOD printer models, the Oki 9650 and the Lexmark 923, with Lexmark C4150 printers.⁷

During the 2022 August primary and November general elections, the County used the retrofitted Oki B432 and the Lexmark C4150 BOD printers at the vote centers. These printers had updated firmware and were installed with uniform settings that were the same settings as those used in the 2020 August primary and November general elections.⁸ During the general election, the Department initially assigned 591 printers to the 223 voting centers.⁹

During the 2022 general election, Maricopa County increased the ballot length from 19 inches, which was used for the primary election ballot, to 20 inches. Due to the number of contests, the number of propositions, the language used to describe them, and the Spanish translation, the ballot could not fit on a typical 19-inch ballot.¹⁰

⁵ Interview with Scott Jarrett, Co-Director of Elections (Election Day and Emergency Voting), Maricopa County.

⁶ Id.

⁷ Interview with Jeff Ellington.

⁸ Id.

⁹ MCED 2022 General Printer Assignments.

¹⁰ Interview with Scott Jarrett. Maricopa County's ballot is complex, as the county includes portions of eight of Arizona's congressional districts and 22 of 30 of the state's legislative districts. Because results must be reported by precinct, a ballot must be available for each voter that reflects not only the appropriate congressional district and legislative district but also all federal, state, municipal, school district, supervisory district, precinct, and fire district races, in addition to the propositions presented and their descriptions, and all available in both English and Spanish. As a result of these requirements, the ballot for one precinct included 80 separate races and decisions and Maricopa County required more than 12,000 distinct ballots for the 2022 general election. Interview with MCED lead tabulation analyst, who prepares the ballot in accord with statutory requirements.

Pre-Election Testing of BOD Printers

August 2022 Pre-Primary Election Testing

In April 2022, prior to the August primary election, the MCED tested 100-pound ballot paper, which would be used for the first time in the primary election. The Department selected a sample of Oki B432 and Lexmark C4150 BOD printers and ran more than three hundred test prints consisting of a 19-inch ballot, a receipt, and an envelope through each selected machine. The test results showed no smearing or flaking on the ballot, receipt, or envelope. The central count tabulator successfully counted all the ballots. Accordingly, the MCED concluded that the Oki and Lexmark printers would function effectively with the change to 100-pound paper.¹¹ And, during the primary election, the on-site tabulators did successfully process more than 100,000 ballots.¹²

November 2022 Pre-General Election Testing

In September 2022, prior to the November general election, the MCED conducted an extensive stress test on the Oki B432 and Lexmark C4150 BOD printers. The Department randomly selected four Oki and four Lexmark printers for testing. Two tests used 100-pound paper and a ballot that was increased in length from 19 inches to 20 inches to accommodate the number of contests, the number of propositions, and the Spanish translations. In the first test, one hundred double-sided ballots were run through each test machine without the envelope or receipt. In the second test, the same number of ballots were run, along with an envelope and receipt. In both tests, the prints were run sequentially, but not intermittently. The media weight settings on the Oki printers were set to heavy for the ballot and medium for the envelope and receipt. The media weight was set to normal on the Lexmark printers for all three settings. The results indicated that two of the Oki printers showed speckling at the edge of the

¹¹ Maricopa Recorder Ballot on Demand Printer Testing document, p. 12.

¹² A suggestion of a problem did occur during early voting in the primary. Ballots from early voting are returned to the MCTEC in envelopes, removed by bi-partisan teams of workers, and tabulated on central equipment. Some of the workers noted flaking or speckling on some ballots and brought it to the attention of supervisors. Because the central tabulators read all ballots, however, the issue was not regarded as affecting the ability to count all ballots and no testing was done using on-site tabulators. Whether such testing would have detected the problem experienced on general election day cannot now be determined. Interview with MCED personnel.

ballot, but that the actual ballot page was clear and not damaged as to the ballot's overall integrity. The central count tabulator successfully counted all ballots, as did an on-site tabulator. In light of the successful primary election experience using 100-pound ballot paper and its additional tests, the Department concluded that the Oki and Lexmark printers would successfully print the new 100-pound, 20-inch ballot in the general election.¹³

Printer Testing On Site

In addition to the pre-election testing of printers conducted at the MCED, t-techs run test prints on site following the set-up of a vote center. The t-tech first does a speed check to determine that the SiteBooks are properly connected to the printers. The t-tech then runs test prints, printing from each SiteBook to each printer. The test prints at a minimum contain two envelopes, one "test successful" ballot, one Provisional Paper, and one ICX Paper (Accessible Voting Device). The t-tech visually inspects the test ballots, checking for flaking or speckling, and also rubs the test ballots to ensure the print is dry and doesn't smear. At the completion of the test, the t-tech spoils the ballot and places it in a secure bag identified by printer, to be returned to the MCTEC. Finally, the t-tech completes a "Site Setup: Completion Checklist" verifying the steps taken, which is then signed and dated by an Auditor.¹⁴

Assignment and Tracking of Printers

Scott Jarrett, Maricopa County Co-Director of Elections, and the vote center manager decide which printers are assigned to each vote center location. In making the assignments, they consider the size of the room, because Lexmark printers are larger than the Oki printers, as well as historic voter turnout. In general, then, they assign the Lexmark printers to the vote centers that are open for the most days for early voting, have sufficient space to accommodate the Lexmark printers, and traditionally experience heavy voter participation.¹⁵ For most vote centers, the County sends two Lexmark printers or three Oki printers, four if the Oki printers will be used in a heavy turnout area.

¹³ Id. pp. 13-15 and Supporting Document 13 #2022, Extensive Stress Test Executive Summary.

¹⁴ Interview with t-tech; Maricopa County Election Department Site Setup: Completion Checklist.

¹⁵ Interview with vote center manager.

Each printer and its associated laptop is assigned a bar code that is on a label fixed to the equipment. The bar code is scanned and assigned to a vote center at the warehouse, scanned again as the printers and laptops are loaded onto a truck for transport, again as the equipment is unloaded at a vote center, and finally when the equipment returns to the warehouse. All the data is scanned into an internal database. In addition, the County places port protectors and a socket lock on each printer for added security. As Mr. Kelley noted in his review of the chain of custody for the printers and laptops, these steps constitute good practices. While Mr. Kelley recommended added layers of protection that could provide even more security,¹⁶ there was no indication of tampering with any printer or laptop, and all port protectors remained in place at the close of the election.¹⁷

Changes Between Primary and General Elections

Maricopa County made several changes between the 2020 and 2022 elections and between the 2022 primary and general elections that could have affected the performance of the printers. We designed our tests to determine whether any of these variables, or a combination of them, caused the printer malfunction that occurred during the 2022 general election.

The first variable considered was the weight of the ballot paper. Prior to 2020, Maricopa County's ballots were printed on 110-pound paper. In 2020, Maricopa County purchased a new type of on-site tabulator that could use either 80-pound or 100-pound paper. As a result of pandemic-induced supply issues, only 80-pound paper could be obtained in sufficient quantities for the March 17, 2020 Presidential Primary Election (PPE).¹⁸ The PPE, which involved a single race and a one-sided ballot, experienced no issues with the BOD ballots. During the 2020 general election, however, on some ballots, the ink from the "Sharpie" pens provided at the vote centers bled through the paper.¹⁹ Because voting bubbles are offset on the front and back of ballots, any bleed-through cannot actually

¹⁶ Mr. Kelly suggested, for instance, that serialized tamper seals be placed over the port protectors and that the serial numbers be included in chain of custody documents.

¹⁷ Interview with MCED personnel.

¹⁸ Interview with Scott Jarrett, Director of Elections (Election Day and Emergency Voting), Maricopa County.

¹⁹ Maricopa County preferred that voters use these pens because the ink dries quickly, as opposed to ballpoint ink, which takes more time to dry and thus can transfer onto the tabulator and cause the tabulator to reject ballots because it "reads" the transferred ink and detects it as a fault.

affect the correct tabulation of votes, and all votes can be counted even if bleed-through occurs.²⁰

Within hours of the polls closing, however, a claim went viral over social media asserting that certain ballots filled out with Sharpies could not be read by vote-scanning machines in Maricopa County, a theory colloquially known as “SharpieGate.”²¹ Although the theory was unfounded, to allay voter concerns and prevent bleed-through in future elections, Maricopa County election officials decided to use heavier, 100-pound paper during 2021 and for the 2022 primary and general elections.²²

Maricopa County also changed the length of the ballot, which was 19 inches for the primary election. Due to the number of federal, state, municipal, school district, and precinct contests, the number of propositions and the language used to describe them, and the required Spanish translations, the ballot for the 2022 general election could not comply with required guidelines²³ unless it was extended to 20 inches.²⁴

One other factor changed between the primary and general elections. During the primary election, the BOD printers printed first a ballot and then the control slip that identified the voter. Because poll workers indicated it would be more convenient for them if the order were reversed, the settings for the general election changed to request that the control slip be printed first, followed by the related ballot.²⁵

Election Day Printer Issues

Beginning almost immediately on the morning of election day, the MCTEC command center received calls from poll workers reporting that some of the tabulators were not accepting ballots. Each call was memorialized as an Election Reporting System (ERS) ticket by the person receiving the call. If an issue could not be resolved by advice from the command center, a t-tech or Runbeck

²⁰ Interview with Scott Jarrett.

²¹ See, e.g., [azcentral.com/story/news/politics/elections/2020/11/05/sharpiagate-hasnt-halted-arizona-count-but-theory-persists/6180778002/](https://www.azcentral.com/story/news/politics/elections/2020/11/05/sharpiagate-hasnt-halted-arizona-count-but-theory-persists/6180778002/).

²² Interview with Scott Jarrett

²³ A.R.S. section 16-502.

²⁴ See footnote 9 above.

²⁵ Interview with Scott Jarrett.

employee went to the affected vote center to attempt to resolve the reported problem. Runbeck and County technical workers travelled to approximately 70 vote centers to troubleshoot the reports of problems with the BOD printers.²⁶

At the outset, Maricopa County and Runbeck identified the cause of the reported problem as being either the on-site tabulators or the BOD printers. As technicians and Runbeck personnel had more opportunities to examine the problematic ballots, it became clear that the ballots in question could not be read by the tabulator because the print was not properly adhering to the ballot. As a result, some print flaked off, leaving the timing marks²⁷ needed for the tabulator to record the ballot too faint to serve their purpose. The flaking print also could accumulate on the face of the tabulator, making it unable to read even properly printed ballots until it was cleaned.

After consultation among Maricopa County and Runbeck personnel, the County concluded that the printing issue was being caused by a failure of the printer fuser to maintain a heat sufficient to fuse the toner onto the paper. As explained by Mr. Meyer, the fuser consists of an upper (hollow, Teflon-coated steel) cylinder and lower (silicone) pressure roller that are supported in the fuser frame by sleeves of bearings. Heat is produced by a halogen lamp or heating grid inside the upper fuser roller and temperature is controlled by a thermistor (temperature sensor). When the printer is powered on, the fuser is energized and heats until it reaches the set temperature of approximately 190 degrees. The paper with a latent image then passes between the upper and lower rollers. The heat and pressure from the upper and lower rollers heat and press the latent toner into the paper fiber, and fusing is complete. If the fuser does not maintain an appropriate heat, the toner will not properly adhere to the paper, causing flaking and speckling.

After trying several approaches to resolve the issue, Maricopa County concluded that the most promising approach involved setting all media weight settings to “heavy,” theorizing that the fuser would then maintain a high temperature at all times and would properly fuse the toner to the paper, and

²⁶ Settings were not changed at most sites that operated without issues. And, as we found during testing, settings were not successfully changed at all sites that reported problems.

²⁷ Timing marks are the black horizontal lines along the sides of a ballot that allow a tabulating machine to “read” the ballot.

instructed its t-techs to make that change when called to a vote center. In addition to that change, Runbeck personnel called to vote centers changed the media type, or paper, setting from plain to cardstock for ballots.²⁸

Another printing anomaly occurred at several vote centers, where ballots were re-sized as “fit to page,” a process that entirely changed the location of the timing marks on the ballots and assured that neither the on-site tabulators nor the central count tabulators could read the ballots. We could not determine whether this change resulted from a technician attempting to correct the printing issues, the most probable source of change, or a problem internal to the printers. During our testing, four printers randomly printed one or a few “fit to page” ballots in the middle of printing a batch of ballots. None of the technical people with whom we spoke could explain how or why that error occurred. The ballots mis-sized on election day were delivered to bi-partisan teams that duplicated the votes on a ballot that was then tabulated at the central facility.²⁹

Testing Procedure

Selection of Printers

On the basis of the calls received and information from the t-techs and Runbeck personnel on site, Maricopa County identified approximately 60 vote centers that experienced the printer problems described above.³⁰ Because print jobs from the SiteBooks at each vote center enter a queue for printing by one of the available printers, Maricopa County could not determine which printer caused problems at each site. Hence, if a vote center experienced problems, workers were instructed to change the media weight settings on all printers at that site. In selecting printers to test, therefore, we could not select from among printers that had been individually identified as causing problems; we could only select between sites that experienced problems and those that did not.

²⁸ Interview with Jeff Ellington.

²⁹ Interviews with MCED personnel. Unlike the problems involving the toner/fuser issue, the “print to fit” issue occasionally arose on election day with both Oki and Lexmark printers.

³⁰ The number may have been somewhat higher, based on our review of the election report logs. Whatever the precise number, we can fairly state that although approximately two-thirds of the vote centers did not experience printer issues, a substantial number of the vote centers utilizing Oki B432 printers experienced problems and were not able to tabulate some ballots on site.

We designed the test of printers to utilize, at least initially, 12 printers: five Oki B432 printers from sites with known problems; five Oki B432 printers from sites with no known problems; and two Lexmark printers for comparison purposes. Maricopa County had already tested ten Oki B432 printers as part of its extensive post-election testing and review. To avoid duplicate testing, we first removed the printers tested by Maricopa County from the pool of printers and then randomly selected printers that had been used in both the primary and general elections. We also randomly selected two Lexmark printers.³¹

Following the November general election, Maricopa County election workers placed all the printers in a secure room at the MCTEC. All remained secured at the time we began this investigation. I selected the group of printers for testing and was present as they were removed from the secure room and placed in a conference room in the MCED offices. Access to the conference room was limited to those admitted when I or a member of my team was present, and I was present for all four days of testing. We recorded all results in hard copy and on free-standing laptop computers, thus avoiding use of the County internet system. At the close of each day, I placed a security tape on the conference room door. The door is also monitored by 24-hour security cameras.³² No unauthorized person accessed or attempted to access the room during the course of the investigation. After we completed our testing, under my supervision all equipment used during our tests was labelled and removed to a secure area, as were the test ballots, all closed in envelopes fastened with security tape.³³

Printer Test Settings

We designed the printer tests to determine the impact of the change from 80-pound to 100-pound paper, as well as the impact of changes between the primary and general elections to the length of the ballot and the order of printing. We tested two additional factors that may have affected the failure rate of the printers.

³¹ No Lexmark printers produced ballots that could not be read by the on-site tabulators on election day due to flaking or speckling. We therefore selected two printers at random from the entire group of Lexmark printers rather than from specific sites.

³² To further avoid any suggestion that a person other than the investigative team had access to the ballots tested, as an additional precaution we removed the ballots from the MCED offices to another secure location until all ballots had been tabulated and visually examined.

³³ The actual ballots from the 2022 election have been stored and preserved as required by A.R.S. section 16-624.

The first involved the method used to print the ballots to be tested. In the pre-election tests done before the 2022 elections, and indeed for elections in prior years, Maricopa County tested batches of ballots run sequentially, i.e., without any pause between ballots. On election day, however, the printers typically do not run constantly. Rather, they print ballots as voters send information to the printer queue and therefore experience pauses between print jobs. The interval between print jobs creates a demand for the printer alternately to heat to print and cool to idle. During the time required for the fuser to recover to optimal heat after idling, the printer could experience an inability to properly fuse the toner to the paper, which in turn would result in the flaking and speckling observed on some of the printed ballots.³⁴ We therefore added a program that incorporated short pauses between prints to allow tests of ballots produced by interval, rather than sequential, printing. For sequential printing, each “ballot batch” consisted of 50 ballots; for interval printing, each batch consisted of 25 ballots.

Finally, we tested the impact of the changes in settings that were made on election day in an attempt to improve the performance of the printers. Two settings are involved. When the printers left the Maricopa County warehouse, the media weight setting, which affects the heat produced by the fuser, was set to medium for control slips and envelopes and heavy for ballots; the media type, which is the type of paper used, was set to plain for all three types of documents. As discussed above, County technical staff who were called to vote centers experiencing printer problems changed the media weight setting to heavy for control slips and envelopes, resulting in all three document types being set to a heavy media weight. Runbeck personnel also changed the media type to cardstock. We therefore compared the performance of each printer when set as it left the warehouse (WH) to its performance with the change of media weight (CH) and to its performance with changes to both media weight and media type (CH+), as well as against the other variables noted above. In total, we printed and tested 9,100 ballots, using the Maricopa County “famous names” ballot for all tests.³⁵

³⁴ Some high-volume printers utilize multiple heaters and sensors to recover more quickly and maintain more consistent fuser heat, but the Oki B432 is constructed as a low to mid-volume printer, which can be a weakness when used as a BOD printer. Interview with Doug Meyer.

³⁵ The famous names ballot was designed to mimic the 2022 general election ballot and included federal, state, and local races, as well as propositions. The difference, of course, is in the names: the candidates for President, for

We used eight randomly-selected on-site tabulators to test the ballots. Because a tabulator will reject a ballot that does not have any of the selection “bubbles” filled, a group of MCED employees assisted us by filling in thousands of ballot bubbles. In addition, MCED employees who are expert in the operation of tabulators operated those for us.

After the rejected ballots from each printer were separated from those accepted by the tabulator, Mr. Meyer visually inspected each rejected ballot to determine the cause of the rejection. As reported below, we found multiple issues that affected the tabulator’s ability to read some ballots.

Testing Results

Attachments A through C set out our findings in detail. As explained below, the weight of the paper had the greatest impact on printer failures in our tests and printer failures were greatest when 100-pound paper was used with a 20-inch ballot. Other variables impacted results to some degree. Testing also revealed that conducting interval tests of the printers, rather than sequential tests, is more likely to identify printers that will fail under election-day conditions.

Paper Weight

Maricopa County printed its ballots on 80-pound paper for the 2020 primary and general elections. During those elections, MCTEC received no reports of flaking that caused misprinted ballots. To compare 80-pound with 100-pound paper, we first tested 500 19-inch and 500 20-inch ballots using 80-pound paper on the ten test Oki printers, using the warehouse settings for media weight and type and conducting both sequential and interval printing. We recorded just one misread³⁶ from the 1,000 test ballots. In addition, although this was not the focus of our investigation, we saw no evidence of bleed-through when we filled out ballots using the pens provided by Maricopa County during the 2022 elections. These results, coupled with the earlier positive experience of Maricopa County in using 80-pound paper, led us to conclude that additional tests of 80-pound paper were not required. We concluded that the Oki B432 printers can print either 19-

instance, are George Washington, John Adams and Alexander Hamilton, and Sandra Day O’Connor is among the judicial candidates in retention elections.

³⁶ As used in this report, “misread” refers to a ballot that cannot be tabulated due to faulty printing.

inch or 20-inch ballots on 80-pound paper without causing printing or tabulation issues.

Lexmark Printers

The results of our tests using Lexmark printers replicated the performance of those printers during the 2022 general election. We tested two randomly-selected Lexmark printers and printed 300 ballots on each, using warehouse settings, 19-inch and 20-inch ballots, and sequential and interval printing. All ballots printed could be read by the on-site tabulators. Because the Lexmark printers performed without issue using warehouse settings, we had no reason to conduct additional tests using the change settings applied in the field on election day.³⁷

Media Weight and Media Type Settings

Table 1 summarizes the test results set out in detail in Attachment A. The headings in the top row define the printing sequences and setting used: Warehouse sequential (WH Seq) and warehouse interval (WH Int), which used a media weight of heavy for ballots and medium for control slips and envelopes and used plain paper for all; change sequential (CH Seq) and change interval (CH Int), which maintained the plain paper setting but set the media weight to heavy for control slips and envelopes as well as for ballots; and change sequential plus (CH Seq+) and change interval plus (CH Int+), which used a heavy media weight for all three types of documents and also changed the media type for ballots from plain to cardstock. Group A consists of the Oki B432 printers from sites that did not report issues; Group B consists of the Oki B432 printers from sites that did report printer issues. Finally, Table 1 reports the results from tests that used a print order of control slip and then ballot, the setting used during the general election.

³⁷ As noted, the Lexmark printers printed all ballots without problem, and the Oki B432 printers produced only one faulty ballot when using 80-pound paper. Because those tests did not help identify the source of printing problems, we excluded those results from the information set out in Attachments A and B and examined the factors that did affect or could have affected ballots printed on 100-pound paper. Attachment C includes all results from Oki B432 printers, including the results from testing ballots printed on 80-pound paper.

Table 1

| | WH Seq | WH Int | CH Seq | CH Int | CH + Seq | CH + Int |
|---------------------------------|---------|--------|--------|--------|----------|----------|
| 19-inch Misreads | | | | | | |
| Group A | 0 | 0 | 0 | 0 | 18/250 | 6/125 |
| Group B | 9/250 | 27/125 | 8/250 | 13/125 | 17/250 | 17/125 |
| 20-inch Misreads | | | | | | |
| Group A | 14/250 | 2/125 | 6/250 | 20/125 | 2/250 | 9/125 |
| Group B | 67/250* | 36/125 | 31/250 | 7/125 | 9/250 | 16/125 |
| | | | | | | |
| 19-inch Percent Misreads | | | | | | |
| Group A | 0 | 0 | 0 | 0 | 7.2 | 4.8 |
| Group B | 3.6 | 21.6 | 3.2 | 10.4 | 6.8 | 13.6 |
| 20-inch Percent Misreads | | | | | | |
| Group A | 5.6 | 1.6 | 2.4 | 16 | .8 | 7.2 |
| Group B | 26.8* | 24 | 12.4 | 5.6 | 3.6 | 12.8 |

The test results indicate that the changes made to increase the media weight and to change the media type had some impact in reducing the number of faulty ballots, but in no instance did either change eliminate the problem. In some cases, the change in settings actually resulted in an increase in faulty ballots. The negative impact of the changes is evident in the results for the Group A printers: while both the change in media weight and media type reduced the number of errors for ballots printed sequentially, the errors for ballots printed using interval printing actually increased.

The changes in settings generally did improve the performance of the Group B printers, lending support to the possibility that the fusers on these printers were less likely than those in Group A to reach the heat level required to

cause the toner to adhere to the paper under warehouse setting conditions, thus making it more likely that changes to the heat setting would improve fuser performance.

The test results are consistent with reports from the vote centers on election day. Although initially the County and Runbeck believed that the change in settings had resolved, at least to a considerable degree, the issue with faulty ballots, the command center continued to receive reports of printers not operating correctly throughout election day, although the reports diminished from the volume reported in the morning.³⁸

Sequential and Interval Testing

We anticipated that the tests would reveal more misreads using interval printing, and for the most part that was true.³⁹ The numbers noted with an asterisk in Table 1 appear to have skewed the results for this small sample of printers. Printer 404 produced 44 of 50 misread ballots in the warehouse sequential setting, a result that may reflect a transfer of ink to the tabulator, causing subsequent misreads independent of the condition of the ballots being tested. The extreme result from that one printer tends to mask the fact that, for every other printer in both groups, the misreads in the warehouse interval setting exceeded the misreads in the warehouse sequential setting. See results in Attachment A.

The test results show that, for both groups of printers, using interval printing generally resulted in the printers producing a greater number of faulty ballots. As the results in Table 1 show, the increased misreads for Group B printers on the interval setting using 19-inch ballots are striking: from 3.6 percent on the warehouse sequential setting to 21.6 on the interval setting and from 3.2 percent on the change sequential setting to 10.4 on the change interval setting.⁴⁰

³⁸ Our review of the Election Reporting System summary reveals reports about print quality and misreads from at least 38 votes centers during the afternoon of election day.

³⁹ The exceptions occurred on the Group A warehouse sequential setting, although both numbers are relatively small, and the Group B change sequential setting.

⁴⁰ Another unexpected result involved the Group A 19-inch ballot results. That group of printers produced no misreads on 19-inch ballots, except for the printing done after changes were made to both media weight and media type. In this case, the changes, designed to improve printer success, actually resulted in a substantial number of failures.

Using only sequential testing thus tends to mask difficulties the printers can experience during field printing.

Printing Order

We also tested using the alternate order of printing used in the primary election, setting the printers to print first the ballot and then the control slip. Because we were testing only whether that change in order could have caused failures on election day, we limited our testing to warehouse and change settings. Table 2 summarizes those results, which are fully set out in Attachment B.

Table 2

Groups A and B Average Misreads: Ballot/Control Slip

| | WH Seq | WH Int | CH Seq | CH Int |
|---------------------------------|--------|--------|--------|--------|
| 19-inch Misreads | | | | |
| Group A | 9/250 | 6/125 | 11/250 | 8/125 |
| Group B | 6/250 | 4/125 | 0/250 | 6/125 |
| 20-inch Misreads | | | | |
| Group A | 11/250 | 27/125 | 19/250 | 20/125 |
| Group B | 25/250 | 33/125 | 41/250 | 50/125 |
| | | | | |
| 19-inch Percent Misreads | | | | |
| Group A | 3.6 | 4.8 | 4.4 | 6.4 |
| Group B | 2.4 | 3.2 | 0 | 4.8 |
| 20-inch Percent Misreads | | | | |
| Group A | 4.4 | 21.6 | 7.6 | 16. |
| Group B | 10. | 26.4 | 16.4 | 40. |

Several differences in result are apparent. First, printing with the ballot first generally resulted in more faulty ballots in Group A, the printers from sites with no reported issues, when compared with printing the control slip first. The percent of misreads also tends to be greater overall in the ballot-first test, as compared with the control slip-first test, particularly with regard to interval printing. The results confirmed that the change in order for the general election is

not likely to have caused more printer failures in the general election and may actually have helped printer performance.

Paper Length

With relatively few exceptions, using 20-inch, 100-pound paper resulted in more failures than did using 19-inch, 100-pound paper. See Attachment A. For the Group A printers, for instance, no failures resulted from printing ballots on 19-inch paper in the warehouse sequential setting; 14 resulted from printing on 20-inch paper. The warehouse interval setting caused only two misreads in total, both of those on 20-inch paper. The change interval setting did show a significant difference, as it resulted in no misreads using 19-inch paper and 20 using 20-inch paper.

For the Group B printers, those from sites that experienced issues, ballots printed on the warehouse sequential setting on 19-inch paper resulted in nine misreads, while those on 20-inch paper resulted in 67. The results varied relatively little on the change interval setting: 13 on 19-inch paper and 18 on 20-inch paper.

Our tests revealed more misreads using a 20-inch ballot, across categories and in both groups of Oki B432 printers. These results are consistent with the suggestion that the fusers on some Oki printers could not maintain an adequate temperature. When heavier paper is used, the fuser heat dissipates more quickly. The impact of the heat variation becomes more pronounced as the length of the ballot and therefore the area of printing increases. The combined effect of the increased ballot length and 100-pound paper on the ability of the fuser to maintain optimum fusing temperature with stability helps explain the difference between the primary and general election results.⁴¹

Pattern of Printer Failures

During our interviews, we heard varying descriptions of the type of print failure seen on the misprinted ballots: some observers reported that the failure

⁴¹ Interview with Doug Meyer.

occurred only on the bottom of the first page printed, others that the problem was more widespread. To determine the pattern of print failure and consider whether that pattern helps explain the problems seen on election day, we conducted a visual examination of all the ballots rejected during our tests.⁴²

Our examination revealed that the poor fusing identified as the source of the misprints was not limited to one portion of the ballots: poor fusing produced misprints on the first side, second side, and both sides of affected ballots.⁴³ As noted above, the poor fusing causes toner to remain on the heat roller and become “offset,” or applied further down the page or on successive pages. As a result, many of the ballots also exhibited toner offset and toner misting. The extent of printing errors varied substantially. On some ballots, the printing failure is immediately obvious, even to the untrained eye. On others, only a close examination reveals the location and extent of the failure. These results are consistent with our conclusion that some Oki B432 printers did not initially reach the optimum temperature or did not maintain sufficient, consistent heat to allow proper printing of 20-inch ballots printed on 100-pound paper.

Testing for Faulty Printers

Although most of our test printers produced faulty ballots, it is important to keep in mind the fact that, on general election day, the large majority of Oki B432 printers performed well and produced few faulty ballots. Two-thirds of the general election vote centers reported no issues with misprinted ballots; approximately 94 percent of election day ballots were not faulty. In addition, none of the tested printers produced only faulty ballots.⁴⁴ In one sense, that fact speaks well of the general capability of the Oki B432 printer. In another, the variation among printers makes designing a test procedure sufficient to detect faulty printers more difficult.

One of the most striking findings in our tests involved the considerable differences among printers. At the extremes, one printer (Printer 406), printed

⁴² To maintain consistency of observation, only Doug Meyer and Barbara Meyer reviewed the ballots.

⁴³ Of the misprints, approximately 11 percent occurred just on the first side of the ballot, 47 percent on the second side of the ballot, and 42 percent on both sides of the ballot.

⁴⁴ As Attachment A sets out, the average misprints for the Group B printers for 20-inch ballots on the warehouse interval setting was 13 and on the change interval setting was 4, with misprints varying by printer from 0 to 13. For Group A, the averages are <1 and 4, respectively, with misprints varying by printer from 0 to 11.

850 ballots at all settings with only one misread ballot. Printer 491 did almost as well, with only 13 misread ballots. In contrast, Printer 404 produced 92 misread ballots and Printer 323 produced 72. All printers are the same model Oki printer; all were tested using the same settings and same paper; all the ballots were tabulated using the same model on-site tabulators.⁴⁵ The wide range of performance among printers makes random testing of these printers an unreliable predictor of the success of any particular printer.

If the County were to test a sufficient number of printers to be confident that the group tested is representative of the printers as a whole, the County would also need to define the level of performance deemed acceptable. In the 2022 general election, 6.7 percent of the ballots were placed in Door 3 for secure transport to and tabulation at the MCTEC.⁴⁶ That percent was substantially higher than the percent of ballots placed in Door 3 in recent prior elections.⁴⁷ Assuming for discussion that the percent of ballots placed in Door 3 approximates the percent of ballot misread due to printer failure, the question is whether a five or six percent printer failure rate is acceptable or whether a higher level of performance should be required.

Assuming also that all or at least a sufficient number of printers could be tested before being used in an election, our testing indicates that a substantial number of the Oki B432 printers would fail to meet a standard that requires a failure rate of five percent or less. Among the Group A printers, two (Printers 332 and 407) had failure rates exceeding five percent on the 20-inch warehouse sequential setting (10 percent and 16 percent, respectively), although both succeeded on the interval testing. Among the Group B printers, we found substantial levels of failure. Among the printers in that group, two had more than five percent failures when tested on the warehouse sequential setting: Printer 404, 88 percent failure on 20-inch ballots and Printer 323, with a ten percent

⁴⁵ The differences also cannot be explained by comparing total pages printed. The expected print-life for the Oki B432 printers is 100,000 pages; none of the printers exceeded 20,000 by the end of the 2022 election. Interview with Scott Jarrett.

⁴⁶ Although most of these ballots resulted from printer misprints, a misprinted ballot did not cause all those rejections. In any election, ballots can be rejected or otherwise placed in Door C for several reasons: the voter used a checkmark or an x rather than fill in the ballot balloon; the voter made ambiguous marks on the ballot; the printer printed the ballot as fit-to-page; or the tabulator did not function. Interview with Scott Jarrett.

⁴⁷ In the 2022 primary election, for instance, the percent was .6; in the 2020 general election 1.2 percent; in the 2018 general election .16 percent. Id.

failure rate on 19-inch ballots and a 34 percent failure rate on 20-inch ballots. Four printers in Group B failed on the warehouse interval test, using both 19 and 20-inch ballots. (Printer 215, failure rates of 28 percent on 19-inch and 48 percent on 20-inch; Printer 404, 28 percent on 19-inch and 40 percent on 20-inch; Printer 323, 40 percent on 19-inch and 36 percent on 20-inch; and 529, 12 percent on 19-inch and 20 percent on 20-inch.) As is apparent, even if the acceptable standard were set at ten percent, these printers would fail to meet the standard.

We printed 25 ballots for each interval test. That number of ballots was sufficient to identify the relatively high failure rate of four of the five test printers that came from vote centers with reported issues. Whether such testing is possible on a large scale and whether the County has sufficient printers to serve all vote centers if a decision is made that only printers that meet the adopted standard should be used are questions of policy.

Recommendations and Conclusions

We began this investigation understanding that, on general election day, some of Maricopa County's Ballot-on-Demand printers at a number of vote centers produced ballots that could not be read by the on-site tabulators. Our task was to define the potential cause or causes of that failure and to recommend steps to take to prevent a similar failure in future elections.

During our investigation, we spoke with multiple election workers who prepared for, participated in, and conducted a post-election analysis of election procedures. In addition to the printer tests we conducted, we questioned all those interviewed about their understanding of the causes of printer failures and asked for their recommendations for reducing or eliminating similar problems in future elections. I was impressed, as were other members of the investigative team, by the knowledge and dedication the election workers bring to their jobs and by their willingness to revise practices and procedures to prevent future issues.

Two factors proved to be of primary importance in explaining the Oki B432 printer failures that occurred during the general election but not the primary election: the increased length of the general election ballot, coupled with the use of 100-pound paper for the ballot. Maricopa County's experience during the primary election amply demonstrated that printing ballots on 100-pound paper

does not exceed the capacity of the Oki B432 printer. The experience during the general election tells us that, when 100-pound paper was coupled with a lengthier, 20-inch ballot, the task being asked of the Oki B432 printer simply exceeded the capacity of many, although clearly not all or even most, of the printers.⁴⁸ The combined effect of the heavy paper, longer ballot, and intermittent burst of print demand pushed the printers to perform at the very edge of or past their capability, so that any decrease in fuser performance in an individual printer could result in problems.⁴⁹ The distinct difference in performance from one printer to another suggests that the fuser on some of the printers is not capable of recovering quickly enough to maintain optimum fusing temperature during on-site interval printing.⁵⁰

The fuser inadequacy on some printers is not a problem easily remedied, as the fuser on the Oki B432 cannot be separately replaced.⁵¹ That problem is further exacerbated by the fact that the Oki B432 manufacturer, which has withdrawn from the North and South American markets, has established December 31, 2025 as the end of life for these printers, after which repair parts and consumables will no longer be manufactured.⁵² Any decision about remedial actions obviously must take these factors into account.

Our team has identified several approaches that, based on our findings, would eliminate or greatly reduce the printer problems experienced during the general election. All involve policy issues and considerations that are beyond the scope of this report.

One approach would be to return to using 80-pound paper for ballots. Both Maricopa County's past experience and our test of the printers demonstrate the ability of the Oki B432 printers to produce readable ballots using 80-pound paper, whether the ballot is 19 or 20 inches long.⁵³ Given the prior "SharpieGate" experience, however, whether that change can be made without reducing public

⁴⁸ According to the manufacturer's instructions, the Oki B432 should have been able to print the 20-inch ballots on 100-pound paper by using custom settings. Interview with IT manager.

⁴⁹ Interview with Doug Meyer.

⁵⁰ County and Runbeck employees, as well as Mr. Meyer, have extensive experience with Oki printers. None had experienced any issues with quality control in Oki printers, specifically with the fusers.

⁵¹ Interview with Doug Meyer.

⁵² Interview with Jeff Ellington.

⁵³ If the ballot were to exceed 20 inches, further stress testing would be required.

confidence is an issue for the Board of Supervisors, the Maricopa County Recorder's Office, and the MCED. Our test experience with the pens used during the 2022 general election and 80-pound paper suggests that bleed-through would not be a problem, although additional testing designed to evaluate that factor would be advantageous.

Another approach is to eliminate the use of on-site tabulators. Maricopa County could return to its earlier practice, and that used in half of Arizona's counties,⁵⁴ and transport the ballots from vote centers to the MCTEC for tabulation in the more powerful central count tabulators. During the 2022 general election, that procedure permitted tabulation of the misprinted ballots in Maricopa County.

Replacing the Oki B432 printers with other printers is another option that could eliminate or substantially reduce the printer issues seen during the general election. During our tests, the Lexmark printers used during the general election successfully printed the 20-inch ballots on 100-pound paper without requiring any adjustment to the printer warehouse settings. If the County decides that the Oki B432 printers cannot be relied upon during future elections, deciding whether making the required expenditure to purchase new printers is the best course presents another policy issue.

If the Oki B432 printers are retained for use in future elections, the MCED should undertake more robust stress testing of printers before sending them out to vote centers. Testing using interval printing and on-site tabulators rather than sequential printing and the central count tabulators would more fairly represent election day conditions than does the sequential printing used in the past, and doing so would detect more faulty printers. As noted above, however, given the substantial variation among printers, such testing would have to be conducted on a large scale to achieve confidence that faulty printers are detected.

Additional steps could be taken if the Oki B432 printers are retained for future use. We found that the change in weight and media settings reduced, but did not eliminate, the production of faulty ballots. Given that limitation in achieving better results, the County could determine that a certain level of ballot

⁵⁴ As noted earlier, Apache, Coconino, Gila, Mohave, Pima, Pinal, Santa Cruz, and Yavapai Counties transport ballots from vote centers to their central election offices for tabulating.

errors is acceptable and undertake efforts to better educate voters about the possibility of receiving a misprinted ballot and alternatives to on-site tabulation. The County also could provide additional training to poll workers so they could better anticipate the possibility of misprinted ballots and could better reassure voters that a ballot that cannot be read on-site will be stored securely and tabulated at the central facility.⁵⁵

I note one additional element that could affect vote center equipment. Several persons with whom we spoke reported that some sites have relatively limited power sources. Because limited power can affect the operation of all the equipment at a vote center, site assessment should include an assessment of the adequacy of the available power.

Finally, we were asked to determine whether the problems occurring on election day were the result of human error, procedural shortcomings, or equipment failure. Although separating related causes is always difficult, in my judgment, the primary cause of the election day failures was equipment failure. Despite the assurances of the manufacturer, many of the Oki B432 printers were not capable of reliably printing 20-inch ballots on 100-pound paper under election-day conditions.

Any failure in process or human error relates to a failure to anticipate and prepare for the printer failures experienced. But nothing we learned in our interviews or document reviews gave any clear indication that the problems should have been anticipated. MCED leadership and staff were uniformly confident that the general election would run smoothly, and there was reason for their confidence: the Oki B432 printers had performed reliably in the past, both in Maricopa County and elsewhere; the County's experience with 100-pound paper had been positive in the primary election; and the printer stress tests with 20-inch ballots on 100-pound paper revealed no problems.

As is often the case, hindsight allows us to define changes in process that might have prevented or alleviated the printer issues encountered. But while pre-election testing that used interval testing and on-site tabulators would have been

⁵⁵ The training materials for poll workers anticipate most issues that can occur during an election and provide steps to take to remedy the issues. The unanticipated nature of the printing problems encountered in 2022 explains the lack of training in how to respond to the issue.

more likely to detect the printer shortcomings, nothing in the County's past experience or that of the employees at Runbeck suggested such testing was needed. Similarly, had the County anticipated the printer issues that occurred, specific training of poll workers about how to respond to the issue could have reduced the amount of voter confusion and concern.

The problems encountered in the 2022 general election have identified issues affecting the printing and tabulation of vote center ballots. I trust that this analysis and that undertaken by the County will help to prevent similar problems from arising in future elections.

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ATTACHMENT A

Printer Order: Control Slip/Ballot

Printer Groups A and B

Paper Weight: 100-pound

Ballot Length: 19 and 20-inch

Settings: WH, CH, CH+

WH:

Media Weight: Heavy for ballots; medium for control slip and envelopes

Media Type: Plain for all

CH:

Media Weight: Heavy for all

Media Type: Plain for all

CH+

Media Weight: Heavy for all

Media Type: Cardstock for ballots; plain for control slips and envelopes

Print Sequence: Sequential and Interval

Control Slip/Ballot: Group A: No Printer Fuser Issues Reported

| Printer | WH Seq: Number and Misread | WH Seq: Per- cent Mis- read | WH Interval: Number and Misread | WH Int: Percent Misread | CH Seq: Number and Misread | CH Seq: Percent Misread | CH Int: Number and Misread | Ch Int: Percent Misread | Ch + Seq: Number and Misread | Ch+: Seq: Percent Misread | Ch+: Int: Number and Misread | Ch+ Int: Percent Misread | |
|-----------------------------|-------------------------------------|--|---|-------------------------------|-------------------------------------|-------------------------------|-------------------------------------|-------------------------------|--|------------------------------------|---------------------------------------|--------------------------------|-----------------|
| 332 | | | | | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | 50/16 | 32 | 25/3 | 12 | |
| 100/20 | 50/5 | 10 | 25/0 | 0 | 50/3 | 6 | 25/1 | 4 | 50/2 | 4 | 25/2 | 8 | |
| 491 | | | | | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | 50/1 | 2 | 25/0 | 0 | |
| 100/20 | 50/0 | 0 | 25/2 | 8 | 50/2 | 4 | 25/5 | 20 | 50/0 | 0 | 25/4 | 16 | |
| 407 | | | | | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | | 50/0 | 0 | 25/0 | 0 | 50/1 | 2 | 25/3 | 12 | |
| 100/20 | 50/8 | 16 | 25/0 | | 50/1 | 2 | 25/11 | 44 | 50/0 | 0 | 25/2 | 8 | |
| 183 | | | | | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | 0 | 50/0 | | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | |
| 100/20 | 50/1 | 2 | 25/0 | 0 | 50/0 | | 25/2 | 8 | 50/0 | 0 | 25/1 | 4 | |
| 406 | | | | | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | |
| 100/20 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/1 | 4 | 50/0 | 0 | 25/0 | 0 | |
| | | | | | | | | | | | | | |
| Total 19- inch | 0/250 | | 0/125 | | 0/250 | | 0/125 | | 18/250 | | 6/125 | | 24/1125 2.13 |
| Total 20- inch | 6/250 | | 2/125 | | 6/250 | | 20/125 | | 2/250 | | 9/125 | | 45/1125 4.0 |
| Ballots A 100-lb | 500 | 14/50 0 2.8 | 250 | 2/250 .8 | 500 | 6/500 1.2 | 250 | 20/250 8.0 | 500 | 20/250 8.0 | 250 | 15/250 6.0 | |

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Control Slip/Ballot: Group B: Fuser Issues Reported

| Printer | WH Seq: Number and Misread | WH Seq: Percent Misread | WH Int: Number and Misread | WH Int: Percent Misread | Ch. Seq: Number and Misread | CH Seq: Percent Misread | CH Int: Number and Misread | CH Int: Percent Misread | Ch+ Seq: Number and Misread | Ch+ Seq: Percent Misread | Ch+ Int: Number and Misread | Ch+ Int: Percent Misread | |
|----------------------------------|-------------------------------------|-------------------------------|-------------------------------------|-------------------------------|--------------------------------------|-------------------------------|-------------------------------------|-------------------------------|---|-----------------------------------|--------------------------------------|--------------------------------|-------------------|
| 215 | | | | | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/7 | 28 | 50/2 | 4 | 25/3 | 12 | 50/7 | 14 | 25/5 | 20 | |
| 100/20 | 50/4 | 8 | 25/12 | 48 | 50/7 | 14 | 25/12 | 48 | 50/1 | 2 | 25/6 | 24 | |
| 404 | | | | | | | | | | | | | |
| 100/19 | 50/3 | 6 | 25/7 | 28 | 50/1 | 2 | 25/1 | 4 | 50/2 | 4 | 25/1 | 4 | |
| 100/20 | 50/44 | 88 | 25/10 | 40 | 50/20 | 40 | 25/1 | 4 | 50/1 | 2 | 25/1 | 4 | |
| 323 | | | | | | | | | | | | | |
| 100/19 | 50/5 | 10 | 25/10 | 40 | 50/5 | 10 | 25/9 | 36 | 50/8 | 16 | 25/2 | 8 | |
| 100/20 | 50/17 | 34 | 25/9 | 36 | 50/1 | 2 | 25/1 | 4 | 50/7 | 14 | 25/2 | 8 | |
| 408 | | | | | | | | | | | | | |
| 100/19 | 50/1 | 2 | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | 50/1 | 2 | 25/2 | 8 | |
| 100/20 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/2 | 8 | 50/0 | 0 | 25/2 | 8 | |
| 529 | | | | | | | | | | | | | |
| 100/19 | 50/9: fit to page | 0 | 25/3 | 12 | 50/0 | 0 | 25/0 | 0 | 50/3 | 6 | 25/7 | 28 | |
| 100/20 | 50/2 | 4 | 25/5 | 20 | 50/3 | 6 | 25/4 | 16 | 50/1 One fit to page | 0 | 25/5 | 20 | |
| | | | | | | | | | | | | | |
| Total 19-inch | 9/250 | | 27/125 | | 8/250 | | 13/125 | | 21/250 | | 17/125 | | 95/1125 8.44 |
| Total 20-inch | 67/250 | | 36/125 | | 31/250 | | 19/125 | | 9/250 | | 16/125 | | 178/1125 15.82 |
| Ballots B 100- lb | 500 | 76/500 15.2 | 250 | 63/250 25.2 | 500 | 39/500 7.8 | 250 | 32/250 12.8 | 500 | 30/500 6.0 | 250 | 33/250 13.2 | |
| Total A and B | 1,000 | 90/1000 9.0 | 500 | 65/500 13.0 | 1,000 | 45/1000 4.5 | 500 | 52/500 10.4 | 1,000 | 50/1000 5.0 | 500 | 48/500 9.6 | |

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ATTACHMENT B

Printer Order: Ballot/Control Slip

Printer Groups A and B

Paper Weight: 100-pound

Ballot Length: 19 and 20-inch

Settings: WH, CH

WH:

Media Weight: Heavy for ballots; medium for control slip and envelopes

Media Type: Plain for all

CH:

Media Weight: Heavy for all

Media Type: Plain for all

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Ballot/Control Slip: Group B: Fuser Issues Reported

| Printer | WH Seq Number and Misreads | WH Seq: Percent Misreads | WH Int: Number and Misreads | WH Int: Percent Misreads | Ch. Seq: Number and Misreads | CH Seq: Percent Misreads | CH Int: Number and Misreads | CH Int: Percent Misreads | Total by 19 and 20-inch |
|------------------------------|-------------------------------------|--------------------------------|--------------------------------------|--------------------------------|---------------------------------------|--------------------------------|--------------------------------------|--------------------------------|-------------------------------|
| 215 | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/0 | 0 | |
| 100/20 | 50/7 | 14 | 25/3 | 12 | 50/17 | 34 | 25/6 | 24 | |
| 404 | | | | | | | | | |
| 100/19 | 50/1 | 2 | 25/2 | 4 | 50/0 | | 25/2 | 8 | |
| 100/20 | 50/4 | 8 | 25/2 | 4 | 50/2 | 4 | 25/19 Toner fused to ballot | 76 | |
| 323 | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/0 | 0 | 50/0 | 0 | 25/1 | 4 | |
| 100/20 | 50/8 | 16 | 25/3 | 12 | 50/7 | 14 | 25/8 | 32 | |
| 408 | | | | | | | | | |
| 100/19 | 50/5 | 10 | 25/1 | 4 | 50/0 | 0 | 25/0 | 0 | |
| 100/20 | 50/0 | 0 | 25/3 | 12 | 50/8 | 16 | 25/6 | 24 | |
| 529 | | | | | | | | | |
| 100/19 | 50/0 | 0 | 25/1 | 4 | 50/4 | 8 | 25/3 | 12 | |
| 100/20 | 50/1 | 2 | 25/22 | 88 | 50/7 | 14 | 25/11 | 44 | |
| | | | | | | | | | |
| 19-inch | 5/250 | | 12/125 | | 4/250 | | 6/125 | | 27/750 3.6 |
| 20-inch | 20/250 | | 33/125 | | 41/250 | | 50/125 | | 144/750 19.2 |
| Ballots B 100- lb | 500 | 25/500 5.0 | 250 | 45/250 18.0 | 500 | 45/500 9.0 | 250 | 56/250 22.4 | |
| Total Ballots, B/CS | 1000 | | 500 | | 1000 | | 500 | | |

ATTACHMENT C

All Printers and Groups

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ALL PRINTERS

GROUP A

GROUP B

19" BALLOT

20" BALLOT

80lb

100lb

| Total Ballots | Total Failures | Total Percent Failure |
|---------------|----------------|-----------------------|
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 51 | 14% |
| 375 | 52 | 14% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 1 | 0% |
| 375 | 20 | 5% |
| 50 | 0 | 0% |
| 50 | 1 | 2% |
| 375 | 6 | 2% |
| 375 | 50 | 13% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 2 | 1% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 24 | 6% |
| 375 | 75 | 20% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 20 | 5% |
| 375 | 104 | 28% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 36 | 10% |
| 375 | 63 | 17% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 10 | 3% |
| 375 | 21 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 21 | 6% |
| 375 | 60 | 16% |
| 8500 | 623 | 7% |

| Group A: Ballots | Failures | Percent |
|------------------|------------|-----------|
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 51 | 14% |
| 375 | 52 | 14% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 1 | 0% |
| 375 | 20 | 5% |
| 50 | 0 | 0% |
| 50 | 1 | 2% |
| 375 | 6 | 2% |
| 375 | 50 | 13% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 2 | 1% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 24 | 6% |
| 375 | 75 | 20% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 20 | 5% |
| 375 | 104 | 28% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 36 | 10% |
| 375 | 63 | 17% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 10 | 3% |
| 375 | 21 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 21 | 6% |
| 375 | 60 | 16% |
| 4250 | 189 | 4% |

| Group B: Ballots | Failures | Percent |
|------------------|------------|------------|
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 51 | 14% |
| 375 | 52 | 14% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 1 | 0% |
| 375 | 20 | 5% |
| 50 | 0 | 0% |
| 50 | 1 | 2% |
| 375 | 6 | 2% |
| 375 | 50 | 13% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 2 | 1% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 24 | 6% |
| 375 | 75 | 20% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 20 | 5% |
| 375 | 104 | 28% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 36 | 10% |
| 375 | 63 | 17% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 10 | 3% |
| 375 | 21 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 21 | 6% |
| 375 | 60 | 16% |
| 4250 | 434 | 10% |

| 19" Ballot | Failures | Percent |
|-------------|------------|-----------|
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 51 | 14% |
| 375 | 52 | 14% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 1 | 0% |
| 375 | 20 | 5% |
| 50 | 0 | 0% |
| 50 | 1 | 2% |
| 375 | 6 | 2% |
| 375 | 50 | 13% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 2 | 1% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 24 | 6% |
| 375 | 75 | 20% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 20 | 5% |
| 375 | 104 | 28% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 36 | 10% |
| 375 | 63 | 17% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 10 | 3% |
| 375 | 21 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 21 | 6% |
| 375 | 60 | 16% |
| 4250 | 169 | 4% |

| 20" Ballot | Failures | Percent |
|-------------|------------|------------|
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 52 | 14% |
| 375 | 52 | 14% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 20 | 5% |
| 50 | 1 | 2% |
| 50 | 1 | 2% |
| 375 | 50 | 13% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 2 | 1% |
| 375 | 2 | 1% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 75 | 20% |
| 375 | 75 | 20% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 104 | 28% |
| 375 | 104 | 28% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 63 | 17% |
| 375 | 63 | 17% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 21 | 6% |
| 375 | 21 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 60 | 16% |
| 375 | 60 | 16% |
| 4250 | 454 | 11% |

| 80lb Ballot | Failures | Percent |
|-------------|----------|-----------|
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 51 | 14% |
| 375 | 52 | 14% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 1 | 0% |
| 375 | 20 | 5% |
| 50 | 0 | 0% |
| 50 | 1 | 2% |
| 375 | 6 | 2% |
| 375 | 50 | 13% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 2 | 1% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 24 | 6% |
| 375 | 75 | 20% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 20 | 5% |
| 375 | 104 | 28% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 36 | 10% |
| 375 | 63 | 17% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 10 | 3% |
| 375 | 21 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 375 | 21 | 6% |
| 375 | 60 | 16% |
| 1000 | 1 | 0% |

| 100lb Ballot | Failures | Percent |
|--------------|------------|-----------|
| 375 | 51 | 14% |
| 375 | 52 | 14% |
| 375 | 1 | 0% |
| 375 | 20 | 5% |
| 375 | 6 | 2% |
| 375 | 50 | 13% |
| 375 | 0 | 0% |
| 375 | 6 | 2% |
| 375 | 0 | 0% |
| 375 | 0 | 0% |
| 375 | 2 | 1% |
| 375 | 2 | 1% |
| 375 | 24 | 6% |
| 375 | 75 | 20% |
| 375 | 20 | 5% |
| 375 | 104 | 28% |
| 375 | 36 | 10% |
| 375 | 63 | 17% |
| 375 | 10 | 3% |
| 375 | 21 | 6% |
| 375 | 21 | 6% |
| 375 | 60 | 16% |
| 375 | 60 | 16% |
| 7500 | 622 | 8% |

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| Seq | | | |
|-------------|------------|-----------|---------|
| Seq | Ballots | Failures | Percent |
| 25 | 0 | 0 | 0% |
| 25 | 0 | 0 | 0% |
| 250 | 36 | 14% | |
| 250 | 24 | 10% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 1 | 0% | |
| 250 | 3 | 1% | |
| 25 | 0 | 0% | |
| 25 | 1 | 4% | |
| 250 | 1 | 0% | |
| 250 | 23 | 9% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 0 | 0% | |
| 250 | 1 | 0% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 0 | 0% | |
| 250 | 1 | 0% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 9 | 4% | |
| 250 | 36 | 14% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 7 | 3% | |
| 250 | 71 | 28% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 14 | 6% | |
| 250 | 40 | 16% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 7 | 3% | |
| 250 | 8 | 3% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 250 | 7 | 3% | |
| 250 | 13 | 5% | |
| 5500 | 303 | 6% | |

| Int | | | |
|-------------|------------|------------|---------|
| Int | Ballots | Failures | Percent |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 15 | 12% | |
| 125 | 28 | 22% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 0 | 0% | |
| 125 | 17 | 14% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 5 | 4% | |
| 125 | 27 | 22% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 0 | 0% | |
| 125 | 5 | 4% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 0 | 0% | |
| 125 | 1 | 1% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 15 | 12% | |
| 125 | 39 | 31% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 13 | 10% | |
| 125 | 33 | 26% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 22 | 18% | |
| 125 | 23 | 18% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 3 | 2% | |
| 125 | 13 | 10% | |
| 25 | 0 | 0% | |
| 25 | 0 | 0% | |
| 125 | 14 | 11% | |
| 125 | 47 | 38% | |
| 3000 | 320 | 11% | |

| Ballot/Control Slip | | |
|---------------------|------------|-----------|
| Ballot | Failures | Percent |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 32 | 21% |
| 150 | 39 | 26% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 0 | 0% |
| 150 | 7 | 5% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 2 | 1% |
| 150 | 28 | 19% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 0 | 0% |
| 150 | 2 | 1% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 0 | 0% |
| 150 | 1 | 1% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 5 | 3% |
| 150 | 27 | 18% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 1 | 1% |
| 150 | 26 | 17% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 6 | 4% |
| 150 | 17 | 11% |
| 0 | 0 | 0% |
| 0 | 0 | 0% |
| 150 | 8 | 5% |
| 150 | 41 | 27% |
| 3000 | 275 | 9% |

| Control Slip/Ballot | | |
|---------------------|------------|-----------|
| Ballot | Failures | Percent |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 19 | 8% |
| 225 | 13 | 6% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 1 | 0% |
| 225 | 13 | 6% |
| 50 | 0 | 0% |
| 50 | 1 | 2% |
| 225 | 4 | 2% |
| 225 | 22 | 10% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 0 | 0% |
| 225 | 4 | 2% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 0 | 0% |
| 225 | 1 | 0% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 24 | 11% |
| 225 | 42 | 19% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 15 | 7% |
| 225 | 77 | 34% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 35 | 16% |
| 225 | 37 | 16% |
| 50 | 0 | 0% |
| 50 | 0 | 0% |
| 225 | 13 | 6% |
| 225 | 19 | 8% |
| 5500 | 348 | 6% |

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