

ARCHER & GREINER, P.C.

Jason N. Sena, Esq. (#016842012)
 10 Highway 35
 Red Bank, NJ 07701
 732-268-8000
 jsena@archerlaw.com

DHILLON LAW GROUP INC.

Josiah Contarino, Esq. (#003962013)
 50 Park Place, Suite 1105
 Newark, NJ 07102
 917-423-7221
 jcontarino@dhillonlaw.com

Attorneys for Plaintiff Republican National Committee, Inc.

REPUBLICAN NATIONAL COMMITTEE,
 INC.,

Plaintiff,

v.

STATE OF NEW JERSEY, DEPARTMENT
 OF STATE, DIVISION OF ELECTIONS,

Defendant.

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: MERCER COUNTY

Docket No.: MER-L-

Civil Action

VERIFIED COMPLAINT

Plaintiff Republican National Committee, Inc. (“RNC”), through its counsel Archer & Greiner, P.C. and the Dhillon Law Group Inc., and by way of verified complaint against Defendant State of New Jersey, Department of State, Division of Elections (“Defendant” or the “Division of Elections”), alleges as follows:

PRELIMINARY STATEMENT

1. This is an action under the Open Public Records Act, *N.J.S.A. 47:1A-1, et seq.* (“OPRA”), and the common law right of access. Defendant has refused to provide the RNC with publicly available documents related to voting machine seal audit logs and its voter list maintenance procedures as required by law.

PARTIES

2. Plaintiff RNC is a national political party, as defined by 52 U.S.C. § 30101, with its principal place of business at 310 First Street, S.E., Washington D.C., 20003. In addition to managing the Republican Party's business at the national level, the RNC supports Republican candidates for public office at all levels, including in New Jersey, coordinates fundraising and election strategy, and develops and promotes the national Republican Platform. The RNC represents over 35 million registered Republicans in all 50 states, the District of Columbia, and the U.S. territories. It is comprised of 168 voting members representing state and territorial Republican Party organizations.

3. Defendant Division of Elections is a division of the government of the State of New Jersey and thus is a public body having a principal place of business at 225 W State St, Trenton, NJ 08608. The Division of Elections is a "public agency" as that term is defined by *N.J.S.A. 47:1A-1.1*.

VENUE

4. Venue is properly laid in Mercer County because Defendant is a public agency within Mercer County. *R. 4:3-2(a)*.

STATEMENT OF FACTS

5. On March 25, 2025, the RNC filed a public records request for voter list maintenance records in the possession, custody, or control of Defendant related to the State's obligations to comply with the National Voter Registration Act ("NVRA") (the "Voter List Maintenance Request").

6. Seventy days later, without so much as an acknowledgement by Defendant, the RNC sent a follow-up letter on June 3, 2025, enclosing the March 25, 2025, records request and requesting a status update.

7. Eighty-five days after the Voter List Maintenance Request was submitted, on June 18, 2025, Defendant finally acknowledged receipt and said it was “reviewing” it.

8. One hundred days after the Voter List Maintenance Request was filed—with nothing further from Defendant—on July 3, 2025, the RNC sent another notice to Defendant that it was in violation of OPRA and the NVRA and advised that Defendant could cure that violation by providing the requested public records forthwith.

9. On July 3, 2025, a separate public records request was submitted to Defendant on behalf of the RNC under OPRA and the Common Law Right of Access seeking copies of all seal audit logs for voting machines deployed by each county in the State of New Jersey in connection with the June 10, 2025, Primary Election and the associated early voting period in Defendant’s possession (the “Seal Audit Log Request”).

10. The seal audit logs sought are prepared by county election officials for each voting machine deployed in any election and simply list the number assigned to the plastic seal attached to each voting machine at the storage location, confirmation that the same seal is affixed to the voting machine at poll opening and the number of the new seal affixed to the voting machine at poll closing, along with the signature of the poll workers who broke the seals. None of this information is a secret, nor does public disclosure pose any type of security risk.

11. Upon information and belief, the seal audit logs prepared by each county are then provided to the Division of Elections.

12. The RNC’s party members, and any member of the public, have the right to confirm that the seals affixed to each voting machine in the storage location remained unbroken through poll opening. No known state interest outweighs the right of the RNC to obtain this basic-level due diligence information.

13. Seal audit logs are commonly provided in other states.

14. At least one county election office in New Jersey has provided seal audit logs requested by the RNC in connection with the June 10, 2025, Primary Election.

15. On July 11, 2025, Defendant forwarded a partial response to two of RNC's 16 requests for records contained in the Voter List Maintenance Request and stated that "[y]our requests dated March 25 and June 16, 2025, as well as your letter dated July 3, 2025, were received by this office. We are working on your request and will be providing additional responses as soon as we can." No further assurances or requests for additional time were stated as required by *N.J.S.A. 47:1A-5.i*. Defendant has neither alerted the RNC to "unforeseen circumstances" or a "potential disruption to agency operations," nor has the agency attempted to "reach a reasonable solution" that accommodates the interest of the RNC and Defendant.

N.J.S.A. 47:1A-5.g, -5i

16. To date, Defendant failed to provide all public records requested by the RNC by its requests dated March 25, 2025, June 3, 2025, and July 3, 2025 seeking records related to voter roll maintenance.

17. On July 15, 2025, Defendant denied the RNC's request for the seal audit logs under OPRA, citing two OPRA exemptions:

"administrative or technical information regarding computer hardware, tablets, telephones, electronic computing devices, software applications, and networks or devices which operate on or as a part of a computer network or related technologies within the same, which shall include system logs, event logs, transaction logs, tracing logs, or any logs which are reasonably construed to be similar to the same and generated by the devices or servers covered within this paragraph, which, if disclosed, could jeopardize computer security, or related technologies," and

"security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software."

18. Defendant's denial of the Seal Audit Log Request does not articulate why the information contained on the seal audit logs is exempt from disclosure under the "administrative or technical information" exemption of OPRA; it merely recites the text of the exemption.

19. Defendant's denial of the Seal Audit Log Request does not articulate why the information contained on the seal audit logs is exempt from disclosure under the "security measures or surveillance techniques" exemption of OPRA; it merely recites the text of the exemption.

20. Defendant's denial of the Seal Audit Log Request does not address the RNC's right to obtain the seal audit logs under the Common Law Right to Know or explain why any alleged state interest would outweigh party members' right to confirm that the seal affixed to a voting machine in the warehouse remained unbroken through poll opening.

21. Defendant's failure to provide all records requested is a violation of *N.J.S.A.* 47:1A-5.i and the Common Law Right to Know.

22. The RNC's public records requests are valid and seek readily identifiable government records in the possession and control of Defendant, which Defendant is required to maintain and make available to the public under state and federal law.

23. The RNC's interest in the requested records is greater than Defendant's interest in non-disclosure.

FIRST COUNT

(OPEN PUBLIC RECORDS ACT VIOLATION)

24. The RNC hereby repeats and incorporates the allegations contained in the preceding paragraphs as if they were set forth herein at length.

25. Defendant violated OPRA by not providing the RNC with copies of all documents requested by it through the Voter List Maintenance Request and the Seal Audit Log Request.

26. Defendant violated OPRA by not responding to the RNC's records request with all responsive records within seven business days of the date of the request, and by not seeking additional time in the manner required by *N.J.S.A. 47:1A-5.i*.

27. Defendant violated OPRA by failing to articulate why allegedly applicable exemptions to OPRA permit non-disclosure of the records sought in response to the Seal Audit Log Request.

SECOND COUNT

(COMMON LAW RIGHT OF ACCESS)

28. The RNC hereby repeats and incorporates the allegations contained in the preceding paragraphs as if they were set forth herein a length.

29. The records requested by the RNC, which Defendant failed to provide, are public records under the Common Law Right of Access.

30. The RNC has articulated the interest of its members in obtaining the records sought in the body of the requests submitted to Defendant.

31. Defendant has not articulated a valid state interest in non-disclosure.

32. Any possible state interest in non-disclosure is not greater than the RNC's interest in receiving the records sought.

WHEREFORE, the RNC hereby demands:

- a. An Order or Judgment ordering the Division of Elections to provide the RNC with copies of the public records demanded in the Voter List Maintenance Request and the Seal Audit Log Request;

- b. A certification from Defendant to the Court that it has provided all responsive records;
- c. A waiver by Defendant of any fee it might charge for the requested records;
- d. An award of reasonable attorneys' fees and costs; and
- e. Such other, relief as the Court may deem equitable and just.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates Josiah Contarino and Jason Sena as trial counsel.

CERTIFICATION OF NO OTHER ACTIONS

Pursuant to Rule 4:5-1, it is hereby stated that the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding to the best of my knowledge and belief. To the best of my belief, no other action or arbitration proceeding is pending or contemplated. Further, other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action. In addition, I recognize the continuing obligation of each party to file and serve on all parties and the Court an amended certification if there is a change in the facts stated in this original certification.

Respectfully submitted,
ARCHER & GREINER, P.C.

By: /s/ Jason N. Sena
Jason N. Sena

DHILLON LAW GROUP INC.

By: /s/ Josiah Contarino
Josiah Contarino

*Attorneys for Plaintiff Republican National
Committee, Inc.*

Dated: July 17, 2025

VERIFICATION

Paul Pietrini, of full age, hereby certifies as follows:

1. I am the Deputy New Jersey State Director of Election Integrity and am employed by the Republican National Committee, Inc., the Plaintiff in this action. All of the facts stated in the Verified Complaint to which this Verification is attached are true, and as to those facts that are alleged on information and belief in those paragraphs, I believe those facts to be true.
2. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me is willfully false, I am subject to punishment.

By: 
PAUL PIETRINI

Dated: July 17, 2025