

CONTARINO ROTH LLC

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*Attorneys for Plaintiff
Republican National Committee*

<p>REPUBLICAN NATIONAL COMMITTEE,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>BERGEN COUNTY BOARD OF ELECTIONS,</p> <p style="text-align: center;">Defendant.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: BERGEN COUNTY</p> <p>Docket No.: BER-L</p> <p>Civil Action</p> <p style="text-align: center;">VERIFIED COMPLAINT</p>
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Plaintiff Republican National Committee (“RNC”), by and through its counsel, Contarino Roth LLC, and by way of verified complaint against Defendant Bergen County Board of Elections (“Defendant” or the “Board 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 public records related to lists of poll workers assigned to voting sites within Bergen County during the early voting period for, and during, the November 4, 2025, General Election, as required by law.

PARTIES

2. Plaintiff RNC is the national organization of the Republican Party, as defined by 52 U.S.C. § 30101(14), with its principal place of business at 310 First Street SE, Washington,

DC 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 fifty states, the District of Columbia, and the U.S. territories. It comprises 168 voting members representing state and territorial Republican Party organizations.

3. Defendant Bergen County Board of Elections is a public body with its principal place of business at One Bergen County Plaza, 3rd Floor, Rm 310, Hackensack, NJ 07601-7076, which exists pursuant to N.J.S.A. 19:6-17 that is charged with, among other things, receiving, counting, investigating, curing (if necessary) and certifying vote-by-mail ballots, counting, certifying and curing (if necessary) provisional ballots and counting and certifying ballots cast using voting machines. The Board of Elections is a "public agency," as that term is defined in N.J.S.A. 47:1A-1.1.

VENUE

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

STATEMENT OF FACTS

5. On November 25, 2025, the RNC filed a public records request under OPRA and the common law right to know (the "Request") seeking (1) the list of poll workers assigned to each early voting site in the county, including political party affiliation of the assigned workers and any vacancies that existed, during the early voting period for the November 4, 2025 General Election; and (2) the list of poll workers assigned to each voting district in the county, including

political party affiliation of the assigned workers and any vacancies that existed, for the November 4, 2025 General Election.

6. The RNC's party members, and any member of the public, have the right to know the list of poll workers assigned to the voting districts within Bergen County. No known state interest outweighs the right of the RNC to obtain this basic-level due diligence information. Indeed, **sixteen** other counties have fully responded with information and records responsive to the Request, including Atlantic, Burlington, Camden, Cape May, Cumberland, Essex, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, and Warren counties.

7. By contrast, Defendant responded to the Request on January 8, 2026, as follows:

Please be advised that the Board of Elections is unable to respond to the portions of your request which seek the assignment locations of poll workers as the requested information is exempt from disclosure pursuant to N.J.S.A. 47:1A-1.1 as "(1) Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein and (2) Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software."

8. Thereafter Defendant marked the Request "completed" in their online OPRA portal.

9. Defendant's denial of the Request does not articulate why the requested information is exempt from disclosure under N.J.S.A. 47:1A-5.3; it merely recites the text of the exemption.

10. Defendant's denial of the Request does not articulate why the requested information is exempt from disclosure as either "[e]mergency or security information or procedures for any buildings or facility" or "[s]ecurity measures and surveillance techniques"; it merely recites the text of the exemption.

11. Defendant's denial of the Request fails to articulate what alleged interest the Board of Elections has in withholding access to the requested information.

12. Defendant's failure to provide all records requested violates N.J.S.A. 47:1A-5(6)(i) and the Common Law Right of Access.

13. The Request is valid and seeks 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 law.

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

FIRST COUNT

(OPEN PUBLIC RECORDS ACT VIOLATION)

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

16. Defendant violated OPRA by not providing the RNC with copies of all records identified in the Request.

17. Defendant violated OPRA by not responding to the 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(6)(i).

18. Defendant violated OPRA by failing to articulate (1) how the exemptions to OPRA cited in Defendant's response apply to the records sought in the Request or (2) why redaction of any potentially exempt material might have been appropriate instead of refusing to release the entire record.

SECOND COUNT

(COMMON LAW RIGHT OF ACCESS)

19. The RNC hereby repeats and incorporates the allegations contained in the preceding paragraphs as if set forth herein at length.
20. The records requested by the RNC, which Defendant failed to provide, are public records under the Common Law Right of Access.
21. The RNC has articulated the interest of its members in obtaining the records sought in the body of the Request submitted to Defendant.
22. Defendant has not articulated a valid state interest in non-disclosure.
23. 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 Board of Elections to provide the RNC with copies of the public records demanded in its November 25, 2025, 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

The RNC hereby designates Josiah Contarino 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.

CONTARINO ROTH LLC

By: /s/ Josiah Contarino
Josiah Contarino

*Attorneys for Plaintiff
Republican National Committee*

Dated: March 2, 2026

VERIFICATION

Mike Ambrosini of full age, hereby certifies as follows:

1. I am the Republican National Committee Chief of Staff. 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 
MIKE AMBROSINI

Dated: February 27, 2026

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