

**STATE OF MICHIGAN
IN THE COURT OF CLAIMS**

MICHELLE McQUEER, individually and in
her official capacity as Clerk of the Township
of Bridgewater,

Plaintiff,

REPUBLICAN NATIONAL COMMITTEE,
and MICHIGAN REPUBLICAN PARTY,

Intervening Plaintiffs,

v

JOCELYN BENSON, in her official
capacity as Michigan Secretary of State,
and JONATHAN BRATER, in his
official capacity as Director of Elections,
and the MICHIGAN DEPARTMENT
OF STATE,

Defendants.

Case No. 26-000172-MZ

Hon. Michael J. Riordan

**INTERVENING PLAINTIFFS REPUBLICAN NATIONAL COMMITTEE AND
MICHIGAN REPUBLICAN PARTY'S FIRST AMENDED VERIFIED COMPLAINT
FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

Intervening Plaintiffs Republican National Committee and Michigan Republican Party
state as follows for their First Amended Verified Complaint against Defendants Jocelyn Benson,
Director of Elections Jonathan Brater, and the Michigan Department of State:

INTRODUCTION

1. On October 2, 2026, Plaintiffs Republican National Committee and Michigan
Republican Party ("Plaintiffs") sought leave to intervene in the above-captioned case. Plaintiffs
filed a draft complaint as Exhibit A to their motion to intervene. On October 5, 2026, this Court

granted Plaintiffs' motion to intervene and accepted their complaint for filing. That draft complaint appended to the RNC and MRP's motion to intervene was not, however, signed and verified.

2. Under MCR 2.118(A)(1), "[a] party may amend a pleading once as a matter of course within 14 days after being served with a responsive pleading by an adverse party[.]" Because Defendants have not yet served the RNC and MRP Plaintiffs with a responsive pleading, the RNC and MRP Plaintiffs' filing of this First Amended Verified Complaint is timely. Other than paragraphs 1 and 2 of this First Amended Verified Complaint and the corresponding verification pages appended as exhibits hereto, all other paragraphs of this complaint are identical to those in Plaintiff's October 2, 2026, Complaint.

3. This action seeks a declaration that Michigan Administrative Rule 168.48 (the "Rule") is invalid, or must be construed narrowly, insofar as it commands the deletion of local electronic poll book ("EPB") records that federal and Michigan law require to be preserved.

4. The Rule directs city and township clerks to delete EPB software and associated files from all devices seven days after final canvass and certification of an election.

5. 52 USC 20701 and MCL 168.811 require twenty-two months of preservation for records within their respective terms.

6. Plaintiff Michelle McQueer, the elected clerk of Bridgewater Township, brought this action to resolve the conflicting commands as to records in her custody.

7. Intervening Plaintiffs Republican National Committee ("RNC") and Michigan Republican Party ("MRP") likewise seek a declaration concerning the Rule and an injunction against its enforcement, because the Rule applies to local records of elections involving their candidates and voters throughout Michigan.

8. The RNC and MRP do not seek to enjoin the conduct of an election. Rather, they seek to ensure that the records needed to review one are preserved in accordance with state and federal law.

9. The local EPB contains information not preserved by the printed precinct reports or by the State's Qualified Voter File ("QVF"), including a detailed Activity Log of ballot issuance, spoilage, rejection, challenges, reversals, and corrections. The Department now says that an electronic activity log is uploaded to the QVF, but has not identified its fields or compared it to the complete local report. Declaratory Ruling (Sept 30, 2026) ("Ruling") at 6–9.

10. The Rule requires deletion of the local software and associated files without requiring verification that every protected entry has been preserved in paper or QVF form. Once unique local entries are destroyed, a later declaration cannot restore them.

11. RNC and MRP plead three claims. First, insofar as the Rule commands destruction of records covered by 52 USC 20701, it conflicts with federal law and is preempted. Second, insofar as it commands destruction of election returns and other records protected by Michigan law, it conflicts with MCL 168.811 and the State's public-records disposal statutes and exceeds the Secretary's delegated authority. Third, in the alternative, the Rule's deletion requirement is invalid because it was not disclosed in substantial compliance with the Administrative Procedures Act's public-notice requirement.

PARTIES, JURISDICTION, AND VENUE

12. Plaintiff Michelle McQueer is the duly elected clerk of Bridgewater Township in Washtenaw County. She conducts the Township of Bridgewater's elections, operates its electronic poll book software and election data under MCL 168.668b, and maintains election records in her custody. The Rule applies directly to her. She sues individually and in her capacity as clerk, in her own right and not on behalf of the township as a corporate entity.

13. Plaintiff RNC is the Republican Party's national committee under 52 USC 30101(14). It develops and promotes national election strategy, supports Republican candidates for federal and state office—including candidates on Michigan's November 3, 2026 ballot—and assists state parties in educating, mobilizing, assisting, and turning out voters. It has made significant expenditures for Michigan candidates and voters and is doing so again in 2026. It brings this claim for itself and its candidates and members.

14. Plaintiff MRP is a Michigan major political party under MCL 168.16. It promotes and assists Republican candidates for federal, state, and local office in Michigan and devotes substantial resources to voter education and mobilization. Its candidates appear throughout Michigan's 2026 election cycle, and it makes contributions and expenditures to support them. It brings this claim for itself and its candidates and members.

15. Plaintiffs RNC and MRP work to ensure that their candidates compete in elections conducted under lawful rules and that records remain available to determine whether election laws were followed and whether a recount, election contest, or other remedy should be pursued. Those organizational and representational interests concern records held by clerks statewide. Plaintiff McQueer's records in one township cannot show what occurred in other jurisdictions. Plaintiffs RNC and MRP have a direct and substantial interest distinct from the public's generalized interest in lawful government.

16. Defendant Jocelyn Benson is the Secretary of State and Michigan's chief election officer. Acting through the Michigan Department of State, she promulgated and enforces Rule Set 2025-014. She is sued in her official capacity.

17. Defendant Jonathan Brater is Director of Elections; he directs the Bureau and administers the EPB program and deletion rule under the Secretary's supervision. He is sued in his official capacity.

18. Defendant Michigan Department of State is the principal department housing the Bureau, through which the Secretary administers election laws.

19. This Court has exclusive jurisdiction under MCL 600.6419(1)(a) over the claims for declaratory and equitable relief against the State, its department, and its officers. An official-capacity suit against the Secretary is a suit against the State. *See Mays v Snyder*, 323 Mich App 1, 89 (2018), *aff'd sub nom Mays v Governor*, 506 Mich 157 (2020).

20. This Court may grant declaratory relief under MCR 2.605 and injunctive relief under MCL 600.6419(1)(a) and MCR 3.310. The Rule's validity and applicability are at issue under MCL 24.264 and the federal and Michigan laws pleaded below.

21. Venue is proper in this Court under MCL 600.6419 and the rules governing claims against the State and its officers.

ACTUAL CONTROVERSY

22. MCR 2.605(A) provides that, "[i]n a case of actual controversy within its jurisdiction," this Court "may declare the rights and other legal relations of an interested party seeking a declaratory judgment."

23. The RNC and MRP are interested parties seeking a declaratory judgment.

24. An actual controversy exists here. The Rule requires local election officials to delete EPB software and associated files after the August 4, 2026 primary and November 3, 2026 general election, absent a listed exception. Both elections include federal candidates, and MCL 168.811 applies to covered election returns. The Bureau directed statewide deletion of August-primary EPBs while administrative requests concerning the retention conflict were pending. The

Court's temporary order protecting McQueer's copy does not protect records in any other jurisdiction in the State of Michigan. On September 30, the Department issued a declaratory ruling confirming that clerks *cannot voluntarily* retain their local files for twenty-two months and claiming that all protected information is retained elsewhere. Ruling at 3–9, 13.

25. The threatened deletion of local EPBs across the state injures RNC and MRP in their election work. Local files contain distinct information about the processing of voters and ballots in jurisdictions where they support candidates and mobilize voters. Destruction and deletion of the information contained within local EPBs before the RNC and MRP can evaluate that information will impair their ability to assess compliance and pursue available, time-sensitive recounts, contests, and other remedies. This harm cannot be repaired by an award of damages or by a declaration entered after the files are erased. A declaration of the Rule's validity and an injunction against its enforcement will redress it.

26. The claim arises from Rule Set 2025-014, effective October 23, 2025, and its application to local election records throughout Michigan. The department involved is the Michigan Department of State, acting through the Bureau of Elections. RNC and MRP seek declaratory and injunctive relief, not money damages. This verified pleading is submitted within one year of the Rule's effective date. MCL 600.6431; MCL 600.6434.

GENERAL ALLEGATIONS

A. The Electronic Poll Book and Records at Issue.

27. Each Michigan city and township clerk uses EPB software developed, acquired, or approved by the Bureau of Elections to process voters and generate election precinct reports. MCL 168.668b. The QVF is the State's electronic voter-registration system; clerks download information and software before election day, and local election inspectors use the resulting EPB

in each precinct. Afterward, officials upload voter-history information to the QVF. The pre-election QVF, each local election-day EPB, and the later upload are distinct.

28. On election day the local EPB records who was processed, ballots issued, each voter's processing time, and entries for challenges, spoiled ballots, corrections, and other irregularities. It maintains an Activity Log Report recording the issuance, spoiling, rejection, and challenge of each ballot, reversals and corrections of prior actions, and the time and operator associated with each entry.

29. These transactions arise from acts requisite to voting, including electors' applications to vote. Under MCL 168.523(1), each registered elector must execute an application before receiving a ballot; the approved application bears the number of the ballot issued and serves as one of two poll lists recording who voted. MCL 168.523(3). Election officers receive those applications from electors and process them through the EPB, which records the resulting ballot transactions. The local files preserve unique information about those received applications and acts requisite to voting.

30. The Bureau's poll book manual permits viewing and printing the Activity Log but does not include it among reports that the prescribed closing procedure requires clerks to retain. The procedure prints a ballot summary, a list of voters, and remarks reports for the paper binder poll book, and transmits voter history to the QVF. Whether a clerk separately prints and keeps an Activity Log is a matter of local practice, not a preservation requirement imposed by the Rule. The Department now represents that "a log of activity on the EPB" is also uploaded to the QVF. Ruling at 6. It supplies no field-level comparison with the complete local Activity Log Report.

31. Plaintiff McQueer's township inspectors back up the election-day EPB to a secure USB drive each hour and retain the final backup in the Clerk's records. That encrypted drive is of

the kind the rules designate for storing election files. R 168.41(b). The Rule directs deletion of software and associated files from all devices, including that backup; the Department contends that an activity log and other electronic data survive in the QVF, but it has not identified whether those retained files reproduce every protected local entry. Ruling at 6–9. Other clerks’ backup practices may differ, but the statewide command requiring deletion of EPB software and data within seven days of certification applies to their extant local EPB copies as well.

32. A nonpartisan House Fiscal Agency analysis recognizes that local EPB contents are unique to each precinct. The printed list of voters reports names, addresses, voting categories, and summary status flags, but it omits per-voter processing times, the ballot transaction and reversal log, operator login and failed-login entries, and device security metadata in the local EPB.

33. The Department’s September 30 ruling states that the QVF receives a list of voters, provisional-ballot information, and an EPB activity log, which it says are retained electronically. Ruling at 6. A Bureau response on December 8, 2025 to a request for a list of voters in the November 5, 2024 election produced a report lacking the precinct in which a voter voted and a column distinguishing absentee from in-person voting, and limited active registrants. That report does not establish every field retained in the QVF database. The Ruling likewise does not identify which fields of the complete local Activity Log Report the uploaded log preserves.

34. Numbered, perforated ballot stubs provide a further example of local ballot-handling information. MCL 168.795b(2). A missing or mismatched stub raises a discrepancy requiring examination, without itself establishing who returned a ballot or why.

35. In another election case, Defendants represented that the Bureau does not receive missing-or-mismatched-stub information in the QVF and that jurisdictions record it in their poll

books. Deletion of the relevant local records prevents that discrepancy from being examined through the original data.

36. The retained paper reports are generated outputs, not complete copies of the local source database. The Department now asserts that an EPB activity log is uploaded to and retained in the QVF and that all protected information survives in either paper or electronic form. Ruling at 6–9. It’s unclear whether that is true. The Bureau does not provide a field-by-field comparison with the complete local files, identify the uploaded log’s schema, or show that each protected entry remains accessible for the required period. The parties dispute the extent of overlap; preserving one complete local archival copy permits a direct comparison.

B. The Federal Retention Requirement.

37. Title III of the Civil Rights Act of 1960 directs every officer of election to retain and preserve for twenty-two months after an election involving a federal candidate all records and papers that come into the officer’s possession relating to an application, registration, or other act requisite to voting in that election. 52 USC 20701.

38. Section 20706 defines an officer of election to include one performing functions under color of state law in connection with such acts. Willful destruction of a record required to be preserved is punishable under 52 USC 20702.

39. The statute protects covered records in electronic form as well as on paper. Election officials must preserve the records, not merely an incomplete report of selected fields, for the statutory period. Federal preservation serves the investigation of voting-rights violations, including the racial discrimination against Black voters that prompted Congress to enact Title III. *United States v Benson*, 179 F4th 470, 474–476 (CA 6, 2026).

40. Local election officers receive applications from electors, use the EPB to process them and record the resulting ballot transactions, and take custody of the local files produced

during the election. Whether particular electronic entries qualify under § 20701 depends on their content and provenance under *United States v Benson*, 179 F4th 470, 478–479 (CA 6, 2026). The Department concedes that some materials in the EPB files may be covered records, but it contends all such materials survive in paper or QVF form. Ruling at 8–11. Their content and provenance, distinct from the State’s QVF, can be established through the local files and evidence from the clerks who hold them.

41. The Bureau’s Election Officials’ Manual instructs clerks that when a federal office appears on the ballot, documents relating to the election, including ballots and tabulator programs, must be retained for twenty-two months. The August 4 primary and November 3 general election involve federal offices. The Rule commands deletion of local EPB files produced in those elections without a general exception for federally covered records.

C. The Michigan Retention Requirement.

42. MCL 168.811 requires careful preservation for twenty-two months of all election returns, including poll lists, statements, tally sheets, absent-voter records, and other returns made by precinct election inspectors. The statute fixes a minimum period for the records it covers, independent of any federal determination concerning the source of a particular Activity Log entry.

43. The local EPB processes voter applications and ballot transactions and generates precinct reports. To the extent local electronic files constitute or contain poll lists or election returns made by inspectors, the Rule cannot compel their destruction seven days after certification when MCL 168.811 requires their preservation. Keeping selected fields on paper does not establish that every protected local record was retained.

D. The Records Retention and Disposal Scheme.

44. Public records may be disposed of only as an approved records retention and disposal schedule permits. MCL 750.491(1); MCL 399.811. The State Administrative Board

approves or disapproves schedules and orders destruction of records without value under the statutory process. MCL 399.811(3). Willful destruction of a public record outside an approved schedule is a misdemeanor. MCL 750.491(2).

45. The EPB and its voter data are public records. R 168.42(1) states that EPB voter data are public records subject to the Freedom of Information Act. The Bureau's Election Document Retention Schedule treats poll books and component lists, statements, and tally sheets as records governed by MCL 168.811 and retains federal-office records for twenty-two months.

E. The Constitutional Audit Right.

46. The Michigan Constitution guarantees audits of statewide elections and requires public election officials to maintain security and custody of ballots and election materials during an audit. Const 1963, art 2, § 4(1)(l). MCL 168.31a(2) calls for review of documents, ballots, and procedures used in an election. Deleting local EPB records while audit questions may remain removes material that could otherwise be reviewed. These provisions reinforce the interest in secure preservation while the scope of statutory retention is adjudicated.

F. The Challenged Rule and the Course of This Litigation.

47. Rule Set 2025-014, Mich Admin Code R 168.41 through R 168.48, governs EPB use, including early-voting, election-day vote-center, and election-day EPBs. The Department filed it on October 23, 2025, when it became effective. R 168.48(1) directs that EPB software and associated files "must be deleted from all devices by the seventh day following the final canvass and certification of the election," unless a recount is pending, an audit scheduled, or a court or the Secretary has stayed deletion. If an audit occurs, the deadline follows its completion.

48. Rule 168.48(2) requires a release-of-security memorandum before deletion. None of the ordinary exceptions or the memorandum condition generally extends retention to twenty-two months. The Rule already caused EPB deletion following at least one nonfederal election in

Plaintiff's township before the August 2026 federal primary. And, upon information and belief, the Rule also resulted in EPB deletion in every jurisdiction except Bridgewater Township following the August 2026 federal primary.

49. On October 22, 2025, local clerks including McQueer requested guidance on the conflict between the Rule and federal retention law. McQueer requested a declaratory ruling on July 6, 2026. The Department deferred an answer pending a separate Help America Vote Act proceeding, which ended August 31 without deciding the retention question. On September 22, the Court denied dispositive motions without prejudice pending the Department's answer.

50. The Bureau directed clerks statewide on August 26, 2026 to delete August-primary EPBs by August 31. The Court entered a temporary order protecting McQueer's copy, but that order does not apply to copies held elsewhere. The statewide directive demonstrates that the Rule is being applied and that the threatened deletion is not hypothetical. On September 30, the Department issued one ruling on the pending requests. It confirms its position that, absent an express exception, the Rule requires deletion after certification *and does not* permit clerks to retain their local files for twenty-two months. Ruling at 3–4, 13.

51. The November 3, 2026 general election will generate additional local EPBs throughout Michigan. Absent a pending recount, scheduled audit, or stay, the Rule requires deletion seven days after final canvass and certification. A candidate contesting a congressional election must act within a short statutory notice period. 2 USC 382(a). RNC and MRP need the local records preserved for the statutory period so they can evaluate election administration and determine whether any remedy is warranted. The Department says covered records survive in printed reports, paper applications, and QVF uploads, including an electronic EPB activity log. Ruling at 6–9. It is unclear whether that is true. The Department also invokes format conversion

and transfer to another lawful custodian. But it does not compare the retained activity log or reports with a complete local EPB. *Id.* at 7–11.

COUNT I: DECLARATORY JUDGMENT

(Federal Preemption of R 168.48 by 52 USC 20701 and 20702 under the Supremacy Clause)

52. RNC and MRP reallege and incorporate all preceding paragraphs.

53. A state rule that conflicts with a federal preservation command is invalid to the extent of that conflict. US Const, art VI, cl 2.

54. Section 20701 requires an officer of election to preserve for twenty-two months covered records that come into the officer's possession concerning acts requisite to voting in a federal election. Section 20702 forbids willful destruction of those covered records.

55. Local election officers receive each elector's application to vote and use the EPB to process that application and record the resulting ballot transactions. The EPB and associated files contain entries concerning applications and other acts requisite to voting; the federal status of particular entries turns on their content and provenance under *Benson*, 179 F4th at 478–479. The files arise in the custody of local officials during the federal election. To the extent they contain records that come into an officer's possession within § 20701, the officer must preserve those records for twenty-two months.

56. The Department contends that all covered entries have been preserved in paper or QVF form and that records may be delivered to another lawful custodian. Ruling at 8–11. To the extent R 168.48 requires deletion of a covered record or material entry that was not fully preserved or lawfully transferred before twenty-two months have passed, it commands what federal law prohibits. The Rule makes deletion the default; § 20701 makes preservation mandatory. The contingent recount, audit, and stay exceptions do not reconcile those opposing commands in an ordinary federal election.

57. The federal duty attaches to each covered record and cannot be satisfied by preserving a paper output that omits its entries. Because R 168.48 commands destruction of any covered local records not fully preserved or transferred within the statutory period, it is preempted and unenforceable. RNC and MRP seek a declaration to that effect and an injunction prohibiting Defendants from requiring their destruction.

WHEREFORE, RNC and MRP request judgment declaring that R 168.48 is preempted by 52 USC 20701 and 20702, and is invalid and unenforceable, because it requires deletion of records within the twenty-two-month federal retention period, together with the further relief set forth below.

COUNT II: DECLARATORY JUDGMENT

(R 168.48 Exceeds the Secretary's Authority and Conflicts with Michigan Retention Law)

58. RNC and MRP reallege and incorporate all preceding paragraphs.

59. MCL 168.31(1)(a) authorizes rules for the conduct of elections and registrations in accordance with law, and MCL 168.668b authorizes EPB procedures. Neither provision delegates power to shorten the retention period established by MCL 168.811 or to bypass the public-records disposal process. A conflicting administrative rule must yield to the statute. *Emagine Entertainment, Inc v Dep't of Treasury*, 334 Mich App 658, 664; 965 NW2d 720 (2020).

60. MCL 168.811 requires twenty-two months of preservation for election returns, including poll lists, statements, tally sheets, and other precinct returns. Where local EPB software or associated files comprise or contain such records and no complete preserved copy replaces them, the Rule's seven-day destruction command conflicts with the Legislature's requirement. This claim is independent of whether each EPB component satisfies the federal source-of-possession requirement in § 20701. The Department asserts that paper reports and QVF uploads preserve every covered return, including an activity log. Ruling at 6–8. That assertion requires comparison with the complete local files. But that has not happened.

61. Michigan law separately requires disposal pursuant to a valid approved schedule. MCL 750.491; MCL 399.811. Item 23.339's condition—uploading the data to the QVF or converting them to paper—does not authorize destruction of local information omitted from the upload and paper reports. The schedule cannot override any twenty-two-month statutory retention period applicable to a record. The Department invokes format conversion and schedule items 23.242 and 23.339, Ruling at 7–8, but their conditions cannot authorize deletion of a protected entry that is absent from both the paper and QVF records.

62. That the Bureau previously directed similar deletion in manuals or obtained a schedule item reflecting the practice does not amend the Election Law. R 168.48 exceeds the Secretary's delegated power and is invalid because it requires destruction forbidden by MCL 168.811, MCL 750.491, and MCL 399.811. The Court should declare its limits and grant appropriate permanent relief.

WHEREFORE, RNC and MRP request judgment declaring that R 168.48 exceeds the Secretary's authority under MCL 168.31 and conflicts with MCL 168.811, MCL 750.491, and MCL 399.811, and is invalid and unenforceable because it requires deletion of records within the statutory retention period, together with the further relief set forth below.

**COUNT III: R 168.48 IS INVALID FOR FAILURE OF SUBSTANTIAL COMPLIANCE
WITH THE ADMINISTRATIVE PROCEDURE ACT**

(In the Alternative)

63. RNC and MRP reallege and incorporate all preceding paragraphs.

64. A rule is not valid unless processed in compliance with MCL 24.242 and substantial compliance with MCL 24.241(2), (3), (4), and (5). MCL 24.243(1). The public-hearing notice must state the terms or substance of the proposed rule, describe the subjects and issues involved, and specify the proposed effective date. MCL 24.241(2)(c).

65. The notices published in newspapers on June 14 and 15, 2025 and in the Michigan Register on July 1 described a proposed secure live connection to the QVF and continued EPB software download as backup. They did not mention the proposed requirement to delete EPB software and associated files seven days after certification or the resulting destruction of local election records.

66. The request for rulemaking, regulatory impact statement, and report to the Joint Committee on Administrative Rules likewise emphasized live connectivity rather than the deletion requirement; the public hearing received no testimony, and the written comments addressed the connection proposal.

67. The failure to describe the deletion command deprived clerks, candidates, parties, and voters of notice that this distinct and consequential subject was under consideration.

68. The affirmative description of the proposal did not substantially comply with MCL 24.241(2)(c) as to R 168.48. That Rule is invalid under MCL 24.243(1), and this challenge is within the two-year period in MCL 24.243(2). The deletion provision is severable from the remaining live-connection and download provisions.

WHEREFORE, RNC and MRP request judgment declaring that R 168.48 was not processed in substantial compliance with MCL 24.241(2) and is invalid under MCL 24.243(1), together with the further relief set forth below.

PRAYER FOR RELIEF

A. Declare that R 168.48 is preempted by 52 USC 20701 and 20702, and is invalid and unenforceable, to the extent it requires deletion of covered records within the twenty-two-month federal retention period;

B. Declare that R 168.48 exceeds the Secretary's authority under MCL 168.31 and conflicts with MCL 168.811, MCL 750.491, and MCL 399.811, and is invalid and unenforceable because it requires deletion of records within the applicable statutory retention period;

C. Alternatively, declare that R 168.48 must be construed so as not to require deletion of records during the retention periods established by 52 USC 20701 and MCL 168.811;

D. Alternatively, declare that R 168.48 was not processed in substantial compliance with MCL 24.241(2)(c) and is invalid under MCL 24.243(1);

E. Enter preliminary and permanent injunctive relief restraining Defendants, their officers, agents, and employees from enforcing R 168.48 statewide insofar as it requires destruction of records protected by federal or Michigan law, including extant local EPB data and associated files from the August 4, 2026 primary and the November 3, 2026 general election until one complete encrypted archival copy, with any software or means needed to read it, is verified and securely segregated pending a merits determination;

F. Direct Defendants to issue promptly, through the Bureau's usual channels, statewide instructions to county, city, and township clerks to preserve one complete, secure archival copy of extant EPB data and associated files covered by the injunction, while permitting operational devices to be cleared and reused after verification;

G. Order a speedy hearing and advance the action on the Court's calendar under MCR 2.605(D);

H. Award costs and reasonable attorney fees to the extent authorized by law; and

I. Grant such other relief as the Court deems just and equitable.

Dated: October 15, 2026

Respectfully submitted,

/s/ Daniel C. Ziegler

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Attorneys for Intervening Plaintiffs

CERTIFICATE OF SERVICE

The undersigned certifies that on October 15, 2026, he served a copy of the above document in this matter on all counsel of record via MiFILE, email on Defendants' counsel of record at the email addresses in the caption, and by sending copies of this First Amended Verified Complaint by certified mail.

/s/ Daniel C. Ziegler

Daniel C. Ziegler (P86312)

VERIFICATION

I, Jessica Barefield, representative of the Michigan Republican Party (the "MRP"), being duly sworn and being authorized to give this Verification on behalf of the MRP in support of the allegations contained in the foregoing First Amended Verified Complaint, do hereby declare pursuant to MCR 1.109 and under the penalties of perjury, that the facts and allegations contained in this First Amended Verified Complaint are true to the best of my information, knowledge, and belief.

Jessica Barefield
By:
Its: Executive Director

Subscribed and sworn to before me this 15th day of October, 2026.

Nicole Powers
_____, Notary Public

Livingston County, State of Michigan

My commission expires: 10/16/28

4920-5648-3801 v1 [99168-17]

Nicole Powers
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF LIVINGSTON
My Commission Expires October 16, 2028
Acting in the County of Livingston

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VERIFICATION

I, Michael Ambrosini, a representative of the Republican National Committee (the "RNC"), being duly sworn and being authorized to give this Verification on behalf of the RNC in support of the allegations contained in the foregoing First Amended Verified Complaint, do hereby declare pursuant to MCR 1.109 and under the penalties of perjury, that the facts and allegations contained in this First Amended Verified Complaint are true to the best of my information, knowledge, and belief.



By:

Its: Chief of Staff

Subscribed and sworn to before me this 15 day of October, 2026.

Elizabeth Pretzman

_____, Notary Public

Washington, D.C. County, State of _____

My commission expires: 11/14/30



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