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By _____, Deputy
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19 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

20 **FOR THE COUNTY SACRAMENTO**

21 ELECTION INTEGRITY PROJECT
22 CALIFORNIA, INC.; LARRY LEWIS, an
23 individual; COLETTE CASEY, an individual;
24 ELLEN SWENSEN, an individual; THOMAS
25 D. PAVICH an individual; and CHARLES
26 SHINN, an individual,

27 Petitioners,

28 v.

29 SHIRLEY WEBER, CALIFORNIA
30 SECRETARY OF STATE; BOB PAGE,
31 ORANGE COUNTY REGISTRAR OF
32 VOTERS; DEAN LOGAN, LOS ANGELES
33 COUNTY REGISTRAR-
34 RECORDER/COUNTY CLERK; ART
35 TINOCO, RIVERSIDE COUNTY
36 REGISTRAR OF VOTERS; AIMEE X.
37 EXPINOZA, KERN COUNTY AUDITOR-
38 CONTROLLER-COUNTY CLERK; and
MICHELLE BALDWIN, TULARE COUNTY
REGISTRAR OF VOTERS,

Respondents,

Case No.:

**VERIFIED PETITION FOR
PEREMPTORY WRIT OF MANDATE**

PRIORITY ELECTION MATTER
(Cal. Elec. Code § 13314)

ACTION REQUIRED BY:
November 6, 2024

BY FAX

1 **I. INTRODUCTION**

2 1. Petitioners Election Integrity Project California, Inc. (“EIPCa”); Larry Lewis, an
3 individual (“Lewis”); Colette Casey, an individual (“Casey”); Ellen Swensen, an individual
4 (“Swensen”); Thomas D. Pavich, an individual (“Pavich”); and Charles Shinn (“Shinn”), an
5 individual (and collectively “Petitioners”) bring the present Petition for a Peremptory Writ of
6 Mandate (“Petition”) prior to the general election on November 5, 2024, to ensure the named
7 elections officials abide by California election laws. Petitioners Lewis, Case, Swensen, Pavich,
8 and Shinn voted in the November 2022 election and intend to vote in the November 2024 election
9 in their respective counties. Petitioner EIPCa is a nonpartisan 501(c)(3) public benefit corporation
10 committed to defending, through education, research, and advocacy, the civil rights of United
11 States citizens to fully participate in the election process under Federal and state law.

12 2. Voters and members of EIPCa questioned the California Secretary of State as to
13 election procedures when EIPCa’s team of data analysts found out pursuant to an audit that the
14 data certified by the Secretary of State in November of 2022 was inconsistent with the June 2024
15 report. This data consisted of the voter history and voter information file provided to EIPCa by the
16 Secretary of State in June of 2024. (Elec. Code §§ 2191; 2300(9)(a).) EIPCa has asked the
17 Secretary of State for an explanation as to the discrepancies between official reports of numbers
18 of votes at the statewide and individual county level. Specifically, official vote tallies of the same
19 election from the counties of Los Angeles, Orange, Riverside, Tulare, and Kern the total votes
20 differ by a margin of several hundred to several thousand votes between the 2022 and 2024 data
21 sets.

22 3. To date, the Secretary of State has not responded to EIPCa’s request for
23 explanation, causing Petitioners to have no choice but to file the present Petition. If Petitioners are
24 not provided with an explanation for the discrepancies and an accurate count and certification by
25 either the subject counties or the Secretary of State for the 2022 election, there is a great risk that
26 local election officials and the Secretary of State will facilitate the same errors in counting and
27 certifying votes in the upcoming November 2024 election. Time is of the essence. Therefore,
28 Petitioners request a peremptory writ of mandate under Civil Code section 1085 and Elections

1 Code sections 13314, compelling Respondents to provide an explanation for the above-described
2 discrepancies and appoint a special master certifying an accurate Statement of Vote in the
3 November 2024 election.

4 II. PARTIES

5 4. Petitioner Elections Integrity Project, Inc. (“EIPCa”) is a 501(c)(3) nonprofit public
6 benefit corporation doing business within the County of Los Angeles, State of California, with its
7 principal place of business located at 27943 Seco Canyon Road #521, Santa Clarita, California,
8 91350.

9 5. Petitioner Larry Lewis (“Lewis”) is an “elector” under Elections Code § 321(a),
10 who is now, and was at all times relevant herein, a resident of Los Angeles County, California.
11 Petitioner Lewis is a United States citizen over eighteen years of age. (Declaration of Larry Lewis
12 (“Lewis Decl.”), ¶¶ 1, 3.)

13 6. Petitioner Colette Casey (“Casey”) is an “elector” under Elections Code § 321(a),
14 who is now, and was at all times relevant herein, a resident of Orange County, California.
15 Petitioner (“Case”) is a United States citizen over eighteen years of age. (Declaration of Colette
16 Casey (“Casey Decl.”), ¶¶ 1, 3.)

17 7. Petitioner Ellen Swensen (“Swensen”) is an “elector” under Elections Code §
18 321(a), who is now, and was at all times relevant herein, a resident of Riverside County, California.
19 Petitioner Swensen is a United States citizen over eighteen years of age. (Swensen Decl., ¶¶ 1, 3.)

20 8. Petitioner Thomas D. Pavich (“Pavich”) is an “elector” under Elections Code §
21 321(a), who is now, and was at all times relevant herein, a resident of Tulare County, California.
22 Petitioner (“Pavich”) is a United States citizen over eighteen years of age. (Declaration of Thomas
23 D. Pavich (“Pavich Decl.”), ¶¶ 1, 3.)

24 9. Petitioner Charles Shinn (“Shinn”) is an “elector” under Elections Code § 321(a),
25 who is now, and was at all times relevant herein, a resident of Kern County, California. Petitioner
26 (“Shinn”) is a United States citizen over eighteen years of age. (Declaration of Charles Shinn
27 (“Shinn Decl.”), ¶¶ 1, 3.)
28

1 10. Respondent Shirley Weber (“Weber”) is the chief elections officer in California
2 and is responsible for administering the provisions of the California Elections Code and enforcing
3 state election laws. (Gov. Code § 12172.5.) As Secretary of State, Weber may also adopt
4 regulations to ensure the uniform application and administration of election laws, including
5 overseeing the counting of votes and certifying the election. (*See, e.g.*, Elec. Code § 15500, *et*
6 *seq.*; *see also* *Cty of San Diego v. Bowen*, (2008) 166 Cal.App.4th 501.)

7 11. Respondent Dean C. Logan (“Logan”) is the “Elections Official” for Los Angeles
8 County whose duties include processing ballots, performing canvassing, counting votes,
9 appointing the precinct board, and sending to the Secretary of State the certified statement of
10 results. (*See* Elec. Code § 3000, *et seq.*; *see also* Elec. Code §320 [defining “Elections Official”];
11 *see also* Elec. Code § 339 [defining “Precinct Board”].)

12 12. Respondent Bob Page (“Page”) is the “Elections Official” for Orange County
13 whose duties include processing ballots, performing canvassing, counting votes, appointing the
14 precinct board, and sending to the Secretary of State the certified statement of results. (*See* Elec.
15 Code § 3000, *et seq.*; *see also* Elec. Code §320 [defining “Elections Official”]; *see also* Elec. Code
16 § 339 [defining “Precinct Board”].)

17 13. Respondent Art Tinoco (“Tinoco”) is the “Elections Official” for Riverside County
18 whose duties include processing ballots, performing canvassing, counting votes, appointing the
19 precinct board, and sending to the Secretary of State the certified statement of results. (*See* Elec.
20 Code § 3000, *et seq.*; *see also* Elec. Code §320 [defining “Elections Official”]; *see also* Elec. Code
21 § 339 [defining “Precinct Board”].)

22 14. Respondent Aimee X. Espinoza (“Espinoza”) is the “Elections Official” for Kern
23 County whose duties include processing ballots, performing canvassing, counting votes,
24 appointing the precinct board, and sending to the Secretary of State the certified statement of
25 results. (*See* Elec. Code § 3000, *et seq.*; *see also* Elec. Code §320 [defining “Elections Official”];
26 *see also* Elec. Code § 339 [defining “Precinct Board”].)

27 15. Respondent Michelle Baldwin (“Baldwin”) is the “Elections Official” for Tulare
28 County whose duties include processing ballots, performing canvassing, counting votes,

1 appointing the precinct board, and sending to the Secretary of State the certified statement of
2 results. (*See* Elec. Code § 3000, *et seq.*; *see also* Elec. Code §320 [defining “Elections Official”];
3 *see also* Elec. Code § 339 [defining “Precinct Board”].)

4 16. Petitioners seek a Peremptory Writ of Mandate, pursuant to Code of Civil
5 Procedure § 1085 and Elections Code § 13314 to compel each Respondent to fulfill his or her
6 duties regarding counting eligible ballots; reconciling the vote; certifying the vote; and responding
7 to EIPCa’s questions in accordance with California’s election laws.

8 **III. JURISDICTION AND VENUE**

9 17. This Court has jurisdiction under Code of Civil Procedure Section 1085, which
10 authorizes the issuance of a writ of mandate. Jurisdiction is also proper under Elections Code
11 Section 13314(a)(1), which authorizes an elector to seek a writ of mandate when “an error or
12 omission has occurred, or is about to occur,” regarding an official election matter or “any neglect
13 of duty has occurred or is about to occur.” (Elec. Code § 13314(a)(1).)

14 18. Venue is proper in this Court pursuant to Government Code Section Code of Civil
15 Procedure Section 394(a) and Elections Code § 13314(b)(1), which provides that, “Venue for a
16 proceeding under this section shall be exclusively in Sacramento County” when “The Secretary of
17 State is named as a real party in interest or as a respondent.” (Elec. Code § 13314(b)(1).)

18 **IV. REQUEST FOR PRIORITY**

19 19. Petitioners request that their Petition for Writ of Peremptory Mandate be given
20 preference under: (1) Code of Civil Procedure § 35, given its relation to certification of a
21 candidate(s) by vote; and (2) Elections Code § 13314. Time is of the essence, given the upcoming
22 election on November 5, 2024, and the requirement that election officials begin transmitting
23 elections results to Secretary of State at intervals no greater than two hours following the election.
24 (Elec. Code § 15151.) Thus, Petitioners request a hearing date on the merits as well as a ruling on
25 their Petition for Peremptory Writ of Mandate on or before November 6, 2024, after the results are
26 transmitted to the Secretary of State and before the County Registrars of Voters send the Secretary
27 of State a copy of the election results within 31 days of the election.

28

1 **V. STANDING**

2 20. Petitioner EIPCa has associational standing under the public interest exception to
3 the beneficial interest requirement under California law because “the question is one of public
4 right and the object of the mandamus is to procure the enforcement of a public duty.” (*Loeber v.*
5 *Lakeside Joint School Dist.* (2024) 103 Cal.App.5th 552, 573-75.) By filing the present writ, EIPCa
6 acts on behalf of the Individual Petitioners and all California voters regarding the ‘broad[] public
7 concern’ of ensuring transparent and fair elections by requesting that Respondents fulfill their
8 statutory obligations of accurately counting and certifying votes. (*Id.* at p. 576; NVRA 52 U.S.
9 Code § 20501(b)(3)(4).)

10 21. Individual Petitioners have standing to bring this writ as “elector[s]” under
11 Elections Code § 13314(a)(1). Elections Code § 321 defines an elector as “a person who is a United
12 States citizen 18 years of age or older and . . . is a resident of an election precinct in this state on
13 or before the day of an election.” (Elec. Code § 321(a).) Individual Petitioners are all United
14 States’ Citizens over the age of eighteen and each a resident of a county for which a Respondent
15 elections official is named as a Respondent. Individual Petitioners each plan to vote in the 2024
16 election in their respective counties. (Lewis Decl., Casey Decl., Swensen Decl., Pavich Decl.,
17 Shinn Decl., ¶¶ 1, 3, 4.)

18 **VI. FACTUAL BACKGROUND**

19 **A. EIPCA’s Application For Voter List Or File To The Secretary Of State**

20 22. Collectively, Respondents are responsible for conducting elections, counting votes,
21 and certifying election results, as set forth in greater detail below.

22 23. Petitioner EIPCa is a nonprofit 501(c)(3) public benefit corporation committed to
23 defending, through education, research, and advocacy the civil rights of United States citizens to
24 fully participate in the election process under Federal and state law. EIPCa provides grassroots
25 oversight to ensure the integrity of that part of the Republic through which citizens exercise their
26 most fundamental right - the right to choose their representatives by fair and honest elections.
27 EIPCa works to ensure that all votes are lawfully cast and accurately counted. EIPCa is neither
28 affiliated with nor supportive of any political party or organization and its members have diverse

1 political affiliations. EIPCa accomplishes its purpose in several different manners, including
2 training citizens to observe and document election procedures used to manage elections and
3 process ballots, communicating with election officials, and by requesting and auditing election
4 data. (Swensen Decl., ¶ 4; Shinn Decl., ¶ 5; Casey Decl., ¶ 5; Lewis Decl. ¶ 5; Pavich Decl., ¶ 5;
5 Declaration of Linda Paine (“Paine Decl.”), ¶¶ 2-3.)

6 24. On February 27, 2024, EIPCa properly submitted an application to the California
7 Secretary of State for the “voter list or file” maintained by the elections officials for each precinct
8 of all voters who voted in previous elections. (Elec. Code §§ 2191; 2300(a)(9)(B); 2191; Cal. Code
9 Regs., tit. 2, § § 19001, 19003, 19008, 19009; Paine Decl., ¶ 6; Ex. 3; Swensen Decl., ¶ 6; Ex. 3.)
10 The application requested each voter’s name, address, birthdate, state Registration ID number,
11 precinct, voting method, and current registration status. (*Id.*) Essentially, the data sought was the
12 November 2022 election “accounting” data used by Respondents in certifying the election
13 (“November 2022 Certified Accounting”), both by individual county and for the State of
14 California. (*Id.*; ¶ 7; Declaration of Carl Knowles (“Knowles Decl.”), ¶ 7.)

15 25. After numerous emails and phone calls with the Secretary of State, EIPCa received
16 the voter history and voter information files of those who voted in the November 2022 election on
17 June 28, 2024. (Swensen Decl., ¶ 7; Knowles Decl., ¶ 8; Ex. 9; Elec. Code § 359.2.) This is the
18 data that the Secretary of State represented matched the November 2022 Certified Accounting,
19 hereinafter referred to as the “June 2024 Accounting.” (Swensen Decl., ¶ 7; Knowles Decl., ¶ 6.)
20 EIPCa conducted an audit of the data sets, comparing the November 2022 Certified Accounting
21 and the June 2024 Accounting. (Swensen Decl., ¶¶ 8-10; Knowles Decl., ¶¶ 10-11; Sinor Decl.,
22 ¶ 9.)

23 **B. Petitioner’s Findings Regarding The June 2024 Accounting And The November 2022**
24 **Certified Accounting**

25 26. Upon receiving the raw data of over 34 million rows of plain text tab delimited files
26 (“Voter History and Voter Information Files”) from the Secretary of State, Petitioner EIPCa
27 conducted an audit of the data, comparing information from the November 2022 Certified
28 Accounting to the June 2024 Accounting. (Knowles Decl., ¶ 9; Declaration of Dale Sinor (“Sinor

1 Decl.”), ¶ 9; Swensen Decl., ¶ 8.) While the June 2024 Accounting is supposed to be a “snapshot”
2 of the November 2022 Certified Accounting Data, EIPCa found major discrepancies between the
3 two data sets. (Swensen Decl., ¶¶ 10-20; Exs. 6, 8; Sinor Decl., ¶ 9.) In other words, the June 2024
4 Accounting proved to be substantially different than the data certified by the Secretary of State
5 following the election, demonstrating serious shortcomings by Respondents in performing their
6 ministerial duties in certifying the 2022 election.

7 27. While the present Petition does not challenge past actions of Respondents or the
8 results of a past election, Petitioners seek to ensure that Respondents fulfill their duties in
9 accordance with law in the upcoming November 2024 election.

10 28. Following the November 2022 election, Respondent Weber published a “Statement
11 of Vote,” which showed on page 3’s Voter Participation Statistics chart that 11,146,620 total voters
12 participated (their ballots- aka ‘votes’- were counted) in California in the November 2022 election.
13 (Swensen Decl., ¶ 10; Ex. 8; Declaration of Emma F. Plotnik (“Plotnik Decl.”), ¶¶ 4, 6; Request
14 for Judicial Notice (“RJN”), Exs. 1, 8.) These Voter Participation Statistics are central to the
15 November 2022 Certified Accounting. However, the data provided by Weber in the June 2024
16 Accounting showed 11,190,244 votes (or 43,624 more total votes) than listed in the November
17 2022 Certified Accounting. (Swensen Decl., ¶ 10; Ex. 6.)

18 29. As to Los Angeles County specifically, the November 2022 Certified Accounting
19 shows there were 2,456,701 total votes counted. (Swensen Dec., ¶ 11; Ex. 6; RJN, Ex. 1.)
20 However, the June 2024 Accounting provided by Secretary Weber showed 2,506,478 votes.
21 (Swensen Dec., ¶ 11; Ex. 6.) In other words, there was a discrepancy of 49,777 more total votes in
22 the June 2024 Accounting than the November 2022 Certified Accounting. (*Id.*)

23 30. Similarly, in Riverside County, there was an increased number of over 4,000 votes
24 between the November 2022 Certified Accounting and the June 2024 Accounting according to
25 EIPCa’s review of the data. (Swensen Dec., ¶ 12; Ex. 6.) Specifically, the Secretary of State listed
26 604,617 Riverside County votes in November of 2022 but reflected 608,899 votes in June of 2024.
27 (*Id.*)

28

1 31. In Kern County, there was an increased margin of 490 votes, from 190,715 votes
2 listed by the Secretary of State in November of 2022 to 191,205 votes in June of 2024. (Swensen
3 Dec., ¶ 15; Ex. 6.)

4 32. In other counties, there was a reported inverse discrepancy. For example, in Orange
5 County, the Secretary of State listed 994,277 votes in November of 2022. However, in June of
6 2024, the total number of votes provided by the Secretary of State totaled 992,939, showing a
7 decrease of 1,338 votes. (Swensen Dec., ¶ 13; Ex. 6.)

8 33. Similarly, in Tulare County, there was a decrease of 326 votes between November
9 of 2022 and June of 2024 according to EIPCa’s review of the data. (Swensen Dec., ¶ 14; Ex. 6.)
10 Specifically, the Secretary of State listed 92,404 total votes in November of 2022 and reported
11 92,078 votes in June of 2024. (*Id.*)

12 34. In fact, only in one county, Modoc, do the number of votes match in that there were
13 a reported 3,441 votes in both November of 2022 and June of 2024. (Swensen Dec., ¶ 16; Ex. 6.)
14 Overall, the June 2024 Accounting reflects that 32 California counties had 71,092 more ballots
15 cast than the total number of voters that allegedly participated in the November 2022 Certified
16 Accounting.

17 35. Furthermore, EIPCa’s audit of the June 2024 Accounting demonstrates that there
18 were 21,355 unique Registration ID numbers that had more than one vote attributed to voter
19 identification. (Swensen Dec., ¶ 17.) However, even if these “multi-votes” are not considered,
20 there were still 22,210 more voters in the June 2024 data than voters listed in November 2022. (*Id.*
21 at ¶ 19.) The June 2024 Accounting by precinct also shows discrepancies between the precinct
22 numbers and at least one county’s statement of the vote. In summary, the June 2024 Accounting
23 reflects 32 California counties that had 71,092 more ballots counted than the total number of ballots
24 counted and certified in the November 2022 Certified Accounting. (Swensen Decl., ¶ 10; Ex. 6.)
25 The June 2024 Accounting also reflects that 25 California counties had 27,764 fewer ballots
26 counted than the total number of ballots counted and certified in the November 2022 Certified
27 Accounting. (*Id.*) Statewide, the discrepancies netted a difference of 43,624 ballots cast and
28 counted. (*Id.*) Additionally, an unacceptable number of voter IDs had more than one ballot counted

1 and attributed to a voter’s ID, amounting to 42,769 ballots. (Swensen Decl., ¶ 17.) The implication
2 is that thousands of voters were disenfranchised of their right to have their vote counted and that
3 thousands of invalid ballots were somehow counted.

4 36. Because of the foregoing findings, EIPCa sought to determine if there are other
5 factors that explain these discrepancies. For instance, EIPCa has reviewed the US Election
6 Assistance Commission data for the November 2022 election to see if the difference was the result
7 of rejected ballots, but the report shows that 94,072 ballots cast in Los Angeles County were
8 rejected. (Swensen Dec., ¶ 18; Ex. 7; Plotnik Decl., ¶ 5; RJN, Ex. 2.) Accordingly, the discrepancy
9 of 49,777 could not be explained by rejected ballots. (*Id.*)

10 37. EIPCa sent a certified letter to Respondent Weber setting forth the aforementioned
11 facts and requesting answers to its questions regarding the discrepancies. (Paine Decl., ¶ 6; Ex. 4;
12 Swensen Decl., ¶ 21.) Elections officials are required to provide an answer to questions about
13 election procedures or, otherwise, recommend an official who may provide an answer. (Elec. Code
14 §2300(a)(9)(B); Cal. Code Regs., tit. 2, § § 19001, 19003, 19008, 19009.)

15 38. EIPCa sent its letter to the Secretary of State on September 6, 2024. (Paine Decl.,
16 ¶ 6; Ex. 4.) Specifically, the letter asked six questions, including, but not limited to questions
17 regarding:

- 18 ▪ Why the total amount of votes provided by the Secretary’s office in June 2024
19 exceed the amount in the certification and what procedures were used to
20 reconcile these differences;
- 21 ▪ Why certain counties had *fewer* votes and other counites had *more* votes than
22 listed in the certification; and
- 23 ▪ How “confidential registrants” votes are counted and how many such votes
24 were counted.

24 39. Petitioner supplemented the letter on September 20, 2024. (*Id.* at ¶ 6; Ex. 5.)

25 40. To date, Respondent has not provided answers to these questions. (*Id.* at ¶ 7.)

26 **C. Grounds For Issuance Of Petitioners’ Requested Writ Of Mandate**

27 41. A writ of mandate may be issued pursuant to California Code of Civil Procedure
28 § 1085 to a person, board, or corporation to “compel the performance of an act which the law

1 specifically enjoins, as a duty resulting from an office, trust, or station....” (Code Civ. Proc.
2 § 1085.)

3 42. The writ “must be issued in all cases where there is not a plain, speedy, and adequate
4 remedy, in the ordinary course of law. It must be issued upon the verified petition of the party
5 beneficially interested.” (Code Civ. Proc. §1086.)

6 43. The requested writ is peremptory in nature, which “command[s] the party to whom
7 it is directed immediately after the receipt of the writ, or at some other specified time, to do the act
8 required to be performed” (Code Civ. Proc. §1087.)

9 44. In the present matter, Petitioners seek a writ solely to require Respondents to fulfill
10 the statutorily required obligations of their offices as they relate to the upcoming November 2024
11 election.

12 45. The Secretary of State is the chief elections officer of the state and is charged with
13 administering the provisions of the Elections Code. (Gov. Code § 12172.5, NVRA 52 U.S. Code
14 § 20501(b)(4).) This requires ensuring that accurate and current voter registration rolls are
15 maintained, the elections are efficiently run and that state election laws are enforced. (*Id.*) If the
16 Secretary of State concludes that the election laws are not being properly enforced, it is her duty
17 to notify the district attorney or attorney general. (*Id.*) The Secretary has been granted numerous
18 means to determine whether elections laws are being followed. (*Id.*)

19 46. The elections official is tasked with counting and certifying all votes that occur
20 within their jurisdiction. (Cal. Code Regs., tit. 2, § 19098.) This includes certifying that the official
21 did canvas the results of the votes cast in their county and that the certificate is “full, true, and
22 correct.” (*Id.*) An “elections official” is “A clerk or any person who is charged with the duty of
23 conducting an election” and “A county clerk, city clerk, registrar of voters, or elections supervisor
24 having jurisdiction over elections within any county, city, or district within the state.” (Elec. Code
25 § 320.) County ROVs must also comply with NVRA 52 U.S. Code § 20501(b)(4) – especially
26 regarding federal elections.

27 47. At issue in the present matter are the duties of both the elections officials and the
28

1 Secretary of State in counting, analyzing, and certifying the voter numbers from an election. The
2 way elections take place and Respondents' concordant duties are summarized as follows.

3 **D. Statutory Duties Of County Registrar-Recorders/County Clerks As Election Officials**

4 48. California permits vote-by-mail ("VBM") in accordance with the Elections Code
5 Chapter 2, §15100 et. seq., and processing of the VBM ballots may begin as early as 29 days prior
6 to the election. (Elec. Code §15101.)¹ The elections official directly appoints the board that
7 processes the VBM ballots. (Elec. Code §15102.)

8 49. It is also the elections official's duty to keep an accurate list of all voters who have
9 received and voted using a VBM ballot and compare this list with the roster to determine if any
10 voter cast more than one ballot. (Elec. Code § 15111 [referencing §15278].)

11 50. County elections officials are tasked with synchronizing voter registration records
12 in the county election management system with the statewide system and to use the statewide
13 system to determine a voter's eligibility to vote. (Cal. Code Regs. §19083.)

14 51. Immediately upon receipt of an adjudication of a voter's VBM ballot, the elections
15 official is tasked with entering the status of the ballot as "Accepted" or "Not Accepted" along with
16 a "reason code" if it was not accepted. (Cal. Code Regs. §§ 19091, 19092, 19093.)

17 52. The elections official must send the status of each VBM, provisional,² and CVR
18 ballot³ in near real time to the statewide voter registration system. (Cal. Code Regs. § 19096.) All
19 ballots that require further review must be resolved and a final adjudication sent to the statewide
20 voter registration system within 31 days after the election. (*Id.*)

21 53. On the first day of voting, the elections official must send over voter participation
22 history for each voter who participates to the statewide voter registration system in near real time.

23
24 ¹ Processing vote by mail ballots includes opening vote by mail ballot return envelopes, removing ballots,
25 duplicating any damaged ballots, and preparing the ballots to be machine read, or machine reading them, including
26 processing write-in votes so that they can be tallied by the machine. (Elec. Code, § 15101, subd. (b).)

27 ² A provisional ballot is a regular ballot placed in a special envelope that are cast by voters who believe they
28 are registered, but whose names on are not on the official registration list or who vote by mail and instead want to vote
at a polling place but do not have a ballot. The vote will be counted if, after review, election officials confirm it is valid.
CITE.

³ CVR means conditional voter registration. (Cal. Code Regs. § 19062.) This applies for voters that missed the
registration deadline to conditionally register and cast a ballot.

1 (Cal. Code Regs. §19097.) The voter participation history must accurately indicate the method of
2 participation and is to be displayed on the Secretary of State’s “My Voter Status” page. (*Id.*)

3 54. Votes cast by VBM ballots and votes cast at the polling place are tabulated. (Elec.
4 Code §15321.) Results must be shown by precinct. (Elec. Code §15373.) The results must further
5 be broken down to show the total number of ballots cast, the number of votes cast at each precinct
6 for each candidate, and the total number of votes cast. (Elec. Code § 15374.)

7 55. Immediately upon the close of the polls, a “semifinal official canvass” commences
8 and must continue without adjournment until all precincts are accounted for. (Elec. Code § 15150.)

9 56. The semifinal canvass is “the public process of collecting, processing, and tallying
10 ballots and, for state or statewide elections, reporting results to the Secretary of State on election
11 night. The semifinal official canvass may include some or all of the vote by mail and provisional
12 vote totals.” (Elec. Code § 353.3.)

13 57. The canvass of the election returns is merely ministerial; it is not in any sense a
14 legislative act. (*Devlin v Donnelly* (1912) 20 Cal.App. 495, 498.) The entry of the statement of the
15 result is of the same ministerial nature. (*Fairfield-Suisun Sewer Dist. v. Hutcheon* (1956) 139
16 Cal.App.2d 502, 511.)

17 58. The precinct board shall begin to count the ballots and must ensure that the number
18 of ballots corresponds with the number of signatures on the roster—noting the difference, if any.
19 (Elec. Code §15271.) This includes counting write-in votes in accordance with the provisions
20 applicable to processing such votes for the official canvass. (Elec. Code § 15153.) The results shall
21 be made public once the polls in all counties have closed and results are transmitted to the Secretary
22 of State at intervals of no greater than 2 hours. (Elec. Code § 15151.)

23 59. Where voting is done by a voting machine at a polling place or polling center, as
24 soon as polls are closed, the precinct board, in the presence of the watchers and all lawfully present,
25 shall immediately lock the voting machine against all voting, count the votes cast and complete,
26 sign, and return all furnished forms requiring its signatures to the elections official. The precinct
27 board is required to provide furnished forms requiring the election official’s signature. Votes are
28

1 then counted, and the precinct board must sign a verified certificate of performance. (Elec. Code
2 §15250.5.)

3 60. On the second day after the election, the elections official is required to send the
4 Secretary of State an initial report estimating the number of outstanding, unprocessed ballots.
5 (Elec. Code § 15305.)

6 61. Ballots are counted and tallied by precinct under the direction of the elections official. (*See*
7 Elec. Code § 15290.)

8 62. Upon completion of the count by the precinct board, the elections official shall
9 compare the VBM list with the roster for each precinct to determine if any voter cast more than
10 one ballot. (Elec. Code § 15278.)

11 63. Once all votes are counted and tallied, the results must be sealed in an envelope and
12 signed by the precinct board, “certifying the total number of votes received by each candidate for
13 each office” and certifying that the “votes cast forms” that are transmitted to the county elections
14 official “show the total number of votes received by each candidate for each office.” (Elec. Code
15 §§ 15279, 15280.)

16 64. No later than the Thursday following the election, the official canvass must begin.
17 (Elec. Code § 15301.) And, for statewide elections, the canvas must result in a report to the
18 Secretary of State. (Elec. Code § 15301.)

19 65. The official canvass defined as:

20 The public process of processing and tallying all ballots received in an election,
21 including, but not limited to, provisional ballots and vote by mail ballots not included
22 in the semifinal official canvass. The official canvass also includes the process of
reconciling ballots, attempting to prohibit duplicate voting by vote by mail and
provisional voters, and performance of the manual tally of 1 percent of all precincts.

23 (Elec. Code § 335.5.)

24 66. The official canvass includes numerous tasks. (*See* Elec. Code § 15302(a)-(h).) Of
25 note, the number of signatures on the roster *must be reconciled with* the number of ballots recorded
26 on the ballot statement which, ultimately, must be reported to the Secretary of State. (Elec. Code
27 § 15302.)
28

1 67. Votes cast by vote-by-mail and votes cast at the polling place are both tabulated by
2 precinct. (Elec. Code §15321.) Results must be shown by precinct. (Elec. Code §15373.) The
3 results must further be broken down to show the total number of ballots cast, the number of votes
4 cast at each precinct for each candidate, and the total number of votes cast. (Elec. Code § 15374.)
5 As a security measure, the total votes of a randomly chosen 1% of precincts must also be manually
6 counted. (Elec. Code § 15360.)

7 68. When there is a discrepancy, the official is *required* to reconcile the number of
8 ballots received at each polling place with the number of ballots cast as indicated on the ballot
9 statement. (*Id.*)

10 69. Except when passing on the genuineness or sufficiency of a return, the duties of a
11 canvassing officer are purely ministerial, as they must simply add and ascertain by calculation the
12 number of votes cast for any office and make the declaration in accordance with the results
13 obtained. (*People ex rel. Hicks v. Stewart* (1901) 132 Cal. 283.) An election officer cannot go
14 beyond the returns and has no authority to consider any fact other than the returns before it. (*Id.*;
15 *see also Lamb v. Webb* (1907) 151 Cal. 451, 91.)

16 70. Beginning no later than the Thursday following the election, the elections official
17 must post updated reports on their internet website updated results. (Elec. Code § 15306.) During
18 this time, the elections official is charged with counting and finalizing all validly cast votes. (*Id.*)

19 71. Upon completion of the count, including the precinct-certified write-in votes, paper
20 ballots and provisional ballots, the elections official is tasked with declaring the vote and posting
21 a copy of it in the public space. (Elec. Code §§ 15320, 15372, 15350.)

22 72. Within 30 days of the election, the elections official shall prepare a certified
23 statement of the result and post it to their website. (Elec. Code § 15372.) The statement must show
24 the total number of ballots cast, the number of votes cast at each precinct for each candidate, the
25 total number of votes cast for each candidate; and the number of votes cast in each city (and other
26 required subdivisions). (Elec. Code § 15374.)

27 73. Within 31 days of the election, the elections official then shall send to the Secretary
28 of State a complete copy of the results of statewide elections and federal elections—other than vote

1 given for the electors of the president and vice president, the results of which must be endorsed,
2 canvassed, and sent 28 days after the elections. (Elec. Code §15375.) This report must provide
3 results for candidates voted for office and must include the total number of ballots cast. (*Id.*)

4 74. Also, within 31 days, the elections official must provide the Secretary of State the
5 number of ballots rejected by category. (Elec. Code § 15377.) Subsequently, the Secretary of State
6 must publish a report containing the information for every statewide election. (*Id.*)

7 **E. Certification Of The Vote By The Secretary Of State**

8 75. For the Secretary of State’s part, commencing with the first results of the semifinal
9 official canvas that is received from the elections officials, the Secretary of State shall compile the
10 results for offices and measures provided by the officials until completed. (Elec. Code § 15500.)
11 The Secretary of State shall compile the reports sent by the various officials and make them
12 publicly available. (*Id.*, §15501.)

13 76. No later than the 38th day after the election, the Secretary of State shall determine
14 the votes cast for each Senator and Representative and certify the person having the highest number
15 of votes. (Elec. Code § 15503.) No later than the 38th day following the election, the Secretary of
16 State shall analyze the votes given for presidential electors and certify to the Governor the names
17 of the proper number of persons having the highest number of votes. (*Id.*) The Secretary of State
18 then shall transmit to each presidential elector a certificate of election. (*Id.*)

19 77. The Secretary of State must then certify the election after analyzing the votes given
20 for presidential electors and certify the names of the candidate with the highest number of votes to
21 the Governor no later than the 32nd day following the election. (Elec. Code § 15505.) Similarly,
22 for non-presidential elections, the Secretary of State shall make out and deliver a certificate of
23 election. (Elec. Code § 15504.)

24 78. Moreover, the Secretary of State shall “prepare, certify, and file a statement of the
25 vote from the compiled results no later than the 38th day after the election” for candidates for
26 statewide office, statewide measures, and candidates for Assembly, State Senate, Congress, State
27 Board of Equalization, Supreme Court, and Courts of Appeal. (Elec. Code § 15501(b).) The
28 Secretary of State shall “post the certified statement of the vote on his or her Internet Web site in

1 a downloadable spreadsheet format that may include, but is not limited to, a comma-separated
2 values file or a tab-separated values file and that is compatible with a spreadsheet software
3 application that is widely used at the time of the posting.” (*Id.*)

4 79. Within 120 days of the filing of the statement of the vote, the Secretary of State
5 shall compile a supplement, showing the number of votes cast in each county, city, Assembly
6 district, senatorial district, congressional district and supervisorial district for each candidate for
7 the offices of presidential elector and a copy of this supplement shall be made available, upon
8 request, to any elector of this state. (Elec. Code § 15502.)

9 80. Black’s Law Dictionary defines “Certified” as: “A qualification or attribute
10 meaning to being officially attested or authoritatively confirmed as being genuine or true as
11 represented, or complying or meeting specified requirements or standards. A certificate may or
12 may accompany this qualification.” (See Black’s Law Dict. (2d ed. 1910).)

13 81. As demonstrated by the numerous serious discrepancies between the November
14 2022 Certified Accounting and the June 2024 Accounting either the elections officials, Secretary
15 of State, or both, failed to properly count and reconcile votes. These duties are purely ministerial
16 and are an appropriate target for a writ of mandate.

17 82. Respondents were required to synchronize and ensure that voters only voted a
18 single time and, correspondingly, that each participating Registration ID is accounted for with only
19 a single vote attributed to it. The data acquired from the Secretary of State demonstrates that it
20 failed to do this. Furthermore, the number of voters with multiple votes demonstrates that it was
21 not simply an oversight or a negligible amount of duplicative voting.

22 83. Respondents have the ministerial duty to reconcile the votes to ensure the votes cast
23 and certified votes are matching under numerous statutes. (*See* Elec. Code §§ 335.5, 15302,
24 15374.)

25 84. Respondents were required to ensure that the discrepancies (present in the counties
26 of Los Angeles, Orange, Riverside, Kern, and Tulare) did not occur by reconciling the ballots
27 received with the ballots cast. (Elec. Code § 15302.) In certifying the election, Respondents
28 attested and confirmed that the count was true as represented.

1 85. Petitioners requested, and the Secretary of State confirmed it provided the
2 November 2022 Certified Accounting. However, the data provided by the Secretary of State did
3 not match. Petitioners have a right to the actual November 2022 election data that Respondents
4 promised.

5 86. A writ of mandate is the correct remedy to “compel[] an officer to conduct an
6 election according to law.” (*See, Hoffman v. State Bar of California* (2003) 113 Cal. App. 4th 630,
7 639; *Conway v. City of San Mateo* (1981) 127 Cal. App. 3d 330, 334.)

8 87. A writ is also the proper remedy to compel a canvassing officer to discharge their
9 duties and canvass the returns of an election. (*People ex rel. Del Valle v. Butler* (1912) 20 Cal.
10 App. 379.)

11 88. The trial court has discretion to grant a writ. (*Ault v. Council of City of San Rafael*
12 (1941) 17 Cal. 2d 415.)

13 89. The Individual Petitioners, and California voters alike, will suffer the infringement
14 of a substantial right if the Petition is denied, as Respondents’ failure to conduct their ministerial
15 duties prevents accurate counting and certification of votes. As such, California voters cannot
16 know if their votes were counted, lost, or diluted. Further, EIPCa will be prejudiced because it will
17 be unable to adequately review elections results where the voting data provided to it by the
18 Secretary of State is not properly reconciled with the data listed in the certification.

19 90. Petitioners also suffer an infringement of their rights under the California Voter Bill
20 of Rights if Respondent Weber refuses to answer their questions, direct them to someone who can
21 answer, or provide them with an accurate “voter list or file.” (Elec. Code §2300(a)(9)(B); 2191;
22 Cal. Code Regs., tit. 2, § § 19001, 19003, 19008, 19009.)

23 91. Given the imminency of the 2024 general election, the requirement of the County
24 Registrars of Voters to send the Secretary of State a copy of the election results within 31 days of
25 the election, and the Secretary of State’s requirement to certify the candidates with the highest
26 number of votes within 38 days of the election, Petitioners request an expedited hearing and are
27 entitled to “priority over all other civil matters.” (Code Civ. Proc. § 35; Elec. Code § 13314.)
28

1 92. Due to the nature of this Petition seeking relief based on ministerial acts, there is a
2 minimal administrative record, and extrinsic evidence is admissible. (*See, e.g., Western States*
3 *Petroleum Association v. Superior Court of Los Angeles* (1995) 9 Cal.4th 559, 575 [explaining
4 that “extra-record evidence is usually necessary only when the courts are asked to review
5 ministerial or informal administrative actions, because there is often little or no administrative
6 record in such cases”].) Accordingly, Petitioner is prepared to compile the administrative record
7 for this matter, and the evidence Petitioner intends to offer has been submitted through the
8 accompanying declarations of Ellen Swensen, Carl Knowles, Dale Sinor, Larry Lewis, Colette
9 Casey, Thomas D. Pavich, Charles Shinn, and Request for Judicial Notice and exhibits attached
10 thereto.

11 93. Finally, Petitioner seeks the appointment of a Special Master to ensure that all
12 ministerial acts required by each elections official are carried out in accordance with the law, to
13 hold hearings, and permit the presentation of evidence regarding the discrepancy of votes
14 countywide and statewide and oversee Respondents’ processes for counting and certifying votes,
15 voters, and ballots in the November 2024 election. (*See, e.g., Wilson v. Eu* (1991) 54 Cal.3d 471,
16 473 [appointing a “Special Master[] to hold public hearings to permit the presentation of evidence
17 and argument”].)

18 **VII. FIRST CAUSE OF ACTION**

19 **(WRIT OF MANDATE UNDER CODE OF CIVIL PROCEDURE § 1085 AND**

20 **ELECTIONS CODE § § 13314)**

21 **(COUNT 1: AGAINST RESPONDENTS LOGAN, PAGE, TINOCO,**

22 **ESPINOZA, AND BALDWIN)**

23 94. Plaintiff incorporates Paragraphs 1 through 93 though fully set forth herein.

24 95. The County Registrar-Recorders/County Clerks as elections officials
25 must participate in an official canvas, consisting of among other things, reconciling the number of
26 signatures on the roster with the number of ballots recorded on the ballot statement. (Elec. Code §
27 § 15301, 15302.)
28

1 96. The elections officials were also required to prepare a certified statement of the
2 result of the total number of votes cast (including VBM votes and votes taken at the polling place)
3 within 30 days of the election. (Elec. Code § 15372.)

4 97. Finally, the elections official must send the Secretary of State a complete copy of
5 the results of statewide elections and federal elections, including results for candidates voted for
6 office and the total number of ballots cast within 31 days of the election. (Elec. Code § 15377.)
7 The elections official must also provide the Secretary of State the number of ballots rejected by
8 category. (*Id.*)

9 98. Here, the named elections officials have clear ministerial duties under Elections
10 Code § § 15300, et. seq. They violated these duties by failing to reconcile the number of signatures
11 on the roster with the number of ballots recorded on the ballot statement, resulting in significant
12 inaccuracies in the underreporting or overreporting of votes cast in California’s 2022 general
13 election to the Secretary of State. Said inaccuracies caused or contributed to an incorrect vote count
14 transmitted to the Secretary of State.

15 99. Code of Civil Procedure § 1085(a) provides that, “A writ of mandate may be issued
16 by any court to any inferior tribunal, corporation, board, or person, to compel the performance of
17 an act which the law specially enjoins, as a duty resulting from an office, trust, or station, or to
18 compel the admission of a party to the use and enjoyment of a right or office to which the party is
19 entitled, and from which the party is unlawfully precluded by that inferior tribunal, corporation,
20 board, or person.” (Code Civ. Proc. § 1085(a).)

21 100. Petitioners’ relief is proper under Elections Code § 13314(a), which authorizes a
22 writ of mandate when “an error or omission has occurred, or is about to occur,” regarding an
23 official election matter or “any neglect of duty has occurred or is about to occur.”

24 101. Here, Petitioners seek to compel Respondents to certify an accurate Statement of
25 Vote reflecting a number of votes cast and counted that equals the number of votes certified to the
26 Secretary of State, pursuant to their statutory obligations under Code of Civil Procedure § 15300,
27 et. seq. Petitioners have no plain, speedy, and adequate remedy at law, other than the relief sought
28 within this request. (*Flores v. Department of Corrections & Rehabilitation* (2014) 224 Cal.App.4th

1 199, 209.) A peremptory writ of mandate is sought to correct an “error or omission” that has
2 occurred with regard to the November 2022 general election and to prevent the same error which
3 is *about to occur* with respect to the November 2024 general election if elections officials
4 participate in an improper canvas and certify an improper vote count to the Secretary of State.
5 (Elec. Code § 13314(a).) The issuance of the requested writ will not substantially interfere with
6 the conduct of the election because Petitioners are requesting relief prior to counting and
7 certification of the vote. (Elec. Code § 13314(b).)

8 **(Count 2: Against Respondent Weber)**

9 102. Plaintiff incorporates Paragraphs 1 through 101 though fully set forth herein.

10 103. Upon receipt of the official canvas from the election official for each county, the
11 Secretary of State is required to compile the results for offices and measures provided by the
12 officials until completed. (Elec. Code § 15500.) Further, the Secretary of State must compile the
13 reports sent by the various officials and make them publicly available. (*Id.*, §15501.)

14 104. Importantly, the Secretary of State is required to determine the votes cast for each
15 Senator, Representative, and presidential candidate and certify the person having the highest
16 number of votes on or before the 38th day after the election. (Elec. Code § § 15503, 15505.)
17 Certification requires the accuracy of information “officially attested or authoritatively confirmed
18 as being genuine or true as represented, or complying or meeting specified requirements or
19 standards.” (See Black’s Law Dict. (2d ed. 1910).)

20 105. Here, Petitioners exercised their rights under the California Voter Bill of Rights by
21 “ask[ing] questions about election procedures and observ[ing] the election process,” prompting
22 their request for an explanation of the discrepancies between the November 2022 Certified
23 Accounting and June 2024 Accounting (Elec. Code §2300(a)(9)(B).) However, Weber violated
24 her ministerial duties under Elec. Code § § 15500, et. seq., by either certifying an inaccurate
25 compilation of votes or by declining to provide an explanation as to the discrepancies to Petitioners
26 upon their request.

27 106. Code of Civil Procedure § 1085(a) provides that, “A writ of mandate may be issued
28 by any court to any inferior tribunal, corporation, board, or person, to compel the performance of

1 an act which the law specially enjoins, as a duty resulting from an office, trust, or station, or to
2 compel the admission of a party to the use and enjoyment of a right or office to which the party is
3 entitled, and from which the party is unlawfully precluded by that inferior tribunal, corporation,
4 board, or person.” (Code Civ. Proc. § 1085(a).)

5 107. Petitioners’ relief is proper under Elections Code § 13314(a), which authorizes a
6 writ of mandate when “an error or omission has occurred, or is about to occur,” regarding an
7 official election matter or “any neglect of duty has occurred, or is about to occur.”

8 108. Here, Petitioners seek to compel Weber to provide a written statement with an
9 explanation as to why the total number of votes in the November 2022 Certified Accounting is
10 inconsistent with the total number of votes in the June 2024 Accounting, pursuant to Petitioners’
11 request under Elections Code §2300(a)(9)(B). Moreover, Petitioners request that Weber provide
12 an explanation underlying discrepancies in the number of votes for the following counties: Los
13 Angeles, Orange, Riverside, Kern, and Tulare. Petitioners have no plain, speedy, and adequate
14 remedy at law, other than the relief sought within this request. (*Flores, supra*, 224 Cal.App. 4th at
15 209.) A peremptory writ of mandate is sought to correct an “error or omission” that has occurred
16 regarding the November 2022 general election and to prevent the same error which is *about to*
17 *occur* with respect to the November 2024 general election if Weber certifies an improper count.
18 (Elec. Code § 13314(a).) The issuance of the requested writ will not substantially interfere with
19 the conduct of the election because Petitioners are requesting relief prior to counting and
20 certification of the vote. (Elec. Code § 13314(b).)

21 **PRAYER FOR RELIEF**

22 **WHEREFORE**, Petitioners pray that this court:

- 23 1. Issue a peremptory writ of mandate ordering Respondents to timely respond to
24 Petitioner’s questions laid forth in their September 6 and September 20, 2024 correspondence;
- 25 2. Appoint a special master to investigate, hold hearings, and determine why the
26 November 2022 Certified Accounting fails to match the June 2024 Accounting and to provide
27 written findings for the purpose of ensuring compliance with the Elections Code in recordkeeping,
28

1 canvassing, reporting, and accurate certification of the election results for the November 5, 2024,
2 election and future elections;

3 3. Appoint a special master to oversee the November 2024 election in each Respondent
4 County to ensure that all ministerial requirements are fulfilled in compliance with the Elections
5 Code in recordkeeping, canvassing, reporting, and accurate certification of the election results for
6 the November 5, 2024, election;

7 4. Appoint a special master to oversee the Secretary of State’s fulfillment of her
8 ministerial duties to ensure compliance with the Elections Code in recordkeeping, canvassing,
9 reporting, compiling, and accurate certification of the election results for the November 5, 2024,
10 election and to ensure that the records are accurately maintained following the election for post-
11 election reporting;

12 5. Issue a peremptory writ of mandate ordering Respondents to provide EIPCa with
13 accurate finalized voter history and voter information files from the November 2024 election within
14 sixty (60) days following the Secretary of State’s certification of the final election results;

15 6. Award costs of suit incurred herein; and

16 7. Award such other and further relief that the court may deem just and proper.

17
18 DATED: October 30, 2024

ADVOCATES FOR FAITH & FREEDOM

19 By: Julianne Fleischer
20 Robert H. Tyler, Esq.
21 Julianne E. Fleischer, Esq.

22 DATED: October 30, 2024

TYLER LAW, LLP

23 By: Emma F. Plotnik
24 Emma F. Plotnik, Esq.
25 Attorneys for Petitioners
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VERIFICATION

I have read the foregoing **VERIFIED PETITION FOR WRIT OF MANDATE** and know its contents.

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on October 29, 2024, at Los Angeles, California.

Larry Lewis
Larry Lewis (Oct 30, 2024 13:23 PDT)
Larry Lewis

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VERIFICATION

I have read the foregoing **VERIFIED PETITION FOR WRIT OF MANDATE** and know its contents.

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on 10/29/24, at Rancho Mirage, California.


Ellen Swensen (Oct 29, 2024 11:13 PDT)

Ellen Swensen

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VERIFICATION

I have read the foregoing **VERIFIED PETITION FOR WRIT OF MANDATE** and know its contents.

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on 29 Oct 2024, at Bakersfield, California.



Charles R. Shinn

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VERIFICATION

I have read the foregoing **VERIFIED PETITION FOR WRIT OF MANDATE** and know its contents.

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on October 29, at Richgrove, California.


Thomas Pavich (Oct 29, 2024 14:48 PDT)

Thomas Pavich

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VERIFICATION

I am an officer of Election Integrity Project California, Inc., a party to this action, and authorized to make this verification for and on its behalf, and I make this verification for that reason.

I am informed, believe and on that ground allege that the matters stated in the foregoing Verified Petition for Writ of Mandate, are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on 10-29-2024, at Prescott, Arizona.

**ELECTION INTEGRITY PROJECT
CALIFORNIA, INC.**

By Linda Paine

Its President

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VERIFICATION

I have read the foregoing **VERIFIED PETITION FOR WRIT OF MANDATE** and know its contents.

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

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

Executed on 10/26/24 in Orange, at Orange County, California.

Colette Casey
Colette Casey (Oct 29, 2024 12:07 PDT)

Colette Casey