

**IN THE SUPREME COURT OF PENNSYLVANIA**

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Docket No. 55 MAP 2020

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IN RE: NOMINATION PAPER OF ELIZABETH FAYE SCROGGIN ET AL.

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**APPLICATION FOR STAY ANCILLARY TO APPEAL AND EXPEDITED  
CONSIDERATION AND OTHER RELIEF**

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Appeal from September 9, 2020 Order of the Pennsylvania Commonwealth Court  
at No. 460 MD 2020

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**APPLICATION FOR STAY ANCILLARY TO APPEAL AND EXPEDITED  
CONSIDERATION AND OTHER RELIEF**

Paul Stefano and Tony C. Thomas (“Appellants”), by and through their undersigned counsel, submit this Application for a Stay Ancillary to Appeal and Expedited Consideration and Other Relief, stating as follows:

**SUMMARY OF REQUESTED RELIEF**

1. On September 9, 2020, the Honorable J. Andrew Crompton of the Commonwealth Court issued a Memorandum Order & Opinion involving a challenge to the Green Party’s Presidential and Vice-Presidential candidates and whether their failure to attach candidate’s affidavits, as required by the Election Code, required their names to be removed from the ballot. The parties stipulated that the candidates named on the nomination paper for President and Vice-President did not append a candidate’s affidavit to the nomination paper. (Petitioners Ex. 1, Stip. 3). Instead, they appended the affidavit and partial affidavit of two candidates not listed on the nomination petition. Despite this clear stipulation, and requirements that each candidate of a political body file and append a candidate’s affidavit, the lower court removed only the candidate for Vice-President for not having appended a candidate’s affidavit, but not the candidate for President who had faxed in an affidavit to a general Departmental fax number which was not reviewed by the Department, or even discovered for three

weeks after the deadline. Further, it was never appended to the nomination paper, and never replaced with an original version.

2. With this Application, the Objectors seek a very short term stay directed to the Secretary of State to withhold certification of the final ballot listing of candidates prior to allowing the Boards of Election to print paper ballots for the 2020 General Election. Understanding that Boards of Election will be able to mail out ballots by September 14, 2020, Objectors clearly understand the narrow time frame. For that reason, the Objectors have attached their proposed brief with this Application and are simply asking the Court to review its appeal on an expedited manner.

### **BACKGROUND**

3. On August 10, 2020, Appellants filed a Petition to Set Aside the Green Party of Pennsylvania's Nomination Paper with respect to its candidates for President and Vice-President and any substitution thereof.

4. Appellants' challenge is based on the candidates' failure to comply with the requirements of the Pennsylvania Election Code, specifically, the requirement that the Nomination Paper have appended to it a candidate's affidavit for each candidate listed thereon. 25 P.S. § 2911(e). See, e.g., *Petition of Cianfrani*, 467 Pa. 491, 494, 359 A.2d 383, 384 (1976) (requirements of sworn affidavits are mandatory).

5. The parties stipulated that the candidates for President and Vice-President listed on the nomination paper had failed to file or append their candidate's affidavit. (Petitioners -Ex.1, Stip. 3).

6. In the evening of September 9, 2020, the Commonwealth Court issued an Opinion and Order dismissing Appellants' Petition to Set Aside.

7. On September 10, 2020, Appellants appealed as of right to this Court pursuant to 42 Pa. C. S. § 723.

8. Appellants' appeal is limited to issues involving the statutory requirements of the Pennsylvania Election Code, which the parties briefed extensively below. Such briefing already addresses the primary positions of Appellants before this Court.

9. The Pennsylvania Election Code now includes a mail-in ballot option, which counties may begin processing on September 14, 2020. 25 P.S. § 3146.2a.

10. The various Boards of Election throughout the Commonwealth are awaiting the resolution of this case, and the Secretary of State's certification of the ballot, before printing the ballots that will be distributed to the voters on and after September 14, 2020.

11. Because Appellants' appeal is limited to issues of statutory construction, and because of the pending timeline for the mail-in ballot process,

Appellants' request an application for a stay ancillary to the appeal and an expedited briefing schedule.

### **APPLICATION FOR A STAY**

12. A stay is appropriate under this Court's standard, expressed in *Reading Anthracite Co. v. Rich*, which states that when an application is made "seeking the stay of an order pending appeal, the party seeking the stay must make a strong showing that he is likely to prevail on the merits of his appeal as well as to show irreparable harm, and that the stay will not substantially harm other interested parties or the public interest." *Reading Anthracite Co. v. Rich*, 525 Pa. 118, 124, 577 A.2d 881, 883 (1990) (citing *Pennsylvania Public Utility Commission v. Process Gas Consumers Group*, 502 Pa. 545, 467 A.2d 805 (1983)).

13. Here, there is: (1) a likelihood that the Objectors will succeed on the merits, (2) there will be irreparable harm in that the ballots statewide will be printed with a candidate listed who did not meet the requirements of the Election Code and (3) the public interest will be impacted in having an inaccurate ballot on which to vote for President and Vice-President of the United States.

14. The Objectors' right to relief is clear. 25 P.S. § 2911 (e) requires that that the candidate for a political body nomination append a candidate's affidavit to comply with the "Sore Loser" law, which requires candidates for political bodies to affirm that they were not a recent member or candidate of a major political party.

The parties clearly stipulated that the candidates listed on the nomination paper for the positions of President and Vice-President did not. The opinion acknowledges that the “Scroggin Affidavit” (the candidate listed on the nomination paper) “**was not ‘appended’ by the candidate in the traditional sense, i.e. fastened or attached to the Nomination Paper.** (Opinion at p. 8)(emphasis suppld). The lower court excuses this failure because the Scroggin Affidavit had been faxed to a general number with no other information and the Department was unaware of the affidavit until 3 weeks after the filing date. (Petitioners Ex. 1, Stip. 6). Importantly, there is no evidence that the GPPA tried to confirm that a fax was sent or advise the Department that a faxed affidavit was coming. Certainly, they made no effort to append even the faxed affidavit to the nomination paper so that the Department or public could know that it was a part of that filing. The lower court ignores the requirement that the affidavit be appended to the nomination paper on the basis of the “impracticality of appending (it) under current circumstance, including Covid-19. (Opinion at 9). This, of course, ignored the fact that the GPPA personally delivered the nomination paper to the Department with 5 original candidate affidavits appended, including the 3 statewide row officers and purported candidates for President and Vice President who were not listed on any of the pages signed by electors as candidates. (Petitioner Ex 1, Stip. 3).

15. The Objectors will suffer irreparable harm without the stay as the ballots for the General Election will be distributed with the name of the Green Party Presidential candidate. That candidate should not be eligible to run and therefore, the voters of the Commonwealth would be misled into thinking they could cast a valid vote for this person.

16. The public interest requires that the ballots reflect candidates who qualify under the Election Code, particularly for the position of President.

17. A very brief stay directing the Secretary of State to refrain from final certification of the ballot will enable this Court to simply review the Commonwealth Court's Memorandum Opinion & Order.

### **REQUEST FOR EXPEDITED CONSIDERATION**

18. Appellants request that the Court accept its proposed Appellants' Brief, **attached hereto as Exhibit A**, for filing immediately, along with the transcript, joint stipulation, and exhibits from the Court below, **attached hereto as Exhibit B**.

19. Appellants further request that the Court set an expedited briefing schedule, with any Appellees' Brief due on or before 3:00 p.m. September 11, 2020.

20. Appellants further request, pursuant to Pa. R. A. P. 2151, that both parties be excused from the formal generation of a reproduced record and the generation of new citations to both parties' extensive briefs.

WHEREFORE, Applicants/Appellants Paul Stefano and Tony C. Thomas respectfully request that this Honorable Court GRANT its Application, set an expedited briefing schedule without the generation of a formal reproduced record, and enter an Order substantially similar to the one attached hereto.

Respectfully submitted,

DENTONS COHEN & GRIGSBY P.C.

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Dated: September 10, 2020  
3431765.v1



**IN THE SUPREME COURT OF PENNSYLVANIA**

IN RE: NOMINATION PAPER :  
OF ELIZABETH FAYE : Docket No. \_\_\_\_\_  
SCROGGIN ET AL. :

**ORDER OF COURT**

AND NOW, to wit, this \_\_\_\_\_ day of September 2020, upon consideration of Appellants’ Application for Stay and Expedited Consideration and Other Relief, and any response thereto, it is hereby ORDERED, ADJUDGED, and DECREED that the Application is GRANTED. The Secretary of State is ORDERED to refrain from a final certification of the statewide ballot pending further Order of this Court. Appellants’ Opening Brief is hereby accepted by the Court. Appellees/Candidates may file a Responsive Brief no later than 5:00 p.m. on September 11, 2020. Parties are excused from generating a reproduced record.

\_\_\_\_\_, J.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Application for Expedited Consideration and Other Relief was served as indicated September 10, 2020 on the following persons:

**Via PAC File System and Electronic Mail**

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# **Exhibit A**

**IN THE SUPREME COURT OF PENNSYLVANIA**

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Docket No. 55 MAP 2020

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IN RE: NOMINATION PAPER OF ELIZABETH FAYE SCROGGIN ET AL.

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**APPELLANTS' BRIEF IN SUPPORT OF APPEAL**

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Appeal from September 9, 2020 Order of the Pennsylvania Commonwealth Court  
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## TABLE OF CONTENTS

	<u>Page</u>
I. STATEMENT OF JURISDICTION .....	1
II. ORDER IN QUESTION .....	1
III. SCOPE AND STANDARD OF REVIEW.....	1
IV. QUESTIONS PRESENTED .....	2
A. Where the Election Code expressly requires that a candidate’s affidavit be appended to a nomination paper, and the parties specifically stipulated that the candidate for President listed on the nomination paper did not append an affidavit, whether the lower court erred in finding that such candidate was duly nominated. ....	2
B. Whether the lower court erred in allowing the GPPA to substitute a candidate for President when the candidate listed on the nomination paper was not duly nominated. ....	2
C. Where the Department misapplied provisions of the Election Code in accepting a nomination paper without the appended affidavit of the Presidential candidate, did the lower court err in concluding that an objector would have no recourse in challenging that candidate’s status through a timely objection under the Election Code. ....	2
V. STATEMENT OF THE CASE .....	2
A. FACTUAL BACKGROUND.....	2
B. PROCEDURAL BACKGROUND AND DISCOVERY OF SCROGGIN AFFIDAVIT .....	8
C. SEPTEMBER 7, 2020 COMMONWEALTH COURT HEARING .....	11
D. SEPTEMBER 9, 2020 COMMONWEALTH COURT ORDER.....	12
VI. SUMMARY OF ARGUMENT.....	16
VII. LEGAL ARGUMENT.....	19
A. Candidate Scroggin’s failure to file and append her candidate’s affidavit to the Nomination Paper is a fatal defect that requires this Court to set aside her nomination.....	19

	<u>Page(s)</u>
1. Ms. Scroggin’s Affidavit was not “Appended” to the Nomination Paper As Required by the Election Code. ....	21
2. Ms. Scroggin’s Affidavit was Not Filed. ....	27
B. Even if Ms. Scroggin’s Affidavit was Filed and Appended, its Date Renders it False and Invalid. ....	28
C. Because Ms. Scroggin and Mr. Gale were never duly nominated, any purported “substitution” of other candidates was ineffective. ....	29
D. Petitioners/Objectors’ Challenge does not Invalidate the Substitution Process for Political Bodies ....	31
E. The Department’s Acceptance of Facially Defective Nomination Papers without Comment Does Not Cure Facial Defects ....	33
F. Courts May Not Ignore the Statutory Requirements of the Election Code. ....	34
VIII. CONCLUSION.....	36

**TABLE OF AUTHORITIES**

**Cases**

*Constitution Party of Pa. v. Aichele*,  
Case No. 5:12-cv-2726 (E. D. Pa. Feb. 1, 2018)..... 4

*De La Fuente v. Cortes*,  
261 F. Supp. 3d 543 (M.D. Pa. 2017)..... 20

*Essler v. Davis*,  
53 Pa. Cmwlth. 580, 419 A.2d 217 (1980)..... 29

*In re Barr*,  
956 A.2d 1083 (Pa. Commw. Ct.)..... 29, 31, 32

*In re Benkoski*,  
596 Pa. 267, 943 A.2d 212 (2007)..... 1

*In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*,  
577 Pa. 231, 843 A.2d 1223 (2004)..... 34, 35

*In re Carroll*,  
586 Pa. 624, 896 A.2d 566 (2006)..... 1, 5

*In re Estate of Karschner*,  
2007 PA Super 52, 919 A.2d 252 (2007) ..... 27

*In re Guzzardi*,  
627 Pa. 1, 99 A.3d 381 (2014)..... 33, 34, 35

*In re Owens*,  
62 Pa. Cmwlth. 281, 436 A.2d 260 (1981)..... 20

*In re Steel*,  
377 Pa. 260, 105 A.2d 139 (1954)..... 22

*In re Wagner*,  
510 Pa. 584, 511 A.2d 754 (1986)..... 25

**Page(s)**

*Libertarian Party of Pa. et al. v. Wolf et al.*,  
Case No. 5:20-cv-2299 (E.D. Pa.) ..... 5

*Palmer v. Helm*,  
421 Pa. 305, 219 A.2d 349 (1966) (1966) ..... 22

*Pennsylvania Democratic Party v. Pennsylvania Dep't of State*,  
159 A.3d 72 (Pa. Commw. Ct. 2017) ..... 29

*Petition of Cianfrani*,  
467 Pa. 491, 359 A.2d 383 (1976) ..... 19

*Petition of Stout*,  
421 Pa. 305, 219 A.2d 351 (1966) ..... 22

*Stout v. Helm*,  
421 Pa. 305, 219 A.2d 349 (1966) (1966) ..... 22

*Watson v. Witkin*,  
343 Pa. 1, 22 A.2d 17 (1941) ..... 29

**Statutes**

25 P.S § 2831 ..... 3

25 P.S § 2911 ..... passim

25 P.S § 2913 ..... 4, 27, 35

25 P.S § 2936 ..... 20, 33

25 P.S § 2937 ..... 25, 27, 33

42 Pa.C.S. § 723 ..... 1

42 Pa.C.S. § 764 ..... 1

65 Pa.C.S. § 1104 ..... 34



**Rules**

Pa.R.C.P. No. 205.3 ..... 27

**Regulations**

1 Pa. Code Part II ..... 27

1 Pa. Code Part III ..... 27

1 Pa. Code § 305.3 ..... 27

4 Pa. Code § 175.1 ..... 27

**I. STATEMENT OF JURISDICTION**

The Supreme Court has exclusive jurisdiction over the instant appeal pursuant to 42 Pa.C.S. § 723, which provides that “[t]he Supreme Court shall have exclusive jurisdiction of appeals from final orders of the Commonwealth Court entered in any matter which was originally commenced in the Commonwealth Court.” The Commonwealth Court had original jurisdiction over Appellants’ Petition to Set Aside and issued the subsequent final order in that case from which Appellants now appeal. 42 Pa.C.S. § 764.

**II. ORDER IN QUESTION**

Appellants appeal from the Order entered by the Commonwealth Court in *In re: Nomination Paper of Elizabeth Faye Scroggin Et Al.*, No 460 M.D. 2020, entered September 9, 2020. A true and correct copy of the Order is attached hereto as Exhibit A.

**III. SCOPE AND STANDARD OF REVIEW**

Because the instant appeal implicates the statutory construction of the Election Code and no facts are in dispute, this Court’s “scope of review is plenary, and the standard of review is *de novo*.” *In re Benkoski*, 596 Pa. 267, n.2 272, 943 A.2d 212, 215 (2007) (*citing In re Carroll*, 586 Pa. 624, 896 A.2d 566, 573 (2006)).

**IV. QUESTIONS PRESENTED**

- A.** Where the Election Code expressly requires that a candidate’s affidavit be appended to a nomination paper, and the parties specifically stipulated that the candidate for President listed on the nomination paper did not append an affidavit, whether the lower court erred in finding that such candidate was duly nominated.
- B.** Whether the lower court erred in allowing the GPPA to substitute a candidate for President when the candidate listed on the nomination paper was not duly nominated.
- C.** Where the Department misapplied provisions of the Election Code in accepting a nomination paper without the appended affidavit of the Presidential candidate, did the lower court err in concluding that an objector would have no recourse in challenging that candidate’s status through a timely objection under the Election Code.

**V. STATEMENT OF THE CASE**

**A. FACTUAL BACKGROUND**

On August 3, 2020, the Green Party of Pennsylvania (“GPPA”) filed a Nomination Paper for candidates including President and Vice President of the United States, and Attorney General, Auditor General and State Treasurer for Pennsylvania. That Nomination Paper included the candidate affidavits for the three candidates listed on the various elector signature pages for statewide row office positions. The Nomination Paper also included affidavits for two individuals who were not listed anywhere on the Nomination Paper. The GPPA apparently

intended to substitute those candidates for the candidates actually listed on the Nomination Paper for the positions of President and Vice-President.<sup>1</sup>

The GPPA is a “political body” under the Pennsylvania Election Code. *See* 25 P.S. § 2831(c). As members of a “political body,” GPPA candidates are required to circulate a “nomination paper” to collect a valid number of signatures to qualify for the ballot. 25 P.S. § 2911(a). “Nomination papers” also have an affidavit requirement:

There shall be appended to each nomination paper offered for filing ***an affidavit of each candidate nominated therein***, stating – (1) the election district in which he resides; (2) the name of the office for which he consents to be a candidate; (3) that he is eligible for such office; (4) that he will not knowingly violate any provision of [the Election Code] or of any law regulating and limiting election expenses, and prohibiting corrupt practices in connection therewith; (5) that his name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor has he been nominated by any other nomination papers filed for any such office; (6) that in the case where he is a candidate for election at a general or municipal election, he was not a registered and enrolled member of a party thirty (30) days before the primary held prior to the general or municipal election in that same year; (7) that, in the case where he is a candidate for election at a special election, he is not a registered and enrolled member of a party; and (8) that he is not a candidate for an office which he already holds, the term of which is not set to expire in the same year as the office subject to the affidavit.

25 P.S. § 2911(e) (emphasis supplied). The Pennsylvania Department of State (the “Department”) makes available a form candidate’s affidavit. *See* Political Body

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<sup>1</sup> The “affidavit” for the Vice-Presidential candidate was not dated or notarized.

Candidate's Affidavit, PENNSYLVANIA DEPT. OF STATE, DSBE-PBCA (rev. 2/19),  
Petitioners' Exhibit P-6.

The Department further provides instructions for political body candidates. See Political Body: Nomination Paper General Instructions Sheet, PENNSYLVANIA DEPT. OF STATE, DSBE PB (2020), Petitioners' Exhibit P-4. The Instructions note that, although candidates for President and Vice President of the United States are excused from filing statements of financial interest, “[e]ach candidate for public office must sign and submit *one* CANDIDATE’S AFFIDAVIT per set of nomination papers.” *Id.* at ¶ 10 (emphasis in the original).

Starting on February 19, 2020, political bodies were permitted to begin circulating nomination paper pages for their party slates. 25 P.S. § 2913(b). Pursuant to a 2018 Consent Order, political body candidates for President and Vice President had until August 3, 2020 to collect 5,000 signatures to qualify for the ballot, and candidates for Attorney General, Auditor General and State Treasurer had until that date to collect 2,500 signatures to qualify for the ballot. *Constitution Party of Pa. v. Aichele*, Case No. 5:12-cv-2726 (E. D. Pa. Feb. 1, 2018) at ECF 115.

By March of 2020, the GPPA had begun circulating the Nomination Paper for its slate. On that slate, and on each of the 710 individual pages of the Nomination Paper, Elizabeth Faye Scroggin and Neal Taylor Gale are listed as the

GPPA candidates for President and Vice President. (Petitioners’ Exhibit P-1 at ¶ 1; Petitioners’ Exhibit P-2). On July 11, 2020, the national Green Party convention selected Howie Hawkins and Angela Walker as candidates for President and Vice President of the United States. (Petitioners’ Exhibit P-1 at ¶ 2). On July 23, 2020, Mr. Hawkins completed the Department’s form candidate’s affidavit.<sup>2</sup> (Petitioners’ Exhibit P-3).<sup>3</sup>

On August 3, 2020, Timothy Runkle, an officer of GPPA and the GPPA candidate for State Treasurer, personally delivered to the Department’s filing room the 710 Nomination Paper pages purporting to contain 8,551 signatures. Appended to the Nomination Paper pages were original candidate’s affidavits from the candidates listed on the 710 Nomination Paper pages – *except for Ms. Scroggin and Mr. Gale*. (Petitioners’ Exhibit P-1 at ¶ 2-3; tr. 28:5-17). In their place, GPPA appended the July 23, 2020 original candidate’s affidavit of Mr. Hawkins and the undated, non-notarized candidate’s “affidavit” of Ms. Walker. (Petitioners’ Exhibits P-1, Stipulation no. 3. P-3, tr. 47:4-8).

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<sup>2</sup> At some point in time, Ms. Walker filled out some of the information on the form candidate’s affidavit, but it was neither notarized nor dated. (Petitioners’ Exhibit P-3).

<sup>3</sup> During the signature gathering period, GPPA participated in a lawsuit in federal court demanding that its candidates achieve ballot access without receiving *any* signatures. *See Libertarian Party of Pa. et al. v. Wolf et al.*, Case No. 5:20-cv-2299 (E.D. Pa.). On July 14, 2020 the District Court rejected that demand. *Id.* at ECF 57-58. On July 28, 2020, the Third Circuit affirmed the District Court’s decision. *Libertarian Party of Pa. et al. v. Wolf et al.*, Case No. 20-2481 (3d Cir. Jul. 28, 2020) at ECF 36-1. A review of the full signature challenge (subject to the instant Petition to Set Aside) indicates that a substantial majority were collected after the District Court’s ruling.

The Department accepted the Nomination Paper as presented and processed GPPA's submission on August 3, 2020. (Petitioners' Exhibit P-3). The Department assigns a number for each candidate for its internal database. Penciled onto Mr. Hawkins' affidavit was the number "2020C1459." *Id.* In the Department's Candidate Information Database, 2020C1459 is the Candidate ID for Ms. Scroggin. (Petitioners' Exhibit P-10). Penciled onto Ms. Walker's "affidavit" was the number "2020C1460." (Petitioners' Exhibit P-3). In the Department's Candidate Information Database, 2020C1460 is the Candidate ID for Mr. Gale. (Petitioners' Exhibit P-10).

In reviewing the Nomination Paper with Mr. Runkle on August 3, 2020, Ms. Mathis indicated that the 20 electors would need to send in sworn statements and further indicated that the Department would accept those emails electronically. Ms. Mathis confirmed that the Department required original affidavits of *candidates* for filing, but indicated that because these sworn statements involved electors, she allowed them to be sent electronically. (tr. 41:6-19, 44:17-25). The Department received and processed those sworn statement the evening of August 3, 2020.

On August 3, 2020 at 4:31 p.m., Ms. Scroggin apparently sent a facsimile to the Department of State's general fax number. (Petitioners' Exhibit P-9). The available copy of the facsimile has no penciled Candidate ID on it. *Id.* Ms.

Scroggin’s fax was not discovered until August 25, 2020 and was not available for public review during the objection period. (Sept. 3 Joint Stip. ¶ 10; Petitioners’ Exhibit P-1 at ¶¶ 6, 8). The facsimile copy appears to have an incomplete version of Ms. Scroggin’s signature. *Id.* The facsimile copy indicates that Ms. Scroggin signed the Candidate Affidavit on August 3, 2020, and swore that she “desire[d] to be a candidate” for the office of “President of the United States,” despite the fact that the national Green Party had selected Mr. Hawkins as its candidate for President in July and had appended his affidavit to the Nomination Paper, not Ms. Scroggin’s. *Id.*

On July 31, 2020, the Libertarian Party of Pennsylvania (“LPPA”), another political body, also submitted a Nomination Paper for its slate of candidates. (Petitioners’ Exhibit P-7). Like GPPA, LPPA began circulating its Nomination Paper pages prior to its national party convention. LPPA’s Nomination Paper listed candidates for President and Vice President William Martin Sloane and Daniel Fishman. Like the GPPA, the LPPA did not list its eventual national nominees (Jo Jorgenson and Jeremy “Spike” Cohen). *Id.* ***In stark contrast to GPPA***, LPPA complied with Pennsylvania law and appended candidate’s affidavits from Mr. Sloan and Mr. Fishman (the candidates actually listed as candidates for President and Vice President) to its Nomination Paper. *Id.* Further, the placeholder candidates executed their affidavits in March, when it was still



theoretically possible that they would be the national Libertarian Party candidates.

*Id.*

Under the Election Code, anyone objecting to a nomination paper must file specific objections within 7 days, or, here, by August 10, 2020. Shortly after the Green Party filed the Nomination Paper on August 3, 2020, Jason Henry requested a copy. The Department of State scanned the Nomination Paper and transmitted it by email to Mr. Henry on August 4, 2020. (Petitioners' Exhibit P-12, tr. 46:9-12). That scanned version included the affidavit of Mr. Hawkins for President and an incomplete affidavit of Ms. Walker for Vice President. No other affidavits for those positions were included in the August 4 transmittal from the Department to Mr. Henry.

**B. PROCEDURAL BACKGROUND AND DISCOVERY OF SCROGGIN AFFIDAVIT**

On August 10, 2020, Objectors timely filed their Petition to Set Aside the Nomination Paper of GPPA's entire slate. The Objectors are registered voters in Pennsylvania. (Petitioners' Exhibit P-1 at ¶ 4). The Petition to Set Aside also included over 7,000 individual line challenges. (Pet. at Ex. 1). Because August 10, 2020 was also the Election Code's deadline for substituted candidates, and because Mr. Hawkins' July 23, 2020 candidate's affidavit, and Ms. Walker's incomplete "affidavit" could be interpreted as an attempted substitution, Objectors'

Petition simultaneously included objections to any substitution of Ms. Scroggin and/or Mr. Gale with Mr. Hawkins and/or Ms. Walker. (Pet. at ¶¶ 19-23).

That same day, GPPA did, in fact, file with the Department purported substitutions of Ms. Scroggin and Mr. Gale with Mr. Hawkins and Ms. Walker. (Petitioners' Exhibit P-5). The substitution paperwork of the Department indicates that Ms. Scroggin and Mr. Gale had resigned, but provides no evidence of their actual resignation. *Id.* The substitution paperwork reattached the candidates' affidavits of Mr. Hawkins and Ms. Walker. *Id.* The Department accepted the substitution paperwork and catalogued Mr. Hawkins with Candidate ID 2020C1480, and Ms. Walker with Candidate ID 2020C1481, both effective August 10, 2020. (Petitioners' Exhibit P-10).

On August 24, 2020, Petitioners/Objectors filed an Application for Summary Relief based on arguments related to the sufficiency of the affidavits (and lack thereof) appended to the GPPA Nomination Paper. On August 25, 2020, apparently at the request of counsel for the GPPA, the Department indicated that it had located the affidavit of Ms. Scroggin which had been faxed into a general departmental number. (Petitioner's Exhibit P-9).

Ms. Scroggin had apparently sent a facsimile to the Department of State's general fax number on August 3, 2020 at 4:31 p.m. (Petitioners' Exhibit P-9). Ms. Scroggin's fax was not discovered until August 25, 2020 and was not available for

public review during the objection period, which ended on August 10, 2020. (Sept. 3 Joint Stip. ¶ 10; Petitioners' Exhibit P-1 at ¶¶ 6, 8). The facsimile copy appears to have an incomplete version of Ms. Scroggin's signature that omits the last two letters of her surname. *Id.* The facsimile copy indicates that Ms. Scroggin signed the Candidate Affidavit on August 3, 2020, and swore that she "desire[d] to be a candidate" for the office of President of the United States, despite the fact that the national Green Party had selected Mr. Hawkins as its candidate in July and the GPPA had appended *his* original affidavit to the Nomination Paper, not Ms. Scroggin's. *Id.* The Department never processed Ms. Scroggin's affidavit. The facsimile has no penciled Candidate ID on it, and Ms. Mathis indicated that the Department was not aware of this affidavit until August 25, 2020, three weeks after the filing date. Ms. Mathis also indicated that Ms. Scroggin or the GPPA had never sent the original affidavit to the Department (tr. 60:8-17). Finally, neither Ms. Scroggin, Mr. Runkle or anyone from the GPPA advised the Department that the faxed affidavit had been sent or intended to be filed with the Nomination Paper. (*Id.*). The fact that Mr. Hawkins had appended his original affidavit to the Nomination Paper for the position of President suggests the GPPA had no intent to include Ms. Scroggin's affidavit.

On September 3, 2020, Petitioners/Objectors and Candidates entered into a Joint Stipulation. In that Joint Stipulation, Petitioners/Objectors agreed to

withdraw their individual line challenges and to consent to the placement of the statewide row officers on the 2020 General Election Ballot. (Sept. 3, 2020 Joint Stip. at ¶¶ 18-20). In exchange, Candidates agreed to withdraw their Applications to Dismiss, and agreed that Objectors' challenges as to the nomination of candidates for the offices of President and Vice President are preserved, including the challenges to the efforts to substitute Mr. Hawkins and Ms. Walker. (*Id.* at ¶ 21).

### **C. SEPTEMBER 7, 2020 COMMONWEALTH COURT HEARING**

On September 7, 2020, the Commonwealth Court conducted a hearing on Petitioners' Application for Summary Relief. In advance of the hearing, the parties stipulated to the material facts. Crucially, the parties stipulated that Ms. Scroggin's candidate affidavit was not appended to the GPPA Nomination Paper that listed her as the GPPA's candidate for President of the United States. (*See* Petitioners' Exhibit P-1, ¶ 3).

At the Hearing, Jessica Mathis, director of the Bureau of Elections and Notaries, testified regarding the Bureau's oversight of the GPPA's submission of its Nomination Paper to the Department of State. (tr. 6:8-22). The key points of her testimony are:

- The Department requires original candidate's affidavits for filing. (tr. 41:15-19);

- GPPA submitted its Nomination Paper with the candidate’s affidavit of Mr. Hawkins appended to it as its candidate for President of the United States, without any other Presidential candidate’s affidavits appended thereto. (tr. 28:8-17);
- Ms. Scroggin was the GPPA’s Presidential candidate on the Nomination Paper, not Mr. Hawkins. (tr. 33:5-12);
- Neither GPPA nor Ms. Scroggin alerted the Department that a facsimile from Ms. Scroggin had been sent. (tr. 60:11-17);
- The Department only discovered a facsimile from Ms. Scroggin on August 25, 2020. (tr. 58:16-23);
- The facsimile from Ms. Scroggin did not exist in paper form until August 25, 2020. (tr. 59:7-10);
- Neither GPPA nor Ms. Scroggin ever sent Ms. Scroggin’s original affidavit to the Department. (tr. 60:8-10).

Despite this testimony and the clear requirements of Pennsylvania’s Election Code, Ms. Mathis testified that the Bureau of Elections “made the decision” to not require candidate’s affidavits for the Presidential and Vice-Presidential candidates listed on the GPPA’s Nomination Paper, and to accept the GPPA Nomination Paper. (tr. 81:16-21).

**D. SEPTEMBER 9, 2020 COMMONWEALTH COURT ORDER**

On September 9, 2020, the lower court issued the Memorandum Opinion and Order of the Honorable J. Andrew Crompton. The court concluded that Mr. Hawkins could appear on the ballot as President, essentially validating the affidavit of Ms. Scroggin that had been faxed into the Department. The Court also found that neither the Vice Presidential candidate listed on the Nomination Paper, had satisfied the requirement of submitting a candidate's affidavit.<sup>4</sup> The Court thus determined that Mr. Hawkins would have to run without a running mate.

In its analysis, the court recognized that “[t]he Election Code requires a political body candidate to file an affidavit with the Commonwealth. 25 P.S. § 2911e (5), and that “[t]his Candidate Affidavit requirement thus applies to each candidate for each office. (Op. 6). The court recognized that “[t]he complete absence of an affidavit is a fatal defect because there is nothing to amend.” (Op. T 6). Further, the court held that no substitution could be made without an effective nomination of a candidate, noting that “a prerequisite for substitution is proper nomination of a candidate by nomination papers, and the subsequent withdrawal of the nominated candidate.” (Op. at 6).

The court then considered how to reconcile the statutory requirement that a candidate's affidavit must be **appended** to the Nomination Paper with the fact that

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<sup>4</sup> Mr. Gale had not submitted an affidavit and the replacement candidate, Ms. Walker, had not appended an affidavit to the Nomination Paper.

Ms. Scroggin’s affidavit was faxed into a general number, was not discovered for three weeks and was never processed by the Department.<sup>5</sup>

The court acknowledges that “Scroggin’s Affidavit was not ‘appended’ by the candidate **in the traditional sense, i.e., fastened or attached**, to the Nomination Paper.” (Op. at 8, emphasis supplied). Yet, the court stated that, “Because there is no indication that DOS did not accept Scroggin’s Affidavit based on the means of submission (via fax), and faxing was not precluded by the DOS Instructions, and electronic submission was expressly permitted based on the reduced staff and limitations resulting from Covid-19, the Court discerns no basis for excluding the Scroggin’s [sic] Affidavit for this reason.” (Op. at 8).<sup>6</sup> The court’s effort to justify its conclusion ignores the fact that, when Mr. Runkle filed the Nomination Paper, he had appended to it the original affidavits of the row officer candidates and substitute Presidential and Vice-Presidential candidates.

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<sup>5</sup> Further, in reviewing the Nomination Paper, one would reasonably not expect to see two candidate’s affidavits for the same position. The GPPA, through Mr. Runkle, had filed the Nomination Paper in person at the filing office and had appended original affidavits of the three statewide row officers listed on the 710 pages, as well as the original affidavit of Mr. Hawkins, the substitute Presidential candidate, who was not listed on any pages or the purported unnotarized affidavit of Ms. Watkins, the substitute Vice Presidential candidate.

<sup>6</sup> The lower court mistakenly asserts that “electronic submission was expressly permitted based on the reduced staff and limitations resulting from Covid-19” at the Department. (Op. 8). The Department’s representative actually testified that Electoral College members could file unsworn statements via email, but that candidate’s affidavits had to be filed as wet-ink signature originals. (*Compare* tr. 41:6-14 *with* tr. 44:17-25). Furthermore, the Department was aware of federal litigation a few months earlier where a federal court rejected the claim of the Green Party that the Department should waive ballot access rules due to Covid-19. *See Libertarian Party of Pa. et al. v. Wolf et al.*, Case No. 5:20-cv-2299 (E.D. Pa.), and (tr. at 45:17-22).

Although the GPPA actually filed the Nomination Paper with original candidate affidavits attached (albeit the wrong affidavits for President and Vice-President), the court acknowledged “the **impracticality** of appending Scroggin’s Affidavit under current circumstances, including Covid-19.” (Op. at 9, emphasis supplied). The court did not address why it might have been *impractical* for the Scroggin Affidavit to be actually appended, when five original GPPA affidavits had been appended and filed in person.<sup>7</sup>

The court created a unique burden-shifting standard, stating: “However, the more compelling circumstance unique to the acceptance of the Nomination Paper here is that the DOS staff did not advise the Green Party that there was any defect in the submission of Candidate Affidavits for national office, or non-compliance with the Candidate Affidavit requirement generally.” (Op. at 9). In response to the concern of the public and the Objectors that a Nomination Paper available for review during the one week challenge period contained the five noted affidavits and no trace of the as yet undiscovered fax of the Scroggin Affidavit, the court reversed the burden that the Election Code imposes for an election challenge, holding that “[t]o the extent the strict timelines for election practice come into

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<sup>7</sup> The lower court also asserts that “there is no evidence that [Ms. Scroggin’s affidavit] was not accurate,” yet Objectors noted that the affidavit is signed “Elizabeth Faye Scrogg.” (Petitioners’ Ex. P-9). This oddity underscores the need to review the original affidavit, which, again, the GPPA never provided to the Department.



play, they favor Candidates as neither Presidential Candidate Scroggin nor substitute Candidate Hawkins had notice or opportunity to challenge the alleged defect in Scroggin's Affidavit in content or its submission." (Op. at 10).

The court then attempted to reconcile the fact that the GPPA had filed its Nomination Petition with an original affidavit of Mr. Hawkins, dated July 23, 2020 as its Presidential candidate, with Ms. Scroggin's faxed affidavit dated August 3, 2020 and states, "There is no evidence or indication that Scroggin did not intend her nomination as Candidate for the office of President." (Op. at 10).

Finally, the Court rejected the argument that the 12<sup>th</sup> Amendment of the United States Constitution requires a Presidential candidate to run with a Vice-Presidential candidate, and, contrary to that clear Constitutional provision, held that the Presidential candidate could run without a Vice-Presidential candidate.

## **VI. SUMMARY OF ARGUMENT**

On August 3, 2020, the GPPA filed a Nomination Paper, which had appended to it five original candidate affidavits. However, the appended affidavits of the candidates for President and Vice-President did not match the names of the candidates listed on each of the 710 pages that were presented to electors to sign. The Department should not have accepted the Nomination Paper as to the President and Vice-President because the Election Code expressly requires that a candidate affidavit for each candidate nominated by the paper must be "appended"

to the Nomination Paper. With the affidavit a political body candidate must affirm that he or she was not a candidate for or member of a major political party prior to the most recent Primary Election. This is the so-called “Sore Loser” rule codified in Section 2911. Pennsylvania law is clear that a candidate cannot be substituted until a candidate is duly nominated. By attaching the affidavits of the President and Vice-President who were to be the later-substituted candidates, the GPPA failed to initially nominate the candidates listed on its Nomination Paper. That is a fatal defect that requires that both candidates to be stricken.

The lower court acknowledged that neither the listed nor replacement candidates for Vice President had filed a valid affidavit and so it barred anyone from running in that position. The same scenario did not play out for the Presidential candidate. After the Objectors raised the challenge as to the lack of candidate affidavits appended to the Nomination Paper, on August 25, 2020, well after the filing deadline and deadline to file objections, the GPPA’s lawyer asked the Department to look for a faxed affidavit of Ms. Scroggin, the listed candidate for President. The Department found the faxed affidavit, which had been faxed, without notice or cover page. August 25—more than three weeks after the deadline for filing nomination papers—was the first date that the Department saw the faxed affidavit, which had never been seen, processed, substituted with an original or made part of the Nomination Paper. Further, it antedated the original affidavit of

the purported replacement candidate, Mr. Hawkins, which had been appended to the Paper.

Presented with a Nomination Paper that included five original affidavits, including that of Mr. Hawkins, the lower court went to great lengths to reconcile this lack of statutory compliance. In doing so, the court concluded that the Scroggins fax had not been “appended in the traditional sense.” Although the Nomination Paper was filed in person with five original affidavits, the court referenced simply a perceived “impracticality” of appending the Scroggin Affidavit. The court seemed to disregard the fact that an original affidavit could have been attached and filed with the Nomination Paper.

The GPPA’s candidates for President and Vice President were not nominated on August 3, 2020 because the candidates identified on each and every sheet of the Paper did not execute the affidavits that were appended to the Nomination Paper. Therefore, no substitution could be made for those positions.

The Department should not have accepted the nomination of the GPPA’s candidates for President and Vice President and the Objectors have every right to challenge the Department’s decision. Instead, the lower court impermissibly twisted the burdens and suggested that because the Department did not warn the GPPA about a faxed, un-appended affidavit—the existence of which no one at the Department was aware of until three weeks after the filing deadline—the

Objectors' valid challenge must be ignored. This cannot be the standard. The lower court's decision creates an arbitrary standard that would prevent the appropriate enforcement and application of the Election Code and would undercut the ability of the public to make objections, as the Code allows.

Finally, the 12<sup>th</sup> Amendment of the U.S Constitution requires that the President and Vice President run together. This Court should reverse the lower court and rule that the Ms. Scroggin was not duly nominated and that, therefore, Mr. Hawkins could not serve as a substitute candidate or run for President in 2020.

## VII. LEGAL ARGUMENT

### A. Candidate Scroggin's failure to file and append her candidate's affidavit to the Nomination Paper is a fatal defect that requires this Court to set aside her nomination.

Pennsylvania's Election Code requires that the nomination papers of a political body must include "an affidavit of each candidate nominated therein." 25 P.S. § 2911(e). The candidate's affidavit must assert, *inter alia*, that the candidate is eligible for the office at issue and that "his name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election." *Id.* The Pennsylvania Supreme Court has clarified that the information sworn to on these candidate's affidavits is vital to the legitimacy of the election process:

[O]ur cases have made clear that the provisions of the election laws relating to the form of nominating petitions and the accompanying

affidavits are not mere technicalities but are necessary measures to prevent fraud and to preserve the integrity of the election process. ***The requirements of sworn affidavits are to insure the legitimacy of information crucial to the election process.*** Thus . . . liberal reading of the Election Code cannot be distorted to emasculate those requirements necessary to assure the probity of the process.

*Petition of Cianfrani*, 467 Pa. 491, 494, 359 A.2d 383, 384 (1976) (emphasis added) (internal citations omitted). Accordingly, a candidate’s failure to affix her affidavit to nomination papers is a “fatal defect” that voids and invalidates her nomination papers. *See id.*

“Moreover, the Election Code makes no exceptions to the requirement for the filing of the affidavit.” *In re Owens*, 62 Pa. Cmwlth. 281, 283, 436 A.2d 260, 261 (1981). “The failure to attach a required affidavit” is a facial defect that necessitates the rejection of nomination papers. *Id.* 25 P.S. § 2911(e) requires “each candidate” nominated by nomination papers to file an affidavit, including Presidential and Vice-Presidential candidates. *See also De La Fuente v. Cortes*, 261 F. Supp. 3d 543, 547 (M.D. Pa. 2017), *aff’d*, 751 F. App’x 269 (3d Cir. 2018) (discussing rejection of Presidential candidate’s nomination papers based on information contained in candidate’s affidavit).<sup>8</sup>

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<sup>8</sup> The requirement that a candidate of a political body file an affidavit involves a situation unique to those candidates. Pennsylvania has adopted a “sore loser” rule, which prohibits a member of a major political party, such as the Republican or Democratic Party, from participating in a Primary Election or even being a member of a major political party immediately prior to the Primary Election. 25 P.S. §§ 2911, 2936. *See generally De La Fuente v. Cortes, supra.* The affidavit requirement set out in § 2911(e) and referenced in the Department’s guidance materials specifically requires that the candidate affirm that he or she was not a member of a major

Here, Ms. Scroggin conceded and the GPPA stipulated that her purported candidate's affidavit was not appended to the Nomination Paper that listed her as the Green Party's Presidential candidate, despite the fact that her name appears at the top of *each* of the 710 numbered Nomination Paper pages circulated to electors and filed with the Department of State. (Petitioners' Exhibit P-1 at ¶ 3). Each Nomination Paper presented to electors listed Ms. Scroggin and Mr. Gale as the candidates for President and Vice President, respectively, at the top of the page. The electors who signed the sheets affixed their signatures with the understanding that they were supporting the nomination of Ms. Scroggin and Mr. Gale for those positions.

1. **Ms. Scroggin's Affidavit was not "Appended" to the Nomination Paper As Required by the Election Code.**

Ms. Scroggin's purported affidavit is ineffective because it was not appended to the GPPA's Nomination Paper. The Election Code clearly requires that candidate's affidavits be "appended to each nomination paper offered for filing." 25 P.S. § 2911(e). In other words, the pages that constitute that nomination paper, including the signature pages and the candidate affidavits, must

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political party within 30 days of the Primary Election. Further, it requires confirmation that the candidate is compliant with election laws. Thus, the affidavit requirement imposed by the statute to effectuate the sore loser rule is unique to a political body candidate.

be physically attached to one another in order for the Nomination Paper to be valid and complete.

This Court, in *In re Steel*, held that the provision of the Election Code requiring that the contents of the nomination petition be bound together was a *mandatory* requirement. *In re Steel*, 377 Pa. 260, 263-64, 105 A.2d 139, 140-41 (1954). The Court noted the importance of having the entire packet appended together as required by the Election Code. *Id.* In that case, the Court accepted a supplemental nomination page *only* after it determined that the fifth sheet of a nomination petition had been validly filed together with earlier pages upon delivery to the Department of State filing clerk and after considering evidence that the five sheets had been perforated and fastened together. *Id.*

In other similar contexts, this Court has strictly adhered to these types of filing requirements. *Petition of Stout*, 421 Pa. 305, 219 A.2d 351, 351 (1966) (Musmanno, J., dissenting) (*citing Palmer v. Helm*, 421 Pa. 305, 219 A.2d 349 (1966); *Stout v. Helm*, 421 Pa. 305, 219 A.2d 349 (1966)). In *Petition of Stout*, two judicial candidates filed original nomination petitions. Just three hours later, the candidates separately filed supplementary nomination petition pages with the Bureau of Election's filing clerk. *Id.* When it was later discovered that the original petitions did not contain enough valid signatures to meet minimum ballot access requirements, the candidates requested that the supplemental pages be

added to the original petitions “to make up the deficiencies.” *Id.* The Bureau of Elections denied this request, reasoning that the supplementary pages were not bound to the original petitions as required by the Election Code. *Id.* The candidates then sought a *writ of mandamus* to compel the Bureau of Elections to accept the supplemental petitions. *Id.* The lower court denied the *mandamus* action and this Court affirmed the denial.

Here, the candidate’s failure to conform to the rules is even more glaring and does not involve even a colorable question as to how the Department’s filing clerk handled original, supplemental pages. Even assuming, *arguendo*, that Ms. Scroggin’s purported affidavit was “filed” when she faxed it to the Department, it is undisputed that the affidavit, which was a copy and not an original, was not physically appended to the Nomination Paper. (Petitioners’ Exhibit P-1 at ¶ 3). As noted *supra*, Mr. Hawkins’ affidavit *was* appended to the Nomination Paper and penciled with a Candidate ID number, although it was defective for other reasons.<sup>9</sup> **Accordingly, interpreting Ms. Scroggin’s faxed affidavit as having been properly “appended” would lead to the absurd conclusion that the GPPA was seeking to nominate two candidates for President.**

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<sup>9</sup> Unlike the candidate’s affidavits of the other political body candidates, Ms. Scroggin’s purported affidavit has no Department Candidate ID number penciled onto it. (See Petitioners’ Exhibit P-9 *generally*).



Instead, Ms. Scroggin's affidavit was faxed to the Department unaccompanied by any other papers, without so much as a cover sheet requesting that any Department official append it to the GPPA Nomination Paper. The Department handles many matters beyond elections and the potential for confusion and uncertainty with such a process highlights why the Election Code contains the requirements it does and why this Court has insisted that the Code's provisions on this subject be followed strictly. The conduct at issue here is even more irregular than *Steel* and *Stout*, which both involved filings in which the candidates' representatives physically filed supplementary pages in person and asked the staff members accepting the filing to add the supplemental pages to the Nomination Paper that had been filed earlier. Here, Ms. Scroggin merely faxed her candidate's affidavit to a general number at the Department of State without any request to add the affidavit to the Nomination Paper. This casual approach literally and legally does not meet the requirements that one "append" her affidavit to the Nomination Paper as the Election Code clearly requires.

The requirement that a political body append candidate's affidavits to its Nomination Paper is obviously critical for the efficient and orderly administration of the election process. Strict adherence to this requirement is necessary to avoid a situation where filings are undertaken in a piecemeal fashion and then reconstructed at some future point. In fact, the Election Code establishes a very

tight timeframe within which objections to a Nomination Paper can be made to ensure the orderly resolution of election disputes. Under the Election Code, Objectors had only seven days to inspect the Nomination Paper for any defects and devote their resources and determine any challenges they wish to present on the basis of that inspection, and then physically file those objections with a court and the Department of State. 29 P.S. § 2937. Courts strictly enforce this seven-day limit and refuse to permit amendments to objectors’ petitions beyond this seven-day window for challenges. *See In re Wagner*, 510 Pa. 584, 588, 511 A.2d 754, 756 (1986) (denying motion to amend petition to set aside and holding that allowing additional challenges “after the statutory objection period had run, would render nugatory the protections offered by Section 977 [25 P.S. § 2937]; and defeat the interests sought to be furthered by that Section.”).

Permitting the haphazard submittal of a Nomination Paper or Nomination Petition would not only create immense uncertainty and confusion within the Department, but it would also preclude potential objectors from making appropriate challenges to the extent a party identified isolated faxed submittals only after the challenge period had expired. When a potential objector requests and obtains a copy of a nomination paper, he or she should have the opportunity to view the entire nomination paper. Here, on August 4, 2020, the day after the Nomination Paper was filed, the Department made available a copy for review for

potential objections. (Petitioners' Exhibit P-12). The Nomination Paper that the Department transmitted that day included only the affidavit of Mr. Hawkins for the position of President and no affidavit from Ms. Scroggin. Ms. Scroggin cannot ignore the clear mandates of the Election Code by reference to an unfiled, undiscovered facsimile copy of her purported affidavit. Allowing her to do so would irreparably prejudice Objectors.

It is undisputed that Ms. Scroggin did not file an original of her candidate's affidavit and instead faxed a photocopy to the Department. The Department's discovery of Ms. Scroggin's affidavit more than three weeks after the Nomination Paper was filed (Petitioners' Exhibit P-1 at ¶ 6) does not change the fact that Ms. Scroggin's affidavit was not properly filed and appended to the Nomination Paper. This transmission was insufficient to file the affidavit and renders the document ineffective under the Election Code.

Like the supplementary petitions in *Stout*, Ms. Scroggin's affidavit was not bound or appended to the original Nomination Paper and must be disregarded. Now that Objectors have demonstrated that this missing affidavit is a fatal defect, Ms. Scroggin cannot "make up the deficiency" by claiming that an unaccompanied, faxed copy of her affidavit rises to the level of a properly appended candidate's affidavit. The Election Code does not contemplate the result

that the lower court has directed and, under this Court’s prior decisions, it should not be permitted to stand. The Petition must be set aside.

**2. Ms. Scroggin’s Affidavit was Not Filed.**

Ms. Scroggin’s faxed copy of her affidavit was not filed. Preliminarily, the Election Code is clear that a “[n]omination paper. . . shall be *filed* with the Secretary of the Commonwealth.” 25 P.S. § 2913 (emphasis added). Moreover, the Election Code requires that, to be presumed valid, a Nomination Paper must be “received *and filed*” with the appropriate authority. *See* 25 P.S. § 2937 (emphasis added). This language clearly draws a distinction between passive receipt of a Nomination Paper and the affirmative act of filing the Nomination Paper. Section 2937 is also in line with Pennsylvania’s Rules of Civil Procedure, which do not allow filing by facsimile transmission. The official Note to Rule 205.3 provides expressly that “[t]his rule does not authorize the filing of legal papers with the prothonotary by facsimile transmission.” Note to Pa.R.C.P. No. 205.3. *See also In re Estate of Karschner*, 2007 PA Super 52, ¶ 5, 919 A.2d 252, 255 (2007) (holding that “facsimile transmission of legal papers is not valid”).<sup>10</sup>

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<sup>10</sup> The Department applies the General Rules of Administrative Practice and Procedure in its administration of the Election Code. 4 Pa. Code § 175.1 (citing 1 Pa. Code Part II). Nothing in those Rules provides for facsimile filing. (*see* 1 Pa. Code Part II, generally). Notably, 1 Pa. Code Part III, which relates to agency *rulemaking* does expressly provide for comment by facsimile at various points. *See, e.g.*, 1 Pa. Code § 305.3 (providing for facsimile delivery of Independent Regulatory Review Commission comments). Put simply, use of facsimile transmission is permitted only where it is specifically permitted.

The need for an original, physical copy is especially apparent here, where the signature on Ms. Scroggin's purported affidavit misspells her surname. *See* Exhibit A to Resps.' Reply. If an original is not filed, there is no opportunity for objectors to examine the filed document for its authenticity.

**B. Even if Ms. Scroggin's Affidavit was Filed and Appended, its Date Renders it False and Invalid.**

Even if Ms. Scroggin had complied with the basic requirements of having her affidavit filed and appended to the Nomination Paper (she did not), the affidavit itself is false and invalid. On August 3, 2020, Ms. Scroggin swore that "I desire to be a candidate" for President of the United States. (Petitioners' Exhibit P-9).

At that point in time, however, Mr. Hawkins had already been nominated by the national Green Party, and had already executed a candidate's affidavit for the same office, dated July 23, 2020. As of August 3, 2020, all evidence demonstrates that Ms. Scroggin was no longer a candidate for President of the United States. Instead, Mr. Hawkins filed an affidavit and appended it to the Nomination Paper. The Department and the public must be able to rely upon the actual Nomination Paper filed with the Department.

C. **Because Ms. Scroggin and Mr. Gale were never duly nominated, any purported “substitution” of other candidates was ineffective.**

Ms. Scroggin and Mr. Gale’s failure to file candidate’s affidavits cannot be rectified by the later “substitution” of other candidates. The Election Code provides that “[i]n case of the death or withdrawal of any candidate nominated by any political body by nomination papers, the committee named in the original nomination papers may nominate a substitute in his place by filing in the proper office a substituted nomination certificate.” 25 P.S. § 2940.

However, this Court has unequivocally established that “[t]he authorized party committee can make *substituted* nominations *only when the duly nominated candidate of the party dies or withdraws as a candidate*. Before there can be a ‘*substituted* nomination’ there must have been a nomination.” *Watson v. Witkin*, 343 Pa. 1, 10, 22 A.2d 17, 21 (1941) (emphasis in original). *See also Essler v. Davis*, 53 Pa. Cmwlth. 580, 586–87, 419 A.2d 217, 220 (1980) (holding that a substitution nomination certificate cannot be used to fill a vacancy caused by a party’s failure to make a nomination). Accordingly, a party may not “substitute” one candidate for another where the original candidate was not duly nominated. Instead, to effectuate a valid substitution, both the original and substituted candidate must “fully compl[y] with the rigors of the Election Code in effectuating the withdrawal and substitution at issue.” *In re Barr*, 956 A.2d 1083, 1088 (Pa.

Commw. Ct.), *aff'd sub nom. In re Substitute Nomination Certificate of Barr*, 598 Pa. 558, 958 A.2d 1045 (2008).

When considering whether substitution of a candidate is permitted, “[o]ur Supreme Court and this Court have recognized the significant distinction between a candidate who withdraws his name from nomination, and a candidate whose name is stricken from the ballot.” *Pennsylvania Democratic Party v. Pennsylvania Dep’t of State*, 159 A.3d 72, 77 n.5 (Pa. Commw. Ct. 2017) (citations omitted). In *Pennsylvania Democratic Party*, the Commonwealth Court considered a mandamus action to require the Department to accept the substituted nomination certificate of a candidate where the original candidate’s nomination petition had been set aside. *Id.* at 74. The court dismissed the mandamus action, reasoning that substitution was inappropriate where “Original Candidate’s name was removed from the ballot because the Party’s Nomination Certificate was set aside, not because Original Candidate withdrew his name from nomination.” *Id.* at 77. Thus, case law and the Election Code are clear: valid substitution cannot occur without an existing, perfected valid nomination.

Here, no valid nomination took place, and any attempted substitution was thus impossible. Ms. Scroggin and Mr. Gale never perfected their nominations for the Presidential and Vice-Presidential nominations by filing the required candidate’s affidavits. Instead, Mr. Hawkins and Ms. Walker—purported

candidates for the Presidency and Vice Presidency—executed candidate’s affidavits that were then filed along with nomination papers that bore the names of *other* candidates: Ms. Scroggin and Mr. Gale. These ineffective (and in Ms. Walker’s case, incomplete) affidavits contradicted the plain language of the Election Code, which provides that candidate’s affidavits shall be appended to the nomination paper “of each candidate nominated *therein*.” 25 P.S. § 2911(e) (emphasis added). None of the Nomination Papers nominated Mr. Hawkins or Ms. Walker, and their so-called candidate’s affidavits are void.

In essence, Mr. Hawkins and Ms. Walker each attempted to effectuate substitutions by filing affidavits that do not correspond to the names circulated to electors on the nomination papers. Neither the Election Code nor established case law permits such a maneuver, and the Nomination Papers should be set aside due to their failure to validly nominate candidates for either President or Vice President.

**D. Petitioners/Objectors’ Challenge does not Invalidate the Substitution Process for Political Bodies or Any Other Candidates**

The Pennsylvania Election Code permits political bodies to substitute candidates. The Commonwealth Court has recognized that the realities of the Election Code and the national nomination process for presidential candidates may require placeholder candidates during the signature collection process. *In re Barr*,



956 A.2d 1083, 1088 (Pa. Commw. Ct.), *aff'd sub nom. In re Substitute Nomination Certificate of Barr*, 598 Pa. 558, 958 A.2d 1045 (2008). Simple compliance with these requirements would have rendered GPPA compliant: it merely failed to follow the rules.

The consequence of the ruling in *Barr* is that political bodies can collect signatures on nomination paper sheets, and eventually substitute candidates as long as the political body “fully complied with the rigors of the Election Code in effectuating the withdrawal and substitution at issue.” *Id.* at 1088. Here, however, the record demonstrates that GPPA failed to adhere to the requirements of the Election Code in a variety of ways, each of which would constitute a distinct and independent reason to set aside the Nomination Paper.

In *Barr*, this Court noted that the placeholder candidate executed her affidavit *before* the political body had decided on its eventual candidate: “Had the Libertarian Party decided to make [placeholder candidate] Etzel the national candidate, Etzel may very well have accepted the nomination. The evidence presented does not convince the Court otherwise.” 956 A.2d 1088. Here, the nomination of Scroggin at the execution of her affidavit was impossible.<sup>11</sup>

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<sup>11</sup> In this cycle, the other political body that nominated candidates for President and Vice President, the LPPA, “fully complied with the rigors of the Election Code,” and Objectors did not challenge its placement on the ballot. As part of their Nomination Paper submission, the LPPA placeholder candidates submitted their candidates’ affidavits. (Petitioners’ Exhibit P-7).

E. **The Department’s Acceptance of Facially Defective Nomination Papers without Comment Does Not Cure Facial Defects**

The lower court’s opinion erroneously contends that the Department’s decision to accept the Nomination Paper without giving the Candidates express and immediate notice of the defects in the Nomination Paper is a “compelling circumstance” that cures those facial defects. (Op. at 9-10). The plain language of the Election Code flatly contradicts this position.

The Election Code provides that “[a]ll nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid, *unless . . . a petition is presented to the court specifically setting forth the objections thereto, and praying that the said petition or paper be set aside.*” 25 P.S. § 2937 (emphasis added). Once an objection has been made, “[i]f the court shall find that said nomination petition or paper is defective under the provisions of section 976 [25 P.S. § 2936] . . . it shall be set aside.” *Id.* In turn, Section 976 (25 P.S. § 2936) prohibits the filing of defective affidavits.

In other words, the Department’s acceptance of a Nomination Paper is not the end of the inquiry into that Paper’s validity—it is the beginning. The Election Code expressly contemplates that the Department will accept papers that contain defects and establishes a process by which the public may examine and object to

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Further, the placeholder candidates executed their affidavits in March, where a national nominee had not already been chosen. *Id.*

those papers. If the Department’s acceptance of defective Nomination Papers was the final word on the validity of defective Papers, the entire objection process carefully established by the Election Code would be superfluous. Neither the Election Code nor decades of case law interpreting it contemplate this result.

F. **Courts May Not Ignore the Statutory Requirements of the Election Code.**

This Court has made clear that the judiciary cannot disregard the clear requirements of the Election Code through the application of equitable principles. In *In re Guzzardi*, the Court held that “the judiciary should act with restraint, in the election arena, subordinate to express statutory directives. Subject to constitutional limitations, the Pennsylvania General Assembly may require such practices and procedures as it may deem necessary to the orderly, fair, and efficient administration of public elections in Pennsylvania.” *In re Guzzardi*, 627 Pa. 1, 9–10, 99 A.3d 381, 386 (2014).

In *Guzzardi*, a gubernatorial candidate failed to submit his statement of financial interests with the Ethics Commission as required by 65 Pa.C.S. § 1104. Objectors filed a petition to set aside the candidate’s nomination petition based on the failure to file the statement of financial interests. *Guzzardi*, 627 Pa. at 4, 99 A.3d at 382–83. The Commonwealth Court rejected the petition to set aside, concluding that the judiciary had the power to “cure” this fatal defect “through the application of equitable principles.” *Id.* This Court reversed, noting that the

Commonwealth Court had improperly “refused to enforce governing legislative directive.” *Id.*

In reaching its conclusion, this Court hewed closely to the statutory language of the statute, noting that “the Legislature *could* have provided that the filing of a statement of financial interests with the Ethics Commission may be deemed timely where candidates are able to demonstrate ostensible non-negligent reasons for failing to meet the statutory deadline. Nevertheless, it did not do so.” *Guzzardi*, 627 Pa. 1, 10, 99 A.3d 381, 386 (2014) (emphasis added). In short, this Court has pronounced that “[o]ur precedent is clear: we cannot simply ignore substantive provisions of the Election Code.” *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 577 Pa. 231, 249, 843 A.2d 1223, 1234 (2004).

Here, as in *Guzzardi*, Ms. Scroggin failed to adhere to the requirements of the Election Code. Ms. Scroggin did not file her candidate’s affidavit, nor did she append her affidavit to her Nomination Papers. Both of these measures are *required* by the plain language of the Election Code. 25 P.S. §§ 2911(e); 2913. Instead, Ms. Scroggin faxed a facsimile copy of her affidavit to the Department, entirely separate from the Nomination Paper naming her as candidate. Pennsylvania’s Legislature *could* have provided that a candidate’s affidavit could be faxed to the Department, completely un-appended to the relevant Nomination

papers. Nevertheless, it did not do so. Accordingly, Ms. Scroggin did not perfect her nomination, and the GPPA failed to nominate a presidential candidate.<sup>12</sup>

Moreover, it is of no moment that Department personnel might have miscommunicated flawed filing instructions to GPPA representatives. This Court has repeatedly held that erroneous instructions and miscommunications from the Department or county boards of elections do not nullify the express provisions of the Election Code. *Guzzardi*, 627 Pa. at 13, 99 A.3d at 388; *Absentee Ballots*, 577 Pa. at 234, 843 A.2d at 1225.

For the reasons set forth above, GPPA did not comply with the Election Code in nominating placeholder candidates and substituting them. Those candidates should be set aside.

### VIII. CONCLUSION

The GPPA did not nominate a candidate for President or Vice-President because the individuals listed on each and every page of the nomination paper did not file the required affidavit. Because their candidacy was not perfected, there was no way to substitute a candidate for President or Vice-President. The

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<sup>12</sup> This case presents an even more clear-cut situation than *Guzzardi*. In *Guzzardi*, the candidate at least filed and appended his statement of financial interest to his nomination petition, such that potential objectors could—and did—review his entire nomination during the narrow objection period. *Guzzardi*, 627 Pa. at 4, 99 A.3d at 382. Here, however, Ms. Scroggin neither filed nor appended her affidavit, thus severely prejudicing objectors' ability to evaluate the validity of the Nomination Paper.

precedent is clear and irrefutable that without a valid nomination, there can be no substitution. For these reasons, any GPPA candidate for President, like the candidate for Vice-President of the United States, should be set aside.

Respectfully submitted,

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*Thomas – Appellants*

Dated: September 10, 2020

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Pennsylvania Rule of Appellate Procedure 2135(a)(1), I hereby certify that this BRIEF has a word count of 9,650 words, as counted by Microsoft Word's word count tool.

/s/ Clifford B. Levine

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Brief in Support of Appeal was served as indicated September 10, 2020 on the following persons:

**Via PAC File System and Electronic Mail**

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# **EXHIBIT A**

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Nomination Paper of :  
Elizabeth Faye Scroggin :  
(or in the Alternative, Howie :  
Hawkins), Neal Taylor Gale :  
(or in the Alternative, Angela : No. 460 M.D. 2020  
Walker), Timothy Runkle, : Heard: September 7, 2020  
Olivia Faison, and Richard :  
L. Weiss in the General Election :  
of November 3, 2020 :  
:  
:  
Petition of: Paul Stefano and :  
Tony C. Thomas :

BEFORE: HONORABLE J. ANDREW CROMPTON

**Memorandum Opinion & Order**

Before the Court are the Application for Summary Relief filed by Paul Stefano and Tony C. Thomas (Objectors) pursuant to Pa.R.A.P. 1532 (Application), and their Petition to Set Aside (Petition) the Green Party's Nomination Paper naming multiple candidates for both national and state offices for placement on the Pennsylvania ballot in the November 3, 2020 General Election (Nomination Paper). The Nomination Paper named Elizabeth Faye Scroggin (or in the alternative, Howie Hawkins) and Neal Taylor Gale (or, in the alternative, Angela Walker) for the national offices of President and Vice-President of the United States, respectively, and candidates for the Statewide Row Offices.<sup>1</sup> As modified, the Petition challenges the efficacy of the nomination of the Green Party candidates for national office, including the validity of the substitution, under the Pennsylvania Election Code (Election Code).<sup>2</sup> Based upon the parties' submissions, including the Joint Stipulation, and the evidence presented at the hearing on September 7, 2020, the matter is ready for disposition.

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<sup>1</sup> As to the Statewide Row Offices, the Nomination Paper named Timothy Runkle for Treasurer, Olivia Faison for Auditor General, and Richard L. Weiss for Attorney General. This Court directed the placement of these candidates on the ballot by order dated September 3, 2020.

<sup>2</sup> Act of June 3, 1937, P.L. 1333, 25 P.S. §§2600-3591.

## I. Background

### A. Political Body Nominations

The Green Party, as a political body, is subject to different provisions of the Election Code than the major parties. *See generally* 25 P.S. §§2911-2914, 2940. The authority to use multiple-candidate nomination papers is unique to political bodies. Similarly, the requirement in Section 951(e) of the Election Code, 25 P.S. §2911(e), for “each candidate” for office to file an affidavit as to certain facts, (Candidate Affidavit requirement), has no equivalent for political parties, so a major party Presidential Candidate is not required to submit such an affidavit. The Election Code also allows substitution of a duly-nominated candidate. *See* Section 980 of the Election Code, 25 P.S. §2940.

The nomination process between political bodies and political parties also differs. “[A] political party uses the primary election to nominate its candidate; [whereas] a political body nominates its candidate by collecting the requisite number of signatures from electors, of any party or no party, and filing nomination papers with the Secretary of the Commonwealth.” *Working Families Party v. Com.*, 169 A.3d 1247, 1251 (Pa. Cmwlth. 2017) (*en banc*). The process for political bodies involves signature collection over several months; this year, political bodies like the Green Party were permitted to start collecting signatures on February 19, 2020, through the deadline for filing the nomination papers, August 3, 2020. As such, the nomination of candidates for political bodies is not accomplished by the national convention. At its convention in July 2020, the Green Party nominated Howie Hawkins as its Candidate for the office of President of the United States, and Angela Walker as its Candidate for the office of Vice-President. As a result, the individuals named on the Nomination Paper for those offices (Scroggin for President and Gale for Vice-President) were not the same as the individuals nominated at the convention. This is routinely reconciled through the substitution process.

## **B. Procedural History**

The Green Party timely filed the Nomination Paper on August 3, 2020. The Nomination Paper consists of 710 pages and contains over 5000 valid signatures of qualified electors. The Department of State (DOS) initially held the Nomination Paper in a pending status solely based on the lack of Presidential Elector affidavits; DOS accepted the Nomination Paper as to the candidates for national office on August 4, 2020. *See* Ex. P-10 (DOS Database screen shots). The Candidates for national office named in the Nomination Paper, Scroggin for President, and Gale for Vice-President, were substituted by Hawkins and Walker (Substitute Candidates) by the substitution deadline, August 10, 2020. On the same date, Objectors filed their Petition. As modified by the Joint Stipulation, Objectors challenge the Green Party Candidates for the national offices of President and Vice-President of the United States based on noncompliance with the Candidate Affidavit requirement for political bodies, *i.e.*, that the lack of any Candidate Affidavit for the office of Vice-President and the defects in the Candidate Affidavit submitted by Scroggin for the office of President, (Scroggin's Affidavit), preclude the proper nomination of any Green Party Candidates for national office.

Both parties filed various applications, which this Court heard and decided, with the exception of the Application. After status conferences regarding outstanding issues, this Court conducted a hearing on the Petition on September 7.

During the hearing, this Court admitted Objectors' exhibits, (P-1 through P-12).<sup>3</sup> The sole witness, Jessica Mathis, DOS Director of the Bureau of Election Services and Notaries (Director), testified in pertinent part as follows.

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<sup>3</sup> The exhibits are: P-1 (Stipulation, 9-7-20); P-2 (Sheets of Nomination Paper); P-3 (Green Party Candidate Affidavit Submissions); P-4 (DOS Political Body Instructions) P-5 (Substitution Papers, 8-10-20); P-6 (Blank Candidate Affidavit); P-7 (Libertarian Party Affidavit submissions); P-8 (Sheets of Libertarian Party Nomination Paper); P-9 (Fax of Scroggin Affidavit, 8-3-20); P-10 (DOS Database screen shots); P-11 (2020 Democratic Party Candidate Declaration); and P-12

Director has worked in the Department's Bureau of Elections since 2007. Prior to becoming Director in February 2019, she was the Chief of the Division of Elections. In that position, she administered elections, created the candidate list for counties, offered guidance to county election offices, reviewed nomination petition and paper filings, created the date list for the November General Election, and set up the ballot for county election officials. Currently, as Director, she oversees the entire election process, reviews nomination petitions and nomination papers, in addition to having oversight for the notaries division. She stated that she does not make policy for the Bureau of Elections; her supervisor is Jonathan Marks. Specifically with regard to the 2020 Election, she was one of two or three other people who accepted Nomination Papers and Petitions in person because of strict Covid-19 limitations on in-person staff.

Director confirmed that DOS oversees many offices and functions, only one of which is elections. These offices include the Bureau of Professional and Occupational Affairs (licensing boards), the corporations bureau and the charitable organizations bureau. She confirmed DOS' location at 210 in the North Office Building in Harrisburg as the place for political bodies like the Green Party to deliver completed nomination papers for filing. Relevant here, Director confirmed that she accepted the Nomination Paper for the Candidates for President and Vice-President because there were candidate affidavits for each office, notwithstanding that there were not affidavits for each individual candidate.

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(DOS Emails re: Nomination Paper). There were no objections to Exhibits P-1 through P-6, P-9, P-10 and P-12, some of which were identical to Candidates' proposed exhibits. After confirming that there was no objection to the authenticity or accuracy of the exhibits, the Court admitted exhibits P-7 and P-8, relating to the Libertarian Party, and P-11 relating to the Democratic Party over Candidates' relevance objection. It was deemed relevant in that Director advised one reason DOS accepted the Candidate Affidavits was there was no equivalent requirement of an individual candidate affidavit for the major political parties.

Director explained that when she accepts nomination papers generally, they are either accepted outright, rejected outright, or are placed in a pending status. In the case of the Green Party Slate, she placed the Nomination Paper in a pending status based on the lack of sworn affidavits for the Presidential Electors, for which there were only unsworn affirmations.<sup>4</sup> She advised Runkle, who delivered the Nomination Paper, that the documents needed to be sworn to be accepted.<sup>5</sup>

As to the Candidate Affidavits for the national offices, Director discussed the matter with her Supervisor, Marks, and legal counsel for DOS, who determined that it sufficed for a political body to have affidavits for each *office* as opposed to each *individual* candidate as named individuals were merely placeholders until their anticipated substitution by the candidates nominated at the national convention for the Green Party in July 2020. Thus, the lack of Candidate Affidavits for the named individuals, Scroggin and Gale, was deemed not fatal to the Nomination Paper, and, critically, DOS did not advise the Green Party of any deficiency necessitating amendment. In addition, Director acknowledged Scroggin's Affidavit was received by DOS by an un-manned fax at 4:33 p.m., on August 3, 2020, prior to the deadline for timely submission. As described by Director, the faxes were collected electronically in an email account. She was not personally aware of Scroggin's Affidavit until weeks after receipt.

## II. Discussion

Objectors bear the burden of proof on their Petition, and as the moving party on their Application, also bear the burden of establishing entitlement to judgment in their favor as a matter of law under Pa.R.A.P. 1532.

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<sup>4</sup> Covid-19 impacted DOS operations with respect to the filings for the 2020 General Election in that, according to Director, DOS allowed filing of submissions by email based on the lack of in-person staff in the building.

<sup>5</sup> As such, the Green Party (Runkle) was advised the Presidential Electors' affirmations could be cured by submission of sworn affidavits by email, and the unsworn deficiency was cured.

Objectors contend that neither Scroggin nor Gale qualified as duly-nominated Candidates for national office based on non-compliance with the Candidate Affidavit requirement in Section 951(e) of the Election Code, 25 P.S. §2911(e). As to the Green Party Candidate for Vice-President, this Court agrees.

### **A. Candidate Affidavit Requirement**

Based on the unambiguous terms in Section 980 of the Election Code, substitution is only appropriate following the “withdrawal of any candidate nominated by any political body by nomination papers, the committee named in the original nomination papers may nominate a substitute in his place ....” 25 P.S. §2940 (emphasis added). Thus, a prerequisite for substitution is proper nomination of a candidate by nomination papers, and the subsequent withdrawal of the nominated candidate. *Id.*; see *In re Barr*, 956 A.2d 1083 (Pa. Cmwlth.), *aff’d*, 958 A.2d 1045 (Pa. 2008) (upheld substitution of duly-nominated Presidential Candidate).

The Election Code requires a political body candidate to file an affidavit with the Commonwealth. 25 P.S. §2911(e)(5). Section 951(e) provides that “each candidate” shall file an affidavit swearing that his “name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor has he been nominated by any other nomination papers filed for any such office[.]” *Id.* This Candidate Affidavit requirement thus applies to each candidate for each office.

#### **1. No Duly-Nominated Candidate for Vice-President**

The complete absence of an affidavit is a fatal defect because there is nothing to amend. See *Pet. of Kloiber*, 362 A.2d 484 (Pa. Cmwlth. 1976). As to “the failure to execute the [candidate] affidavit[.]” ... [s]uch a defect cannot be cured by subsequent conduct and the [candidate’s nomination] petition was therefore void and invalid.” *In re Nomination Petition of Driscoll*, 847 A.2d 44, 50 (Pa. 2004); see also *In re Prendergast*, 673 A.2d 324 (Pa. 1996).

An affidavit, at its core, is a *sworn* statement. Black’s Law Dictionary defines “affidavit” as “a voluntary declaration of facts written down and *sworn to* by the declarant *before an officer authorized to administer oaths.*” Black’s Law Dictionary 66 (West 9<sup>th</sup> ed.) (emphasis added). At its most basic level, an affidavit must be signed and sworn before an authority, like a notary. “The requirements of sworn affidavits are to insure the legitimacy of information crucial to the election process [and therefore,] the policy of the liberal reading of the Election Code cannot be distorted to emasculate those requirements necessary to assure the probity of the process.” *In re Nomination Pet. of Cianfrani*, 359 A.2d 383, 384 (Pa. 1976).

Here, Candidates admit there was no Candidate Affidavit submitted, even untimely, for Gale for the office of Vice-President. Because the lack of any affidavit is a fatal defect, as a matter of law, Gale was not a duly-nominated candidate for Vice-President and so may not be substituted under Section 980 of the Election Code, 25 P.S. §2940, by Angela Walker.<sup>6</sup>

## **2. Scroggin’s Affidavit Satisfies Candidate Affidavit Requirement**

Defects in a Candidate Affidavit may be amendable within this Court’s discretion depending on the circumstances. *See Kloiber* (lack of notary seal on affidavit amendable *nunc pro tunc*). As such, this Court was unable to rule on the validity of Scroggin’s Affidavit without a record of the pertinent facts. The record reflects Scroggin’s Affidavit was timely received by DOS. Based on the record developed in the hearing, this Court examines whether alleged defects in Scroggin’s Affidavit render her nomination invalid, thus precluding the substitution by Hawkins as the Green Party Candidate for President of the United States.

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<sup>6</sup> Also, the Walker submission on the “Candidate Affidavit” form is not notarized or dated; thus, it does not meet the basic criteria for an “affidavit,” which include being sworn before a notary. As such, her submission does not meet the Candidate Affidavit requirement for the office of Vice-President even under a generous construction of the statute. However, this is academic since Gale did not file an affidavit and therefore could not be substituted.



Nominating papers with improperly completed affidavits are amendable at the Court's discretion. *See In re Berg*, 973 A.2d 447 (Pa. Cmwlth.), *aff'd*, 971 A.2d 486 (Pa. 2009). But, false affidavits may not be cured. *Cianfrani*.

In their Application, Objectors alleged the following defects in Scroggin's Affidavit: lack of an original signature; faxing instead of filing; and failure to append to Nomination Paper. In their memorandum of law, Objectors also contend this Court should discount Scroggin's Affidavit as false based on the date of signing.

This Court is unpersuaded that the non-original signature on Scroggin's Affidavit is grounds for its invalidation. The point of an original or "wet" signature is to ensure against fraud and to utilize for signature comparisons when assessing whether it is an accurate signature as in a line challenge. Notably, Objectors do not contend the signature on Scroggin's Affidavit is not genuine. In light of the indicia of reliability supplied by the notarization of her signature, invalidating Scroggin's Affidavit based on the lack of original signature elevates form above substance.

Related, as to the method of submission, in that it was faxed instead of filed, the means of submission is not critical to compliance with the Candidate Affidavit requirement. Indeed, Objectors acknowledge that different tribunals may accept a facsimile as a means of filing as it is within their discretion. *See* Obj. Supp. Br. at 4. In fact, Director confirmed that candidates were permitted to submit electronic filings by midnight on August 3, 2020. Because there is no indication that DOS did not accept Scroggin's Affidavit based on the means of submission (via fax), and faxing was not precluded by the DOS Instructions, and electronic submission was expressly permitted based on the reduced staff and limitations resulting from Covid-19, the Court discerns no basis for excluding the Scroggin's Affidavit for this reason.

Scroggin's Affidavit was not "appended" by the candidate in the traditional sense, *i.e.*, fastened or attached, to the Nomination Paper. This Court recognizes that for political bodies, "Section 951(e) of the Election Code provides

that an affidavit shall be appended to each nomination paper offered for filing. . . .”  
*In re Barr*, 956 A.2d at 1087-88 (quoting 25 P.S. §2911(e)). However, the DOS Instructions for Political Bodies do not contain the word “appended” and there is no indication that DOS requires attachment of Candidate Affidavits.<sup>7</sup> The record shows that Candidate Affidavits are separate documents from the Nomination Paper, and are not counted among its pages. Indeed, to support their argument that appending a Candidate Affidavit is mandatory, Objectors cite case law involving signature pages, which are sequential, required to be bound, and deemed one document. Signature pages comprising a nomination paper are not the same as a Candidate Affidavit, which, by all accounts, is a separate document.

This Court acknowledges the impracticality of appending Scroggin’s Affidavit under current circumstances, including Covid-19. In this case, where DOS provided an electronic submission option, in light of Covid-related staffing constraints, this Court concludes submission electronically, by fax or email, does not invalidate an otherwise compliant Candidate Affidavit.

However, the more compelling circumstance unique to the acceptance of the Nomination Paper here is that the DOS staff did not advise the Green Party that there was any defect in the submission of Candidate Affidavits for national office, or non-compliance with the Candidate Affidavit requirement generally. *Cf. Fuente v. Cortes*, 207 F.Supp.3d 441 (M.D. Pa. 2016) (abstaining from independent candidate challenge to DOS rejection of nomination paper for deficient candidate

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<sup>7</sup> Paragraph 10 of Exhibit P-4, titled “Candidate’s Affidavit and Ethics Statement” states:

Each candidate for public office must sign and submit one CANDIDATE’S AFFIDAVIT per set of nomination papers. The CANDIDATE’S AFFIDAVIT is a separate form and may be obtained from the Bureau of Election Services and Notaries, Room 210 North Office Building, Harrisburg, PA 17120. Each candidate for public office, except President and Vice-President of the United States . . . a copy of the Statement of Financial Interests required to be filed with the State Ethics Commission.

affidavit and failure to append). To the extent the strict timelines for election practice come into play, they favor Candidates as neither Presidential Candidate Scroggin nor Substitute Candidate Hawkins had notice or opportunity to challenge the alleged defect in Scroggin’s Affidavit in content or its submission.<sup>8</sup> In fact, Director indicated there was compliance, except as for the elector affirmations. This Court finds no prejudice to Objectors by the later discovery of Scroggin’s Affidavit where Objectors had a full opportunity to litigate the issue.

Objectors’ argument that the date on Scroggin’s Affidavit renders it false, and thus, invalid and incurable is unavailing. There is no evidence or indication that Scroggin did not intend her nomination as Candidate for the office of President. The date alone is insufficient to imply fraudulent intent. At that point, Hawkins was not the duly-nominated Presidential Candidate, despite his nomination at the convention—until his substitution, Scroggin was the individual named in the Nomination Paper as the Presidential Candidate

In sum, Scroggin’s Affidavit strongly evinces substantial compliance with the Candidate Affidavit requirement under the Election Code. It is signed, it is sworn, dated and notarized by a commissioned notary. There is no evidence that it was not accurate when signed on August 3, 2020, because, notwithstanding the timing of the Green Party convention, and the nomination of Hawkins through that process, Hawkins was not duly-nominated under the Election Code until he filed his substitution paperwork. That is consistent with the chronology Director described. This Court concludes that under these circumstances, involving reduced staff and

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<sup>8</sup> Here, unlike the scenario in *Fuente v. Cortes*, the Green Party Candidates were not put on notice that their candidacy for national office was in jeopardy for non-compliance with the Candidate Affidavit requirement for political bodies, and so they had no reason or opportunity to cure the defect. In *Fuente*, relevant here, the federal court emphasized the importance of placing a Presidential candidate on notice of defects in his candidacy, stating “[r]ather, upon issuing their rejection, [DOS] immediately placed Plaintiff on notice that his best recourse was to file suit in Commonwealth Court, where [the candidate’s] legal issues could be resolved and [DOS] could be ordered to accept [the candidate’s] nomination papers if necessary.” *Id.* at 451 (emphasis in original).

lack of in-person staff to oversee facsimiles and review/receive submissions in the Covid-19 era that prioritizes working remotely, that Scroggin's Affidavit met the Candidate Affidavit requirement.

“No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.” *Williams v. Rhodes*, 393 U.S. 23, 31 (U.S. 1968) (citation omitted). In the interest of protecting the franchise and the right of voters to elect a candidate of their choice, this rationale extends to a candidate's signature on an affidavit, to which there is no challenge to its authenticity and other indicia of reliability exist, as with the notarization of Scroggin's signature here. *See generally In re Nader*, 858 A.2d 1167, 1177 (Pa. 2004) (“The longstanding and overriding policy in our Commonwealth [is] to protect the elective franchise.”); *In re Nomination Pet. of Flaherty*, 770 A.2d 327, 331 (Pa. 2001) (“The Election Code must be liberally construed in order to protect a candidate's right to run for office, and a voters' right to elect the candidate of their choice.”).<sup>9</sup>

Therefore, this Court denies Objectors' Petition as to the exclusion of Substitute Candidate Hawkins for the office of President of the United States to the extent it is premised on an alleged defective Scroggin's Affidavit.<sup>10</sup>

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<sup>9</sup> The Court is aware of multiple pending ballot access challenges before this Court and the Supreme Court. Ballot choice is a form of ballot access. Expanding the ways in which we vote, while limiting the choices on the ballot seems somewhat paradoxical if not inapposite.

<sup>10</sup> Hawkins' affidavit is not challenged. This Court is also unpersuaded by Objectors' hypothetical argument regarding “celebrity” candidates, and the related concern that naming a well-known person on the nomination papers (while anticipating their subsequent substitution) translates into possibly more signatures. Provided the substitution is proper, there is nothing to preclude a political body from placing an eligible “celebrity” candidate on the nomination paper as the initial “placeholder” candidate. *See In re Barr*. This Court is unaware of any authority for excluding a qualified individual from being named on a ballot purely based on celebrity status or name recognition. Regardless, it is not relevant to the facts of this case and had no impact on the naming of Hawkins as a proper substitute for a duly-nominated candidate.

## **B. Running Mate “Requirement”**

Lastly, having determined that Scroggin qualified as a duly-nominated Candidate for President, and discerning no flaws in her substitution by Hawkins, this Court examines Objectors’ contention that the candidacy for President depends upon having a duly-nominated Vice-President. Objectors cite no authority for this “running mate requirement” other than the 12<sup>th</sup> Amendment of the U.S. Constitution.

The 12th Amendment, ratified in 1804, says:

The Electors shall meet in their respective states and vote by ballot for President and Vice-President ...; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to [Congress, where] the votes shall then be counted.

U.S. Const., amend. XII. The Supreme Court of the United States recently explained the genesis of this amendment, explaining that its “main part provided that electors would vote separately for President and Vice[-]President.” *Chiafalo v. Washington*, \_\_\_ U.S. \_\_\_, 140 S. Ct. 2316, 2326–27 (2020) (emphasis added). Thus, while the purpose was to ensure the candidates were of the same party, the intent was to separate the roles, not treat the roles as a codependent unit. The 12<sup>th</sup> Amendment does not make the nomination of a Presidential Candidate contingent on the valid nomination of a Candidate to the office of Vice-President.

This Court discerns no support for the proposition that contemporaneous nomination of a Vice-Presidential Candidate is essential for placing a Presidential Candidate on the ballot. This Court declines to engraft a running mate requirement on the ballot access of a political body for national office where none exists, and for which there is no clear authority. There is no legal prohibition on the subsequent

naming of a Vice-President by the duly-elected President.<sup>11</sup> The 25<sup>th</sup> Amendment of the Constitution deals with Vice-Presidential vacancies. Further, as indicated on the ballot, voters are electing “Presidential Electors” when casting their vote.

Further, that a defect exists as to one candidate on a political body slate does not impair the candidacy of other candidates for other offices. *Swartz v. Helm*, 41 Pa. D. & C.2d 322 (Dauph. C.C.P. 1966). “To disqualify a candidate because a fellow candidate fails to qualify would nullify the intent of [the section permitting election of multiple candidates by a single nomination paper].” *Id.* at 334. This is consistent with the plain language of the Election Code which provides “**each**” duly-nominated candidate stands on his or her own merit, based on the eligibility and documentation criteria.

There is simply no legal prohibition on the nomination of a candidate for the office of President simply by virtue of the invalidity of the candidate for the office of Vice-President for political bodies, hence, this Court does not strike the Nomination Paper as to Hawkins. This Court discerns no obstacle to permitting Hawkins’ candidacy despite lack of a duly-nominated candidate for Vice-President.<sup>12</sup> *See Swartz*. Because the absence of a Candidate Affidavit for the national office of Vice-President of the United States does not impair the validity of the Nomination Paper as to the Green Party Candidate for President of the United States, the Green Party Candidate for President, Howie Hawkins, shall be placed on the ballot.

Therefore, this Court’s order on the Application and the Petition follows.

---

<sup>11</sup> Prior to passage of the 25<sup>th</sup> Amendment in July 1965, for the period between November 22, 1963, when Lyndon Baines Johnson took the oath of office as President, and January 20, 1965, the inauguration date of Hubert Humphrey as Vice-President, there was no Vice-President.

<sup>12</sup> This Court is cognizant that the other 49 states may have different requirements for placement of the Green Party Presidential Candidate on the ballot. Indeed, Hawkins and Walker may be placed on the ballots of other states where the requirements for candidates of political bodies are more or less stringent.

## ORDER

AND NOW, this 9th day of September 2020, following the hearing on the Petition to Set Aside filed by Paul Stefano and Tony C. Thomas (Objectors) to the Nomination Paper filed by the Green Party Slate (Petition), which was modified by Objectors to a challenge to the Green Party Candidates for the national offices of President of the United States and Vice-President of the United States, Objectors' Application for Summary Relief (Application), as modified by the Joint Stipulation, is GRANTED IN PART, and DENIED IN PART as follows.

The Application is GRANTED as to Objectors' challenge to the Green Party Candidate for the office of Vice-President of the United States, and the name ANGELA WALKER shall not be placed on the November 3, 2020 General Election Ballot.

The Application is DENIED in all other respects, for the reasons set forth in the opinion.

The remaining issues in the Application had been resolved by the Joint Stipulation filed on September 3, 2020, and as set forth in this Court's orders dated September 2, 2020 (Application to Dismiss - Global Challenges), September 3, 2020 (as to Statewide Row Offices) and September 4, 2020 (Motion to Dismiss - Notice).

AND FURTHER, Objectors' Petition is DENIED as to Objectors' challenge to the Green Party Candidate for the office of President of the United States, Howie Hawkins, for the reasons set forth in the opinion.


Accordingly, the Secretary of the Commonwealth is directed to place the following name on the November 3, 2020 General Election Ballot as the Candidate for national office for the Green Party:

Howie Hawkins for President of the United States

As there remain no other outstanding applications on the above-captioned matter before this Court, this Order addresses the merits of Objectors' Petition in full, and is therefore FINAL.

The parties shall bear their own costs and attorney fees. Objectors' request for attorney fees set forth in their Petition's prayer for relief is DENIED.

The Prothonotary is directed to send a copy of this Order to the Secretary of the Commonwealth.



J. ANDREW CROMPTON, Judge



# **Exhibit B**

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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

-- --

IN RE: NOMINATION PAPER OF	:
ELIZABETH FAYE SCROGGIN	:
(OR IN THE ALTERNATIVE, HOWIE	: No. 460 M.D. 2020
HAWKINS), NEAL TAYLOR GALE	:
(OR IN THE ALTERNATIVE, ANGELA	:
WALKER), TIMOTHY RUNKLE,	:
OLIVIA FAISON, AND RICHARD	:
L. WEISS IN THE GENERAL ELECTION	:
OF NOVEMBER 3, 2020	:
	:
	:
PETITION OF: PAUL STEFANO AND	:
TONY C. THOMAS	:

**VIDEOCONFERENCE HEARING HELD BEFORE  
THE HONORABLE J. ANDREW CROMPTON**

Monday, September 7, 2020

1:00 p.m.

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A P P E A R A N C E S

FOR THE GREEN PARTY:

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I N D E X

<u>WITNESSES</u>	<u>PAGE</u>
JESSICA MATHIS	
By Mr. Levine	5/73
By Mr. Otter	65

I N D E X  
(Continued)

<u>EXHIBITS</u>	<u>IDENTIFIED</u>	<u>ADMITTED</u>
P-1	4	61
P-2	24	61
P-3	26	61
P-4	13	61
P-5	49	61
P-6	18	61
P-7	21	83
P-8	21	83
P-9	58	61
P-10	53	61
P-11	10	83
P-12	46	61

## P R O C E E D I N G S

(1:05 p.m.)

1  
2  
3 THE HONORABLE J. ANDREW CROMPTON: I will  
4 open it for the counsel. I will start with you,  
5 Mr. Levine. Are there any preliminary matters either from  
6 what I've already filed or for this hearing or parameters  
7 that you want to raise or anything new for that matter  
8 before we get into your witnesses?

9 MR. LEVINE: No.

10 JUDGE CROMPTON: Thank you. Mr. Otter, same  
11 for you.

12 MR. OTTER: No.

13 JUDGE CROMPTON: Okay. Very good. We're  
14 all caught up, and we know where we're headed. Hopefully,  
15 this won't take a long time, but I'm giving counsel as much  
16 time as you need to establish what you want.

17 Mr. Levine, the floor is yours. I don't  
18 know if you're turning it over to any of your co-counsel.  
19 But to the degree that you're ready to call your first  
20 witness, you can do that.

21 MR. LEVINE: Thank you, Your Honor. I would  
22 first introduce Exhibit P-1, which is the Joint Stipulation  
23 of Facts and introduce that and move for its admission.

24 MR. OTTER: No objection.

25 JUDGE CROMPTON: So moved. It's P-1.

1 MR. LEVINE: Just to simply note, I'm not  
2 going to read these. I think the Court's very familiar  
3 with them. I will just note Stipulation 4 indicates that  
4 the Objectors, Mr. Stefano and Mr. Thomas, are registered  
5 voters in Pennsylvania which meets the criteria.

6 At this point, I would call Jessica Mathis  
7 from the Department of State.

8 JUDGE CROMPTON: Miss Mathis, would you  
9 raise your right hand, please, so we could swear you in.

10 (Jessica Mathis was duly sworn by the  
11 judge.)

12 JUDGE CROMPTON: Very good. She has been  
13 sworn. Mr. Levine, she's all yours.

14 MR. LEVINE: Thank you.

15 JESSICA MATHIS,  
16 a witness herein, having been first duly sworn,  
17 was examined and testified as follows:

18 EXAMINATION

19 BY MR. LEVINE:

20 Q. Miss Mathis, thank you especially for a  
21 Labor Day hearing. So we all of -- all of us collectively  
22 appreciate that. I'm going to just try to focus on a few  
23 questions relating to the Green Party petition. But,  
24 first, can you describe to the Court what your position is  
25 and how long you have been in that particular position.

1           A.     I am the director of the Bureau of Elections  
2 and Notaries. I have been in that position since February  
3 of last year. Prior to that, I was the chief of the  
4 Division of Elections from 2008 through 2019.

5           Q.     And just what is the general role, overview  
6 of what that position, chief of Division of Elections,  
7 does?

8           A.     We administer the election. So starting  
9 with petition filing, which is the process where candidates  
10 get on the ballot, through creating the candidate list for  
11 the counties, offering some guidance to the county election  
12 offices while they set their ballot up, also Nomination  
13 Paper filing, candidate list for November, again setting up  
14 the ballot for the county election officials.

15          Q.     And what are the responsibilities of the  
16 director of the Bureau of Elections? What's the difference  
17 in your oversight?

18          A.     I oversee that entire process. I do some of  
19 the reviewing of the petitions and Nomination Papers as  
20 well. We also have the notaries division in our bureau.  
21 So I oversee the process of notaries applying, processing  
22 the notary applications.

23          Q.     Now, the Department of State has many other  
24 functions other than just the oversight of elections; is  
25 that correct?

1           A.     That's correct.

2           Q.     And can you just again very briefly give us  
3 an overview of the types of functions that the Department  
4 of State is involved with or has oversight of?

5           A.     So also in my bureau we do gubernatorial  
6 commissions that we get from the governor. We do  
7 appointments, processing the commissions for boards. The  
8 department has many other bureaus; charities, corporations,  
9 Bureau of Professional and Occupational Affairs. So there  
10 are other bureaus that are in our department as well as  
11 campaign finance and election security.

12          Q.     And the department oversees a lot of  
13 professional licensing for various professions. Is that a  
14 fair statement?

15          A.     That is our BPOA bureau.

16          Q.     And where is the Department of State  
17 located, the main office?

18          A.     At 210 North Office Building. Our bureau is  
19 210 North Office Building. The department is in the North  
20 Office Building, third floor.

21          Q.     Are those different office buildings, or is  
22 that the same?

23          A.     There's one building, the North Office  
24 Building. Our BPOA office is in a separate building.

25          Q.     BPOA is?



1           A.     The Bureau of Professional and Occupational  
2 Affairs, the licensing that you were just talking about.

3           Q.     Okay. So within -- so in the 210 building,  
4 that's where the election --

5           A.     Correct. That is where the bureau is.  
6 Correct.

7           Q.     And how big is that building? How many  
8 floors?

9           A.     For the Department of State, it's two  
10 floors.

11          Q.     Okay. And is there an actual filing room  
12 for petitions or Nomination Papers? Is there either a  
13 filing room set up in the 210 office building?

14          A.     For the petitions? Petitions we usually go  
15 to the Keystone Building because we have so many filers.  
16 We can't handle the amount, the candidates in our office.  
17 So we're in the Keystone Building for that process.  
18 Normally, for Nomination Papers we handle that in the  
19 office of 210.

20          Q.     Okay. And is it actually like a filing  
21 setup with the time? Do you have a clock, time stamp  
22 entries if people are coming? Describe the physical makeup  
23 of your office.

24          A.     Yes. So for this year, candidates came in.  
25 We were in the Keystone Building for a brief time. So it

1 was a table. I had a hand stamper. I personally reviewed  
2 them. For the Green Party, they were in 210. We sat at a  
3 table, and, yes, we have a time stamp.

4 Q. One of the areas of the Election Code that  
5 sometimes confuses people is the difference between  
6 Nomination Petitions and Nomination Papers. There's a  
7 difference, right?

8 A. Correct.

9 Q. And, generally, Nomination Petitions deal  
10 with major parties, Republican or Democratic Party  
11 petitions, and the Nomination Paper would be deal with  
12 political bodies?

13 A. Correct.

14 Q. Right?

15 A. Correct.

16 Q. The Nomination -- the process is different  
17 for the political parties, such as the Republican or  
18 Democrat, because those candidates generally sign -- get  
19 their petitions signed. If they have enough signatures,  
20 then they get on a ballot, and they participate in a  
21 primary election. Is that right?

22 A. Correct.

23 Q. And then the winner of the primary election  
24 gets to represent that party for the office of auditor  
25 general or state senator, whatever it is, right?

1 A. Correct.

2 Q. The Nomination -- or the political body  
3 rather, the political body does not have a primary. They  
4 get onto the general election ballot a different way than  
5 the major parties, the Democrats or the Republicans,  
6 correct?

7 A. Correct.

8 Q. And so they have a longer period of time to  
9 collect petitions, and they -- or collect signatures, and  
10 that filing is called the Nomination Paper; is that right?

11 A. Correct. That's correct.

12 Q. And when they file the Nomination Paper,  
13 this year the deadline was August 3rd, 2020?

14 A. That's correct.

15 Q. Okay. Now, were you involved in the process  
16 with the presidential -- with the gathering of the  
17 petitions and the delegate petitions for the major party  
18 presidential election in the spring of 2020?

19 A. Yes.

20 MR. LEVINE: And I'd ask to pull up Exhibit  
21 P-11, please. I actually numbered these. P-11 is at page  
22 65 of 71, if that helps. Oh, you got it. Very good.

23 BY MR. LEVINE:

24 Q. P-11 is the Declaration of Candidacy. This  
25 is a form that the members of in this case the Democratic

1 nomination but would apply to the Republican nomination, a  
2 presidential candidate would have to fill out this form and  
3 file it with the Secretary of State; is that correct?

4 A. Yes. Correct.

5 Q. And I believe this was done very, very early  
6 in the process before petitions were gathered, before the  
7 delegates went out to get their petitions; is that correct?

8 A. Correct. The Democratic, yes --

9 Q. So if in this case --

10 A. -- Party files them.

11 Q. If whoever, Elizabeth Warren or Joe Biden or  
12 whoever it was, and on the Republican side Donald Trump or  
13 whoever might run for the Republican nomination, would fill  
14 this out, and if we could scroll down a little bit, it's a  
15 document -- it's an affidavit because it's notarized; is  
16 that right?

17 A. Correct. The Democratic Party needs to fill  
18 this out because they have delegates that are committed to  
19 specific presidential candidates.

20 Q. Right. So this will actually be the  
21 signature of the presidential candidate, so Joe Biden or  
22 Pete Buttigieg --

23 A. Correct.

24 Q. -- who signs it, it gets notarized, and then  
25 that gets filed separately before the commencement of the

1 whole delegate petition process; is that right?

2 A. Yes.

3 Q. And you require an original affidavit for  
4 this document?

5 A. For this Declaration of Candidacy, yes, we  
6 do.

7 Q. Now, when the delegates get their  
8 signatures, the delegates for the various presidential  
9 elections needed to get 250 signatures within their  
10 congressional district to qualify; is that right?

11 A. Correct.

12 Q. And they submit an affidavit as well with  
13 their petitions; is that correct?

14 A. Yes, they do.

15 Q. And was it the policy of the State  
16 Department to require an original affidavit at the time of  
17 the submittal of the petitions for the delegates?

18 A. Yes.

19 Q. Why is it that you require an original  
20 affidavit as opposed to a copy?

21 A. Well, because when they file their  
22 petitions, they have to file the affidavit of them signing  
23 it and their petitions and -- well, they don't require a  
24 statement of financial interests.

25 JUDGE CROMPTON: Mr. Levine, are you done

1 with P-11, or would you like to still keep it on the  
2 screen?

3 MR. LEVINE: No. We can take it down.  
4 Thank you, Judge.

5 JUDGE CROMPTON: Thank you.

6 BY MR. LEVINE:

7 Q. When the Department of State accepts the  
8 signature pages of either the Nomination Petitions or the  
9 Nomination Papers, does it also require original signatures  
10 of the various electors who sign those papers?

11 A. Yes. The -- yes. Correct.

12 Q. Okay. The Department of State publishes  
13 information and guidance to make available to candidates  
14 and to others to understand the process and essentially  
15 prepares instruction forms for various activities; is that  
16 correct?

17 A. Correct.

18 Q. And the Department of State has a form,  
19 instruction form for Nomination Paper General Instruction  
20 Sheet, does it not?

21 A. Yes.

22 MR. LEVINE: And I would ask the Court to  
23 present Petitioner -- or, I'm sorry, Exhibit P-4.

24 BY MR. LEVINE:

25 Q. If we could start at the top of that

1 particular page 1, Miss Mathis, is this --

2 MR. LEVINE: And I think we can go a little  
3 bit more because I think there's actually -- is there a --  
4 okay. That's good. At the top -- I'm sorry -- the very  
5 top where it says Political Body. Can we have a little bit  
6 more? One more. There we go.

7 BY MR. LEVINE:

8 Q. Is this the form -- this is the current form  
9 that was in place for 2020 for the instructions for  
10 political body prepared by the department and made  
11 available to the public on an Internet site; is that  
12 correct?

13 A. Correct.

14 Q. I'd like to direct your attention to  
15 paragraph 3, Disaffiliation.

16 It says, "Any person who is a registered and  
17 enrolled member of a political party during the period of  
18 time beginning with 30 days before the primary and  
19 extending through the general or municipal elections is not  
20 eligible to be the candidate for a political body in the  
21 general or municipal election held in the same year."

22 Are you familiar with that requirement?

23 A. Yes.

24 Q. I think that's called the sore loser rule.  
25 Are you familiar with that term?

1 A. Yes.

2 Q. Describe what is the sore loser rule?

3 A. The sore loser rule is someone -- if someone  
4 ran on the ballot in the primary and lost, they would not  
5 be able to change their party, then again run in the  
6 November election.

7 Q. In fact, if somebody was a Democrat or  
8 Republican within 30 days before the primary, even if they  
9 didn't run, they would be ineligible --

10 A. Correct.

11 Q. -- to run; is that correct?

12 A. That's correct. Yes.

13 Q. Moving down, I would like to direct your  
14 attention to paragraph 5, Circulation of Nomination Papers,  
15 and this simply describes the period of time that applied  
16 this year for 2020. The circulation period begins on  
17 February 19 and ends on August 3rd. In fact, that was the  
18 circulation time for Nomination Papers, correct?

19 A. Correct.

20 Q. Now, it's interesting -- if we scroll a  
21 little further. Let's focus on 6 and 7. There are  
22 requirements associated with signers, and there are  
23 requirements associated with number of signers, but it's  
24 noteworthy that you actually put in citations of cases that  
25 have maybe affected the application of those specific



1 statutory provisions. Is that a fair statement?

2 A. Yes.

3 Q. So there's been litigation in this area, and  
4 so, for instance, on the number of signers, there was a  
5 challenge to the number of signers. I believe Mr. Otter  
6 may have been involved with that lawsuit.

7 MR. OTTER: No. I was just a spectator.

8 MR. LEVINE: Just a spectator. I'm sorry.

9 BY MR. LEVINE:

10 Q. But there was a lawsuit that basically said  
11 you used to take 2 percent of the total number of the  
12 last -- the governor's race or whatever it was, and  
13 there was a pretty substantial number, and there was some  
14 litigation on that. There was a consent order to the  
15 department. So the numbers were reduced to 5,000  
16 signatures for the President and Vice President and 2,500  
17 for the state row office, correct?

18 A. Correct. Correct.

19 Q. And you're noting -- in your instructions  
20 you're actually noting that here's the statute, but this  
21 has been changed, and here's how we're applying it because  
22 of the case?

23 A. Correct.

24 Q. I direct your attention to paragraph 10 on  
25 the next page. Now, this very specifically -- now we're

1 talking about Nomination Papers, and No. 10 says,  
2 "Candidate's Affidavit and Ethics Statement," and it says,  
3 "Each candidate for public office must sign and submit one  
4 Candidate's Affidavit per set of Nomination Papers."

5           Then you describe that there's a form  
6 available to do that. Then you say that each candidate,  
7 except for President and Vice President, United States  
8 Senator, and Representative in Congress must also submit a  
9 Statement of Financial Interests. Right?

10           A.     Correct.

11           Q.     So No. 10 is advising you that each and  
12 every candidate who would be listed on a Nomination Paper  
13 must file a Candidate's Affidavit with the Nomination  
14 Paper; is that correct?

15           A.     Correct.

16           Q.     And there's no case law or anything to  
17 qualify that or indicate that it may no longer be  
18 applicable set forth in paragraph 10. Is that a fair  
19 statement?

20           A.     Correct, not to my knowledge.

21           Q.     Then there's a description at paragraph 12,  
22 if we go down, the Time and Place to File. "Nomination  
23 Papers for all offices are filed in the office of the  
24 Secretary at Room 210 North Office Building and must be  
25 filed by 5:00 p.m. on the deadline to file Nomination

1 Papers."

2                   So that would be in this case this year  
3 August 3rd by 5:00 p.m. the Nomination Paper must be filed,  
4 right?

5           A.     Correct.

6           Q.     And just to go to the next page of this  
7 exhibit, keep scrolling, on the next page we just note the  
8 source of this information, and it's readily available on  
9 the Department of State website, correct?

10          A.     Correct.

11          Q.     Okay. I would next turn to Exhibit P-6. At  
12 the very top, there's a description that it was revised  
13 2/19. So this was the Political Body Candidate's Form  
14 Affidavit that was made available to the public that was  
15 described in your instruction sheet; is that correct?

16          A.     Correct.

17          Q.     Okay. In the Candidate's Affidavit, if you  
18 read, everybody can see the "aware of the provisions"  
19 around the fourth line.

20                   "I'm aware of the provisions of Section 1626  
21 of the Pennsylvania Election Code requiring pre-election  
22 and post-election reporting of campaign contributions and  
23 expenditures."

24                   And then we talked about the sore loser  
25 rule. There is actually a reference where the affidavit

1 says, "That my name has not been presented as a candidate  
2 by Nomination Petitions for any public office to be voted  
3 for at the ensuing primary election, nor have I been  
4 nominated by any other Nomination Papers for any such  
5 office. That if I am a candidate for election at a general  
6 or municipal election I shall not be a registered and  
7 enrolled member of a political party at any time during the  
8 period of 30 days prior to the primary." That section.

9           And that's a reference to the sore loser  
10 rule which is consistent with the state law that requires a  
11 candidate for a political body position to make that  
12 statement and make that affidavit, if you will. Correct?

13           A.     Correct.

14           Q.     Okay. And so the sore loser rule is unique  
15 to the Nomination -- or I'm sorry -- to the Nomination  
16 Paper, the third party candidate, as distinct from the  
17 Nomination Petition because in this case it's unique  
18 because you're saying I was not a member of a major party,  
19 and that's what qualifies me to run for the third party  
20 here, the nomination body, correct?

21           A.     Correct.

22           Q.     Okay. Now, on August 3rd, who was  
23 manning -- who was manning the desk at 210?

24                    JUDGE CROMPTON: Mr. Levine, we took down  
25 your exhibit.

1 MR. LEVINE: Thank you.

2 BY MR. LEVINE:

3 Q. Miss Mathis, who was physically in the room?  
4 There was a filing deadline. Did you have people there,  
5 and who was there?

6 A. There were several members of my staff  
7 there; Amy Simmons, Brenda Quintana, myself.

8 Q. Was there an Adam?

9 A. No.

10 Q. Adam was not --

11 A. We are all teleworking except for a few of  
12 us. The three I just mentioned, myself included, we are  
13 physically in the office every day.

14 Q. Now, the Libertarian body -- or I'm sorry --  
15 the Libertarian Party filed on August 3rd, did they not,  
16 filed an application?

17 A. They filed --

18 MR. OTTER: Objection. What's the  
19 relevance? This is about a Green Party Nomination Paper.

20 MR. LEVINE: Well, I'm just showing how the  
21 Libertarian Party was processed by the Secretary of State  
22 because it's different than the Green Party.

23 MR. OTTER: That's not relevant to this  
24 proceeding.

25 MR. LEVINE: Your Honor, it's a sure line of

1 inquiry to show how they -- there's a numbering system that  
2 I'm trying to show and establish how they handle the  
3 numbering system.

4 JUDGE CROMPTON: Mr. Levine, I will allow  
5 it. I think the point though is we don't need to go very  
6 far down this path. They're separate political bodies, and  
7 what they did and what they didn't do, the relevance I'm a  
8 little bit strained. But I'll give you a couple more  
9 questions to establish what you want to establish, if  
10 anything.

11 MR. LEVINE: Thank you.

12 BY MR. LEVINE:

13 Q. So if we could look at Exhibit P-8. And  
14 I'll represent to you that this was the 2020 Nomination  
15 Paper of the Libertarian Party, and to move this  
16 expeditiously, I'll simply note the identified candidates;  
17 President, William Sloane, Vice President Daniel Fishman,  
18 and then certain row offices on that particular form.

19 I would move then to Exhibit P-7. Let me  
20 just confirm that you're familiar that they filed the  
21 Nomination Paper?

22 A. Correct.

23 Q. Okay. And I would move to P-7, and this  
24 includes the Candidate Affidavit for Martin Sloane, who was  
25 listed on the Nomination Paper, and it also includes for

1 Vice President the Affidavit of Daniel Fishman listed as  
2 Vice President.

3           So here's my question. If you look at the  
4 upper right corner of that particular form, there's a  
5 number, 2020C1444. Can you describe what that is?

6           A. That's a number that our system generates  
7 when we enter them into our database.

8           Q. So is that handwritten?

9           A. Yes.

10          Q. Okay. So when you look -- when you're  
11 reviewing the Candidate's Affidavit and the Nomination  
12 Paper, you go in essentially a sequential order, so each  
13 new candidate gets a number?

14          A. Typically, it's sequential, yes.

15          Q. And what is the purpose of assigning a  
16 number to a particular candidate?

17          A. We use that number for campaign finance  
18 purposes. The candidates use that to report, that number.  
19 The counties may or may not use it when they are setting up  
20 their voting systems.

21          Q. And this one is 1444. Is there a previous  
22 page to this exhibit? So the President here was assigned  
23 1442, so that would indicate the sequence. When you get a  
24 Nomination Paper of a political body such as Libertarian,  
25 do you actually do a review and assessment to make sure

1 that there are enough signatures on its face, that the form  
2 looks appropriate as filled out? What is the oversight  
3 role of the Department of State at the moment of filing?

4 JUDGE CROMPTON: Mr. Levine, are you done  
5 with P-7?

6 MR. LEVINE: Yes, I am.

7 JUDGE CROMPTON: Very good.

8 A. So we review what we call the four corners  
9 of the petition or Nomination Paper in this case. So the  
10 information at the top, which is the preamble, to make sure  
11 that's completed. In the case of Nomination Papers, they  
12 need to have the Committee to Fill Vacancy completed. And  
13 then we count for the required number of signatures. We  
14 only count to -- in this case it would be 5,000, and then  
15 we make sure that the Statement of Circulator on the back  
16 page is completed.

17 Q. Do you review to see whether there's a  
18 Candidate's Affidavit that is included with the Nomination  
19 Paper?

20 A. We have an affidavit. If they are required  
21 to file a Statement of Financial Interest, they need to  
22 file a copy with us, and then a certified check or money  
23 order.

24 Q. In that respect, so you are actually looking  
25 and reviewing to make sure that there is a Candidate



1 Affidavit associated with the particular candidate listed  
2 on the Nomination Paper; is that right?

3 A. Correct.

4 Q. And do you require an original affidavit at  
5 the time of filing?

6 A. We -- yes. We usually have an affidavit.  
7 Yes.

8 Q. I would like to direct your attention to  
9 Exhibit P-2. This is the Nomination Paper that was  
10 submitted on August 3rd by the Green Party; is that  
11 correct?

12 A. Correct.

13 Q. And that lists as President of the United  
14 States Elizabeth Faye Scroggin, as Vice President Neal  
15 Taylor Gale, state treasurer Timothy Runkle, auditor  
16 general Olivia Faison, and attorney general Richard Weiss.  
17 It also includes in this case a general assembly candidate.  
18 Let's focus on the five candidates that I just listed.

19 So this was -- this would be the information  
20 that was set out on the Nomination Paper. If you go to the  
21 bottom of this particular page, if you can scroll down, the  
22 very bottom we see signatures, and then we see page 1, and  
23 it does say side one. It's blocked out a little bit.

24 So one of the requirements of the Secretary  
25 of State's office is that when somebody collects petition

1 papers -- either petition paper or even for petitions for  
2 Democratic or Republican candidates, you require people to  
3 provide this to you in some coherent order and number the  
4 pages; is that right?

5 A. Correct.

6 Q. So if there's in this case 710 pages, you  
7 require that each and every page be numbered, and that's  
8 for what purpose?

9 A. So we know how many pages were submitted.

10 Q. And then is the page reference often used to  
11 identify these signatures on this particular page and for  
12 any type of objections that someone may render to a  
13 particular petition or paper?

14 A. Yes.

15 Q. So in this case, if we go down and we  
16 scroll, let's go to the next page. This is side -- keep  
17 going a little bit more. This is page 1, side 2.

18 MR. LEVINE: I'll represent to the Court  
19 that we just took a sampling; beginning, middle, and end.  
20 So if we scroll a little bit more, we have I think page  
21 305. I will just note that it's the same name; Scroggin,  
22 Gale, Runkle, Faison, and Weiss. And if we go all the way  
23 to the very last page, 710, if we go and see who the names  
24 were at the top -- I guess the previous page. We go back.  
25 So that would be again President is Scroggin, Vice

1 President is Gale, treasurer Runkle, auditor general  
2 Faison, and A.G. Weiss.

3 BY MR. LEVINE:

4 Q. So when they submitted these, those names  
5 were consistently on all of the 710 pages of the Nomination  
6 Paper, correct?

7 A. Correct.

8 Q. And so you did a review -- now, was it you  
9 personally who did the review, or who was handling this  
10 particular review?

11 A. It was me.

12 JUDGE CROMPTON: Can we take this down?

13 MR. LEVINE: Oh, I'm sorry. Yes, we can  
14 take this exhibit down.

15 JUDGE CROMPTON: Thank you.

16 A. So yes, it was me that reviewed them.

17 Q. All right.

18 MR. LEVINE: I would like to pull up Exhibit  
19 P-3, please.

20 BY MR. LEVINE:

21 Q. This is Exhibit P-3. Can you identify what  
22 this particular exhibit is?

23 A. That's a pending notification that was  
24 provided to the Green Party pending their paperwork for the  
25 presidential electors.

1           Q.     Is this a normal document that you would  
2 present to someone filing a Nomination Paper?

3           A.     Yes, or petition.

4           Q.     You do it in every case or only if there's  
5 something that needs to be resolved?

6           A.     Only if we're pending something or rejecting  
7 it. There's a rejection notice. There's a pending notice.

8           Q.     And this indicates it was prepared by Adam  
9 Yake.

10          A.     Yes. He prepared it for me.

11          Q.     Did you actually prepare it that day on  
12 August 3rd?

13          A.     Yes.

14          Q.     Okay. All right. It indicates the 710  
15 pages, and then it has at the upper right, it has a log.  
16 Then it has numbers 1459 and 1460 up at the upper right.  
17 Do you see that?

18          A.     Yes.

19          Q.     And that would be the candidate names? What  
20 does that log reflect? Or the candidate numbers?

21          A.     The numbers, uh-huh.

22          Q.     And then at the bottom we have Receipt  
23 Acknowledged. I believe that's Timothy Runkle, a  
24 representative of the Green Party. Is that correct?

25          A.     Yes. That's who brought the papers in.

1 Q. So Mr. Runkle physically brought in the 710  
2 pages of the Nomination Papers, and they were all numbered  
3 1 through 710, correct?

4 A. Correct.

5 Q. And did he also bring with him original  
6 affidavits?

7 A. He did.

8 Q. Okay. Now, I would like to go to the second  
9 page of this particular exhibit. This is an affidavit  
10 that's dated July 23rd. It's an affidavit of Howie Hawkins  
11 from Syracuse, New York. This was an affidavit, and we've  
12 stipulated. This was part of the packet of the Nomination  
13 Paper that Mr. Runkle presented to you, correct?

14 A. Correct.

15 Q. This was an original affidavit per your  
16 requirement?

17 A. Yes, it was.

18 Q. And you assign a number at the top,  
19 2020C1459; is that right?

20 A. Correct.

21 Q. And so you've given Mr. Hawkins a unique  
22 candidate number for himself?

23 A. Correct.

24 Q. Is that what the purpose of this is for?  
25 Did it seem strange to you that Mr. Hawkins was submitting

1 an affidavit when his name did not appear on any of the 710  
2 pages of the Nomination Paper?

3 A. Normally, the third parties will substitute  
4 their candidates. So they'll file paperwork, and then  
5 they'll substitute for the candidates that are going to  
6 appear on the ballot. I can't say that we received the  
7 substitute candidates always. In this case, we did.

8 Q. But you first have to -- before you can  
9 substitute, you first have to be nominated. Somebody has  
10 to be nominated. Is that correct?

11 A. Right. But in the case of President --

12 MR. OTTER: Objection. It calls for a legal  
13 conclusion.

14 MR. LEVINE: Well, I'm asking her why she  
15 was making decisions that are relevant to this proceeding.

16 MR. OTTER: No. You asked her a legal  
17 question with all due respect.

18 JUDGE CROMPTON: I think he asked both to  
19 tell you the truth. I think you can argue your legal  
20 argument, Mr. Otter. I also think it's factual in her role  
21 as the director of the office. I will allow her to answer.

22 A. We accepted the affidavit because we had an  
23 affidavit for every office that was going to appear on the  
24 ballot. For the major parties, they are not required to  
25 file an affidavit. We do ask that they provide the

1 information to us, but they don't actually have to file  
2 that affidavit.

3 Q. Who doesn't have to file what affidavit?  
4 I'm not sure I follow that.

5 A. The major parties for President, Vice  
6 President don't -- aren't legally required to file an  
7 affidavit. We ask that they file it so that we have the  
8 candidate information.

9 Q. But they file a Declaration of Candidacy,  
10 which is an affidavit, at the outset of the petition  
11 gathering process; is that correct?

12 A. The Democratic Party does.

13 Q. Okay. Does the Republican Party file any  
14 such an affidavit?

15 A. No. That Declaration of Candidacy would be  
16 because the Democrats have committed delegates to  
17 President. So I believe that's what that says.

18 JUDGE CROMPTON: Mr. Levine, could I ask you  
19 to pause. We lost Mr. Otter. I want to make sure he can  
20 still participate.

21 MR. LEVINE: I'm going to call it back up.  
22 Mr. Otter would be a priority, I would agree, Your Honor.

23 MR. OTTER: I'm here.

24 JUDGE CROMPTON: All right. Your screen  
25 goes out every once in a while. I'm just going to check

1 when your screen does it just to make sure there is no  
2 gulf. You are still listening and speaking via your  
3 telephone, Mr. Otter?

4 MR. OTTER: Yes. Black screens matter. No  
5 pun intended.

6 JUDGE CROMPTON: I'll just gloss over that  
7 and make no editorial comment, and we will go back to  
8 Mr. Levine. Mr. Levine, if you have -- I'm not sure if I  
9 interrupted the question or not. I think you got your  
10 answer from Miss Mathis.

11 BY MR. LEVINE:

12 Q. So I had asked about the Candidate  
13 Affidavit. Let me ask you about the Candidate Affidavit in  
14 respect to the political body candidate. We talked about  
15 the sore loser rule, right?

16 A. Correct.

17 Q. And the law requires that candidate to file  
18 an affidavit to say that he's complying with the sore loser  
19 rule. That is, that he was not a registered member of a  
20 major party immediately before the primary. Is that right?

21 A. Yes. I think you're asking me about the  
22 affidavit itself.

23 Q. Yes.

24 JUDGE CROMPTON: Mr. Levine, can you pause.  
25 Now that I'm replaying it in my head, Miss Mathis, was



1 there anything else you wanted to speak to on the  
2 Republican requirement for Candidate Affidavit? I think  
3 you got a little cut off there, and I just want you to  
4 establish whatever you do. I'm not asking -- I don't have  
5 a question. I just don't want in light of me interjecting  
6 myself not for you to have the opportunity to finish.

7 MS. MATHIS: Well, thank you. I was just  
8 saying that they weren't required to file that Declaration  
9 of Candidacy.

10 JUDGE CROMPTON: I'm sorry, Mr. Levine. I  
11 just wanted to complete that loop because I think I  
12 interrupted that. Go back to your question that you just  
13 asked, if you would.

14 BY MR. LEVINE:

15 Q. There is a form that -- we established this  
16 in our discussion earlier. P-6 was the Political Body  
17 Candidate's Affidavit.

18 A. Correct.

19 Q. Do you remember we were talking about that?  
20 And there was actually this provision that a candidate for  
21 a political body has to assert that he or she complies with  
22 the sore loser rule; is that correct? It's right in the  
23 text of the -- do you recall that?

24 A. Yes.

25 Q. So it's different than with a political

1 party because a political party -- the sore loser rule  
2 doesn't apply to a member of the political party; is that  
3 right?

4 A. Correct.

5 Q. Okay. All right. So let's go back to  
6 Exhibit P-3. So this was the affidavit of Howie Hawkins.  
7 It's an original affidavit, and you accepted this even  
8 though Mr. Hawkins was nowhere listed on the 710 pages of  
9 the Nomination Paper that was being filed with the  
10 affidavit, correct?

11 A. Yes. Now, we did ask that they file the  
12 affidavits for their placeholder candidates.

13 Q. You asked them to do that?

14 A. Yes, but as I --

15 Q. What was that -- why did you ask them to do  
16 that?

17 A. We just asked them to do that because so we  
18 would have it on file knowing that -- and letting them know  
19 that they may be objected to just like we do with every  
20 other candidate. But, like I said, we had an affidavit for  
21 every candidate, and it's not required of the major parties  
22 for President and Vice President.

23 Q. So you basically -- did you conclude by  
24 yourself that there was no requirement for a Candidate's  
25 Affidavit for President or Vice Presidential candidate for

1 a nomination -- or for a political body? Is that the  
2 conclusion that you reached by yourself?

3 A. No. I spoke with my boss, who is the deputy  
4 secretary, Jonathan Marks. I did speak with our attorneys.  
5 It was decided that we were going to ask them to file the  
6 affidavit, but we were not going to reject solely based on  
7 not receiving the affidavit of the placeholder candidates.

8 Q. So in the case looking at this exhibit on  
9 the next page of Exhibit P-3, now this is what at best  
10 could be called an incomplete affidavit, right? There is  
11 no notary or date on the left side; is that right?

12 A. Correct.

13 Q. So this would not be considered a valid  
14 affidavit if an affidavit was required. Is that fair to  
15 say?

16 MR. OTTER: Objection. Again, it calls for  
17 a legal conclusion.

18 JUDGE CROMPTON: I tend to agree with  
19 Mr. Otter on that. You can ask her what her take on this  
20 was, but I don't think you can go to the moment of whether  
21 or not it was legally valid.

22 BY MR. LEVINE:

23 Q. Hypothetically in your view, if an affidavit  
24 was required for a candidate, if you were presented with an  
25 affidavit without any notary signature or seal or stamp,

1 would you consider that to be a valid -- would you consider  
2 that to be an affidavit that you could accept?

3 MR. OTTER: Objection.

4 JUDGE CROMPTON: Go ahead, Mr. Otter.

5 MR. OTTER: He's again asking for a legal  
6 conclusion. I believe that that may be an amendable  
7 defect.

8 JUDGE CROMPTON: Mr. Otter, you are going to  
9 have time with the witness too. You can ask her whatever  
10 questions. I give you the same latitude as I give  
11 Mr. Levine. I think now that we've lost the precise, I  
12 think the close of your question, Mr. Levine, saved your  
13 question. And if you can recall that last clause or repeat  
14 the whole question for Miss Mathis, I'm inclined to let you  
15 ask and have that answered.

16 MR. LEVINE: Thank you.

17 BY MR. LEVINE:

18 Q. What I was asking was hypothetically  
19 assuming that an affidavit was required in your view and  
20 you received a document such as the quote Walker  
21 affidavit -- and I put that in quotes because there's no  
22 notary, there's no seal, there's no signature -- if you  
23 were receiving such an affidavit, would you consider this  
24 affidavit for purposes of accepting it with the Secretary  
25 of State, would you consider that compliant, or would you

1 reject the affidavit?

2           A.     We would depending on when it was received,  
3 we would put it in a pending status until we received a  
4 properly executed affidavit. This is for the Vice  
5 President. So I'm going to go back to the President and  
6 Vice President not requiring the affidavit. So we did have  
7 an affidavit for each of the offices.

8           Q.     You're aware -- are you aware that Section  
9 951 of the Election Code, which is 25 PS 2911 Subsection E,  
10 says, "There shall be appended to each Nomination Paper  
11 offered for filing an affidavit for each candidate  
12 nominated therein with the following information," which  
13 tracks the sample that we just looked at that you make  
14 available to all candidates? Are you aware that that  
15 section requires each candidate to file?

16           A.     Yes.

17           Q.     Okay. And are you aware that when we looked  
18 at your instruction sheet on how to file, P-4, your  
19 instruction sheet --

20                   JUDGE CROMPTON: Mr. Levine, can we take  
21 this down for Miss Angela Walker?

22                   MR. LEVINE: I'll call it back up. You can  
23 take this down. Let's go back to P-4 then. Thank you,  
24 Your Honor.

25                   JUDGE CROMPTON: Sure.

1 MR. BALDWIN: Am I going back to P-4?

2 MR. LEVINE: Yes, please.

3 JUDGE CROMPTON: Take this down and put up  
4 P-4, please, Kurt.

5 BY MR. LEVINE:

6 Q. So focusing on Section 6 and 7 of this,  
7 there's actually case law. In other words, you note the  
8 statute, and then you note the Department of State is  
9 noting because of this case we're going to treat this  
10 differently. And you do that on two occasions. Do you see  
11 that?

12 A. Yes, because there have been numerous cases.

13 Q. Right. But you actually list those cases.  
14 Let's go to paragraph 10. So this says -- these are your  
15 instructions for 2020. "Candidate's Affidavit and Ethics  
16 Statement. Each candidate for public office," and these  
17 are dealing only with -- this is only for political bodies.  
18 "Each candidate for public office must sign and submit one  
19 Candidate's Affidavit."

20 And you would agree -- and then there's  
21 actually an exception. It says that the federal candidates  
22 basically do not have to submit a Statement of Financial  
23 Interests. It doesn't say the federal candidates or the  
24 President or the Vice President don't have to a submit an  
25 affidavit. You would agree with me there?

1           A.     Correct.

2           Q.     And there's no case law that says that this  
3 is what the statute says. Section 2911 says this, but  
4 under this case, there's obviously no case law, right?

5           MR. OTTER:  Objection.  Again calling for a  
6 legal conclusion.

7           MR. LEVINE:  No.  I'm asking if there  
8 literally is a case cited in paragraph 10.  I think it's --

9           JUDGE CROMPTON:  I'm not sure that was your  
10 question, Mr. Levine.  That question is fair.  Whether she  
11 has knowledge of cases, I don't think -- I think that's a  
12 little too far afield.

13          MR. LEVINE:  No, no.  I'm asking on the  
14 instruction.

15          JUDGE CROMPTON:  That's fine.  She can  
16 answer what the instructions say.

17          A.     No.  There is no case law cited.

18          Q.     Let's go back to P-3 for a moment.

19          JUDGE CROMPTON:  Mr. Levine, can you pause  
20 for a second?

21          MR. LEVINE:  Yes, sir.

22                   (Pause.)

23          JUDGE CROMPTON:  Mr. Levine, you can  
24 continue.

25 BY MR. LEVINE:

1           Q.     Let's go to the first page of this exhibit.  
2 So there's a checklist. It says, "Nomination Pending  
3 Notice," and I guess if you thought that the nomination was  
4 perfect, enough signatures, had the affidavits, whatever,  
5 there were no issues, and you accepted it, would you fill  
6 out a 2020 Nomination Paper Pending Notice?

7           A.     No.

8           Q.     Okay. One of the criteria that's right  
9 there to check is Invalid Candidate's Affidavit, right?

10          A.     Correct.

11          Q.     So when you're filling these out, the  
12 people -- you or the people that work with you have to be  
13 able to assess whether or not an affidavit is valid or not  
14 to be able to determine if it's an Invalid Candidate's  
15 Affidavit; is that right?

16          A.     Correct.

17          Q.     And you would agree that again, generally  
18 speaking, an affidavit that does not include a notary  
19 signature or seal would be an invalid Candidate's  
20 Affidavit; is that right?

21          A.     For most offices, yes.

22          Q.     And you would also agree that an affidavit  
23 that was not an original affidavit, that you would check  
24 that Invalid Candidate's Affidavit upon receipt; is that  
25 correct?



1 MR. OTTER: Objection. Calling for a legal  
2 conclusion. There's no check marks on the document. It  
3 appears the only thing that's pending is review of  
4 Presidential Electors Information.

5 MR. LEVINE: No. But, Your Honor, I'm  
6 allowed to ask. Obviously, a clerk, either Miss Mathis or  
7 the people that work for her, has to make a determination  
8 if there's insufficient signatures. Now, it's true that  
9 there could be legal questions about whether a signature is  
10 legal. But somebody at the clerk's desk has to make a  
11 determination, and it's fair to ask what that determination  
12 is in terms of what would be an invalid Candidate's  
13 Affidavit.

14 MR. OTTER: But with all due respect, that  
15 box isn't checked.

16 MR. LEVINE: No, no. I understand that, but  
17 part of my case is that it should have been checked. So I  
18 would think I would be free to inquire into what was being  
19 considered.

20 JUDGE CROMPTON: I will allow the question.  
21 Look, Miss Mathis was on both of your witness lists. So I  
22 am considering her both direct and on cross to the degree,  
23 Mr. Levine, you are certainly leading the witness. I  
24 haven't said anything to date. Your questioning is fine  
25 and fair game.

1           But, Mr. Otter, you're going to have equal  
2 opportunity to ask any question that you like. So I would  
3 rather allow more information than less. Mr. Levine, you  
4 can continue.

5 BY MR. LEVINE:

6           Q.     So, again, hypothetically, if you felt that  
7 a Candidate's Affidavit was required -- we're not going to  
8 debate this subject here. If you felt a Candidate's  
9 Affidavit was required, you would agree that the failure to  
10 have a notary seal and signature would constitute an  
11 invalid Candidate's Affidavit for your purposes of  
12 accepting a Nomination Petition or Nomination Paper. Is  
13 that fair to say?

14           A.     Correct.

15           Q.     Would you also agree that assuming that you  
16 felt that a Candidate's Affidavit was required, that the  
17 failure to have an original affidavit would be the grounds  
18 for checking this box Invalid Candidate's Affidavit?

19           A.     If it were required, yes.

20           Q.     Looking at the second page of this  
21 particular exhibit, I'll note that Mr. Hawkins' affidavit  
22 is dated July 23rd, and, again, you've assigned this number  
23 1459, and that is a number assigned to Mr. Hawkins,  
24 correct?

25           A.     Correct.

1           Q.     Then if we go to the next page, this was the  
2 what I will call an incomplete affidavit of Miss Walker,  
3 and there's a number assigned to her, 1460, at the very  
4 top; is that correct?

5           A.     Correct.

6           Q.     When we see this, 1460 is Miss Walker's  
7 number?

8           A.     Correct.

9           Q.     When we go to the next page, we see 1456,  
10 and that's a number that was assigned to Richard Weiss, the  
11 candidate for Pennsylvania attorney general, correct?

12          A.     Correct.

13          Q.     And there's actually a stamp at the lower  
14 right of his form, and it's actually stamped 5:29 p.m. on  
15 August 3rd. Do you see that?

16          A.     Yes.

17          Q.     Does this mean that this was actually filed  
18 after the 5 o'clock deadline?

19          A.     No.

20          Q.     What does this --

21          A.     That is when I got done reviewing them.

22          Q.     So they actually came into the building  
23 before that, but it was 5:39 that you --

24          A.     Yes. I --

25          Q.     Why did you not stamp --

1 JUDGE CROMPTON: Mr. Levine. Miss Mathis,  
2 you were going to say 5:29, I believe?

3 MR. LEVINE: I'm sorry. Thank you.

4 JUDGE CROMPTON: Go ahead.

5 MR. LEVINE: Just to continue with that, if  
6 we can continue on this particular exhibit, Miss Faison on  
7 a couple pages in -- Miss Faison's affidavit. I think it's  
8 like two pages after this.

9 JUDGE CROMPTON: Kurt, can you scroll down,  
10 please. Thanks.

11 BY MR. LEVINE:

12 Q. You have the Statement of Financial  
13 Interests, and then we'll have Miss Faison's affidavit.  
14 There we go. 1457, that's Miss Faison's affidavit, and,  
15 again, the stamp at the bottom 5:29. And then attached to  
16 that is her Statement of Financial Interests because the  
17 statute requires that of the nonfederal candidates,  
18 correct, Miss Mathis?

19 A. Correct.

20 Q. Finally, when we go to Mr. Runkle, we see  
21 the number 1458, and that's Mr. Runkle's assigned number,  
22 right? Right? That's Mr. Runkle's number?

23 A. Correct.

24 Q. Why did you not time stamp Mr. Hawkins'  
25 affidavit or Miss Walker's affidavit?

1           A.     I don't know why they weren't time stamped  
2 in.

3           Q.     Well, was there something still pending by 5  
4 o'clock?

5           A.     The electors were still pending.

6           Q.     So describe that situation.

7           A.     So we needed a Candidate's Affidavit for  
8 each of the electors. So that's that first page I believe  
9 had the pending notice. That's what the pending notice  
10 was.

11          Q.     The pending --

12          A.     Until we got those affidavits. I'm sorry?

13          Q.     I was reading. It says, "Other: Pending  
14 review of Presidential Electors Information."

15          A.     Right. So until we got that, we weren't  
16 accepting.

17          Q.     So you didn't have a copy or an original of  
18 the elector information, did you, at 5 o'clock?

19          A.     No. No, there was an unsworn statement that  
20 the electors used.

21          Q.     Okay. But there's a requirement under the  
22 Election Code that they provide a sworn statement?

23          A.     There is, but we've used unsworn statements  
24 just recently with Covid. So that's what we used with  
25 this.

1           Q.     You're aware that the Green Party and  
2 Libertarian Party actually brought a lawsuit in federal  
3 court this year seeking some relaxation from statutory  
4 requirements associated with the petition gathering  
5 process. Are you aware of that?

6           MR. OTTER: Objection. This is really far  
7 afield from the question that the Court limited that theory  
8 too.

9           JUDGE CROMPTON: Mr. Otter, I'm not sure  
10 you're right. I will allow this answer from Miss Mathis  
11 and then see what the next question is. The fact that she  
12 knows that there was a lawsuit affecting the Green -- or  
13 doesn't of the Libertarian and Green Party seems to be  
14 directly to what she's aware of. Miss Mathis, you can  
15 answer that question.

16          A.     I was aware there was a lawsuit, yes.

17          Q.     Are you aware that the federal court as  
18 affirmed by the Third Circuit said that, no, the Green  
19 Party or Libertarian Party or Constitutional Party did not  
20 establish a basis to ignore statutory requirements for  
21 ballot access?

22          A.     Yes.

23          JUDGE CROMPTON: You can ask, Mr. Otter,  
24 when it's your time if there's any follow-up on that. I  
25 heard your sigh.

1 BY MR. LEVINE:

2 Q. Now, you understand, Miss Mathis, there's a  
3 pretty strict time frame for the public in general to  
4 submit any objections to a Nomination Petition or  
5 Nomination Paper; is that right?

6 A. Yes.

7 Q. You only have seven days?

8 A. Correct.

9 Q. And are you aware that your office sent out  
10 the Nomination Paper with the affidavits to an individual  
11 named Jason Henry who had requested that on August 4th?

12 A. Yes.

13 MR. LEVINE: Let me pull up Exhibit P-12.

14 MR. OTTER: I'll stipulate to that.

15 JUDGE CROMPTON: Okay. I appreciate that,  
16 Mr. Otter. But if Mr. Levine has a question to it, he can  
17 see if Miss Mathis has any information directly related to  
18 Mr. Levine's question.

19 MR. LEVINE: This is simply three pages. I  
20 think the exhibit because it was 710 pages with the  
21 affidavits was large, so it was transmitted.

22 BY MR. LEVINE:

23 Q. But there was a request made, and we see the  
24 Nomination Paper filed by the Green Party, and, in fact,  
25 the very next day at 5:40-or-so p.m. your office

1 transmitted it to Jason Henry, and you were aware of that;  
2 is that correct?

3 A. Yes.

4 Q. We've already stipulated that the affidavits  
5 that were included with the Nomination Paper included  
6 Mr. Hawkins and Miss Walker and no other candidate for  
7 President or Vice President; is that right?

8 A. Correct.

9 Q. Now, there's a separate process -- actually  
10 two processes under the Election Code, isn't there?

11 JUDGE CROMPTON: Mr. Levine, can I take this  
12 e-mail down?

13 MR. LEVINE: Yes, sir. Thank you, Your  
14 Honor.

15 JUDGE CROMPTON: I can't do it, but someone  
16 can.

17 MR. LEVINE: Right. Thank you.

18 BY MR. LEVINE:

19 Q. Miss Mathis, there is actually two separate  
20 actions that may be involved here. Let me rephrase the  
21 question. There's a process of filing a Nomination Paper  
22 and having a candidate nominated.

23 A. Yes.

24 Q. Is that right?

25 A. Yes.



1           Q.     We talked about.  So on August 3rd somebody  
2 comes in with the 5,000 signatures or 2,500 or whatever is  
3 required, and whether or not they have a Candidate's  
4 Affidavit we won't debate this for this question, and they  
5 hand this to the department, and that's how you get  
6 nominated, right?

7           A.     Yes.

8           Q.     If you showed up on August 4th with the same  
9 material, same original affidavit, the same Nomination  
10 Papers, and you handed it to the department, you would not  
11 be nominated because you missed the deadline, right?

12          A.     We would reject them and tell them they  
13 could file a mandamus in court.

14          Q.     Okay.  And if you reject them, those  
15 candidates are not nominated as we use that term?

16          A.     Correct.  They are rejected.

17          Q.     They're rejected.  And you couldn't  
18 substitute -- now, there is a second action that is  
19 envisioned by the Election Code, and this action applies  
20 both to candidates from a political party but also  
21 candidates of a political body, and that's called the  
22 substitution of a candidate.  Are you familiar with that  
23 process?

24          A.     Yes.

25          Q.     And to substitute, you can only substitute

1 if there's actually somebody who has been duly nominated  
2 for that position. Is that fair to say?

3 A. Yes.

4 Q. So that if the candidate came in for auditor  
5 general and handed his petitions to you on August 4th and  
6 you, the department, rejects that and says, "Sorry. You  
7 missed the deadline," I couldn't come back four or five  
8 days later and say, "Hey, I want to substitute for that  
9 auditor general," because there is no candidate to  
10 substitute. Is that your understanding?

11 A. Yes.

12 Q. So to substitute -- as a predicate to  
13 substitution, there has to be a duly nominated candidate;  
14 is that accurate?

15 A. Yes.

16 Q. So, in fact, on August 10th the Green Party  
17 did file a Substitution Nomination Certificate; is that  
18 right?

19 A. Yes. Correct.

20 Q. Let's pull up Exhibit P-5. This is the  
21 department's form for substitution -- it's a Substitute  
22 Nomination Certificate; is that right?

23 A. Yes.

24 Q. As I understand looking at this body, it  
25 indicates that Howie Hawkins now wants to substitute for a

1 candidate. Is that how you read this?

2 A. Yes.

3 Q. Who was the duly nominated presidential  
4 candidate for whom he was substituting?

5 A. Scroggin.

6 Q. Okay. So you considered Scroggin to be duly  
7 nominated, although as of this moment on August 10th, you  
8 had never seen an affidavit be it a fax, original, or  
9 whatever from her, correct?

10 A. Because the decision was made that it was  
11 not required.

12 Q. There's a reference then, the Cause of  
13 Vacancy was a resignation, and there was apparently a  
14 meeting that took place on August 2nd, 2020. Do you see  
15 that on the --

16 A. Yes.

17 Q. -- Time/Date/Place of Meeting? Was this  
18 something that was actually delivered to you in person on  
19 August 10th?

20 A. Yes. It was delivered to us.

21 Q. Do you recall who delivered it?

22 A. I do not.

23 Q. Okay. Were these in original form, or were  
24 they copies?

25 A. They were original.

1           Q.    Okay.  Do you require original for the  
2 substitution?

3           A.    Yes.

4           Q.    Yes?

5           A.    Yes.

6           Q.    If you see at the bottom, if we scroll a  
7 little farther down on Exhibit P-5, it says on the  
8 third-to-last line or so, it says, you know, "Where the  
9 vacancy exists, the cause of that vacancy, the name,  
10 address, and occupation of the candidate duly nominated."

11                   And so it was your understanding that  
12 Scroggin had been duly nominated even though she had not  
13 submitted an original affidavit, and you hadn't even seen  
14 an affidavit at that point because you took the position it  
15 wasn't required essentially, right?

16           A.    Correct.

17           Q.    Okay.  You do the same thing if we go to the  
18 next page.  Let's go to -- I'm sorry -- the third page.  We  
19 did that same thing for the Vice President.  So there's a  
20 resignation, and you accept this resignation and allow for  
21 Angela Walker then to substitute for Mr. Gale?

22           A.    Correct.

23                   JUDGE CROMPTON:  Mr. Levine, just watch your  
24 compound questions.  The question before had about four  
25 parts, and I would also ask you if you are reading from a

1 document, for the sake of our court reporter, you read very  
2 quickly, so if you could just slow that down a bit.

3 MR. LEVINE: Thank you.

4 BY MR. LEVINE:

5 Q. Let me just go to the very last page of  
6 this. Or, actually, let me go to -- I think the rules are  
7 attached here. As we scroll through this, we'll see the  
8 rules of the Green Party of Pennsylvania. So these are  
9 the --

10 A. Yes.

11 Q. -- rules. Why was this affixed to the  
12 substitution? Why is this required, Miss Mathis?

13 A. It's required when they substitute. They  
14 are supposed to attach the rules.

15 Q. So on August 2nd there was -- this  
16 substitution took place according to this documentation  
17 before. Is that your understanding?

18 A. On August 2nd? I'm not --

19 Q. Well, they're listing August 2nd as the  
20 time, date, and place of a meeting, the very first page.  
21 I'm sorry. Let's go back to the first page of this  
22 exhibit, please. Do you see the reference to August 2nd?

23 A. Yes.

24 Q. What did you understand that to mean?

25 A. Yes. That's when they had their meeting.

1 Q. And what happened -- and what's your  
2 understanding of what took place at that meeting on August  
3 2nd, 2020?

4 A. I don't -- I'm assuming they have a meeting,  
5 and they nominate their substitute candidate based on their  
6 party rules.

7 Q. All right. And then to go to the very last  
8 page of this document, I note ironically speaking of the  
9 rules Elizabeth Scroggin is the secretary of Green Party of  
10 Pennsylvania and signed these rules. Do you see that?

11 A. Yes.

12 Q. Now, we've already established how when  
13 these petitions came in, you assigned -- I'm sorry. When  
14 the Nomination Paper came in, you assigned Hawkins with the  
15 number 1459 and Walker with the number 1460; is that right?

16 A. Yes.

17 Q. Okay. I'd like to pull up Exhibit P-10 and  
18 ask if you can identify what this document is.

19 A. I believe that's from our candidate  
20 database.

21 Q. Describe that to the Court, please.

22 A. That's where the general public can go to  
23 look up a candidate and find out their information. In  
24 this case, it would be when their papers were approved.  
25 There is a substitute, as you can see there, and the

1 various information. There's also campaign finance  
2 information.

3 Q. Let me ask you though. You already assigned  
4 the number of 1459 to Howie Hawkins, did you not, on August  
5 3rd?

6 A. Yes.

7 Q. And 1460 was Angela Walker. You actually  
8 assigned that candidate that number?

9 A. Correct. Because we would put them in our  
10 database.

11 Q. When I look at this database, I see the  
12 candidate here on this first page is Elizabeth Faye  
13 Scroggin, and her number is 1459. That's Mr. Hawkins'  
14 number. Why was there a switch made?

15 A. I -- I don't know why there was a switch  
16 made. When we enter the information, there's a candidate  
17 number assigned. And when we substitute, they would -- the  
18 substitute candidate would get the new number. So I  
19 don't -- I don't know.

20 Q. Who would have been responsible for -- who  
21 would --

22 JUDGE CROMPTON: Let her finish. I think,  
23 Mr. Levine, she had something else she wanted to add.

24 MR. LEVINE: Thank you.

25 A. The candidate number is, you know, for our

1 purposes, as I said. Campaign finance would use them,  
2 except not in this case because it's for President.  
3 Sometimes the election offices use them. But I can't  
4 explain right now why there is a different number. Sorry.  
5 Go ahead.

6 Q. Who was responsible for entering a number?  
7 Who would have done that from your staff?

8 A. I did it, or Adam did it. We're usually the  
9 two people that enter the information.

10 Q. Okay. Now, the approved date is 8/4/2020  
11 here. What is that indicating?

12 A. That's when we entered the information  
13 probably, when we finished it and approved it. Sometimes  
14 we would put them in a pending status in this case. So the  
15 approved date would have -- we would have done it the next  
16 day.

17 Q. When a candidate withdraws -- assuming a  
18 candidate is duly nominated for a position, has collected  
19 710 pages of signatures that exceed 5,000, do you require  
20 the candidate to file anything to withdraw, or can anybody  
21 just say, "Hey, that candidate is withdrawing"?

22 A. No. Candidates file a withdrawal notice,  
23 and then there's a substitute.

24 Q. So the candidate -- the duly nominated  
25 candidate has to file a withdrawal notice. As of this



1 time, had you received any documentation from Elizabeth  
2 Scroggin that she was withdrawing as a candidate for  
3 President of the United States?

4 A. No.

5 Q. Had you received any withdrawal from the  
6 vice presidential candidate who is listed on the 710 pages  
7 of the Nomination Paper, Neal Taylor Gale, that he was  
8 withdrawing?

9 A. Not to my knowledge.

10 Q. So what was the basis of being able to enter  
11 into your database that the candidate had withdrawn if you  
12 had not received any withdrawal from the candidate who had  
13 been nominated, that thousands of people had signed?

14 A. Well, we knew this was the placeholder  
15 candidate, and they were filing substitute candidates.

16 Q. So there are requirements, are there not,  
17 about -- in the Election Code about how you withdraw as a  
18 candidate? You actually have to file something? Don't you  
19 have to file something with the state to withdraw?

20 A. A withdrawal notice.

21 Q. There is a actually --

22 A. Form.

23 Q. You actually have a withdrawal notice that  
24 you would have to file something?

25 A. Withdrawal form on our website. Correct.

1 Q. That would make sense in terms of the  
2 protection so that other people aren't saying this  
3 candidate is withdrawing when they maybe really aren't?

4 A. Correct.

5 Q. Now, if we go to the next page -- if we go  
6 to the next. I'm sorry. It was P-10, the second page.  
7 Now, on the first page we had seen that Hawkins had the  
8 number 1459. Now it's interesting because Neal Taylor Gale  
9 is assigned the number 1460. That was actually the number  
10 that Angela Walker had received on August 3rd, was it not?

11 A. Yes.

12 Q. So somebody in your office made a similar  
13 adjustment and now qualified Angela Walker as a candidate?

14 A. So I can tell you -- and I can't explain it  
15 fully. The vice presidential candidate is matched up in  
16 our database. We had some difficulty doing that.  
17 Technically, that could be the explanation. I'm not saying  
18 that is. I just am saying that that's a possibility.

19 Q. All right. Similarly, you indicate that  
20 this candidate withdrew, but you had received from Angela  
21 Walker -- I'm sorry -- you had received from Mr. Gale no  
22 such withdrawal or any type of documentation set out in the  
23 Election Code to withdraw as a candidate. Is that fair to  
24 say?

25 A. Correct. Not to my knowledge.

1 Q. All right. At this point, I would like to  
2 pull up Exhibit P-9. Can you describe what this is.

3 A. Candidate's Affidavit for the candidate  
4 Elizabeth Scroggin.

5 Q. And apparently this was faxed into the  
6 Department of State on August 30th -- I'm sorry -- on  
7 August 3rd, 2020 at 4:31 p.m. There is a little stamp.

8 A. Correct.

9 Q. And just to get the full picture, we -- as  
10 you know, there was an objection filed as to Green Party  
11 candidates, and on August 24 the Objectors filed a  
12 particular motion with the court saying that no affidavit  
13 had been filed, and apparently that precipitated some  
14 communications between you and Mr. Otter.

15 If we look on the second page of this  
16 document, there's an e-mail exchange. So this is an  
17 e-mail. At the bottom, it's Tuesday, August 25th, 22 days,  
18 over three weeks after the filing deadline, and there's an  
19 e-mail from Mr. Otter to you. "Can you check to see if  
20 Miss Scroggin's affidavit was faxed on the 3rd?"

21 Was that the first you had heard anything  
22 about a Scroggin affidavit?

23 A. Yes.

24 Q. Then what did you do upon receiving this  
25 e-mail from Mr. Otter?

1           A.     I checked the fax that's our resource  
2 account.  It's not an actual fax that comes through where  
3 you see the paper.

4           Q.     Describe that a little bit more.  Where was  
5 this resource account?  How does that work?

6           A.     I mean, the copier we have is a fax machine,  
7 printer, a copier.  It's all in one.  The fax does not  
8 physically come out of the machine.  It goes to a resource  
9 account, an e-mail account.  So you have to physically  
10 check that account.

11          Q.     So it scans.  Is it workers at the  
12 department --

13          A.     Basically, it's a scan.  Correct.

14          Q.     So people scan this in, and then what do  
15 they do with it?  Something gets scanned in, just any fax.  
16 Does it get directed anywhere?  How does that -- what  
17 happens?

18          A.     There would be several people that would  
19 check that if they had asked people to fax something.  
20 That's not something typically that I do is check the fax  
21 resource account.  That's just not something that I would  
22 do.

23          Q.     Because you don't -- you don't have the  
24 opportunity in the normal course of things to see it, and  
25 you're not presented with that information; is that

1 correct?

2 A. That's correct.

3 Q. Okay. Was there any type of -- I take it  
4 there was no cover page or no explanation or no direction  
5 or anything of the sort? Just a single-page fax?

6 A. I believe -- yes, what was attached is what  
7 was received.

8 Q. Did you ever receive an original of the  
9 affidavit as we sit here today?

10 A. Not to my knowledge.

11 Q. Did you have any communication with Miss  
12 Scroggin as to why she sent this fax?

13 A. No.

14 Q. Did anybody from the Green Party in any way  
15 communicate to you about this fax prior to Mr. Otter  
16 sending you his e-mail on August 25, 2020?

17 A. No.

18 MR. LEVINE: I have no additional questions  
19 at this time, Your Honor. I would move -- I would move for  
20 the introduction of all of these exhibits.

21 JUDGE CROMPTON: Give me the numbers, if you  
22 would, Mr. Levine.

23 MR. LEVINE: It's P-1 through P-12, I  
24 believe.

25 JUDGE CROMPTON: Some of them you did not

1 utilize. Do you still want to move the whole bucket, if  
2 you will, into evidence?

3 MR. LEVINE: Let me just check here. P-1 --  
4 I thought I -- P-3. Yes, all of them through P-12.

5 JUDGE CROMPTON: Mr. Otter, do you have any  
6 objection?

7 MR. OTTER: Yes. P-7 and P-8 deal with the  
8 Libertarian Party. That's not part of this case. That's  
9 not relevant. Likewise, P-11 is a document that only  
10 relates to the Democratic Party. That's not relevant  
11 either.

12 JUDGE CROMPTON: Mr. Otter, do you have any  
13 objection to any other besides P-7, P-8 and P-11?

14 MR. OTTER: No, I do not.

15 JUDGE CROMPTON: All right. P-1 through  
16 P-6, P-9, and 10 and P -- I believe it's P-12. Right?

17 MR. OTTER: Correct.

18 JUDGE CROMPTON: Oh, and 13.

19 MR. OTTER: No. There is no 13.

20 MR. LEVINE: 13 we withdrew, Your Honor.

21 JUDGE CROMPTON: Sorry. It's still on my  
22 list. Okay. And P-12. So we'll move all of what I just  
23 said, P-1 through P-6, P-9, P-10 and P-12 into evidence.

24 Back to P-7 and P-8. I understand the  
25 relevancy part, Mr. Otter, but you don't make an argument

1 that they're not accurate?

2 MR. OTTER: No. They speak for themselves.  
3 But the question is limited to what the Green Party did.  
4 The Libertarian is another minor political party. They  
5 operate on different rules.

6 JUDGE CROMPTON: I totally agree, Mr. Otter,  
7 but I don't think Mr. Levine was making -- he was just  
8 using it by reference. I did allow the questions. I'm  
9 hesitant to now go back and say they were wholly  
10 irrelevant.

11 MR. LEVINE: Your Honor, if I may add.

12 JUDGE CROMPTON: Go ahead.

13 MR. LEVINE: There's a question as to  
14 whether the Department of State had the authority to just  
15 disregard a Candidate's Affidavit. So it's not just what  
16 the Green Party did. I'm questioning, frankly, whether the  
17 State Department under law can do that. So looking at the  
18 Libertarian and how that process was handled becomes  
19 relevant in contrast to how the Green Party. Same day,  
20 same activity.

21 JUDGE CROMPTON: I'll take it under  
22 advisement. I want to think about that a little bit  
23 further. I understand your point, Mr. Levine. I did allow  
24 you to ask a couple questions. But one is not necessarily  
25 indicative of the other, and that was even Miss Mathis'

1 testimony. But we'll hold that.

2                   Let's go to P-11. Once again, Mr. Otter,  
3 you don't -- you don't make an argument that the P-11  
4 document is inaccurate?

5                   MR. OTTER: Correct.

6                   JUDGE CROMPTON: Okay. You -- once again,  
7 your objection is on relevancy?

8                   MR. OTTER: Yes. It's major party versus  
9 minor party. Different rules.

10                   JUDGE CROMPTON: Mr. Levine, I tend to agree  
11 with Mr. Otter. I'm going to give you some latitude, and  
12 I'll take it under advisement on the Libertarian, but I do  
13 tend to believe that any document by the Republican Party  
14 or the Democratic Party isn't relevant to this hearing.

15                   MR. LEVINE: I'm simply showing that there's  
16 a distinction. The Election Code -- throughout the  
17 Election Code treats a distinction between major parties  
18 and political bodies.

19                   JUDGE CROMPTON: I agree.

20                   MR. LEVINE: So my point is to unilaterally  
21 decide despite the clear language of the law that a  
22 Candidate Affidavit is not required for President, then  
23 they can't make the argument that the major parties --  
24 because major parties do have affidavits. That was my  
25 point.



1           I think it is very relevant. If they're  
2 going to make an argument that there's some excuse and  
3 waiver here, a unilateral waiver, it's very relevant that  
4 there are other affidavits that they would require an  
5 original affidavit and accept that, and it is a different  
6 process. But you can't simply without any case law keep  
7 making this political party/political body comparison if  
8 one does something, another does something else.

9           JUDGE CROMPTON: That was good summation,  
10 Mr. Levine, but I will appreciate that all wrapped up. I  
11 will hold P-11 as well. I just -- I want to -- I don't  
12 want to one way or the other yet definitively --

13           MR. LEVINE: Are they going to waive an  
14 equal protection argument? I mean, there is no equal  
15 protection argument. I just want to be clear that -- well,  
16 if the argument is why is it that a Candidate Affidavit  
17 with the sore loser rule can simply be disregarded by the  
18 Secretary of State, I don't think there's any basis for  
19 that.

20           There is -- both the -- you know, we have  
21 two separate systems in play here in terms of petitions and  
22 bodies. So there's clearly a requirement for an affidavit  
23 here. Nobody disputes the clear language. So what is the  
24 justification? I don't know. If there is no  
25 justification, I am prepared to live with that stipulation.



1 mute. It's okay. Now we're dueling moot buttons.

2 MS. MATHIS: Hands off. Okay. Thank you.

3 BY MR. OTTER:

4 Q. Good afternoon.

5 A. Good afternoon.

6 Q. If I could go over a couple things with you.

7 Hopefully, this will be quick.

8 MR. OTTER: If you could pull up P-3,  
9 please, the first page. Can you give me the first page,  
10 please. There it is.

11 BY MR. OTTER:

12 Q. Can you see that, Miss Mathis?

13 A. Yes.

14 Q. Okay. Is that your signature on that form?

15 A. Yes.

16 Q. Okay. And is there a check mark in the  
17 block next to Invalid Candidate's Affidavit?

18 A. No, there is not.

19 Q. There seems to be under Other -- it says,  
20 "Pending review of Presidential Electors Information,"  
21 correct?

22 A. Correct.

23 Q. Okay. That's -- to the best of your  
24 knowledge, that was the only thing holding up the  
25 acceptance of the Green Party Nomination Papers?

1 A. Correct.

2 Q. And what exactly were you looking for from  
3 the Presidential Electors?

4 A. A Candidate's Affidavit.

5 Q. Okay. And did you receive that information  
6 from the Green Party Presidential Electors?

7 A. Yes, we did.

8 Q. How was that transmitted to you, if you  
9 know?

10 A. Via e-mail.

11 Q. Okay. That was the instruction you gave  
12 Mr. Runkle?

13 A. Yes.

14 Q. Okay. And Mr. Runkle was the person from  
15 the Green Party who brought in the Nomination Papers and  
16 other paperwork to you, correct?

17 A. Correct. Yes. That's correct.

18 Q. And what time did this start, if you recall?

19 A. I don't recall. It was in the afternoon. I  
20 don't recall. There were other candidates that came in  
21 that day as well. So it was just me reviewing the Green  
22 Party, and I know there was one other candidate that came  
23 in and some supplemental papers.

24 Q. As far as the Green Party, it went till well  
25 after 5 o'clock, is that correct, to the best of your

1 recollection?

2 A. Correct.

3 Q. Okay.

4 JUDGE CROMPTON: Mr. Otter, I need to  
5 interrupt. I want to keep the record as clean as possible.  
6 You mention, Miss Mathis, the afternoon. Do we have a date  
7 on that afternoon to the best of your ability?

8 MS. MATHIS: August 3rd, the day of the  
9 deadline.

10 JUDGE CROMPTON: Okay.

11 MR. OTTER: I'm sorry.

12 BY MR. OTTER:

13 Q. And just looking at the bottom of page 3,  
14 right-hand corner, there is a date of 8/3/2020, correct?

15 A. Correct.

16 Q. And you said it's the policy of the  
17 Department of State to accept the third party Nomination  
18 Papers with Candidate's Affidavits, not necessarily those  
19 who were the stand-in candidates as you understand the  
20 term?

21 A. This -- I wouldn't say that it's a policy.  
22 We accepted the Nomination Papers with an affidavit for  
23 each office. There was not an affidavit turned in for the  
24 placeholder candidates. I'm using placeholder because I  
25 knew they were going to -- we were told they were going to

1 substitute. So I asked the question, you know, about  
2 accepting them because we don't require an affidavit of the  
3 major parties.

4 Q. Okay.

5 A. So they were pended based on the electors  
6 information being provided.

7 Q. Okay. And that's the only issue as far as  
8 you were concerned?

9 A. Yes. We pended them waiting the information  
10 for the electors.

11 Q. Okay. The fax machine, if you will, as I  
12 understood it, it was a multipurpose machine within your  
13 office that received the faxes; is that correct?

14 A. Correct.

15 Q. Okay. So it was just sort of electronically  
16 sitting there until August 24th when I made my inquiry; is  
17 that correct?

18 A. That is correct.

19 Q. Then you subsequently notified all the  
20 parties on August 25th that you had gotten Miss Scroggin's  
21 Candidate's Affidavit?

22 A. Correct.

23 MR. OTTER: If we can go to P-4.

24 BY MR. OTTER:

25 Q. Did you draft this document?

1           A.     No, not originally. This is a document that  
2 we've used over the years, and we've updated it with, you  
3 know, information pertinent for each year. So I am not the  
4 drafter of it, no.

5           Q.     Okay. So it's something that has just been  
6 within the State Department, Bureau of Elections for a  
7 number of election cycles?

8           A.     For a number of years, correct.

9           Q.     Looking at paragraph 10, if you can scroll  
10 down to that, does the word "appended" appear anywhere in  
11 that paragraph?

12          A.     No, I do not see it.

13          Q.     And, again, each affidavits are different  
14 pieces of paper than the Nomination Papers, the petitions,  
15 if you will?

16          A.     Correct. It's a separate document.

17          Q.     And to the best of your knowledge, was there  
18 sore loser issues with the Green Party filing?

19          A.     To the best of my knowledge, no. I --

20          Q.     Okay.

21                 MR. OTTER: And can we pull up P-5.

22 BY MR. OTTER:

23          Q.     Is it fair to say that based on your  
24 experience you expected to receive Substitution Nomination  
25 Papers from minor parties in Pennsylvania who ran

1 presidential candidates?

2           A.     Yes.  We were expecting substitutions for  
3 the political body candidates that filed, yes, for  
4 President.

5           Q.     Okay.  And that's, in fact, what you  
6 received as evidenced by P-5, correct?

7           A.     Yes.

8           MS. MATHIS:  And, Judge, may I correct the  
9 record from previous for the withdraw?

10          JUDGE CROMPTON:  Miss Mathis, you can state  
11 your point that you wanted to make.  I think that's  
12 perfectly understandable.

13          MS. MATHIS:  Okay.  We did receive the  
14 withdrawal forms from the presidential and vice  
15 presidential candidates.

16          JUDGE CROMPTON:  Okay.  Miss Mathis, are you  
17 talking about the Green Party when you said that?

18          MS. MATHIS:  Yes.  Well, yes, Green Party  
19 and also Libertarian Party.  But yes.

20          JUDGE CROMPTON:  I just wanted to make sure  
21 your comment covered the Green Party that you just made.

22          MS. MATHIS:  Yes.  Thank you.  I apologize  
23 for that.

24          JUDGE CROMPTON:  No apology necessary.  
25 Mr. Otter, you can continue.



1 BY MR. OTTER:

2 Q. Okay. So you received the withdrawal, and  
3 then you got the Substitution Nomination Certificate after  
4 the withdrawal certificate, correct?

5 A. Correct.

6 Q. That's for the -- Scroggin and Gale  
7 submitted their withdrawals? That's who you specifically  
8 were talking about here?

9 A. Yes. Correct.

10 MR. OTTER: Your Honor, my exhibits parallel  
11 the information in the exhibits that have been admitted.  
12 How do you want to handle my Exhibits A through E? They're  
13 the Candidate's Affidavits, basically.

14 JUDGE CROMPTON: Mr. Otter, you just said  
15 they mirror -- go ahead.

16 MR. OTTER: They're the same as what we've  
17 already admitted in the Objectors' package. I would  
18 just --

19 JUDGE CROMPTON: I don't think it serves any  
20 purpose to resubmit them for the record under your  
21 lettering. If they are identical and you are referring to  
22 the identical document, especially ones that have already  
23 been admitted into evidence, I think that suffices unless  
24 for some reason, Mr. Otter, you want to put them in  
25 separately.

1 MR. OTTER: No. I'm just trying to make  
2 this a little bit easier, cut down on the paperwork.

3 BY MR. OTTER:

4 Q. Miss Mathis, how long have you worked for  
5 the Bureau of Elections?

6 A. Since 2007.

7 MR. OTTER: I think that's all I have, Your  
8 Honor.

9 JUDGE CROMPTON: Okay. Mr. Levine, you can  
10 do anything else you would like. I would ask you, however,  
11 to limit any information to information that Miss Mathis  
12 has already testified to. I'm hesitant to want to open up  
13 the book again, but if you need any other information that  
14 was already raised by you, you can ask it now.

15 MR. LEVINE: Thank you. This will be tied  
16 in to recross or redirect from cross.

17 JUDGE CROMPTON: That's fine.

18 RE-EXAMINATION

19 BY MR. LEVINE:

20 Q. Looking at P-6 --

21 MR. LEVINE: If we could pull up P-6.

22 BY MR. LEVINE:

23 Q. So I just want to -- we've already discussed  
24 this. This is the form, the sample of the Candidate  
25 Affidavit specifically for political bodies, correct?

1 A. Correct.

2 Q. And this is a State Department form?

3 A. Correct.

4 Q. And if you look up at the upper left, it was  
5 last revised February 2019. Is that what that indicates to  
6 you?

7 A. Correct.

8 Q. Let me ask you a question. It's August 3rd.  
9 Mr. Runkle comes in here and hands you an affidavit of  
10 Mr. Hawkins, and you don't see any affidavit of Scroggin or  
11 Neal, right, the day he hands this to you?

12 A. Correct.

13 Q. Okay. Did you do any verification at that  
14 point to determine whether or not Scroggin, Neal, Hawkins,  
15 or anybody else had been registered with a major party  
16 before? You did no independent investigation?

17 A. No, we do not do that at the Department of  
18 State. We do not do that.

19 Q. So let me just get the process right so I  
20 can understand this. Are you saying that a political  
21 body -- and let me be clear. A political body is sort of  
22 defined as anything that I think didn't get more than,  
23 what, 2 percent or 15 percent of the vote statewide?

24 A. 2 percent.

25 Q. 2 percent. So, basically, it's the

1 bottom -- it's the bottom level in terms of number of  
2 people who are affiliated with that particular party by  
3 definition of statute? Do you understand what I'm asking?

4 A. Yes.

5 Q. There is, like, no other category below that  
6 in terms of less people affiliated with the party or less  
7 number of votes received over prior elections?

8 A. For our purposes, it's a minor political  
9 party or a political body candidate regardless of the  
10 signatures.

11 Q. Okay. And so just so I understand this  
12 process now, if I'm circulating for the Green Party, just  
13 so I understand this in the future, I can actually list  
14 Bernie Sanders as the President?

15 MR. OTTER: Objection.

16 MR. LEVINE: No. I'm asking a hypothetical  
17 to understand this process.

18 MR. OTTER: I really think this is far  
19 afield of what the Court has limited the hearing to today.  
20 You're just rehashing an argument about a celebrity  
21 candidate. I mean, you're going down a different road here  
22 than what I think the Court has required us to do, and I  
23 would object to any questions along this line.

24 MR. LEVINE: Well, Your Honor, I think it's  
25 very important. There has been some testimony about kind

1 of taking everybody's word for it here. We don't  
2 necessarily require it. We're going to be very casual on  
3 August 3rd. I think it's fair to just understand what the  
4 parameters of that to extent it is a policy that is in  
5 contradiction with the statute. I think it's fair to ask  
6 questions about it.

7 JUDGE CROMPTON: Go ahead, Mr. Otter. One  
8 last word.

9 MR. OTTER: With all due respect, I think  
10 the sore loser argument is something new to these  
11 proceedings, and that would amount to an amendment of the  
12 objections which is not allowed under the rules of this  
13 Court and the Supreme Court.

14 MR. LEVINE: This is not new at all. We've  
15 raised this from the beginning, Your Honor, the sore loser.

16 JUDGE CROMPTON: Yeah. I'm not sure that's  
17 your most prevailing argument, Mr. Otter. I tend to agree.

18 Mr. Levine, let me do it this way. I'll  
19 give you a smidge of latitude on your hypothetical since  
20 you addressed it as a hypothetical, and let's see in a few  
21 minutes or less where we're headed and, quite frankly, even  
22 if Miss Mathis feels comfortable in answering. But you can  
23 try your question.

24 BY MR. LEVINE:

25 Q. So, hypothetically, the Green Party has or

1 any political body, any political body whatsoever, and they  
2 just list Bernie Sanders as the President, and they list  
3 candidates for Vice President and, you know, auditor  
4 general, et cetera, and they go around the state and  
5 collect signatures, and all these people are really excited  
6 that Bernie Sanders is going to run for President, and they  
7 sign this.

8           Under your system here, that particular  
9 political body could come in with you and have the  
10 affidavit of Joe Schmoe and say Joe Schmoe is going to be  
11 the substitute candidate, right, and you would list Joe  
12 Schmoe or Larry Otter or whoever, you would just list the  
13 name of somebody as the presidential candidate?

14           You would not -- your position is you would  
15 not require Bernie Sanders or any other type of we'll call  
16 them a celebrity candidate to even file an Affidavit of  
17 Candidacy?

18           A.     We would ask that they file something so  
19 that we would have that information. In this instance, we  
20 had an affidavit for the substitute candidate. So I --

21           Q.     Just had -- I'm sorry. Go ahead.

22           A.     It's hard for me to deal in hypotheticals,  
23 so...

24           Q.     I think you indicated that you said you just  
25 learned -- over the break you learned that you had gotten

1 some paperwork that the Scroggin and Gale had withdrawn?

2 A. Correct. They withdrew. I had the  
3 paperwork with me.

4 Q. Okay. You had that. And when --

5 A. Yes.

6 Q. -- did they do that?

7 A. On August 10th.

8 Q. On August 10th they submitted that. Okay.  
9 And as of -- who was your understanding -- as of August  
10 4th, who was the Green Party's presidential candidate?

11 A. On August 4th they had placeholder  
12 candidates, just like the Libertarian candidate, and they  
13 were going to substitute their candidates that I believe  
14 were nominated at their convention. This is a  
15 long-standing --

16 Q. Well, let's say the substitution --

17 JUDGE CROMPTON: Okay, Mr. Levine. Let her  
18 finish.

19 A. This usually occurs in every presidential.  
20 There are candidates that are filed as their placeholder  
21 candidates, and then they withdraw those candidates and  
22 file substitute nomination candidates because of when their  
23 primaries are, because of when they can circulate. I  
24 believe those are the reasons why.

25 Q. All right. So let's just break this down

1 for a minute. Let's assume that a candidate has enough  
2 signatures and submits a Candidate Affidavit, an original,  
3 and gives it to you. Then that person is the presidential  
4 candidate as of August 4th, right?

5 A. Correct.

6 Q. And they don't lose that status until they  
7 actually withdraw and somebody substitutes for them through  
8 a separate filing, a separate and distinct filing; is that  
9 correct?

10 A. Correct.

11 Q. Okay. And so you could say that if  
12 person -- if Elizabeth Scroggin, for instance, had  
13 submitted the original Candidate Affidavit, made it part of  
14 the Nomination Paper, then on August 4th she would have  
15 been in your view the presidential candidate for the Green  
16 Party as of that date?

17 A. Yes, but -- yes.

18 Q. Yes, but what?

19 A. I was going to say that we notify the county  
20 election offices that they're going to be a substitute  
21 candidate. That's the administrative part that we do.

22 Q. I'm just trying to understand. Mr. Gale,  
23 for instance, so we don't even have an affidavit. That was  
24 not notarized, and nothing came in by fax. So let's make  
25 that really clean. I'm just trying to understand.



1           On August 6, in your view, was Mr. Gale the  
2 Green Party's vice presidential candidate?

3           A.     Yes. Both candidates were the candidates  
4 knowing that they were going to be substituted. We  
5 accepted the Nomination Papers because we had an affidavit  
6 for every candidate office -- for every office that was  
7 going to be on the ballot.

8           Q.     So in the hypothetical, if Bernie Sanders  
9 and Barack Obama are listed as the President and Vice  
10 President and they collect lots of signatures around the  
11 state and then two other people submit affidavits and say  
12 we're going to be -- these were placeholders for us, then  
13 you would allow -- you would accept the Nomination Papers,  
14 and you would allow these two other individuals to  
15 substitute for Barack Obama and Bernie Sanders under  
16 this -- right, under the procedure that you've just  
17 described today?

18          A.     I -- honestly, I can't answer that question.  
19 And Bernie Sanders is the nominee for the Democrats, so I  
20 don't know that we would accept it because I don't know --  
21 I'm not an attorney, but I don't know that he could go on  
22 the ballot as a Democrat in a Green Party. So I can't  
23 answer that.

24          Q.     You haven't though -- so Kanye West, for  
25 instance, or anybody else could be listed, gather

1 signatures, and then somebody else could substitute for  
2 them under this policy, right?

3 A. That is what they do. They substitute.  
4 They file with different candidates, and then they  
5 substitute.

6 Q. But there would be a check on that if this  
7 person had actually submitted Candidate's Affidavit as  
8 required by statute, would there not?

9 A. And what I'm saying is we accepted them.

10 Q. You accepted the candidates -- the  
11 substitute candidates, not -- you didn't accept an  
12 affidavit of the people who were actually on the Nomination  
13 Paper, right?

14 A. We had an affidavit for every office that  
15 was on the ballot and --

16 Q. Just to be clear, you did not have an  
17 affidavit for the people who were actually listed on the  
18 Nomination Paper for President and Vice President, right?

19 A. That's correct. But because we are not  
20 requiring it of the major parties, we made the decision to  
21 not require it this time at this moment when they filed.

22 MR. LEVINE: Okay. Thank you. I have no  
23 further questions, Your Honor.

24 JUDGE CROMPTON: Mr. Otter.

25 MR. OTTER: I don't have any other

1 questions. I would just -- no, that's it. No questions.

2 JUDGE CROMPTON: Okay. Miss Mathis,  
3 sincerely, from my vantage point, I thank you for your  
4 time.

5 MS. MATHIS: You're welcome.

6 JUDGE CROMPTON: Counsel, I am tempted and  
7 perhaps even a little more strongly to let Miss Mathis be  
8 done. How are you asking me to allow her to sign off? Is  
9 there a real possibility you would utilize her as a  
10 follow-up witness in any capacity after the others testify?

11 MR. LEVINE: Let me ask. Mr. Otter, are  
12 you -- I am -- just so you know, Your Honor, I am going to  
13 rest after this witness. I'm not calling Mr. Henry. So I  
14 just wanted to see where Mr. Otter was.

15 JUDGE CROMPTON: Okay. That's fair.

16 MR. OTTER: I have Mr. Runkle here, but I  
17 think Miss Mathis covered the field completely. I'm not  
18 going to call Mr. Runkle as a witness because Miss Mathis  
19 did testify about accepting the petitions from Mr. Runkle.  
20 I'm satisfied with that.

21 JUDGE CROMPTON: All right, gentlemen. In  
22 light of what you just said, now I am significantly tempted  
23 to release Miss Mathis, Mr. Henry, and Mr. Runkle. So  
24 unless I hear something forthwith, I'm going to let them  
25 get back to the holiday day unless there's something

1 compelling from either of you. So Miss Mathis cannot be  
2 recalled because what I'm hearing is neither side have  
3 anymore witnesses.

4 MR. LEVINE: That's true from my  
5 perspective, Your Honor.

6 MR. OTTER: That's correct from the Green  
7 Party.

8 JUDGE CROMPTON: Mr. Runkle and Mr. Henry,  
9 this is the time where I thank both of you for two hours  
10 and eight minutes of your holiday, especially in light of  
11 the fact that you did not testify. But Miss Mathis,  
12 Mr. Henry, and Mr. Runkle can all click off of the WebEx  
13 and reconvene your Labor Day Monday. Thank you all.

14 MS. MATHIS: Thank you.

15 JUDGE CROMPTON: Okay. I would like to --  
16 okay. Mr. Runkle -- thank you. Okay. I am going to allow  
17 P-7 and P-8. Miss Mathis mentioned it in her last  
18 testimony on the Libertarian. I see no harm. I think you  
19 both have made notice on why you support it and do not.  
20 That's on the record. I see truly no harm. I question the  
21 relevancy, but it should be part of the record, especially  
22 since there was testimony thereto.

23 I'm going to do the same with P-11. You  
24 both have stated your positions on the record for those  
25 documents, but, once again, since it was called up and

1 since there was testimony on it, I think it's accurate as  
2 Mr. Otter conceded, and therefore -- and you both stated to  
3 your relevancy issues. So we will admit P-7 and P-8 and  
4 P-11 into the record qualified by both of your positions.

5           What else do we need to do? I did from the  
6 outset state that I would allow some summation. I still  
7 would like to do that. Is there any other matter before we  
8 get to summation that Mr. Otter or Mr. Levine would like to  
9 raise?

10           MR. OTTER: I have nothing, Your Honor.

11           JUDGE CROMPTON: Nothing that you can't  
12 cover, Mr. Levine, in your close or your summation? We  
13 will turn back to what Mr. Levine was going to say.

14           MR. LEVINE: Are we good?

15           JUDGE CROMPTON: Yes. We're fine. I'm  
16 sorry. Yep.

17           MR. LEVINE: All right. As the Court is  
18 familiar, we argued this last week, so there's a lot of  
19 similarities. So, Your Honor, I'm sure you can appreciate  
20 that I'm going to be a strict constructionist here but for  
21 good reason, and, I mean, there is very good reason for  
22 this.

23           So the notion that the Department of State  
24 can unilaterally decide what to accept or not accept  
25 contrary to law, that's really the issue here. There is no

1 question what the law is. 25 PS 2911 says, "Nomination  
2 Papers: They shall be" -- "There shall be appended an  
3 affidavit for each candidate," and they go through and they  
4 have to have that affidavit.

5           And they have a sore loser rule, and that's  
6 unique to -- it's ironic to say, well, the major parties  
7 don't necessarily do that. Well, actually we show that  
8 there are major party affidavits, and there are other  
9 things that are unique to their process, and they get  
10 petitions, and they have primaries, and there's a certain  
11 trust or test of the voter here.

12           So if you're running for office, they know  
13 who you're voting for. You're there, and you got to run in  
14 the primary, and there's no question about who's actually  
15 being listed on the ballot.

16           It says that you got to append the  
17 affidavit, and the cases that we cite are very clear. It's  
18 got to be appended. It's a single -- I think Mr. Otter  
19 asked the question about, well, do your instructions  
20 actually say that you have to append it. Well, you  
21 physically -- it says you have to append it per the  
22 statute.

23           For each candidate -- and there's good  
24 reason. I think the example of the Barack Obama or Bernie  
25 Sanders or Donald Trump or whoever you're going to have,

1 whatever celebrity -- let's take it out of the pure  
2 political. You could have Oprah Winfrey or whoever it is.  
3 You could literally under this interpretation of the State  
4 Department, you could collect -- you could have a celebrity  
5 President, collect signatures, and get thousands and  
6 thousands of signatures, and people are all excited because  
7 Oprah Winfrey is running.

8           Unlike the situation with the major parties  
9 where you actually have to file your Affidavit of Candidacy  
10 ahead of time, certainly the Democrat that we showed,  
11 unlike that situation, you could get all these signatures,  
12 and according to the way the Department of State is  
13 handling this, you can simply come in and say, "Cliff  
14 Levine is going to substitute for Oprah Winfrey," or some  
15 guy you never heard of. This is our candidate. Thank you,  
16 people, for four months of getting thousands of signatures.

17           We are able to bootstrap our attorney  
18 general, our auditor general. We ran a full ticket, and we  
19 didn't even require that candidate to file an affidavit  
20 according to this process. That's just directly contrary  
21 to the law, and you can see where there's a real need, the  
22 potential of fraud in terms of your signature collection.

23           So the statute is clear as day. There shall  
24 be appended to each Nomination Paper offered for filing an  
25 affidavit of each candidate.

1           Howie Hawkins, there is no way Howie Hawkins  
2 can be deemed to be a candidate for President when he did  
3 not get a single signature. Something is really, really  
4 perverse about that interpretation. And that Neal can file  
5 a Candidate Affidavit as required, and then their February  
6 2019, they actually give you the example, and they say here  
7 here's what you got to do. It's the sore loser rule.

8           This is unique to Nomination -- I mean to  
9 the third parties. It's unique to the third parties  
10 because it's saying I was not a Democrat or Republican.  
11 You don't really need that sort of affidavit for the major  
12 parties.

13           So the idea that there's some sort of equal  
14 protection claim, which was never made, if you want to make  
15 that argument, you do what they did -- the Green Party  
16 knows how to make a federal claim. They went this summer.  
17 They went into federal court, and they said we think that  
18 there are constitutional issues, first amendment, various  
19 other issues.

20           They go to federal court, and the federal  
21 court rejected that argument. And Mr. Runkle was there,  
22 and they rejected the argument, and they said you got to  
23 follow the rules. We're not -- Covid is not an excuse for  
24 you. There's not enough. You can gather your signatures.  
25 You can follow the rules.



1           You have to go to court ahead of time and  
2 challenge something as being unconstitutional. You can't  
3 just say that we're not going to apply this and we're not  
4 going to follow this. There's such a clear distinction  
5 between major and minor parties because the affidavit at  
6 its core is saying I was not part of a major party. This  
7 is Pennsylvania law. It was an important issue with the  
8 legislature. That's an affidavit, and it's actually set  
9 out in their own documentation. It's in their  
10 instructions.

11           So I see no basis -- like there's no basis  
12 to say I didn't need an affidavit. When Gale sends in an  
13 affidavit, it's not notarized. She testified very clearly  
14 that she only accepts original affidavits. That's their  
15 policy. They accept original affidavits. Here's Scroggin  
16 who's faxing something in remotely.

17           Imagine if the Commonwealth Court, if people  
18 could just fax in things to the Court and say, "Oh, yeah.  
19 I filed this. I did this. I added this. I added whatever  
20 aspect to my pleading."

21           It's really important in election cases  
22 because you only have one week to make a challenge. So we  
23 showed that, you know, Mr. Henry dutifully went to the  
24 Department and said, "Hey, who filed?" "Green Party  
25 filed." "Can we take a look at that application?"

1           He gets sent the application on August 5th.  
2 We look at the application. It's like who's Howie Hawkins?  
3 Why is he here? You can't do that. Clearly, the law says  
4 you have to have an affidavit. They don't have an  
5 affidavit. The other affidavit isn't even filled out.

6           We make our objections. We only have seven  
7 days to make objections, and we can't come back months  
8 later. The whole administration of the court system has  
9 the pressure that we're all feeling to get this case  
10 resolved because everybody wants to print ballots. So  
11 that's all the pressure we're feeling.

12           We need to move this quickly, and it's a  
13 quick process. So the idea that somebody comes up and  
14 says, "Oh, by the way, we sent something in." The cases --  
15 we cite the Supreme Court cases in our brief that talked  
16 about appended applications.

17           So those cases, you know, were actually a  
18 little bit closer. You know, somebody comes in. They file  
19 their Nomination Papers or their petitions, and they come  
20 in, and then they say, "Here's an extra page, a lose page."

21           What the Courts were saying is, no, it's up  
22 to you to make sure the pages are intact, that you have  
23 this together, that you have it numbered, that you have the  
24 affidavits appended because people have to make decisions  
25 whether you're going to challenge something, whether you

1 understand what was there, and also the burden on the  
2 state.

3           Imagine the primary -- I mean, you've been  
4 involved in these situations. It's primary day, and people  
5 are faxing in loose affidavits. There was not an  
6 instruction. There was no guidance whatsoever in terms of  
7 what should be done.

8           So No. 1, the law is pretty clear. Sending  
9 a fax is not filing. There was no -- this was not filed at  
10 all. The Candidate Affidavit is mandatory, and they never  
11 made an equal protection argument. They never went to  
12 federal court. They never raised any constitutional issues  
13 that they shouldn't do it. So we haven't litigated that.  
14 We then, therefore, follow the state law.

15           I would submit to you that it is like not  
16 even questionable why you might have a sore loser affidavit  
17 for the political body candidate as opposed to the  
18 political party. It's like inherently a distinct  
19 situation, and the whole presidential process and the  
20 nomination process is inherently distinct.

21           So they -- I can't even explain. I'm  
22 actually kind of shocked at the Secretary of State's  
23 casualness about just we don't need affidavits because I  
24 think it's a very dangerous situation with our celebrity  
25 President as such.

1           So I hate to cite this case, Your Honor,  
2 because I lost in the Supreme Court unanimously. So I  
3 really don't like to do it, and I have to pull it out every  
4 now and then. But In Re: Canvass of Absentee Ballot case,  
5 which is -- let me get the cite for this. We did not cite  
6 it, but I didn't quite expect that testimony. So let me  
7 pull that out. 843 A2nd 1223. 843 A2nd 1223. It was a  
8 2004 decision.

9           In that case, there was a question about do  
10 you count -- and it's become a big issue in related  
11 litigation, as I'm sure you're aware -- the hand delivery  
12 of absentee ballots. People were directed, put your -- if  
13 I'm hand delivering a third party absentee ballot, put it  
14 in the bin here, and we'll do this.

15           The Court rejected that, and Castille  
16 says -- if you read Chief Justice Castille, "Our precedent  
17 is clear. We simply" -- "We cannot simply ignore  
18 subsequent provisions of the Election Code. We recognize  
19 the Board of Elections' instructions may have misled some  
20 absentee voters, but so-called technicalities of the  
21 Election Code are necessary for the preservation of secrecy  
22 and the sanctity of the ballot in this case and must  
23 therefore be observed, particularly where as here they are  
24 designed to reduce fraud," and they cite that case.

25           Then he basically says that, you know,

1 sometimes when there's a mandatory provision. The question  
2 is: Should there be a mandatory provision? Is it  
3 appropriate now to say, well, there was never an intent of  
4 the legislature to require a Candidate Affidavit? I don't  
5 see how you say that. I mean, the law clearly says,  
6 "Attach a Candidate Affidavit." It describes the sort of  
7 loser rule. It describes the circumstances. It mandates  
8 that.

9           Now, we don't dispute that a political body  
10 like any other party can substitute. A candidate must  
11 withdraw and then can be substituted out. We don't dispute  
12 that that's a common process. There's actually a case that  
13 discussed that.

14           Now, Judge Vic Stabile was the Cumberland  
15 County Republican chair. He was opposing the Libertarians  
16 back in 2008. In that case, they said, "Come on. You're  
17 getting all these signatures, but you're eventually going  
18 to substitute them out."

19           In that case, the Court says no, no. First  
20 of all, when that person signed this affidavit at the  
21 beginning of the process, it wasn't clear what they were  
22 going to do, and so there was always this possibility. But  
23 they nominated the candidate. They followed the rules that  
24 are required. They actually had an affidavit of that  
25 candidate. Then they can or cannot choose to substitute.

1 In the Barr case, they effectuated a substitution, and they  
2 did it in accordance with the Election Code.

3           And what Judge Butler in the Commonwealth  
4 Court was saying was, you know, they -- I can't say --  
5 there was no evidence here that there was some fraud or any  
6 other situation. But it was really critical in Barr that  
7 they complied with this.

8           I think the notion of this Court saying, oh,  
9 you know what, it's okay not to file a Candidate's  
10 Affidavit, I would submit to you, Your Honor, that it's  
11 even more compelling than even an absentee ballot case, in  
12 the absentee ballot case, because here they knew that there  
13 were affidavits.

14           I mean, it's kind of interesting. The Green  
15 Party is coming in with affidavits, and they are coming in  
16 with Candidate Affidavits. So the notion that they didn't  
17 think that there were going to be affidavits, that this  
18 wasn't a requirement, why is Miss Scroggin faxing in an  
19 affidavit if this was not a requirement or this was not  
20 necessary.

21           So I think nobody misled them. They simply  
22 came on August 3rd. They actually got lucky. The  
23 Secretary of State should have said, "No. I'm sorry. You  
24 don't have original affidavits as our requirements. You  
25 need a complete affidavit. We're rejecting this and go --

1 you know, we just can't accept this."

2           But I don't know where this policy came  
3 from. I think there's a little -- maybe a little paranoia  
4 from litigation associated with the Green Party and the  
5 Constitution Party that the Secretary of State has been  
6 involved with. But there is no case that says that  
7 affidavit is invalid. There's a clear distinction between  
8 a party in terms of the sore loser rule.

9           They -- Runkle and Gale were not -- never  
10 became a candidate. When I was asking Miss Mathis, who's  
11 very honest, she's a wonderful woman, but when I was asking  
12 her, like, who is the candidate today, on August 5th, on  
13 August 6th who's the candidate, she wasn't willing to  
14 answer that question. "Well, they're going to substitute  
15 at some point. Wait until we get more papers. Wait until  
16 we get things."

17           You can't not have a candidate on August 4th  
18 or 5th, and we as Objectors have a right to rely on that  
19 narrow window for one week to say, "I'm sorry. You did not  
20 follow the law. You needed an affidavit. You did not  
21 nominate those candidates," and if you don't nominate, the  
22 law is clear as day if there's a vacancy you can't  
23 substitute. There was a vacancy.

24           Mr. Otter didn't want me to show the  
25 Libertarian exhibits because they did it correctly. They

1 nominated. On August 4th, August 5th you actually had  
2 candidates for President and Vice President.

3           So I would submit, Your Honor, the law is  
4 clear as day. There was no candidate. There was no  
5 candidate for President or Vice President that week at all,  
6 and you cannot substitute. On August 4th there was no  
7 candidate. You cannot substitute and ignore the fact that  
8 there were no affidavits, incomplete affidavits, something  
9 that wasn't filed, et cetera.

10           For that reason, the Court should strike the  
11 two Green Party candidates and not allow a substitution  
12 because you need to have a duly nominated candidate as all  
13 the paperwork indicates to substitute.

14           JUDGE CROMPTON: Thank you, Mr. Levine.  
15 Mr. Otter.

16           MR. OTTER: Well, of course, I disagree.

17           JUDGE CROMPTON: That's stunning.

18           MR. OTTER: The presidential Candidate  
19 Affidavits were in the possession of the Department of  
20 State before 5 o'clock on August 3rd, 2020. The issue with  
21 Walker not having a notarized affidavit, I think Miss  
22 Mathis touched on the fact that they were not requiring  
23 notarization on the campaign finance materials because of  
24 the Covid-19 problem and the restrictions put out by the  
25 governor's office.



1           But this whole sore loser thing is just a  
2 red herring that Mr. Levine is throwing out here. It just  
3 doesn't fit the facts here. We've conceded that Mr. Gale  
4 did not timely send in a Candidate's Affidavit, so that  
5 does raise a problem with Ms. Walker.

6           But the fax was sitting there right in  
7 Jessica Mathis' office as she testified to. It was only  
8 upon prodding this later that, oh, here it is.

9           Mr. Levine's suggestion that they didn't  
10 have time to make the challenges, yes, they did. They  
11 brought a challenge based on -- in saying that there was no  
12 affidavits for Scroggin and Gale; therefore, the process  
13 couldn't work.

14           We heard Miss Mathis testify that, oh, by  
15 the way, we did get the withdrawal affidavits from Scroggin  
16 and Gale, and the substitution process went through as per  
17 usual. It takes some time to do -- make the process work,  
18 and the Green Party filed on August 10th, which was the  
19 last day to do it, their substitution paperwork, and the  
20 withdrawal by Scroggin and Gale were properly filed, as  
21 Miss Mathis admitted in her testimony.

22           I'm not quite sure where the sore loser  
23 thing was going because that -- quite frankly, I don't see  
24 it here, and they could have easily checked Mr. Hawkins'  
25 voter registration in New York State without too much

1 difficulty. They could have called the New York State  
2 Democratic Party and ask them to go over to the Secretary  
3 of State's office in Albany and pull up their system and  
4 find out how is he registered. Well, they didn't do that.  
5 So that's just another thing thrown against the wall and  
6 hope that it sticks. It doesn't.

7           Maybe this case depends upon the definition  
8 of appended, but that's not in the materials that the State  
9 Department put out on how to do Nomination Papers in 2020.  
10 Paragraph 10 doesn't say anything about appending it. We  
11 all agree that a Candidate's Affidavit is a separate piece  
12 of paper from 710 petitions that were filed here.

13           Your Honor, I just rely -- I've got to rely  
14 on my memorandum and not prolong the agony here, and I will  
15 rest.

16           MR. LEVINE: Your Honor, I would just  
17 quickly reference I think the whole case is Section  
18 2911(e), "There shall be appended to each Nomination Paper  
19 offered for filing an affidavit of each candidate." That's  
20 the law. I mean, that's clear as day.

21           JUDGE CROMPTON: All right. I think we've  
22 done enough. I'm not sure I would call it agony, but I  
23 understand Mr. Otter's point. Look. Let me just say I  
24 appreciate this. It was important to set a record. I  
25 think we've done that. I think we've done more than

1 enough, and I also think that both of what you filed I  
2 guess prior till 9 o'clock this morning was helpful. So I  
3 appreciate that and making that work under our time line or  
4 my time line that I put out.

5           With that, unless I hear anything else, I  
6 will act as quickly as I can. I think proof is having  
7 hearings on Monday of Labor Day included. I just want to  
8 give both sides opportunity for any further litigation, if  
9 you so choose. I understand the pressure of the ballot.  
10 I'm under it, and I want this resolved for our county  
11 boards as quickly as we can.

12           So I'm going to need some time but limited  
13 time, and, hopefully, it won't be that long. You'll see it  
14 soon, but it probably is not coming tomorrow, but I will  
15 imply to both parties that I would very much like to have  
16 this out no later than Wednesday.

17           So we are working. We want to give you as  
18 much time as possible. Ballots are important, obviously,  
19 subject to other litigation, and I have a responsibility to  
20 issue as soon as I can.

21           With that, I, once again, apologize to all  
22 parties, including Kurt, for appearing on Labor Day. Thank  
23 you, Miss Mears, for your participation as well. With  
24 that, we'll close the hearing, and we will get to work.

25           MR. LEVINE: Thank you very much, Your

1 Honor.

2 JUDGE CROMPTON: Thank you.

3 MR. OTTER: Thank you.

4 (Whereupon, at 3:32 p.m. the proceedings  
5 were adjourned.)

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## C E R T I F I C A T E

I hereby certify, as the stenographic reporter,  
that the foregoing proceedings were taken stenographically  
by me and thereafter reduced to typewriting by me and that  
this transcript is a true and accurate record to the best  
of my ability.

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**< Dates >**

**8/3/2020** 68:14  
**8/4/2020** 55:10  
**August 24** 58:11  
**August 24th** 69:16  
**August 25, 2020** 60:16  
**August 25th** 69:20  
**August 25th, 22** 58:17  
**August 2nd** 52:15, 52:18, 52:19, 52:22  
**August 2nd, 2020** 50:14, 53:2  
**August 3rd** 15:17, 18:3, 19:22, 20:15, 24:10, 27:12, 42:15, 48:1, 54:4, 57:10, 68:8, 74:8, 76:3, 93:22  
**August 3rd, 2020** 10:13, 58:7, 95:20  
**August 4th** 46:11, 48:8, 49:5, 78:9, 78:11, 79:4, 79:14, 94:17, 95:6  
**August 4th, august 5th** 95:1  
**August 5th** 89:1, 94:12  
**August 6** 80:1  
**August 6th** 94:13  
**February 19** 15:17  
**February 2019** 74:5, 87:5  
**July 23rd** 28:10, 41:22  
**NOVEMBER 3, 2020** 1:12  
**September 7, 2020** 1:25  
**(1:05** 4:2  
**.O.** 2:4

**< 1 >**

**1** 14:1, 24:22, 25:17, 28:3, 90:8  
**10** 3:15, 16:24, 17:1, 17:11, 61:16, 70:9, 97:10  
**10.** 17:18, 37:14, 38:8  
**10th** 49:16, 50:7, 50:19, 78:7, 78:8, 96:18  
**12** 17:21  
**1223** 91:7  
**13** 3:8, 61:18, 61:19, 61:20  
**1442** 22:23

**1444.** 22:21  
**1456** 42:9  
**1457** 43:14  
**1458** 43:21  
**1459** 27:16, 41:23, 53:15, 54:4  
**1459.** 54:13, 57:8  
**1460** 27:16, 42:3, 42:6, 53:15, 54:7  
**1460.** 57:9  
**15** 74:23  
**15102** 1:35, 100:14  
**15222** 2:13  
**1626** 18:20  
**18** 3:10  
**18962** 2:5  
**1:00** 1:27

**< 2 >**

**2** 16:11, 74:23, 74:24, 74:25  
**2,500** 16:16, 48:2  
**2.** 25:17  
**2/19.** 18:13  
**2004** 91:8  
**2007** 73:6  
**2008** 6:4  
**2008.** 92:16  
**2019.** 6:4  
**2020** 1:6, 10:18, 14:9, 21:14, 39:6  
**2020.** 15:16, 37:15, 97:9  
**2020C1444** 22:5  
**2020C1459** 28:19  
**21** 3:11, 3:12  
**210** 7:18, 7:19, 8:3, 8:13, 8:19, 17:24, 19:23  
**210.** 9:2  
**24** 3:6  
**25** 36:9, 85:1  
**250** 12:9  
**26** 3:7  
**2911** 36:9, 38:3, 85:1  
**2911(e** 97:18  
**2:31** 65:16  
**2:31.** 65:7  
**2:40** 65:13  
**2:40.** 65:7  
**2:41** 65:17

**< 3 >**

**3** 14:15, 68:13  
**30** 14:18, 15:8, 19:8  
**305.** 25:21  
**30th** 58:6  
**372** 1:34, 100:13  
**3:32** 99:4  
**3rd** 58:20

**< 4 >**

**4** 3:5, 5:3  
**40-or-so** 46:25  
**412-833-2881** 1:36, 100:15  
**46** 3:16  
**460** 1:6  
**49** 3:9  
**4:31** 58:7

**< 5 >**

**5** 15:14, 42:18, 44:3, 44:18, 67:25, 95:20  
**5,000** 16:15, 23:14, 48:2, 55:19  
**5/73** 2:22  
**53** 3:14  
**575** 2:4  
**58** 3:13  
**5:** 46:25  
**5:00** 17:25, 18:3  
**5:29** 42:14, 43:2  
**5:29.** 43:15  
**5:39** 42:23  
**5th** 94:18

**< 6 >**

**6** 15:21, 37:6  
**61** 3:5, 3:6, 3:7, 3:8, 3:9, 3:10, 3:13, 3:14, 3:16  
**625** 2:12  
**65** 2:23, 10:22

**< 7 >**

**7** 37:6

**7.** 15:21  
**71** 10:22  
**710** 25:6, 25:23, 26:5, 27:14, 28:1, 28:3, 29:1, 33:8, 46:20, 55:19, 56:6, 97:12

**< 8 >**

**83** 3:11, 3:12, 3:15  
**843** 91:7

**< 9 >**

**9** 98:2  
**951** 36:9

**< A >**

**A.** 2:10  
**A2nd** 91:7  
**ability** 68:7, 100:7  
**able** 15:5, 39:13, 39:14, 56:10, 86:17  
**Absentee** 91:4, 91:12, 91:13, 91:20, 93:11, 93:12  
**accept** 35:2, 51:20, 64:5, 68:17, 80:13, 80:20, 81:11, 84:24, 88:15, 94:1  
**acceptance** 66:25  
**accepted** 29:22, 33:7, 39:5, 68:22, 80:5, 81:9, 81:10  
**accepting** 35:24, 41:12, 44:16, 69:2, 82:19  
**accepts** 13:7, 88:14  
**access** 45:21  
**accordance** 93:2  
**according** 52:16, 86:12, 86:20  
**account** 59:2, 59:5, 59:9, 59:10, 59:21  
**accurate** 49:14, 62:1, 84:1, 100:6  
**Acknowledged** 27:23  
**act** 98:6  
**action** 48:18, 48:19  
**actions** 47:20  
**activities** 13:15  
**activity** 62:20

**actual** 8:11, 59:2  
**Adam** 20:8, 20:10, 27:8, 55:8  
**add** 54:23, 62:11  
**added** 88:19  
**additional** 60:18  
**address** 51:10  
**addressed** 76:20  
**adjourned.** 99:5  
**adjustment** 57:13  
**administer** 6:8  
**administration** 89:8  
**administrative** 79:21  
**admission** 4:23  
**admit** 84:3  
**ADMITTED** 3:4, 72:11, 72:17, 72:23, 96:21  
**advisement** 62:22, 63:12  
**advising** 17:11  
**Affairs** 7:9, 8:2  
**affected** 15:25  
**affecting** 45:12  
**Affidavit.** 37:19, 92:6  
**Affidavits** 28:6, 33:12, 39:4, 44:12, 46:10, 46:21, 47:4, 63:24, 64:4, 68:18, 70:13, 72:13, 80:11, 85:8, 88:14, 88:15, 89:24, 90:5, 90:23, 93:13, 93:15, 93:16, 93:17, 93:24, 95:8, 95:19, 96:12, 96:15  
**affiliated** 75:2, 75:6  
**affirmed** 45:18  
**affixed** 52:11  
**afield** 38:12, 45:7, 75:19  
**afternoon** 65:24, 66:4, 66:5, 67:19, 68:6, 68:7  
**agony** 97:14, 97:22  
**agree** 30:22, 34:18, 37:20, 37:25, 39:17, 39:22, 41:9, 41:15, 62:6, 63:10, 63:19, 76:17, 97:11  
**ahead** 35:4, 43:4, 55:5, 62:12, 72:15, 76:7, 77:21, 86:10, 88:1  
**Albany** 97:3  
**ALEX** 2:9  
**allow** 21:4, 29:21, 40:20, 41:3, 45:10, 51:20, 62:8, 62:23, 80:13, 80:14, 82:8,

83:16, 84:6, 95:11  
**allowed** 40:6, 76:12  
**already** 4:6, 47:4, 53:12, 54:3, 72:17, 72:22, 73:12, 73:14, 73:23  
**ALTERNATIVE** 1:6, 1:8  
**although** 50:7  
**amendable** 35:6  
**amendment** 76:11, 87:18  
**amount** 8:16, 76:11  
**Amy** 20:7  
**ANDREW** 1:22, 4:3  
**Angela** 1:8, 36:21, 51:21, 54:7, 57:10, 57:13, 57:20  
**answer** 29:21, 31:10, 38:16, 45:10, 45:15, 80:18, 80:23, 94:14  
**answered** 35:15  
**answering** 76:22  
**anybody** 55:20, 60:14, 74:15, 80:25  
**apologize** 71:22, 98:21  
**apology** 71:24  
**apparently** 50:13, 58:5, 58:13  
**appear** 29:1, 29:6, 29:23, 70:10  
**appearing** 98:22  
**appears** 40:3  
**append** 85:16, 85:20, 85:21  
**appended** 36:10, 70:10, 85:2, 85:18, 86:24, 89:16, 89:24, 97:8, 97:18  
**appending** 97:10  
**applicable** 17:18  
**application** 15:25, 20:16, 88:25, 89:1, 89:2  
**applications** 6:22, 89:16  
**applied** 15:15  
**applies** 48:19  
**apply** 11:1, 33:2, 88:3  
**applying** 6:21, 16:21  
**appointments** 7:7  
**appreciate** 5:22, 46:15, 64:10, 84:19, 97:24, 98:3  
**appropriate** 23:2, 92:3  
**approved** 53:24, 55:10, 55:13, 55:15  
**area** 16:3

**areas** 9:4  
**argue** 29:19  
**argued** 84:18  
**argument** 29:20, 61:25, 63:3, 63:23, 64:2, 64:14, 64:15, 64:16, 75:20, 76:10, 76:17, 87:15, 87:21, 87:22, 90:11  
**around** 18:19, 77:4, 80:10  
**aspect** 88:20  
**assembly** 24:17  
**assert** 32:21  
**assess** 39:13  
**assessment** 22:25  
**assign** 28:18  
**assigned** 22:22, 41:22, 41:23, 42:3, 42:10, 43:21, 53:13, 53:14, 54:3, 54:8, 54:17, 57:9  
**assigning** 22:15  
**associated** 15:22, 15:23, 24:1, 45:4, 94:4  
**assume** 79:1  
**assuming** 35:19, 41:15, 53:4, 55:17  
**Attach** 52:14, 92:6  
**attached** 43:15, 52:7, 60:6  
**attention** 14:14, 15:14, 16:24, 24:8  
**attorney** 24:16, 42:11, 80:21, 86:17  
**attorneys** 34:4  
**auditor** 9:24, 24:15, 26:1, 49:4, 49:9, 77:3, 86:18  
**August** 49:16, 50:7, 50:19, 58:6, 78:7, 78:8, 96:18  
**authority** 62:14  
**available** 13:13, 14:11, 17:6, 18:8, 18:14, 36:14  
**Avenue** 2:12  
**aware** 18:18, 18:20, 36:8, 36:14, 36:17, 45:1, 45:5, 45:14, 45:16, 45:17, 46:9, 47:1, 91:11

< B >

**B.** 2:8  
**Back** 23:15, 25:24, 30:21, 31:7, 32:12, 33:5, 36:5, 36:22, 36:23, 37:1, 38:18, 49:7, 52:21, 61:24, 62:9, 65:13, 65:18, 82:25, 84:13, 89:7, 92:16  
**BALDWIN** 37:1  
**Ballot** 6:10, 6:12, 6:14, 9:20, 10:4, 15:4, 29:6, 29:24, 45:21, 80:7, 80:22, 81:15, 85:15, 91:4, 91:13, 91:22, 93:11, 93:12, 98:9  
**Ballots** 89:10, 91:12, 98:18  
**Barack** 80:9, 80:15, 85:24  
**Barr** 93:1, 93:6  
**based** 34:6, 53:5, 69:5, 70:23, 96:11  
**Basically** 16:10, 33:23, 37:22, 59:13, 72:13, 74:25, 91:25  
**basis** 45:20, 56:10, 64:18, 88:11  
**became** 94:10  
**become** 91:10  
**becomes** 62:18  
**beginning** 14:18, 25:19, 76:15, 92:21  
**begins** 15:16  
**believe** 11:5, 16:5, 27:23, 30:17, 35:6, 43:2, 44:8, 53:19, 60:6, 60:24, 61:16, 63:13, 78:13, 78:24  
**below** 75:5  
**Bernie** 75:14, 77:2, 77:6, 77:15, 80:8, 80:15, 80:19, 85:24  
**besides** 61:13  
**best** 34:9, 66:23, 67:25, 68:7, 70:17, 70:19, 100:6  
**Bethel** 1:35, 100:14  
**Biden** 11:11, 11:21  
**big** 8:7, 91:10  
**bin** 91:14  
**bit** 11:14, 14:3, 14:5, 21:8, 24:23, 25:17, 25:20, 52:2, 59:4, 62:22, 73:2, 89:18

**Black** 31:4  
**block** 66:17  
**blocked** 24:23  
**Board** 91:19  
**boards** 7:7, 98:11  
**bodies** 9:12, 21:6, 37:17, 63:18, 64:22, 73:25  
**Body** 10:2, 10:3, 14:5, 14:10, 14:20, 18:13, 19:11, 19:20, 20:14, 22:24, 31:14, 32:16, 32:21, 34:1, 48:21, 49:24, 64:7, 71:3, 74:21, 75:9, 77:1, 77:9, 90:17, 92:9  
**book** 73:13  
**bootstrap** 86:17  
**boss** 34:3  
**bottom** 24:21, 24:22, 27:22, 43:15, 51:6, 58:17, 68:13, 75:1  
**Box** 2:4, 40:15, 41:18  
**BPOA** 7:15, 7:24, 7:25  
**break** 77:25, 78:25  
**Brenda** 20:7  
**brief** 8:25, 89:15  
**briefly** 7:2  
**bring** 28:5  
**brought** 27:25, 28:1, 45:2, 67:15, 96:11  
**bucket** 61:1  
**Building** 7:18, 7:19, 7:20, 7:23, 7:24, 8:3, 8:7, 8:13, 8:15, 8:17, 8:25, 17:24, 42:22  
**buildings** 7:21  
**burden** 90:1  
**Bureau** 6:1, 6:16, 6:20, 7:5, 7:9, 7:15, 7:18, 8:1, 8:5, 70:6, 73:5  
**bureaus** 7:8, 7:10  
**Butler** 93:3  
**Buttigieg** 11:22  
**buttons** 66:1

**< C >**

**C.** 1:16  
**call** 4:19, 5:6, 23:8, 30:21, 36:22, 42:2, 65:10, 77:15, 82:18, 97:22

**called** 10:10, 14:24, 34:10, 48:21, 83:25, 97:1  
**Calling** 38:5, 40:1, 82:13  
**calls** 29:12, 34:16  
**Campaign** 7:11, 18:22, 22:17, 54:1, 55:1, 95:23  
**Candidacy** 10:24, 12:5, 30:9, 30:15, 32:9, 77:17, 86:9  
**candidate.** 97:19  
**Canvass** 91:4  
**capacity** 82:10  
**cases** 15:24, 37:12, 37:13, 38:11, 85:17, 88:21, 89:14, 89:15, 89:17  
**Castille** 91:15, 91:16  
**casual** 76:2  
**casualness** 90:23  
**category** 75:5  
**caught** 4:14  
**Cause** 50:12, 51:9  
**celebrity** 75:20, 77:16, 86:1, 86:4, 90:24  
**certain** 21:18, 85:10  
**certainly** 40:23, 86:10  
**Certificate** 49:17, 49:22, 72:3, 72:4  
**certified** 23:22  
**certify** 100:3  
**cetera** 77:4, 95:9  
**chair** 92:15  
**challenge** 16:5, 88:2, 88:22, 89:25, 96:11  
**challenges** 96:10  
**change** 15:5  
**changed** 16:21  
**charities** 7:8  
**check** 23:22, 30:25, 39:9, 39:23, 40:2, 58:19, 59:10, 59:19, 59:20, 61:3, 66:16, 81:6  
**checked** 40:15, 40:17, 59:1, 96:24  
**checking** 41:18  
**checklist** 39:2  
**Chief** 6:3, 6:6, 91:16  
**choose** 92:25, 98:9  
**Circuit** 45:18  
**circulate** 78:23

**circulating** 75:12  
**Circulation** 15:14, 15:16, 15:18  
**Circulator** 23:15  
**circumstances** 92:7  
**citations** 15:24  
**cite** 85:17, 89:15, 91:1, 91:5, 91:24  
**cited** 38:8, 38:17  
**claim** 87:14, 87:16  
**clause** 35:13  
**clean** 68:5, 79:25  
**clear** 63:21, 64:15, 64:23, 74:21, 81:16, 85:17, 86:23, 88:4, 90:8, 91:17, 92:21, 94:7, 94:22, 95:4, 97:20  
**Clearly** 64:22, 88:13, 89:3, 92:5  
**clerk** 40:6, 40:10  
**click** 83:12  
**Cliff** 86:13  
**CLIFFORD** 2:8  
**clock** 8:21  
**close** 35:12, 84:12, 98:24  
**closer** 89:18  
**co-counsel** 4:18  
**Code** 9:4, 18:21, 36:9, 44:22, 47:10, 48:19, 56:17, 57:23, 63:16, 63:17, 91:18, 91:21, 93:2  
**Cohen** 2:11  
**coherent** 25:3  
**collect** 10:9, 77:5, 80:10, 86:4, 86:5  
**collected** 55:18  
**collection** 86:22  
**collectively** 5:21  
**collects** 24:25  
**comes** 48:2, 59:2, 74:9, 89:13, 89:18  
**comfortable** 76:22  
**coming** 8:22, 93:15, 98:14  
**commencement** 11:25  
**comment** 31:7, 71:21  
**commissions** 7:6, 7:7  
**committed** 11:18, 30:16  
**Committee** 23:12  
**common** 92:12

**Commonwealth** 1:1, 88:17, 93:3  
**communicate** 60:15  
**communication** 60:11  
**communications** 58:14  
**comparison** 64:7  
**compelling** 83:1, 93:11  
**complete** 32:11, 93:25  
**completed** 23:11, 23:12, 23:16  
**completely** 82:17  
**compliant** 35:25  
**complied** 93:7  
**complies** 32:21  
**complying** 31:18  
**compound** 51:24  
**conceded** 84:2, 96:3  
**concerned** 69:8  
**conclude** 33:23  
**conclusion** 29:13, 34:2, 34:17, 35:6, 38:6, 40:2  
**confirm** 21:20  
**confuses** 9:5  
**Congress** 17:8  
**congressional** 12:10  
**consent** 16:14  
**consider** 35:1, 35:23, 35:25  
**considered** 34:13, 40:19, 50:6  
**considering** 40:22  
**consistent** 19:10  
**consistently** 26:5  
**constitute** 41:10  
**Constitution** 94:5  
**Constitutional** 45:19, 87:18, 90:12  
**constructionist** 84:20  
**continue** 38:24, 41:4, 43:5, 43:6, 71:25  
**Continued** 3:2  
**contradiction** 76:5  
**contrary** 84:25, 86:20  
**contrast** 62:19  
**contributions** 18:22  
**convention** 78:14  
**copier** 59:6, 59:7  
**copies** 50:24  
**copy** 12:20, 23:22, 44:17  
**core** 88:6



corner 22:4, 68:14  
corners 23:8  
corporations 7:8  
correctly 94:25  
Counsel 4:4, 4:15, 82:6  
count 23:13, 23:14, 91:10  
counties 6:11, 22:19  
County 6:11, 6:14, 79:19, 92:15, 98:10  
couple 21:8, 43:7, 62:24, 66:6  
course 59:24, 95:16  
Court 1:1, 5:2, 5:24, 13:22, 25:18, 45:3, 45:7, 45:17, 48:13, 52:1, 53:21, 58:12, 65:18, 75:19, 75:22, 76:13, 84:17, 87:17, 87:20, 87:21, 88:1, 88:17, 88:18, 89:8, 89:15, 90:12, 91:2, 91:15, 92:19, 93:4, 93:8, 95:10  
Courts 89:21  
cover 60:4, 84:12  
covered 71:21, 82:17  
Covid 44:24, 87:23  
Covid-19 95:24  
creating 6:10  
criteria 5:5, 39:8  
critical 93:6  
CROMPTON 1:22, 4:3, 4:13, 13:5, 29:18, 30:24, 36:20, 37:3, 60:21, 62:6, 62:12, 64:9, 71:16, 71:20, 78:17, 82:2, 84:11, 84:15, 99:2  
cross 40:22, 73:16  
cross-examination 65:10  
Cumberland 92:14  
current 14:8  
cut 32:3, 73:2  
cycles 70:7

## < D >

dangerous 90:24  
Daniel 21:17, 22:1  
database 22:7, 53:20, 54:10, 54:11, 56:11, 57:16  
date 34:11, 40:24, 52:20, 55:10, 55:15, 68:6, 68:14,

79:16  
dated 28:10, 41:22  
Day 5:21, 20:13, 27:11, 46:25, 55:16, 62:19, 67:21, 68:8, 74:11, 82:25, 83:13, 86:23, 90:4, 94:22, 95:4, 96:19, 97:20, 98:7, 98:22  
days 14:18, 15:8, 19:8, 46:7, 49:8, 58:17, 89:7  
deadline 10:13, 17:25, 20:4, 42:18, 48:11, 49:7, 58:18, 68:9  
deal 9:9, 9:11, 61:7, 77:22  
dealing 37:17  
debate 41:8, 48:4  
decide 63:21, 84:24  
decided 34:5  
decision 50:10, 81:20, 91:8  
decisions 29:15, 89:24  
Declaration 10:24, 12:5, 30:9, 30:15, 32:8  
deemed 87:2  
deems 65:5  
defect 35:7  
defined 74:22  
definition 75:3, 97:7  
definitively 64:12  
degree 4:19, 40:22  
delegate 10:17, 12:1  
delegates 11:7, 11:18, 12:7, 12:8, 12:17, 30:16  
delivered 50:18, 50:20, 50:21  
delivering 91:13  
delivery 91:11  
Democrat 9:18, 15:7, 80:22, 86:10, 87:10  
Democratic 9:10, 10:25, 11:8, 11:17, 25:2, 30:12, 61:10, 63:14, 97:2  
Democrats 10:5, 30:16, 80:19  
Dentons 2:11  
Department 5:7, 6:23, 7:3, 7:8, 7:10, 7:12, 7:16, 7:19, 8:9, 12:16, 13:7, 13:12, 13:18, 14:10,

16:15, 18:9, 23:3, 37:8, 48:5, 48:10, 49:6, 49:21, 58:6, 59:12, 62:14, 62:17, 68:17, 70:6, 74:2, 74:17, 84:23, 86:4, 86:12, 88:24, 95:19, 97:9  
depending 36:2  
depends 97:7  
deputy 34:3  
Describe 5:24, 8:22, 15:2, 17:5, 22:5, 44:6, 53:21, 58:2, 59:4  
described 18:15, 80:17  
describes 15:15, 92:6, 92:7  
description 17:21, 18:12  
designed 91:24  
desk 19:23, 40:10  
despite 63:21  
determination 40:7, 40:11  
determine 39:14, 74:14  
difference 6:16, 9:5, 9:7  
Different 7:21, 9:16, 10:4, 20:22, 32:25, 55:4, 62:5, 63:9, 64:5, 70:13, 75:21, 81:4  
differently 37:10  
difficulty 57:16, 97:1  
direct 14:14, 15:13, 16:24, 24:8, 40:22  
directed 59:16, 91:12  
direction 60:4  
directly 45:14, 46:17, 86:20  
director 6:1, 6:16, 29:21  
Disaffiliation 14:15  
disagree 95:16  
discussed 73:23, 92:13  
discussion 32:16  
dispute 92:9, 92:11  
disputes 64:23  
disregard 62:15  
disregarded 64:17  
distinct 19:16, 79:8, 90:18, 90:20  
distinction 63:16, 63:17, 88:4, 94:7  
district 12:10  
Division 6:4, 6:6, 6:20

document 11:15, 12:4, 27:1, 35:20, 40:2, 52:1, 53:8, 53:18, 58:16, 61:9, 63:4, 63:13, 69:25, 70:1, 70:16, 72:22  
documentation 52:16, 56:1, 57:22, 88:9  
documents 83:25  
doing 57:16  
Donald 11:12, 85:25  
done 11:5, 12:25, 23:4, 42:21, 55:7, 55:15, 82:8, 90:7, 97:22, 97:25  
down 11:14, 13:3, 15:13, 17:22, 19:24, 21:6, 24:21, 25:15, 26:12, 26:14, 36:21, 36:23, 37:3, 43:9, 47:12, 51:7, 52:2, 70:10, 73:2, 75:21, 78:25  
draft 69:25  
drafter 70:4  
Drive 1:34, 100:13  
due 29:17, 40:14, 76:9  
dueling 66:1  
duly 5:10, 5:16, 49:1, 49:13, 50:3, 50:6, 51:10, 51:12, 55:18, 55:24, 95:12  
during 14:17, 19:7  
dutifully 88:23

## < E >

e-mail 47:12, 58:16, 58:17, 58:19, 58:25, 59:9, 60:16, 67:10  
earlier 32:16  
early 11:5  
easier 73:2  
easily 96:24  
editorial 31:7  
effectuated 93:1  
eight 83:10  
either 4:5, 8:12, 13:8, 25:1, 40:6, 61:11, 83:1  
Election 1:11, 6:8, 6:11, 6:14, 7:11, 8:4, 9:4, 9:21, 9:23, 10:4, 10:18, 14:21, 15:6, 18:21, 19:3, 19:5, 19:6, 36:9, 44:22, 47:10,

48:19, 55:3, 56:17, 57:23,  
63:16, 63:17, 70:7, 79:20,  
88:21, 91:18, 91:21, 93:2  
**Elections** 6:1, 6:4, 6:6,  
6:16, 6:24, 12:9, 14:19,  
70:6, 73:5, 75:7, 91:19  
**elector** 44:18  
**Electors** 13:10, 26:25,  
40:4, 44:5, 44:8, 44:14,  
44:20, 66:20, 67:3, 67:6,  
69:5, 69:10  
**electronically** 69:15  
**eligible** 14:20  
**Elizabeth** 1:5, 11:11,  
24:14, 53:9, 54:12, 56:1,  
58:4, 79:12  
**end** 25:19  
**ends** 15:17  
**enough** 9:19, 23:1, 39:4,  
79:1, 87:24, 97:22, 98:1  
**enrolled** 14:17, 19:7  
**ensuing** 19:3  
**enter** 22:7, 54:16, 55:9,  
56:10  
**entered** 55:12  
**entering** 55:6  
**entire** 6:18  
**entries** 8:22  
**envisioned** 48:19  
**equal** 41:1, 64:14, 87:13,  
90:11  
**especially** 5:20, 72:22,  
83:10, 83:21  
**Esquire** 2:3, 2:8, 2:9,  
2:10  
**essentially** 13:14, 22:12,  
51:15  
**establish** 4:16, 21:2,  
21:9, 32:4, 45:20  
**established** 32:15, 53:12  
**et** 77:4, 95:9  
**Ethics** 17:2, 37:15  
**eventually** 92:17  
**everybody** 18:18, 65:8,  
76:1, 89:10  
**evidence** 61:2, 61:23,  
72:23, 93:5  
**evidenced** 71:6  
**exactly** 67:2  
**EXAMINATION** 5:18,

65:22  
**examined** 5:17  
**example** 85:24, 87:6  
**exceed** 55:19  
**except** 17:7, 20:11, 55:2  
**exception** 37:21  
**exchange** 58:16  
**excited** 77:5, 86:6  
**excuse** 64:2, 87:23  
**executed** 36:4  
**Exhibit** 4:22, 10:20,  
13:23, 18:7, 18:11, 19:25,  
21:13, 21:19, 22:22, 24:9,  
26:14, 26:18, 26:21,  
26:22, 28:9, 33:6, 34:8,  
34:9, 39:1, 41:21, 43:6,  
46:13, 46:20, 49:20, 51:7,  
52:22, 53:17, 58:2  
**Exhibits** 3:4, 60:20,  
72:10, 72:11, 72:12, 94:25  
**exists** 51:9  
**expect** 91:6  
**expected** 70:24  
**expecting** 71:2  
**expeditiously** 21:16  
**expenditures.** 18:23  
**experience** 70:24  
**explain** 55:4, 57:14,  
90:21  
**explanation** 57:17, 60:4  
**extending** 14:19  
**extent** 76:4  
**extra** 89:20  
  
**< F >**  
**face** 23:1  
**fact** 15:7, 15:17, 45:11,  
46:24, 49:16, 71:5, 83:11,  
95:7, 95:22  
**Facts** 4:23, 96:3  
**factual** 29:20  
**failure** 41:9, 41:17  
**fair** 7:14, 16:1, 17:18,  
34:14, 38:10, 40:11,  
40:25, 41:13, 49:2, 57:23,  
70:23, 76:3, 76:5, 82:15  
**Faison** 1:10, 24:16,  
25:22, 26:2, 43:6, 43:7,  
43:13, 43:14

**familiar** 5:2, 14:22, 14:25,  
21:20, 48:22, 84:18  
**far** 21:6, 38:12, 45:6,  
67:24, 69:7, 75:18  
**farther** 51:7  
**fax** 50:8, 59:1, 59:2, 59:6,  
59:7, 59:15, 59:19, 59:20,  
60:5, 60:12, 60:15, 69:11,  
79:24, 88:18, 90:9, 96:6  
**faxed** 58:5, 58:20  
**faxes** 69:13  
**faxing** 88:16, 90:5, 93:18  
**Faye** 1:5, 24:14, 54:12  
**February** 6:2  
**federal** 37:21, 37:23,  
45:2, 45:17, 87:16, 87:17,  
87:20, 90:12  
**feeling** 89:9, 89:11  
**feels** 76:22  
**felt** 41:6, 41:8, 41:16  
**few** 5:22, 20:11, 76:20  
**field** 82:17  
**Fifth** 2:12  
**filed** 4:6, 11:25, 17:23,  
17:25, 18:3, 20:15, 20:16,  
20:17, 21:20, 33:9, 42:17,  
46:24, 58:10, 58:11,  
58:13, 71:3, 78:20, 81:21,  
88:19, 88:24, 90:9, 95:9,  
96:18, 96:20, 97:12, 98:1  
**filed.** 88:25  
**filers** 8:15  
**files** 11:10  
**filing** 6:9, 6:13, 8:11,  
8:13, 8:20, 10:10, 20:4,  
23:3, 24:5, 27:2, 36:11,  
47:21, 56:15, 58:18,  
70:18, 79:8, 86:24, 90:9,  
97:19  
**Fill** 11:2, 11:13, 11:17,  
23:12, 39:5  
**filled** 23:2, 89:5  
**filling** 39:11  
**Finally** 43:20  
**finance** 7:11, 22:17, 54:1,  
55:1, 95:23  
**Financial** 12:24, 17:9,  
23:21, 37:22, 43:12,  
43:16  
**find** 53:23, 97:4

**fine** 38:15, 40:24, 73:17,  
84:15  
**finish** 32:6, 54:22, 78:18  
**finished** 55:13  
**First** 4:19, 4:22, 5:16,  
5:24, 29:8, 29:9, 39:1,  
44:8, 52:20, 52:21, 54:12,  
57:7, 58:21, 66:9, 87:18,  
92:19  
**Fishman** 21:17, 22:1  
**fit** 65:5, 65:9, 96:3  
**five** 24:18, 49:7  
**Floor** 2:12, 4:17, 7:20  
**floors** 8:8, 8:10  
**focus** 5:22, 15:21, 24:18  
**focusing** 37:6  
**follow** 30:4, 87:23, 87:25,  
88:4, 90:14, 94:20  
**follow-up** 45:24, 82:10  
**followed** 92:23  
**following** 36:12  
**follows** 5:17  
**foregoing** 100:4  
**Form** 10:25, 11:2, 13:18,  
13:19, 14:8, 17:5, 18:13,  
21:18, 22:4, 23:1, 32:15,  
42:14, 49:21, 50:23,  
56:22, 56:25, 66:14,  
73:24, 74:2  
**forms** 13:15, 71:14  
**forth** 17:18  
**forthwith** 82:24  
**four** 23:8, 49:7, 51:24,  
86:16  
**fourth** 18:19  
**frame** 46:3  
**frankly** 62:16, 76:21,  
96:23  
**fraud** 86:22, 91:24, 93:5  
**free** 40:18  
**Fruitwood** 1:34, 100:13  
**full** 58:9, 86:18  
**fully** 57:15  
**functions** 6:24, 7:3  
**future** 75:13  
  
**< G >**  
**Gale** 1:7, 24:15, 25:22,  
26:1, 51:21, 56:7, 57:8,

57:21, 72:6, 78:1, 79:22,  
80:1, 88:12, 94:9, 96:3,  
96:12, 96:16, 96:20  
**game** 40:25  
**gather** 80:25, 87:24  
**gathered** 11:6  
**gathering** 10:16, 30:11,  
45:4  
**gave** 67:11  
**General** 1:11, 6:5, 9:25,  
10:4, 13:19, 14:19, 14:21,  
19:5, 24:16, 24:17, 26:1,  
42:11, 46:3, 49:5, 49:9,  
53:22, 77:4, 86:18  
**generally** 9:9, 9:18, 39:17  
**generates** 22:6  
**gentlemen** 82:21  
**gets** 9:24, 11:24, 11:25,  
22:13, 59:15, 89:1  
**getting** 86:16, 92:17  
**Give** 7:2, 21:8, 35:10,  
60:21, 63:11, 65:8, 66:9,  
76:19, 87:6, 98:8, 98:17  
**given** 28:21  
**gives** 79:3  
**giving** 4:15  
**gloss** 31:6  
**gotten** 69:20, 77:25  
**governor** 7:6, 16:12,  
95:25  
**Grigsby** 2:11  
**grounds** 41:17  
**gubernatorial** 7:5  
**guess** 25:24, 39:3, 98:2  
**guidance** 6:11, 13:13,  
90:6  
**gulf** 31:2  
**guy** 86:15

## < H >

**hand** 5:9, 9:1, 48:5,  
91:11, 91:13  
**handed** 48:10, 49:5  
**handle** 8:16, 8:18, 21:2,  
72:12  
**handled** 62:18  
**handling** 26:9, 86:13  
**Hands** 66:2, 74:9, 74:11  
**handwritten** 22:8

**happened** 53:1  
**happens** 59:17  
**hard** 77:22  
**harm** 83:18, 83:20  
**hate** 91:1  
**Hawkins** 1:7, 28:10,  
28:21, 28:25, 33:6, 33:8,  
41:21, 41:23, 43:24, 47:6,  
49:25, 53:14, 54:4, 54:13,  
57:7, 74:10, 74:14, 87:1,  
89:2, 96:24  
**head** 31:25  
**headed** 4:14, 76:21  
**hear** 82:24, 98:5  
**heard** 45:25, 58:21,  
86:15, 96:14  
**HEARING** 1:21, 4:6, 5:21,  
63:14, 75:19, 83:2, 98:24  
**hearings** 98:7  
**HELD** 1:21, 14:21  
**helpful** 98:2  
**helps** 10:22  
**Henry** 46:11, 47:1, 82:13,  
82:23, 83:8, 83:12, 88:23  
**hereby** 100:3  
**herein** 5:16  
**herring** 96:2  
**hesitant** 62:9, 73:12  
**hold** 63:1, 64:11, 65:2  
**holding** 66:24  
**holiday** 82:25, 83:10  
**honest** 94:11  
**honestly** 80:18  
**Honor** 4:21, 20:25, 30:22,  
36:24, 40:5, 47:14, 60:19,  
61:20, 62:11, 72:10, 73:8,  
75:24, 76:15, 81:23,  
82:12, 83:5, 84:10, 84:19,  
91:1, 93:10, 95:3, 97:13,  
97:16, 99:1  
**HONORABLE** 1:22, 4:3  
**hope** 97:6  
**Hopefully** 4:14, 66:7,  
98:13  
**hours** 83:9  
**Howie** 1:6, 28:10, 33:6,  
49:25, 54:4, 87:1, 89:2  
**hypothetical** 75:16,  
76:19, 76:20, 80:8  
**Hypothetically** 34:23,

35:18, 41:6, 76:25  
**hypotheticals** 77:22

## < I >

**idea** 87:13, 89:13  
**identical** 72:21, 72:22  
**IDENTIFIED** 3:4, 21:16  
**identify** 25:11, 26:21,  
53:18  
**ignore** 45:20, 91:17, 95:7  
**Imagine** 88:17, 90:3  
**immediately** 31:20  
**imply** 98:15  
**important** 75:25, 88:7,  
88:21, 97:24, 98:18  
**in.** 5:9, 8:24, 89:14, 89:18  
**inaccurate** 63:4  
**inclined** 35:14  
**include** 39:18  
**included** 20:12, 23:18,  
47:5, 98:7  
**includes** 21:24, 21:25,  
24:17  
**including** 98:22  
**incomplete** 34:10, 42:2,  
95:8  
**independent** 74:16  
**indicate** 17:17, 22:23,  
57:19  
**indicated** 77:24  
**indicates** 5:3, 27:8,  
27:14, 49:25, 74:5, 95:13  
**indicating** 55:11  
**indicative** 62:25  
**individual** 46:10  
**individuals** 80:14  
**ineligible** 15:9  
**Information** 13:13, 18:8,  
23:10, 24:19, 30:1, 30:8,  
36:12, 40:4, 41:3, 44:18,  
46:17, 53:23, 54:1, 54:2,  
54:16, 55:9, 55:12, 59:25,  
66:20, 67:5, 69:6, 69:9,  
70:3, 72:11, 73:11, 73:13,  
77:19  
**Information.** 44:14  
**inherently** 90:18, 90:20  
**inquire** 40:18  
**inquiry** 21:1, 69:16

**instance** 16:4, 77:19,  
79:12, 79:23, 80:25  
**Instruction** 13:15, 13:19,  
18:15, 36:18, 36:19,  
38:14, 67:11, 90:6  
**instructions** 14:9, 16:19,  
37:15, 38:16, 85:19,  
88:10, 91:19  
**insufficient** 40:8  
**intact** 89:22  
**intended** 31:5  
**intent** 92:3  
**Interest** 23:21  
**interesting** 15:20, 57:8,  
93:14  
**Interests** 12:24, 17:9,  
37:23, 43:13, 43:16  
**interjecting** 32:5  
**Internet** 14:11  
**interpretation** 86:3, 87:4  
**interrupt** 68:5  
**interrupted** 31:9, 32:12  
**introduce** 4:22, 4:23  
**introduction** 60:20  
**Invalid** 39:9, 39:14,  
39:19, 39:24, 40:12,  
41:11, 41:18, 66:17, 94:7  
**investigation** 74:16  
**involved** 7:4, 10:15, 16:6,  
47:20, 90:4, 94:6  
**ironic** 85:6  
**ironically** 53:8  
**irrelevant** 62:10  
**issue** 69:7, 84:25, 88:7,  
91:10, 95:20, 98:20  
**issues** 39:5, 70:18, 84:3,  
87:18, 87:19, 90:12  
**itself** 31:22

## < J >

**J.** 1:22, 4:3  
**Jason** 46:11, 47:1  
**Jessica** 2:21, 5:6, 5:10,  
5:15, 65:24, 96:7  
**Joe** 11:11, 11:21, 77:10,  
77:11  
**Joint** 4:22  
**Jonathan** 34:4  
**JUDGE** 4:13, 13:4, 13:5,

29:18, 30:24, 36:20, 37:3,  
60:21, 62:6, 62:12, 64:9,  
71:8, 71:16, 71:20, 78:17,  
82:2, 84:11, 84:15, 92:14,  
93:3, 99:2  
**judge.** 5:11  
**JULIE** 2:10  
**Justice** 91:16  
**justification** 64:24, 64:25

## < K >

**Kanye** 80:24  
**keep** 13:1, 18:7, 25:16,  
64:6, 68:5  
**Keystone** 8:15, 8:17,  
8:25  
**kind** 75:25, 90:22, 93:14  
**knowing** 33:18, 80:4  
**knowledge** 17:20, 38:11,  
56:9, 57:25, 60:10, 66:24,  
70:17, 70:19  
**knows** 45:12, 87:16  
**Kurt** 37:4, 43:9, 65:8,  
98:22

## < L >

**L.** 1:11, 1:32, 100:11  
**Labor** 5:21, 83:13, 98:7,  
98:22  
**LACEY** 2:9  
**language** 63:21, 64:23  
**large** 46:21  
**Larry** 77:12  
**last** 6:3, 16:12, 25:23,  
35:13, 52:5, 53:7, 74:5,  
76:8, 83:17, 84:18, 96:19  
**later** 49:8, 89:8, 96:8,  
98:16  
**latitude** 35:10, 63:11,  
65:11, 76:19  
**law** 17:16, 19:10, 31:17,  
37:7, 38:2, 38:4, 38:17,  
62:17, 63:21, 64:6, 84:25,  
85:1, 86:21, 88:7, 89:3,  
90:8, 90:14, 92:5, 94:20,  
94:22, 95:3, 97:20  
**LAWRENCE** 2:3  
**lawsuit** 16:6, 16:10, 45:2,

45:12, 45:16  
**leading** 40:23  
**learned** 77:25  
**left** 34:11, 74:4  
**legal** 29:12, 29:16, 29:19,  
34:17, 35:5, 38:6, 40:1,  
40:9, 40:10  
**legally** 30:6, 34:21  
**legislature** 88:8, 92:4  
**less** 41:3, 75:6, 76:21  
**lettering** 72:21  
**letting** 33:18  
**level** 75:1  
**Libertarian** 20:14, 20:15,  
20:21, 21:15, 22:24, 45:2,  
45:13, 45:19, 61:8, 62:4,  
62:18, 63:12, 71:19,  
78:12, 83:18, 94:25  
**Libertarians** 92:15  
**Liberty** 2:12  
**licensing** 7:13, 8:2  
**light** 32:5, 82:22, 83:10  
**Likewise** 61:9  
**limit** 73:11  
**limited** 45:7, 62:3, 75:19,  
98:12  
**line** 18:19, 20:25, 51:8,  
75:23, 98:3, 98:4  
**list** 6:10, 6:13, 37:13,  
61:22, 75:13, 77:2, 77:11,  
77:12  
**listed** 17:12, 21:25, 22:1,  
24:1, 24:18, 33:8, 56:6,  
65:12, 80:9, 80:25, 81:17,  
85:15  
**listening** 31:2  
**listing** 52:19  
**lists** 24:13, 40:21  
**literally** 38:8, 86:3  
**litigated** 90:13  
**litigation** 16:3, 16:14,  
91:11, 94:4, 98:8, 98:19  
**little** 11:14, 14:2, 14:5,  
15:21, 21:8, 24:23, 25:17,  
25:20, 32:3, 38:12, 51:7,  
58:7, 59:4, 62:22, 73:2,  
82:7, 89:18, 94:3  
**live** 64:25  
**located** 7:17  
**log** 27:15, 27:20

**long** 4:15, 5:25, 73:4,  
98:13  
**long-standing** 78:15  
**longer** 10:8, 17:17  
**Look** 21:13, 22:3, 22:10,  
40:21, 53:23, 54:11,  
58:15, 74:4, 88:25, 89:2,  
97:23  
**looked** 36:13, 36:17  
**Looking** 23:24, 34:8,  
41:20, 49:24, 62:17, 67:2,  
68:13, 70:9, 73:20  
**looks** 23:2  
**loop** 32:11  
**loose** 90:5  
**lose** 79:6, 89:20  
**loser** 14:24, 15:2, 15:3,  
18:24, 19:9, 19:14, 31:15,  
31:18, 32:22, 33:1, 64:17,  
70:18, 76:10, 76:15, 85:5,  
87:7, 90:16, 92:7, 94:8,  
96:1, 96:22  
**lost** 15:4, 30:19, 35:11,  
91:2  
**lot** 7:12, 65:1, 84:18  
**lots** 80:10  
**lower** 42:13  
**lucky** 93:22

## < M >

**M.** 2:3, 2:9  
**machine** 59:6, 59:8,  
69:11, 69:12  
**main** 7:17  
**major** 9:10, 10:5, 10:17,  
19:18, 29:24, 30:5, 31:20,  
33:21, 63:8, 63:17, 63:23,  
63:24, 69:3, 74:15, 81:20,  
85:6, 85:8, 86:8, 87:11,  
88:5, 88:6  
**makeup** 8:22  
**mandamus** 48:13  
**mandates** 92:7  
**mandatory** 90:10, 92:1,  
92:2  
**manning** 19:23  
**mark** 66:16  
**Marks** 34:4, 40:2  
**Martin** 21:24

**matched** 57:15  
**material** 48:9  
**materials** 95:23, 97:8  
**matter** 4:7, 31:4, 84:7  
**matters** 4:5  
**mean** 42:17, 52:24, 59:6,  
64:14, 75:21, 84:21, 87:8,  
90:3, 92:5, 93:14, 97:20  
**Mears** 1:32, 1:33, 98:23,  
100:11, 100:12  
**mearsreporting@comca**  
**st.net** 1:37, 100:16  
**Meeting** 50:14, 50:17,  
52:20, 52:25, 53:2, 53:4  
**meets** 5:5  
**member** 14:17, 19:7,  
19:18, 31:19, 33:2  
**members** 10:25, 20:6  
**memorandum** 97:14  
**mention** 68:6  
**mentioned** 20:12, 83:17  
**middle** 25:19  
**minor** 62:4, 63:9, 70:25,  
75:8, 88:5  
**minute** 79:1  
**minutes** 65:9, 76:21,  
83:10  
**mirror** 72:15  
**misled** 91:19, 93:21  
**missed** 48:11, 49:7  
**mix** 65:2  
**moment** 23:3, 34:20,  
38:18, 50:7, 81:21  
**Monday** 1:25, 83:13, 98:7  
**money** 23:22  
**months** 86:16, 89:7  
**moot** 66:1  
**morning** 98:2  
**motion** 58:12  
**move** 4:23, 21:15, 21:19,  
21:23, 60:19, 61:1, 61:22,  
89:12  
**moved** 4:25  
**Moving** 15:13  
**Ms** 32:7, 66:2, 68:8, 71:8,  
71:13, 71:18, 71:22, 82:5,  
83:14, 96:5  
**MUELLER** 2:10  
**multipurpose** 69:12  
**municipal** 14:19, 14:21,

19:6  
mute 66:1  
myself 20:7, 20:12, 32:6

< N >

**name** 19:1, 25:21, 29:1, 51:9, 77:13  
**named** 46:11  
**names** 25:23, 26:4, 27:19  
**narrow** 94:19  
**Neal** 1:7, 24:14, 56:7, 57:8, 74:11, 74:14, 87:4  
**necessarily** 62:24, 68:18, 76:2, 85:7  
**necessary** 71:24, 91:21, 93:20  
**need** 4:16, 21:5, 23:12, 23:21, 68:4, 73:13, 84:5, 86:21, 87:11, 88:12, 89:12, 90:23, 93:25, 95:12, 98:12  
**needed** 12:9, 44:7, 94:20  
**needs** 11:17, 27:5  
**neither** 83:2  
**New** 4:7, 22:13, 28:11, 54:18, 76:10, 76:14, 96:25, 97:1  
**next** 16:25, 18:6, 18:7, 18:11, 25:16, 34:9, 42:1, 42:9, 45:11, 46:25, 51:18, 55:15, 57:5, 57:6, 66:17  
**nine** 65:8  
**No.** 1:6, 13:3, 16:7, 17:1, 17:11, 29:16, 30:15, 34:3, 38:7, 38:13, 38:17, 40:5, 40:16, 44:19, 55:22, 61:19, 62:2, 70:19, 73:1, 75:16, 90:8, 92:19  
**Nobody** 64:23, 93:21  
**nominate** 53:5, 94:21  
**nominated** 19:4, 29:9, 29:10, 36:12, 47:22, 48:6, 48:11, 48:15, 49:1, 49:13, 50:3, 50:7, 51:12, 55:18, 55:24, 56:13, 78:14, 92:23, 95:1, 95:12  
**nominated.** 51:10  
**nominee** 80:19  
**nonfederal** 43:17

**nor** 19:3  
**normal** 27:1, 59:24  
**Normally** 8:18, 29:3  
**North** 7:18, 7:19, 7:23, 17:24  
**Notaries** 6:2, 6:20, 6:21  
**notarization** 95:23  
**notarized** 11:15, 11:24, 79:24, 88:13, 95:21  
**notary** 6:22, 34:11, 34:25, 35:22, 39:18, 41:10  
**note** 5:1, 5:3, 18:7, 21:16, 25:21, 37:7, 37:8, 41:21, 53:8  
**noteworthy** 15:24  
**Nothing** 79:24, 84:10, 84:11  
**Notice** 27:7, 39:3, 39:6, 44:9, 55:22, 55:25, 56:20, 56:23, 83:19  
**notification** 26:23  
**notified** 69:19  
**notify** 79:19  
**noting** 16:19, 16:20, 37:9  
**notion** 84:23, 93:8, 93:16  
**November** 6:13, 15:6  
**nowhere** 33:8  
**number** 15:23, 16:4, 16:5, 16:11, 16:13, 22:5, 22:6, 22:13, 22:16, 22:17, 22:18, 23:13, 25:3, 28:18, 28:22, 41:22, 41:23, 42:3, 42:7, 42:10, 43:21, 43:22, 53:15, 54:4, 54:8, 54:13, 54:14, 54:17, 54:18, 54:25, 55:4, 55:6, 57:8, 57:9, 70:7, 70:8, 75:1, 75:7  
**numbered** 10:21, 25:7, 28:2, 89:23  
**numbering** 21:1, 21:3  
**numbers** 16:15, 27:16, 27:20, 27:21, 60:21  
**numerous** 37:12  
  
< O >  
**o'clock** 42:18, 44:4, 44:18, 67:25, 95:20, 98:2  
**Obama** 80:9, 80:15,

85:24  
**object** 75:23  
**objected** 33:19  
**Objection** 4:24, 20:18, 29:12, 34:16, 35:3, 38:5, 40:1, 45:6, 58:10, 61:6, 61:13, 63:7, 75:15  
**objections** 25:12, 46:4, 76:12, 89:6, 89:7  
**Objectors** 2:7, 5:4, 58:11, 72:17, 94:18  
**observed** 91:23  
**Obviously** 38:4, 40:6, 98:18  
**occasions** 37:10  
**occupation** 51:10  
**Occupational** 7:9, 8:1  
**occurs** 78:19  
**offered** 36:11, 86:24, 97:19  
**offering** 6:11  
**Office** 7:17, 7:18, 7:19, 7:20, 7:21, 7:23, 7:24, 8:13, 8:16, 8:19, 8:23, 9:24, 16:17, 17:3, 17:23, 17:24, 19:2, 19:5, 20:13, 24:25, 29:21, 29:23, 37:16, 37:18, 46:9, 46:25, 57:12, 68:23, 69:13, 80:6, 81:14, 85:12, 95:25, 96:7, 97:3  
**offices** 6:12, 17:23, 21:18, 36:7, 39:21, 55:3, 79:20  
**officials** 6:14  
**often** 25:10  
**Olivia** 1:10, 24:16  
**Once** 30:25, 63:2, 63:6, 83:25, 98:21  
**One** 7:23, 9:4, 14:6, 17:3, 22:21, 24:24, 37:18, 39:8, 62:24, 64:8, 64:12, 67:22, 76:7, 88:22, 94:19  
**one.** 24:23, 59:7  
**ones** 72:22  
**open** 4:4, 73:12  
**operate** 62:5  
**opportunity** 32:6, 41:2, 59:24, 65:4, 98:8  
**opposed** 12:20, 90:17

**opposing** 92:15  
**Oprah** 86:2, 86:7, 86:14  
**order** 16:14, 22:12, 23:23, 25:3  
**original** 12:3, 12:16, 12:19, 13:9, 24:4, 28:5, 28:15, 33:7, 39:23, 41:17, 44:17, 48:9, 50:8, 50:23, 50:25, 51:1, 51:13, 60:8, 64:5, 79:2, 79:13, 88:14, 88:15, 93:24  
**originally** 70:1  
**others** 13:14, 82:10  
**out.** 92:18  
**outset** 30:10, 84:6  
**oversee** 6:18, 6:21  
**oversees** 7:12  
**oversight** 6:17, 6:24, 7:4, 23:2  
**overview** 6:5, 7:3  
**own** 88:9

< P >

**P-1** 3:5, 4:22, 4:25, 60:23, 61:3, 61:15, 61:23  
**P-10** 3:14, 53:17, 57:6, 61:23  
**P-11** 3:15, 10:21, 10:24, 13:1, 61:9, 61:13, 63:2, 63:3, 64:11, 65:3, 83:23, 84:4  
**P-12** 3:16, 46:13, 60:23, 61:4, 61:16, 61:22, 61:23  
**P-2** 3:6, 24:9  
**P-3** 3:7, 26:19, 26:21, 33:6, 34:9, 38:18, 61:4, 66:8  
**P-4** 3:8, 13:23, 36:18, 36:23, 37:1, 37:4, 69:23  
**P-5** 3:9, 49:20, 51:7, 70:21, 71:6  
**P-6** 3:10, 18:11, 32:16, 61:16, 61:23, 73:20, 73:21  
**P-7** 3:11, 21:19, 21:23, 23:5, 61:7, 61:13, 61:24, 65:2, 83:17, 84:3  
**P-8** 3:12, 21:13, 61:7, 61:13, 61:24, 65:3, 83:17,

84:3  
**P-9** 3:13, 58:2, 61:16, 61:23  
**p.m.** 1:27, 4:2, 17:25, 18:3, 42:14, 46:25, 58:7, 65:16, 65:17, 99:4  
**PA** 100:14  
**package** 72:17  
**packet** 28:12  
**PAGE** 2:20, 10:21, 14:1, 16:25, 18:6, 18:7, 22:22, 23:16, 24:21, 24:22, 25:7, 25:10, 25:11, 25:16, 25:17, 25:20, 25:23, 25:24, 28:9, 34:9, 39:1, 41:20, 42:1, 42:9, 44:8, 51:18, 52:5, 52:20, 52:21, 53:8, 54:12, 57:5, 57:6, 57:7, 58:15, 60:4, 66:9, 68:13, 89:20  
**page.** 89:20  
**pages** 13:8, 25:4, 25:6, 25:9, 26:5, 27:15, 28:2, 29:2, 33:8, 43:7, 43:8, 46:19, 46:20, 55:19, 56:6, 89:22  
**Papers** 6:19, 8:12, 8:18, 9:6, 13:9, 13:10, 15:14, 15:18, 17:1, 17:23, 19:4, 23:11, 25:1, 27:25, 28:2, 48:10, 53:24, 66:25, 67:15, 67:23, 68:18, 68:22, 70:14, 70:25, 80:5, 80:13, 85:2, 89:19, 94:15, 97:9  
**Papers.** 17:4, 18:1  
**paperwork** 26:24, 29:4, 67:16, 73:2, 78:1, 78:3, 95:13, 96:19  
**Paragraph** 14:15, 15:14, 16:24, 17:18, 17:21, 37:14, 38:8, 70:9, 70:11, 97:10  
**parallel** 72:10  
**parameters** 4:6, 76:4  
**paranoia** 94:3  
**Park** 1:35, 100:14  
**part** 28:12, 40:17, 61:8, 61:25, 79:13, 79:21, 83:21, 88:6

**participate** 9:20, 30:20  
**participation** 98:23  
**particular** 5:25, 14:1, 21:18, 22:4, 22:16, 24:1, 24:21, 25:11, 25:13, 26:10, 26:22, 28:9, 41:21, 43:6, 58:12, 75:2, 77:8  
**particularly** 91:23  
**parties** 9:10, 9:17, 10:5, 29:3, 29:24, 30:5, 33:21, 63:17, 63:23, 63:24, 69:3, 69:20, 70:25, 81:20, 85:6, 86:8, 87:9, 87:12, 88:5, 98:15, 98:22  
**parts** 51:25  
**party/political** 64:7  
**path** 21:6  
**PAUL** 1:15  
**pause** 30:19, 31:24, 38:19, 65:8  
**Pause.** 38:22  
**pended** 69:5, 69:9  
**Pending** 26:23, 26:24, 27:6, 27:7, 36:3, 39:2, 39:6, 40:3, 44:3, 44:5, 44:9, 44:11, 44:13, 55:14, 66:20  
**Pennsylvania** 1:1, 1:35, 2:5, 2:13, 5:5, 18:21, 42:11, 52:8, 53:10, 70:25, 88:7  
**People** 8:22, 9:5, 20:4, 25:2, 39:12, 40:7, 55:9, 56:13, 57:2, 59:14, 59:18, 59:19, 75:2, 75:6, 77:5, 80:11, 81:12, 81:17, 86:6, 86:16, 88:17, 89:24, 90:4, 91:12  
**per** 17:4, 28:15, 85:21, 96:16  
**percent** 16:11, 74:23, 74:24, 74:25  
**perfect** 39:4  
**perfectly** 71:12  
**perhaps** 82:7  
**period** 10:8, 14:17, 15:15, 15:16, 19:8  
**person** 14:16, 50:18, 67:14, 79:3, 79:12, 81:7, 92:20

**personally** 9:1, 26:9  
**perspective** 83:5  
**pertinent** 70:3  
**perverse** 87:4  
**Pete** 11:22  
**Petition** 1:15, 5:23, 6:9, 12:1, 19:17, 23:9, 24:25, 25:1, 25:13, 27:3, 30:10, 41:12, 45:4, 46:4  
**Petitioner** 13:23  
**Petitions** 6:19, 8:12, 8:14, 9:6, 9:9, 9:11, 9:19, 10:9, 10:17, 11:6, 11:7, 12:13, 12:17, 12:22, 12:23, 13:8, 19:2, 25:1, 49:5, 53:13, 64:21, 70:14, 82:19, 85:10, 89:19, 97:12  
**physical** 8:22  
**physically** 20:3, 20:13, 28:1, 59:8, 59:9, 85:21  
**picture** 58:9  
**piece** 97:11  
**pieces** 70:14  
**Pittsburgh** 2:13  
**Place** 14:9, 17:22, 50:14, 52:16, 52:20, 53:2  
**placeholder** 33:12, 34:7, 56:14, 68:24, 78:11, 78:20  
**placeholders** 80:12  
**play** 64:21  
**pleading.** 88:20  
**please** 5:9, 10:21, 26:19, 37:2, 37:4, 43:10, 52:22, 53:21, 66:9, 66:10  
**point** 5:6, 21:5, 51:14, 58:1, 62:23, 63:20, 71:11, 74:14, 82:3  
**point.** 63:25, 94:15, 97:23  
**policy** 12:15, 68:16, 68:21, 76:4, 81:2, 88:15, 94:2  
**Political** 9:12, 9:17, 10:2, 10:3, 14:5, 14:10, 14:17, 14:20, 18:13, 19:7, 19:11, 21:6, 22:24, 31:14, 32:16, 32:21, 32:25, 33:1, 33:2, 34:1, 37:17, 48:20, 48:21, 62:4, 63:18, 64:7, 71:3, 73:25, 74:20, 74:21, 75:8,

75:9, 77:1, 77:9, 86:2, 90:17, 90:18, 92:9  
**position** 5:24, 5:25, 6:2, 6:6, 19:11, 49:2, 51:14, 55:18, 77:14  
**positions** 83:24, 84:4  
**possession** 95:19  
**possibility** 57:18, 82:9, 92:22  
**possible** 68:5, 98:18  
**post-election** 18:22  
**pot** 65:2  
**potential** 86:22  
**pre-election** 18:21  
**preamble** 23:10  
**precedent** 91:16  
**precipitated** 58:13  
**precise** 35:11  
**predicate** 49:12  
**preliminary** 4:5  
**prepare** 27:11  
**prepared** 14:10, 27:8, 27:10, 64:25  
**prepares** 13:15  
**present** 13:23, 27:2  
**presented** 19:1, 28:13, 34:24, 59:25  
**preservation** 91:21  
**President** 16:16, 17:7, 21:17, 22:1, 22:2, 22:22, 24:13, 24:14, 25:25, 26:1, 29:11, 30:5, 30:6, 30:17, 33:22, 33:25, 36:5, 36:6, 37:24, 47:7, 51:19, 55:2, 56:3, 63:22, 71:4, 75:14, 77:2, 77:3, 77:6, 80:9, 80:10, 81:18, 86:5, 87:2, 90:25, 95:2, 95:5  
**Presidential** 10:16, 10:18, 11:2, 11:19, 11:21, 12:8, 26:25, 33:25, 40:4, 44:14, 50:3, 56:6, 57:15, 66:20, 67:3, 67:6, 71:1, 71:14, 71:15, 77:13, 78:10, 78:19, 79:3, 79:15, 80:2, 90:19, 95:18  
**pressure** 89:9, 89:11, 98:9  
**pretty** 16:13, 46:3, 90:8  
**prevailing** 76:17

**previous** 22:21, 25:24, 71:9  
**primaries** 78:23, 85:10  
**primary** 9:21, 9:23, 10:3, 14:18, 15:4, 15:8, 19:3, 31:20, 85:14, 90:3, 90:4  
**primary.** 19:8  
**print** 89:10  
**printer** 59:7  
**Prior** 6:3, 19:8, 60:15, 75:7, 98:2  
**priority** 30:22  
**probably** 55:13, 98:14  
**problem** 95:24, 96:5  
**procedure** 80:16  
**proceeding** 20:24, 29:15  
**proceedings** 65:16, 76:11, 99:4, 100:4  
**process** 6:9, 6:18, 6:21, 8:17, 9:16, 10:15, 11:6, 12:1, 13:14, 30:11, 45:5, 47:9, 47:21, 48:23, 62:18, 64:6, 74:19, 75:12, 75:17, 85:9, 86:20, 89:13, 90:19, 90:20, 92:12, 92:21, 96:12, 96:16, 96:17  
**processed** 20:21  
**processes** 47:10  
**processing** 6:21, 7:7  
**prodding** 96:8  
**Professional** 7:9, 7:13, 8:1  
**professions** 7:13  
**prolong** 97:14  
**proof** 98:6  
**properly** 36:4, 96:20  
**protection** 57:2, 64:14, 64:15, 87:14, 90:11  
**provide** 25:3, 29:25, 44:22  
**provided** 26:24, 69:6  
**provision** 32:20, 92:1, 92:2  
**provisions** 16:1, 18:18, 18:20, 91:18  
**PS** 36:9, 85:1  
**public** 14:11, 17:3, 18:14, 19:2, 37:16, 37:18, 46:3, 53:22  
**publishes** 13:12

**pull** 10:20, 26:18, 46:13, 49:20, 53:17, 58:2, 66:8, 70:21, 73:21, 91:3, 91:7, 97:3  
**pun** 31:5  
**pure** 86:1  
**purpose** 22:15, 25:8, 28:24, 72:20  
**purposes** 22:18, 35:24, 41:11, 55:1, 75:8  
**put** 15:24, 35:21, 36:3, 37:3, 54:9, 55:14, 72:24, 91:12, 91:13, 95:24, 97:9, 98:4

### < Q >

**qualified** 57:13, 84:4  
**qualifies** 19:19  
**qualify** 12:10, 17:17  
**question** 22:3, 29:17, 31:9, 32:5, 32:12, 35:12, 35:13, 35:14, 38:10, 40:20, 41:2, 45:7, 45:11, 45:15, 46:16, 46:18, 47:21, 48:4, 51:24, 62:3, 62:13, 69:1, 74:8, 76:23, 80:18, 83:20, 85:1, 85:14, 85:19, 91:9, 92:1, 94:14  
**questionable** 90:16  
**questioning** 40:24, 62:16, 65:13, 65:20  
**questions** 5:23, 21:9, 35:10, 40:9, 51:24, 60:18, 62:8, 62:24, 65:5, 75:23, 76:6, 81:23, 82:1  
**quick** 66:7, 89:13  
**quickly** 52:2, 89:12, 97:17, 98:6, 98:11  
**Quintana** 20:7  
**quite** 76:21, 91:6, 96:22, 96:23  
**quote** 35:20  
**quotes** 35:21

### < R >

**race** 16:12  
**raise** 4:7, 5:9, 84:9, 96:5  
**raised** 73:14, 76:15,

90:12  
**ran** 15:4, 70:25, 86:18  
**rather** 10:3, 41:3  
**Re** 1:4, 91:4  
**RE-EXAMINATION** 73:18  
**reached** 34:2  
**read** 5:2, 18:18, 50:1, 52:1, 91:16  
**readily** 18:8  
**reading** 44:13, 51:25  
**ready** 4:19, 65:19  
**real** 82:9, 86:21  
**really** 45:6, 57:3, 75:18, 77:5, 79:25, 84:25, 87:3, 87:11, 88:21, 91:3, 93:6  
**reason** 72:24, 84:21, 85:24, 95:10  
**reasons** 78:24  
**recall** 32:23, 35:13, 50:21, 67:18, 67:19, 67:20  
**recalled** 83:2  
**Receipt** 27:22, 39:24  
**receive** 60:8, 67:5, 70:24, 71:13  
**received** 29:6, 35:20, 36:2, 36:3, 56:1, 56:5, 56:12, 57:10, 57:20, 57:21, 60:7, 69:13, 71:6, 72:2, 75:7  
**receiving** 34:7, 35:23, 58:24  
**recently** 44:24  
**recessed** 65:17  
**recognize** 91:18  
**recollection** 68:1  
**reconvene** 65:9, 83:13  
**reconvened** 65:17  
**record** 68:5, 71:9, 72:20, 83:20, 83:21, 83:24, 84:4, 97:24, 100:6  
**recross** 73:16  
**red** 96:2  
**redirect** 73:16  
**reduce** 91:24  
**reduced** 16:15, 100:5  
**reference** 18:25, 19:9, 25:10, 50:12, 52:22, 62:8, 97:17  
**referring** 72:21

**reflect** 27:20  
**regardless** 75:9  
**registered** 5:4, 14:16, 19:6, 31:19, 74:15, 97:4  
**registration** 96:25  
**rehashing** 75:20  
**reject** 34:6, 36:1, 48:12, 48:14  
**rejected** 48:16, 48:17, 87:21, 87:22, 91:15  
**rejecting** 27:6, 93:25  
**rejection** 27:7  
**rejects** 49:6  
**related** 46:17, 91:10  
**relates** 61:10  
**relating** 5:23  
**relaxation** 45:3  
**release** 82:23  
**relevance** 20:19, 21:7  
**relevancy** 61:25, 63:7, 83:21, 84:3  
**relevant** 20:23, 29:15, 61:9, 61:10, 62:19, 63:14, 64:1, 64:3  
**rely** 94:18, 97:13  
**remember** 32:19  
**remotely** 88:16  
**render** 25:12  
**repeat** 35:13  
**rephrase** 47:20  
**replaying** 31:25  
**report** 22:18  
**reporter** 52:1, 100:3  
**Reporting** 1:33, 18:22, 100:12  
**represent** 9:24, 21:14, 25:18  
**Representative** 17:8, 27:24  
**Republican** 9:10, 9:17, 11:1, 11:12, 11:13, 15:8, 25:2, 30:13, 32:2, 63:13, 87:10, 92:15  
**Republicans** 10:5  
**request** 46:23  
**requested** 46:11  
**require** 12:3, 12:16, 12:19, 12:23, 13:9, 24:4, 25:2, 25:7, 51:1, 55:19, 64:4, 69:2, 76:2, 77:15,

81:21, 86:19, 92:4  
**required** 23:13, 23:20,  
29:24, 30:6, 32:8, 33:21,  
34:14, 34:24, 35:19, 41:7,  
41:9, 41:16, 41:19, 48:3,  
50:11, 51:15, 52:12,  
52:13, 63:22, 75:22, 81:8,  
87:5, 92:24  
**requirement** 14:22,  
28:16, 32:2, 33:24, 44:21,  
64:22, 93:18, 93:19  
**requirements** 15:22,  
15:23, 24:24, 45:4, 45:20,  
56:16, 93:24  
**requires** 19:10, 31:17,  
36:15, 43:17  
**requiring** 18:21, 36:6,  
81:20, 95:22  
**resignation** 50:13, 51:20  
**resolved** 27:5, 89:10,  
98:10  
**resource** 59:1, 59:5,  
59:8, 59:21  
**respect** 23:24, 29:17,  
31:14, 40:14, 76:9  
**responsibilities** 6:15  
**responsibility** 98:19  
**responsible** 54:20, 55:6  
**rest** 82:13, 97:15  
**restrictions** 95:24  
**resubmit** 72:20  
**review** 22:25, 23:8,  
23:17, 26:8, 26:9, 26:10,  
40:3, 44:14, 66:20  
**reviewed** 9:1, 26:16  
**reviewing** 6:19, 22:11,  
23:25, 42:21, 67:21  
**revised** 18:12, 74:5  
**Richard** 1:10, 24:16,  
42:10  
**right-hand** 68:14  
**road** 75:21  
**role** 6:5, 23:3, 29:20  
**Room** 8:11, 8:13, 17:24,  
20:3  
**row** 16:17, 21:18  
**RPR** 1:32, 100:11  
**rule** 14:24, 15:2, 15:3,  
18:25, 19:10, 19:14,  
31:15, 31:19, 32:22, 33:1,

64:17, 85:5, 87:7, 92:7,  
94:8  
**rules** 52:6, 52:8, 52:11,  
52:14, 53:6, 53:9, 53:10,  
62:5, 63:9, 76:12, 87:23,  
87:25, 92:23  
**run** 11:13, 15:5, 15:9,  
15:11, 19:19, 77:6, 85:13  
**Runkle** 1:9, 24:15, 25:22,  
26:1, 27:23, 28:1, 28:13,  
43:20, 43:21, 43:22,  
67:12, 67:14, 74:9, 82:16,  
82:18, 82:19, 82:23, 83:8,  
83:12, 83:16, 87:21, 94:9  
**running** 85:12, 86:7

### < S >

**sake** 52:1  
**sample** 36:13, 73:24  
**sampling** 25:19  
**sanctity** 91:22  
**Sanders** 75:14, 77:2,  
77:6, 77:15, 80:8, 80:15,  
80:19, 85:25  
**sat** 9:2  
**satisfied** 82:20  
**saved** 35:12  
**saying** 19:18, 32:8, 57:2,  
57:17, 57:18, 58:12,  
74:20, 81:9, 87:10, 88:6,  
89:21, 93:4, 93:8, 96:11  
**says** 14:5, 14:16, 17:1,  
17:2, 19:1, 30:17, 36:10,  
37:14, 37:21, 38:2, 38:3,  
39:2, 44:13, 49:6, 51:7,  
51:8, 66:19, 85:1, 85:16,  
85:21, 89:3, 89:14, 91:16,  
91:25, 92:5, 92:19, 94:6  
**scan** 59:13, 59:14  
**scanned** 59:15  
**scans** 59:11  
**Schmoe** 77:10, 77:12  
**screen** 13:2, 30:24, 31:1  
**screens** 31:4  
**Scroggin** 1:5, 24:14,  
25:21, 25:25, 50:5, 50:6,  
51:12, 53:9, 54:13, 56:2,  
58:4, 58:20, 58:22, 60:12,  
69:20, 72:6, 74:10, 74:14,

78:1, 79:12, 88:15, 93:18,  
96:12, 96:15, 96:20  
**scroll** 11:14, 15:20,  
24:21, 25:16, 25:20, 43:9,  
51:6, 52:7, 70:9  
**scrolling** 18:7  
**seal** 34:25, 35:22, 39:19,  
41:10  
**second** 28:8, 38:20,  
41:20, 48:18, 57:6, 58:15  
**secrecy** 91:21  
**Secretary** 11:3, 17:24,  
20:21, 24:24, 34:4, 35:24,  
53:9, 64:18, 90:22, 93:23,  
94:5, 97:2  
**Section** 18:20, 19:8,  
36:8, 36:15, 37:6, 38:3,  
97:17  
**security** 7:11  
**seeking** 45:3  
**seem** 28:25  
**seems** 45:13, 66:19  
**seen** 50:8, 51:13, 57:7  
**Senator** 9:25, 17:8  
**send** 96:4  
**Sending** 60:16, 90:8  
**sends** 88:12  
**sense** 57:1  
**sent** 46:9, 60:12, 89:1,  
89:14  
**separate** 7:24, 21:6, 47:9,  
47:19, 64:21, 70:16, 79:8,  
97:11  
**separately** 11:25, 72:25  
**sequence** 22:23  
**sequential** 22:12, 22:14  
**serves** 72:19  
**Services** 1:33, 100:12  
**session** 65:19  
**set** 6:12, 8:13, 17:4,  
17:18, 24:20, 57:22, 88:8,  
97:24  
**setting** 6:13, 22:19  
**setup** 8:21  
**seven** 46:7, 89:6  
**several** 20:6, 59:18  
**shall** 19:6, 36:10, 85:2,  
86:23, 97:18  
**Sheet** 13:20, 18:15,  
36:18, 36:19

**shocked** 90:22  
**shouldn't** 90:13  
**show** 21:1, 21:2, 85:7,  
94:24  
**showed** 48:8, 86:10,  
88:23  
**showing** 20:20, 63:15  
**side** 11:12, 24:23, 25:16,  
25:17, 34:11, 83:2  
**sides** 98:8  
**sigh** 45:25  
**sign** 9:18, 13:10, 17:3,  
37:18, 77:7, 82:8  
**signature** 11:21, 13:8,  
34:25, 35:22, 39:19, 40:9,  
41:10, 66:14, 86:22, 87:3  
**signatures** 9:19, 10:9,  
12:8, 12:9, 13:9, 16:16,  
23:1, 23:13, 24:22, 25:11,  
39:4, 40:8, 48:2, 55:19,  
75:10, 77:5, 79:2, 80:10,  
81:1, 86:5, 86:6, 86:11,  
86:16, 87:24, 92:17  
**signed** 9:19, 53:10,  
56:13, 92:20  
**signers** 15:22, 15:23,  
16:4, 16:5  
**significantly** 82:22  
**signing** 12:22  
**signs** 11:24  
**Silverdale** 2:5  
**similar** 57:12  
**similarities** 84:19  
**Similarly** 57:19  
**Simmons** 20:7  
**simply** 5:1, 15:15, 21:16,  
46:19, 63:15, 64:6, 64:17,  
86:13, 91:17, 93:21  
**sincerely** 82:3  
**single** 85:18, 87:3  
**single-page** 60:5  
**sir** 38:21, 47:13  
**sit** 60:9  
**site** 14:11  
**sitting** 69:16, 96:6  
**situation** 44:6, 86:8,  
86:11, 90:19, 90:24, 93:6  
**situations** 90:4  
**Sloane** 21:17, 21:24  
**slow** 52:2



**smidge** 76:19  
**so-called** 91:20  
**solely** 34:6  
**Somebody** 15:7, 24:25, 29:9, 40:10, 48:1, 49:1, 57:12, 77:13, 79:7, 81:1, 89:13, 89:18  
**someone** 15:3, 25:12, 27:2, 47:15  
**Sometimes** 9:5, 55:3, 55:13, 92:1  
**soon** 98:14, 98:20  
**sore** 14:24, 15:2, 15:3, 18:24, 19:9, 19:14, 31:15, 31:18, 32:22, 33:1, 64:17, 70:18, 76:10, 76:15, 85:5, 87:7, 90:16, 94:8, 96:1, 96:22  
**Sorry** 13:23, 14:4, 16:8, 19:15, 20:14, 26:13, 32:10, 43:3, 44:12, 49:6, 51:18, 52:21, 53:13, 55:4, 57:6, 57:21, 58:6, 61:21, 68:11, 77:21, 84:16, 93:23, 94:19  
**sort** 60:5, 69:15, 74:21, 87:11, 87:13, 92:6  
**source** 18:8  
**speaking** 31:2, 39:18, 53:8  
**specific** 11:19, 15:25  
**specifically** 16:25, 72:7, 73:25  
**spectator** 16:7, 16:8  
**spoke** 34:3  
**spring** 10:18  
**Stabile** 92:14  
**staff** 20:6, 55:7  
**stamp** 8:21, 9:3, 34:25, 42:13, 42:25, 43:15, 43:24, 58:7  
**stamped** 42:14, 44:1  
**stamper** 9:1  
**stand-in** 68:19  
**start** 4:4, 13:25, 67:18  
**starting** 6:8  
**stated** 83:24, 84:2  
**Statement** 7:14, 12:24, 16:1, 17:2, 17:9, 17:19, 19:12, 23:15, 23:21,

37:16, 37:22, 43:12, 43:16, 44:19, 44:22  
**statements** 44:23  
**States** 17:7, 24:14, 56:3  
**statewide** 74:23  
**status** 36:3, 55:14, 79:6  
**statute** 16:20, 37:8, 38:3, 43:17, 75:3, 76:5, 81:8, 85:22, 86:23  
**statutory** 16:1, 45:3, 45:20  
**Stefano** 1:15, 5:4  
**stenographic** 100:3  
**stenographically** 100:4  
**sticks** 97:6  
**stipulate** 46:14  
**stipulated** 28:12, 47:4  
**Stipulation** 4:22, 5:3, 64:25  
**strained** 21:8  
**strange** 28:25  
**strict** 46:3, 84:20  
**strike** 95:10  
**strongly** 82:7  
**stunning** 95:17  
**subject** 41:8, 98:19  
**submit** 12:12, 17:3, 17:8, 37:18, 37:22, 37:24, 46:4, 80:11, 90:15, 93:10, 95:3  
**submits** 79:2  
**submittal** 12:17  
**submitted** 24:10, 25:9, 26:4, 51:13, 72:7, 78:8, 79:13, 81:7  
**submitting** 28:25  
**Subsection** 36:9  
**subsequent** 91:18  
**subsequently** 69:19  
**substantial** 16:13  
**Substitute** 29:3, 29:5, 29:7, 29:9, 48:18, 48:25, 49:8, 49:10, 49:12, 49:21, 49:25, 51:21, 52:13, 53:5, 53:25, 54:17, 54:18, 55:23, 56:15, 69:1, 77:11, 77:20, 78:13, 78:22, 79:20, 80:15, 81:1, 81:3, 81:5, 81:11, 86:14, 92:10, 92:18, 92:25, 94:14, 94:23, 95:6, 95:7, 95:13

**substituted** 80:4, 92:11  
**substitutes** 79:7  
**substituting** 50:4  
**Substitution** 48:22, 49:13, 49:17, 49:21, 51:2, 52:12, 52:16, 70:24, 72:3, 78:16, 93:1, 95:11, 96:16, 96:19  
**substitutions** 71:2  
**suffices** 72:23  
**suggestion** 96:9  
**summation** 64:9, 84:6, 84:8, 84:12  
**summer** 87:16  
**supplemental** 67:23  
**support** 83:19  
**supposed** 52:14  
**Supreme** 76:13, 89:15, 91:2  
**Susan** 1:32, 100:11  
**swear** 5:9  
**switch** 54:14, 54:15  
**sworn** 5:10, 5:13, 5:16, 44:22  
**Syracuse** 28:11  
**system** 21:1, 21:3, 22:6, 77:8, 89:8, 97:3  
**systems** 22:20, 64:21  
  
< T >  
**table** 9:1, 9:3  
**talked** 18:24, 31:14, 48:1, 89:15  
**Taylor** 1:7, 24:15, 56:7, 57:8  
**technicalities** 91:20  
**Technically** 57:17  
**telephone** 31:3  
**teleworking** 20:11  
**tempted** 82:6, 82:22  
**tend** 34:18, 63:10, 63:13, 76:17  
**term** 14:25, 48:15, 68:20  
**terms** 40:12, 57:1, 64:21, 75:1, 75:6, 86:22, 90:6, 94:8  
**test** 85:11  
**testified** 5:17, 73:12, 88:13, 96:7

**testify** 82:10, 82:19, 83:11, 96:14  
**testimony** 63:1, 75:25, 83:18, 83:22, 84:1, 91:6, 96:21  
**text** 32:23  
**Thanks** 43:10  
**themselves** 62:2  
**theory** 45:7  
**thereafter** 100:5  
**therein** 36:12  
**thereto** 83:22  
**they'll** 29:4, 29:5  
**things.** 94:16  
**Third** 7:20, 19:16, 19:19, 29:3, 45:18, 51:18, 68:17, 87:9, 91:13  
**third-to-last** 51:8  
**this.** 94:1  
**Thomas** 1:16, 5:4  
**though** 21:5, 33:8, 51:12, 54:3, 80:24  
**thousands** 56:13, 86:5, 86:6, 86:16  
**three** 20:12, 46:19, 58:18  
**threw** 65:1  
**throughout** 63:16  
**throwing** 96:2  
**thrown** 97:5  
**ticket** 86:18  
**tied** 73:15  
**till** 67:24, 98:2  
**Time/date/place** 50:17  
**timely** 96:4  
**Timothy** 1:9, 24:15, 27:23  
**today** 60:9, 75:19, 80:17, 94:12  
**together** 89:23  
**tomorrow** 98:14  
**TONY** 1:16  
**took** 19:24, 25:19, 50:14, 51:14, 52:16, 53:2  
**top** 13:25, 14:4, 14:5, 18:12, 23:10, 25:24, 28:18, 42:4  
**total** 16:11  
**totally** 62:6  
**touched** 95:22  
**tracks** 36:13

**transcript** 100:6  
**transmitted** 46:21, 47:1, 67:8  
**treasurer** 24:15, 26:1  
**treat** 37:9  
**treats** 63:17  
**true** 40:8, 83:4, 100:6  
**truly** 83:20  
**Trump** 11:12, 85:25  
**trust** 85:11  
**truth** 29:19  
**try** 5:22, 76:23  
**trying** 21:2, 73:1, 79:22, 79:25  
**Tuesday** 58:17  
**turn** 18:11, 84:13  
**turned** 68:23  
**turning** 4:18  
**two** 8:9, 37:10, 43:8, 47:10, 47:19, 55:9, 64:21, 80:11, 80:14, 83:9, 95:11  
**type** 25:12, 57:22, 60:3, 77:15  
**types** 7:3  
**typewriting** 100:5  
**Typically** 22:14, 59:20

### < U >

**unanimously** 91:2  
**unconstitutional** 88:2  
**understand** 13:14, 40:16, 46:2, 49:24, 52:24, 61:24, 62:23, 68:19, 74:20, 75:3, 75:11, 75:13, 75:17, 76:3, 79:22, 79:25, 90:1, 97:23, 98:9  
**understandable** 71:12  
**understanding** 49:10, 51:11, 52:17, 53:2, 78:9  
**understood** 69:12  
**unilateral** 64:3  
**unilaterally** 63:20, 84:24  
**unique** 19:14, 19:17, 28:21, 85:6, 85:9, 87:8, 87:9  
**United** 17:7, 24:13, 56:3  
**unless** 72:23, 82:24, 82:25, 98:5  
**Unlike** 86:8, 86:11

**unsworn** 44:19, 44:23  
**Until** 36:3, 44:12, 44:15, 69:16, 79:6, 94:15  
**updated** 70:2  
**upper** 22:4, 27:15, 27:16, 74:4  
**using** 62:8, 68:24  
**usual** 96:17  
**utilize** 61:1, 82:9

### < V >

**Vacancy** 23:12, 50:13, 51:9, 94:22, 94:23  
**valid** 34:13, 34:21, 35:1, 39:13  
**vantage** 82:3  
**various** 7:13, 12:8, 13:10, 13:15, 54:1, 87:18  
**verification** 74:13  
**versus** 63:8  
**Via** 31:2, 67:10  
**Vic** 92:14  
**Vice** 16:16, 17:7, 21:17, 22:1, 22:2, 24:14, 25:25, 30:5, 33:22, 33:25, 36:4, 36:6, 37:24, 47:7, 51:19, 56:6, 57:15, 71:14, 77:3, 80:2, 80:9, 81:18, 95:2, 95:5  
**VIDEOCONFERENCE** 1:21  
**view** 34:23, 35:19, 79:15, 80:1  
**vote** 74:23  
**voted** 19:2  
**voter** 85:11, 96:25  
**voters** 5:5, 91:20  
**votes** 75:7  
**voting** 22:20, 85:13

### < W >

**Wait** 94:15  
**waiting** 69:9  
**waive** 64:13  
**waiver** 64:3  
**Walker** 1:9, 35:20, 36:21, 42:2, 42:6, 43:25, 47:6, 51:21, 53:15, 54:7, 57:10,

57:13, 57:21, 95:21, 96:5  
**wall** 97:5  
**wanted** 32:1, 32:11, 54:23, 71:11, 71:20, 82:14  
**wants** 49:25, 89:10  
**Warren** 11:11  
**watch** 51:23  
**Webex** 83:12  
**website** 18:9, 56:25  
**Wednesday** 98:16  
**week** 84:18, 88:22, 94:19, 95:5  
**weeks** 58:18  
**Weiss** 1:11, 24:16, 25:22, 26:2, 42:10  
**welcome** 82:5  
**West** 80:24  
**whatever** 9:25, 16:12, 32:4, 35:9, 39:4, 48:2, 50:9, 86:1, 88:19  
**whatsoever** 77:1, 90:6  
**Whereupon** 65:16, 99:4  
**Whether** 23:17, 34:20, 38:10, 39:13, 40:9, 48:3, 62:14, 62:16, 74:14, 89:25  
**whoever** 11:11, 11:12, 11:13, 77:12, 85:25, 86:2  
**whole** 12:1, 35:14, 61:1, 89:8, 90:19, 96:1, 97:17  
**wholly** 62:9  
**whom** 50:4  
**will** 4:3, 4:4, 5:3, 11:20, 19:12, 21:4, 25:21, 29:3, 29:21, 31:7, 40:20, 42:2, 45:10, 61:2, 64:10, 64:11, 65:9, 65:12, 66:7, 69:11, 70:15, 73:15, 84:3, 84:13, 97:14, 98:6, 98:14, 98:24  
**William** 21:17  
**willing** 94:13  
**window** 94:19  
**Winfrey** 86:2, 86:7, 86:14  
**winner** 9:23  
**withdraw** 55:20, 56:17, 56:19, 57:23, 71:9, 78:21, 79:7, 92:11  
**Withdrawal** 55:22, 55:25, 56:5, 56:12, 56:20, 56:23, 56:25, 57:22, 71:14, 72:2,

72:4, 96:15, 96:20  
**withdrawals** 72:7  
**withdrawing** 55:21, 56:2, 56:8, 57:3  
**withdrawn** 56:11, 78:1  
**withdraws** 55:17  
**withdrew** 57:20, 61:20, 78:2  
**within** 8:3, 12:9, 15:8, 69:12, 70:6  
**without** 34:25, 64:6, 96:25  
**witness** 4:20, 5:16, 35:9, 40:21, 40:23, 82:10, 82:13, 82:18  
**WITNESSES** 2:20, 4:8, 83:3  
**woman** 94:11  
**wonderful** 94:11  
**word** 70:10, 76:1, 76:8  
**words** 37:7  
**work** 39:12, 40:7, 59:5, 96:13, 96:17, 98:3, 98:24  
**worked** 73:4  
**workers** 59:11  
**working** 98:17  
**wrapped** 64:10

### < Y >

**Yake** 27:9  
**year** 6:3, 8:24, 10:13, 15:16, 18:2, 45:3, 70:3  
**year.** 14:21  
**years** 70:2, 70:8  
**Yep** 84:16  
**York** 28:11, 96:25, 97:1  
**yourself** 33:24, 34:2  
**Youtube** 65:8



**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

IN RE: NOMINATION PAPER OF	:	No. 460 M.D. 2020
ELIZABETH FAYE SCROGGIN ET	:	
AL.	:	
	:	Objections of Paul Stefano and
	:	Tony C. Thomas – Objectors

**JOINT STIPULATIONS OF FACTS**

1. Between March, 2020 and August 2, 2020, the Green Party of Pennsylvania (“GPPA”) circulated 710 signature pages for a nomination paper that included the following candidates ( listed as a slate): Elizabeth Faye Scroggin for President of the United States, Neal Taylor Gale for Vice President of the United States, Timothy Runkle for Pennsylvania State Treasurer, Olivia Faison for Pennsylvania Auditor General and Richard L. Weiss for Pennsylvania Attorney General.

2. On July 11, 2020, the national Green Party held a convention and nominated Howie Hawkins and Angela Walker as candidates for President and Vice-President of the United States, respectively.

3. On August 3, 2020, the deadline for filing a nomination paper, the GPPA filed in the filing office of the Secretary of State a nomination paper with 710 pages of signatures totaling 8551 signatures. The filing on August 3, 2020 is referred to as the “Nomination Paper.” Appended to the Nomination Paper were the following original candidate affidavits : (a) the candidate affidavit of Howie

Hawkins;(b) a purported candidate affidavit of Angela Walker which did not include a date or the signature or stamp of a notary; (c) the candidate affidavit of Timothy Runkle; (d) the candidate affidavit of Olivia Faison; and (e) the candidate affidavit of Richard L. Weiss. (*See* Exhibit B to Candidates' Reply to the Objectors Application for Summary Relief). No other candidate affidavits were appended to the Nomination Paper.

4. On August 10, 2020, Pennsylvania electors Paul Stefano and Tony C. Thomas ("Objectors"), registered voters in Pennsylvania, filed a Petition to Set Aside the Nominations of Ms. Scroggin, Mr. Gale, Mr. Runkle, Ms. Faison, Mr. Weiss, and the substitution and candidacy of Mr. Hawkins and Ms. Walker. ("7 Green Party Candidates").

5. On August 10, 2020, the GPPA filed with the Secretary of State a Substitution of Candidate Form, seeking to substitute Mr. Hawkins for Ms. Scroggin as a candidate for President of the United States, and Angela Walker for Neal Taylor Gale as a candidate for Vice President of the United States.

6. On August 25, 2020, the Department of State indicated that it had located a faxed affidavit from Ms. Scroggin in a room that receives faxes generally transmitted to the Department of State.

7. The Scroggin Affidavit was a facsimile.

8. The Scroggin Affidavit was not available for review by the public until its discovery on August 25, 2020.

9. The Nomination Paper did not include any affidavit, either original or a facsimile, of Neal Taylor Gale.

10. The Objectors have agreed that the Nomination Paper contains over 5000 valid signatures.

STIPULATED TO:

By: /s/ Lawrence M. Otter  
Lawrence M. Otter  
PA ID No. 31383  
P. O. Box 575  
Silverdale, PA 18962-0575  
(267) 261-2948  
larryotter@hotmail.com  
*Attorney for*  
*Respondents/Candidates*

By: /s/ Clifford B. Levine  
Clifford B. Levine  
Pa. ID No. 33507  
Alex M. Lacey  
PA ID No. 313538  
DENTONS COHEN & GRIGSBY P.C.  
625 Liberty Avenue, 5th Floor  
Pittsburgh, PA 15222-3152  
(412) 297-4900  
clifford.levine@dentons.com  
alex.lacey@dentons.com  
*Attorneys for Petitioners*

Dated: September 7, 2020

**Commonwealth of Pennsylvania 2020 NOMINATION PAPER**

NOTE: You must fill in all information in A, B & C before you begin collecting for signatures.

**OFFICIAL USE ONLY**

PETITIONER EXHIBIT  
P-2

**A. PREAMBLE**

**TO THE SECRETARY OF THE COMMONWEALTH:**

We, the undersigned, all of whom are qualified electors of Pennsylvania, of the County, and of the electoral district(s) designated below, hereby nominate the persons designated in "B" below as candidates representing the political body named herein, and also appoint the persons designated in "C" below as the committee authorized to fill any vacancy caused by the death or withdrawal of any such candidates.

- 1. Name of Political Body GREEN PARTY
- 2. County of Signers VENANGO

**B. CANDIDATE INFORMATION**

OFFICE TITLE	DISTRICT	NAME OF CANDIDATE	PLACE OF RESIDENCE			OCCUPATION
			House No.	Street or Road	City, Boro or Twp.	
President of the United States	statewide	Elizabeth Faye Scroggin	233	W Pennsylvania Ave	Downington	teacher
Vice President of the United States	statewide	Neal Taylor Gale	2214	Jenkintown Rd	Glenside	manager
State Treasurer	statewide	Timothy Runkle	15	Teakwood Circle	Elizabethtown	environmental consultant
Auditor General	statewide	Olivia Faison	5522	Spruce St.	Philadelphia	analytical chemist (retired)
Attorney General	statewide	Richard L. Weiss	107	Old Village Lane	Bethel Park	lawyer
Representative in the General Assembly	64	Michael Bagdes-Canning	264	East Unity Road	Emlenton	retired

**PRESIDENTIAL ELECTORS:**

NAME	RESIDENCE	OCCUPATION	NAME	RESIDENCE	OCCUPATION
1. Alan Earl Smith	31 Coffman Ave, Malvern	educator	11. Orville Christian Robinson	431 West Rittenhouse St, Philadelphia	clerk
2. Garret Michael Wassermann	1526 Vance Ave, Coraopolis	computer scientist	12. Douglas Michael Mason	1084 Ghaner Rd, Port Matilda	soil scientist
3. Charles Sherrouse	1434 Elbridge St, Philadelphia	home health aid	13. Olivia Faison	5522 Spruce St, Philadelphia	analytical chemist (retired)
4. Kristin Combs	3218 Cedar St, Philadelphia	executive director	14. Lon Robert Diffenderfer	510 W Main St #127, Thompsettown	none
5. John J Sweeney	303 How Kola Rd, Dalton	retired	15. Timothy Runkle	15 Teakwood Cir, Elizabethtown	environmental consultant
6. Jay Ting Walker	5806 Howe St #7R, Pittsburgh	community organizer	16. Neil Bryson Haagen, Jr.	554 Seibert Rd, Bellefonte	retired
7. Kelly Suezanne Kuzemchak	397 Dairy Rd, New Kensington	unemployed	17. Michael Bagdes-Canning	264 East Unity Rd, Emlenton	retired
8. Hillary Kane	5031 Catharine St, Philadelphia	higher ed administrator	18. Brian Philip Gillen	28 Towamencin Ave, Hatfield	retail
9. Tre Schumacher	1900 Olney Avenue, Philadelphia	student	19. Antonio Michael Solari	31 Coffman Ave, Malvern	student
10. Alexander David Noyle	904 Woodland Avenue, East Norriton	overnight stock associate	20. Jacob Belmonte	31 Coffman Ave, Malvern	pharmacy tech

**C. COMMITTEE TO FILL VACANCIES**

NAME OF COMMITTEE MEMBER	PLACE OF RESIDENCE		
	House No.	Street or Road	City, Boro or Twp.
1. Sheri L. Miller	2200	Bon Ox Road	Gettysburg
2. Tre Schumacher	1900	Olney Avenue	Philadelphia
3. Barbara Laxon	66	Main St	Bradford
4.			
5.			

**D. SIGNATURES OF ELECTORS**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
<i>Maech Cooley</i>	Maech Cooley	116	West 3rd	Oil City	7/24
<i>Paula Clements</i>	Paula Clements	430	Sunville Rd	Franklin	7/24
<i>Patricia Bell</i>	PATRICIA BELL	1347	Other St	Franklin	7/24
<i>Holly Bell</i>	Holly Bell	1347	Other St	Franklin	7/24
<i>Sara Wiegel</i>	SARA WIEGEL	710	EIK St	Franklin	7/25
<i>Ryan Wiegel</i>	Ryan Wiegel	710	EIK St	FRANKLIN	7/25
<i>Debra Wiselt</i>	Debra Wiselt	630	Pacific St	Franklin	7/25
<i>Lee Gilliland</i>	LEE GILLILAND	844	EIK St	Franklin	7/25

D. SIGNATURES OF ELECTORS (Continued)

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
	JESSICA CARRAL	927	ELK	FRANKLIN	7/24/20
	Ann S. McCauley	10.5	Poplar	FRANKLIN	7/24/20
	Shelly Winters	13	Pinoak	OC	7/25/20
	Alayna Earp	13	Pinoak	OC	7/25/20
	Christina Wiggins	1218	ETC	FRANKLIN	7/25/20
	ROBERT J. DOBLER	795	DEMATION HILL	Copperstown	7/25/20
	DENISE RIAL	430	PONELANE	FRANKLIN	7/25/2020
	Daniel Stevens	1404	New St.	FRANKLIN	7/25/2020
	Sheila Wofford	810	10 Arbor Cir	FRANKLIN	7/25/2020
	Sandra Troup	204	10 Arbor Cir	FRANKLIN	7/25/2020
	Chris Mooney	5241	Georgetown Rd	FRANKLIN	7/25/2020
	Cindy Fultz	85	Paul Revere	O.C.	7/25/2020
	Holly Warrington	1116	ELK ST	FRANKLIN	7/25/20
	JOHN C LACKAPS	1040	ELK ST	Franklin	7/25/2020
	JARVE W. THOMPSON	926	ELK ST.	Franklin	7/25/2020
	Michael Frederick	918	ELK ST.	Franklin	7/25/20
	Gabriela Frederick	918	ELK ST.	Franklin	7-25-20
	Sarah Mays	852	ELK ST	Franklin	7-25-20
	Jocelyn Deets	810	ELK ST.	FRANKLIN	7-25-20
	Terry Williams	817	ELK ST.	Franklin	7-25-20
	PEGGY COFFIN-PANDORF	817	ELK ST.	Franklin	7-25-20
	MARY S. JOHNSON	1047	ELK ST	Franklin	7/25-20
	Mark Elliston	205	Demation H	O.I. City	7/29/20
	Teresa Withersell	330	Flooders Rd	O.I. City	7/30/20
	RALPH MARY	133	ELDER	Embsen Twp	7/31/20
	JAMES ELLISON	901	ELK ST	Franklin PA	8/1/2020
	Karen Ellison	901	ELK ST	Franklin PA	8-1-2020

E. STATEMENT OF CIRCULATOR

I state that my residence is as set forth below; that the signers to the foregoing nomination paper signed the same with full knowledge of the contents thereof; that their residences are correctly stated therein; that they all reside in the county specified below; that each signed on the date set opposite his or her name; and that to the best of my knowledge and belief, the signers are qualified electors of the electoral districts designated in this nomination paper.

By signing below, I agree to submit to the jurisdiction of the Commonwealth of Pennsylvania, regarding any case or controversy arising out of my activities while circulating papers, which shall be governed by the laws of the Commonwealth of Pennsylvania.

Verango County  
County of Paper Signers' Residence

Michael Boydes Canning state that I am the person whom I represent myself to be herein, and I state that the information set forth in this section is true and accurate and made subject to the criminal penalties imposed by law for violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature:  Date: 8/1/2020  
MM/DD/YY

Address of Circulator: 264 East Unity Rd.  
Number Street  
Embsen PA 16373  
City, Boro or Twp. State Zip Code

NOTE: THIS STATEMENT MUST BE COMPLETED AFTER ALL SIGNATURES HAVE BEEN OBTAINED.



**Commonwealth of Pennsylvania 2020 NOMINATION PAPER**

**OFFICIAL USE ONLY**

NOTE: You must fill in all information in A, B & C before you begin collecting for signatures.

**A. PREAMBLE**

**TO THE SECRETARY OF THE COMMONWEALTH:**

We, the undersigned, all of whom are qualified electors of Pennsylvania, of the County, and of the electoral district(s) designated below, hereby nominate the persons designated in "B" below as candidates representing the political body named herein, and also appoint the persons designated in "C" below as the committee authorized to fill any vacancy caused by the death or withdrawal of any such candidates.

1. Name of Political Body GREEN PARTY

2. County of Signers Cumberland

**B. CANDIDATE INFORMATION**

OFFICE TITLE	DISTRICT	NAME OF CANDIDATE	PLACE OF RESIDENCE			OCCUPATION
			House No.	Street or Road	City, Boro or Twp.	
President of the United States	statewide	Elizabeth Paye Scroggin	233	W Pennsylvania Ave	Dewington	teacher
Vice President of the United States	statewide	Neal Taylor Gale	2214	Jenkintown Rd	Glenside	manager
State Treasurer	statewide	Timothy Runkle	15	Teakwood Circle	Elizabethtown	environmental consultant
Auditor General	statewide	Olivia Falson	5522	Spruce St	Philadelphia	analytical chemist (retired)
Attorney General	statewide	Richard L. Weiss	107	Old Village Lane	Bethel Park	lawyer

**PRESIDENTIAL ELECTORS:**

NAME	RESIDENCE	OCCUPATION	NAME	RESIDENCE	OCCUPATION
1. Alan Earl Smith	31 Coffman Ave, Malvern	educator	11. Orville Christian Robinson	431 West Rittenhouse St, Philadelphia	clerk
2. Garret Michael Wassermann	1526 Vance Ave, Coraopolis	computer scientist	12. Douglas Michael Mason	1004 Ghaner Rd, Port Matilda	soil scientist
3. Charles Sherrouse	1434 Elbridge St, Philadelphia	home health aid	13. Olivia Falson	5522 Spruce St, Philadelphia	analytical chemist (retired)
4. Kristin Combs	3218 Cedar St, Philadelphia	executive director	14. Lon Robert Diffenderfer	510 W Main St #127, Thompsontown	none
5. John J Sweeney	303 How Kola Rd, Dalton	retired	15. Timothy Runkle	15 Teakwood Cir, Elizabethtown	environmental consultant
6. Jay Ting Walker	5806 Howe St #7R, Pittsburgh	community organizer	16. Neil Bryson Haagen, Jr.	554 Seibert Rd, Bellefonte	retired
7. Kelly Suzanne Kazemchak	397 Dairy Rd, New Kensington	unemployed	17. Michael Bagdes-Canning	264 East Unity Rd, Emlenton	retired
8. Hillary Kane	5031 Catharine St, Philadelphia	higher ed administrator	18. Brian Phillip Gillen	28 Towamencin Ave, Hatfield	retail
9. Tre Schumacher	1900 Olney Avenue, Philadelphia	student	19. Antonio Michael Solari	31 Coffman Ave, Malvern	student
10. Alexander David Noyle	904 Woodland Avenue, East Norriton	overnight stock associate	20. Jacob Belmonte	31 Coffman Ave, Malvern	pharmacy tech

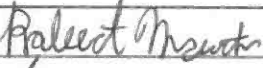
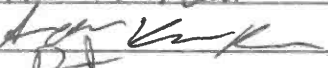

**C. COMMITTEE TO FILL VACANCIES**

NAME OF COMMITTEE MEMBER	PLACE OF RESIDENCE		
	House No.	Street or Road	City, Boro or Twp.
1. Sheri L. Miller	2200	Bon Ox Road	Gettysburg
2. Tre Schumacher	1900	Olney Avenue	Philadelphia
3. Barbara Laxon	66	Main St	Bradford
4.			
5.			

**D. SIGNATURES OF ELECTORS**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
	J.A. Brechtel	231	Walnut Dale	Shippensburg PA	7/23/20
	Logan Kelso	11	N Queen St	Shippensburg	7/23/20
	J.A. Brechtel	231	Walnut Dale	Shippensburg	7/23/20
	Melanie Kelso	11	N. Queen St.	Shippensburg PA	7/23/20
	Joseph Saliga	9	South Queen St.	Shippensburg	7/24/20
	Karlie A. Saliga	9	South Queen St.	Shippensburg	7/24/20
	Nathaniel Martin	10769	Newburg Rd	Roxbury	7/25/20
	Travis Kelso-Thrush	18	W. Clara Dr.	Shippensburg	7/25/2020

**D. SIGNATURES OF ELECTORS (Continued)**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
9. 	Robert Martin	10769	Newburg	Roxbury	7/25
10. 	Andrew Kelsa-Thoms	18	W. Clarissa Pr	Shippensburg	7-25-20
11. 	Brad Sharrah	2142	Lineal Way E	Chambersburg	7/25
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33.					
34.					
35.					

**E. STATEMENT OF CIRCULATOR**

I state that my residence is as set forth below; that the signers to the foregoing nomination paper signed the same with full knowledge of the contents thereof; that their residences are correctly stated therein; that they all reside in the county specified below; that each signed on the date set opposite his or her name; and that to the best of my knowledge and belief, the signers are qualified electors of the electoral districts designated in this nomination paper.

By signing below, I agree to submit to the jurisdiction of the Commonwealth of Pennsylvania, regarding any case or controversy arising out of my activities while circulating papers, which shall be governed by the laws of the Commonwealth of Pennsylvania.

Cumberland County  
County of Paper Signers' Residence

I, Timothy J. Ray, state that I am the person whom I represent myself to be herein, and I state that the information set forth in this section is true and accurate and made subject to the criminal penalties imposed by law for violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature:  Date: 7/25/2020  
MM/DD/YY

Address of Circulator: 15 Teakwood Cir  
Number Street  
ELIZABETHTOWN PA 17022  
City, Boro or Twp. State Zip Code

NOTE: THIS STATEMENT MUST BE COMPLETED AFTER ALL SIGNATURES HAVE BEEN OBTAINED.

# Commonwealth of Pennsylvania 2020 NOMINATION PAPER

**NOTE:** You must fill in all information in A, B & C before you begin collecting for signatures.

**OFFICIAL USE ONLY**

**A. PREAMBLE**

**TO THE SECRETARY OF THE COMMONWEALTH:**

We, the undersigned, all of whom are qualified electors of Pennsylvania, of the County, and of the electoral district(s) designated below, hereby nominate the persons designated in "B" below as candidates representing the political body named herein, and also appoint the persons designated in "C" below as the committee authorized to fill any vacancy caused by the death or withdrawal of any such candidates.

1. Name of Political Body GREEN PARTY
2. County of Signers Camden

**B. CANDIDATE INFORMATION**

OFFICE TITLE	DISTRICT	NAME OF CANDIDATE	PLACE OF RESIDENCE			OCCUPATION
			House No.	Street or Road	City, Boro or Twp.	
President of the United States	statewide	Elizabeth Faye Scroggin	233	W Pennsylvania Ave	Downington	teacher
Vice President of the United States	statewide	Neal Taylor Gale	2214	Jenkintown Rd	Glenside	manager
State Treasurer	statewide	Timothy Runkle	15	Teakwood Circle	Elizabethtown	environmental consultant
Auditor General	statewide	Olivia Faison	5522	Spruce St.	Philadelphia	analytical chemist (retired)
Attorney General	statewide	Richard L. Weiss	107	Old Village Lane	Bethel Park	lawyer

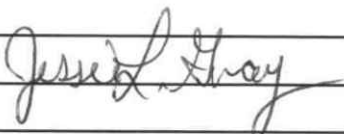
**PRESIDENTIAL ELECTORS:**

NAME	RESIDENCE	OCCUPATION	NAME	RESIDENCE	OCCUPATION
1. Alan Earl Smith	31 Coffman Ave, Malvern	educator	11. Orville Christian Robinson	431 West Rittenhouse St, Philadelphia	clerk
2. Garret Michael Wassermann	1526 Vance Ave, Coraopolis	computer scientist	12. Douglas Michael Mason	1084 Ghaner Rd, Port Matilda	soil scientist
3. Charles Sherrouse	1434 Elbridge St, Philadelphia	home health aid	13. Olivia Faison	5522 Spruce St, Philadelphia	analytical chemist (retired)
4. Kristin Combs	3218 Cedar St, Philadelphia	executive director	14. Lon Robert Diffenderfer	510 W Main St #127, Thompsettown	none
5. John J Sweeney	303 How Kola Rd, Dalton	retired	15. Timothy Runkle	15 Teakwood Cir, Elizabethtown	environmental consultant
6. Jay Ting Walker	5806 Howe St #7R, Pittsburgh	community organizer	16. Neil Bryson Haagen, Jr.	554 Seibert Rd, Bellefonte	retired
7. Kelly Suezanne Kuzemchak	397 Dairy Rd, New Kensington	unemployed	17. Michael Bagdes-Canning	264 East Unity Rd, Emlenton	retired
8. Hillary Kane	5031 Catharine St, Philadelphia	higher ed administrator	18. Brian Philip Gillen	28 Towamencin Ave, Hatfield	retail
9. Tre Schumacher	1900 Olney Avenue, Philadelphia	student	19. Antonio Michael Solari	31 Coffman Ave, Malvern	student
10. Alexander David Noyle	904 Woodland Avenue, East Norriton	overnight stock associate	20. Jacob Belmonte	31 Coffman Ave, Malvern	pharmacy tech

**C. COMMITTEE TO FILL VACANCIES**

NAME OF COMMITTEE MEMBER	PLACE OF RESIDENCE		
	House No.	Street or Road	City, Boro or Twp.
1. Sheri L. Miller	2200	Bon Ox Road	Gettysburg
2. Tre Schumacher	1900	Olney Avenue	Philadelphia
3. Barbara Laxon	66	Main St	Bradford
4.			
5.			

**D. SIGNATURES OF ELECTORS**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
1. 	Jessie L. Gray	206	BUTLER AVE	Johnstown	8/2/20
2.					
3.					
4.					
5.					
6.					
7.					
8.					

**D. SIGNATURES OF ELECTORS (Continued)**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
9.					
10.					
11.					
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35.					

**E. STATEMENT OF CIRCULATOR**

I state that my residence is as set forth below; that the signers to the foregoing nomination paper signed the same with full knowledge of the contents thereof; that their residences are correctly stated therein; that they all reside in the county specified below; that each signed on the date set opposite his or her name; and that to the best of my knowledge and belief, the signers are qualified electors of the electoral districts designated in this nomination paper.

By signing below, I agree to submit to the jurisdiction of the Commonwealth of Pennsylvania, regarding any case or controversy arising out of my activities while circulating papers, which shall be governed by the laws of the Commonwealth of Pennsylvania.

Cambria County  
County of Paper Signers' Residence

I, Richard Vincer, state that I am the person whom I represent myself to be herein, and I state that the information set forth in this section is true and accurate and made subject to the criminal penalties imposed by law for violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature: Richard Vincer Date: 8-2-20  
MM/DD/YY

Address of Circulator: 3234 Norfolk Ave  
Number Street  
Lorain Oh 44055  
City, Boro or Twp. State Zip Code

NOTE: THIS STATEMENT MUST BE COMPLETED AFTER ALL SIGNATURES HAVE BEEN OBTAINED.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
HARRISBURG, PENNSYLVANIA  
17120

OFFICE OF THE SECRETARY  
717-787-7630

BUREAU OF ELECTIONS  
& NOTARIES  
717-787-5280

**2020 NOMINATION PAPER PENDING NOTICE**

Name of Candidate Hawkins, Howe / Walker, Angela Log No. 2020C1459 / 2020C1460  
(Last Name) (First Name) (M.I.)

Date 8/3/20 No. of Nomination Paper Pages 710 Prepared By Adam Yake

Office: President of the United States / Vice-President of the United States

Political Body Name: Green

The Nomination Paper for the above listed candidate and office, which were submitted in this office on the date listed above, cannot be accepted for the following reason(s):

- Insufficient Number of Valid Signatures
- Invalid Candidate's Affidavit
- Untimely Filing
- Invalid Affidavit of Circulator
- Incomplete Preamble
- Filing Fee not submitted by Certified Check or Money Order
- Other: Pending review of Presidential Electors information

Comments:

If you have any questions regarding this notice, please feel free to call the Bureau of Elections and Notaries at (717) 787-5280.

Sincerely,

Jessica Mathis  
Director

Receipt acknowledged by: [Signature]

Date: 8/3/2020

PETITIONER EXHIBIT  
P-3

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation



POLITICAL BODY CANDIDATE'S AFFIDAVIT

202001459

COMMONWEALTH OF ~~PENNSYLVANIA~~ New York  
SS:

COUNTY OF Onondaga

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

23rd day of July

20 20

President of the United States  
Office/District

Howie Hawkins  
Signature of Candidate

Howie Hawkins  
Printed Name of Candidate

Howie Hawkins  
Name as it is to appear on the Ballot

410 W. Beard Ave., PO Box 562, Syracuse NY  
Street Address/Post Office/Zip Code 13205

Syracuse Onondaga  
City/Borough/Township County

Election District 4, Ward 19, City of Syracuse  
Election District of Candidate  
(District Where Registered To Vote)

315-200-6046  
Telephone Number

BRIANA LEE BUTLER  
NOTARY PUBLIC STATE OF NEW YORK  
MADISON COUNTY  
LIC. # 01BU6361589  
COMM. EXP. 07/10/2021

(SEAL)

Brian Lee Butler  
(Signature of Person Administering Oath)

My Commission Expires 07/10/2021

OFFICE USE ONLY

<input type="checkbox"/>	<input type="checkbox"/>	COUNTY CODE	\$	_____	F	<input type="checkbox"/>	M	<input type="checkbox"/>
				AMOUNT RECEIVED				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE	DISTRICT	POLITICAL PARTY	NUMBER OF PAPERS					
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>								COMMENTS
CHECKER			INPUT			VERIFY		

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation

PB

POLITICAL BODY CANDIDATE'S AFFIDAVIT

2020C1460

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF \_\_\_\_\_

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination positions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_

20\_\_\_\_\_

Vice President of the United States  
Office/District

Angela Walker  
Signature of Candidate

Angela Walker  
Printed Name of Candidate

Angela Walker  
Name as it is to appear on the Ballot

815 Royal St., apt. A, 29506  
Street Address Post Office Zip Code

Florence, Florence  
City/Borough/Township County

Florence 9  
Election District of Candidate  
(District Where Registered To Vote)

(Signature of Person Administering Oath)

My Commission Expires \_\_\_\_\_

414 218-4776  
Telephone Number

OFFICE USE ONLY

COUNTY CODE	\$	AMOUNT RECEIVED	F	M	COMMENTS
OFFICE	DISTRICT	POLITICAL PARTY	NUMBER OF PAPERS		
CHECKER	INPUT	VERIFY			

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation  
POLITICAL BODY CANDIDATE'S AFFIDAVIT

PB  
D

2020C1456

COMMONWEALTH OF PENNSYLVANIA  
SS:  
COUNTY OF Allegheny

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

22 day of JULY

20 20

Commonwealth of Pennsylvania - Notary Seal  
Jacqueline A. Smith, Notary Public  
Allegheny County  
My commission expires August 4, 2023  
Commission number 1201141

Member, Pennsylvania Association of Notaries

(SEAL)

*Jacqueline A. Smith*  
(Signature of Person Administering Oath)

My Commission Expires AUG 4 2023

Attorney General

Office/District

*Richard L. Weiss*

Signature of Candidate

Richard L. Weiss

Printed Name of Candidate

Richard L. Weiss

Name as it is to appear on the Ballot

107 Old Village Lane 15102

Street Address/Post Office/Zip Code

Bethel Park

Allegheny

City/Borough/Township

County

Bethel Park 03 03

Election District of Candidate

(District Where Registered To Vote)

(412) 831-2563

Telephone Number

OFFICE USE ONLY

COUNTY CODE

\$ 200.00  
AMOUNT RECEIVED

F

M

ATT

OFFICE

STW

DISTRICT

GLN

POLITICAL PARTY

710

NUMBER OF PAPERS

Comments grid

COMMENTS

CHECKER

*JN*

INPUT

VERIFY

2020 AUG -3 PM 5:29



# STATEMENT OF FINANCIAL INTERESTS

PLEASE PRINT NEATLY

01 LAST NAME FIRST NAME MI SUFFIX  
 W e i s s R i c h a r d L

02 ADDRESS office (business or governmental) or home City State Zip Code Area Code Phone  
 107 Old Village Lane, Bethel Park, PA 15102 (412) 831-2563

NOTE: IF YOU ARE INCLUDING ATTACHMENTS, DO NOT INCLUDE ANYTHING THAT BEARS YOUR SOCIAL SECURITY NUMBER OR FINANCIAL ACCOUNT NUMBERS.

03 STATUS Check applicable block or blocks, more than one block may be marked. (See instructions on page 2)

A  Candidate (including write-in) C  Public Official (Current) D  Public Employee (Current) E  Check this block if you are filing as a solicitor  Check this block if you are amending an original filing

B  Nominee C  Public Official (Former) D  Public Employee (Former)

04 PUBLIC POSITION OR PUBLIC OFFICE (administrator, member, Commissioner, job title, etc.)  seeking  hold  held

A A t t o r n e y G e n e r a l  seeking  hold  held

B R e p r e s e n t a t i v e G e n e r a l A s s e m b l y  seeking  hold  held

05 GOVERNMENTAL ENTITY in which you are/were an Official, Employee, Candidate or Nominee (e.g., dept, agency, authority, borough, board, commission, county, school district, etc.)

A S t a t e o f P e n n s y l v a n i a

B H o u s e D i s t r i c t 3 9

06 OCCUPATION OR PROFESSION (This may be the same as block 4) 07 YEAR SEE INSTRUCTIONS.  
 Lawyer Information in Blocks 8-15 represents disclosure for the calendar year listed here: 2019

08 REAL ESTATE INTERESTS (See instructions on page 2) IF NONE, check this box.

09 CREDITORS (See instructions on page 2) Creditor (Name and Address) IF NONE, check this box.   
 Name: PNC Bank (Car Loan) Address: 600 Grant St, Pittsburgh, PA 15219 Interest Rate: 4.85%

10 DIRECT OR INDIRECT SOURCES OF INCOME including (but not limited to) all employment. (See instructions on pg. 2) ONLY IF NONE check this block.  (OFFICIAL USE ONLY)

1. Eckert Seamans Cherin Mellott, LLC. Address: 600 Grant St, Pittsburgh, PA 15219  
 2. Special Counsel, Inc. Address: 555 Grant Street, Pittsburgh, PA 15219

11 GIFTS (See instructions on page 2) IF NONE, check this box.   
 Source of Gift: Value of Gift:  
 Address of Source of Gift: Circumstances (including description) of Gift:

12 TRANSPORTATION, LODGING, HOSPITALITY (See instructions on page 2) IF NONE, check this box.   
 Source (Name and Address): Value:

13 OFFICE, DIRECTORSHIP, OR EMPLOYMENT IN ANY BUSINESS (See instructions on page 2) IF NONE, check this box.   
 Business Entity (Name and Address): Position Held (i.e., officer, director, employee, etc.)  
 Name: 1. Eckert Seamans Cherin Mellott, LLC. Address: 600 Grant Street, Pittsburgh, PA 15219 Employee  
 Name: 2. Special Counsel, Inc. Address: 555 Grant Street, Pittsburgh, PA 15219 Employee

14 FINANCIAL INTEREST IN ANY LEGAL ENTITY IN BUSINESS FOR PROFIT (See instructions on page 2) IF NONE, check this box.   
 Name and Address of Business: Interest Held (i.e., 5%, 10%, etc.):

15 BUSINESS INTERESTS TRANSFERRED TO IMMEDIATE FAMILY MEMBER (See instructions on page 2) IF NONE, check this box.   
 Business (Name and Address): Interest Held Relationship Date Transferred  
 Transferee (Name and Address):

The undersigned hereby affirms that the foregoing information is true and correct to the best of said person's knowledge, information and belief; said affirmation being made subject to the penalties prescribed by 18 Pa.C.S. §4904 (unsworn falsification to authorities) and the Public Official and Employee Ethics Act, 65 Pa.C.S. §1109(b).

Signature Richard L. Weiss Enter Current Date July 22, 2020

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR RECORDS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation

P B

POLITICAL BODY CANDIDATE'S AFFIDAVIT

2020C 1457

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Philadelphia SS:

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

25<sup>th</sup> day of July

2020

Auditor General  
Office/District  
Olivia Faison  
Signature of Candidate

Olivia Faison  
Printed Name of Candidate

Olivia Faison  
Name as it is to appear on the Ballot

5522 Spruce St. 19139  
Street Address/Post Office/Zip Code

Philadelphia  
City/Borough/Township County

(SEAL)

PHILA WD60 DIV 17  
Election District of Candidate  
(District Where Registered To Vote)

215-748-4910  
Telephone Number

Madeline R Cantor

COMMONWEALTH OF PENNSYLVANIA  
Notary Public  
MADELINE R. CANTOR, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires Sept. 29, 2020

My

OFFICE USE ONLY

<input type="checkbox"/>	COUNTY CODE	\$ <u>200</u>	F <input checked="" type="checkbox"/>	M <input type="checkbox"/>
<input type="checkbox"/>	AMOUNT RECEIVED			
<u>AKG</u>	<u>STW</u>	<u>GRW</u>	<u>710</u>	
OFFICE	DISTRICT	POLITICAL PARTY	NUMBER OF PAPERS	

COMMENTS

CHECKER	INPUT	VERIFY
<u>JM</u>		

PHILA WD60 DIV 17  
-3 PH 5:29

# STATEMENT OF FINANCIAL INTERESTS

PLEASE PRINT NEATLY

01 LAST NAME FIRST NAME MI SUFFIX

FAISON OLIVIA D

02 ADDRESS office (business or governmental) or home

5522 Spruce St. Philadelphia PA Zip Code 19139 Area Code (215) Phone 748-4912

NOTE: IF YOU ARE INCLUDING ATTACHMENTS, DO NOT INCLUDE ANYTHING THAT BEARS YOUR SOCIAL SECURITY NUMBER OR FINANCIAL ACCOUNT NUMBERS.

03 STATES  Check applicable block or blocks, more than one block may be marked. (See instructions on page 2)

A  Candidate (including write-in) C  Public Official (Current) D  Public Employee (Current) E  Check this block if you are filing as a solicitor

B  Nominee C  Public Official (Former) D  Public Employee (Former)  Check this block if you are amending an original filing

04 PUBLIC POSITION OR PUBLIC OFFICE (administrator, member, Commissioner, job title, etc.)  seeking  hold  held

A AUDITOR GENERAL

B  seeking  hold  held

05 GOVERNMENTAL ENTITY in which you are/were an Official, Employee, Candidate or Nominee (e.g., dept, agency, authority, borough, board, commission, county, school district, twp, etc.)

A

B

06 OCCUPATION OR PROFESSION (This may be the same as block 4)

Analytical Chemist (Retired)

07 YEAR SEE INSTRUCTIONS. Information in Blocks 6-15 represents disclosure for the calendar year listed here: 2020

08 REAL ESTATE INTERESTS (See instructions on page 2) IF NONE, check this box.

09 CREDITORS (See instructions on page 2) Creditor (Name and Address) IF NONE, check this box.

Name: U.S. Dept of Education Address: \_\_\_\_\_ Interest Rate: \_\_\_\_\_

Student loans dating from 1985.

10 DIRECT OR INDIRECT SOURCES OF INCOME including (but not limited to) all employment. (See instructions on pg. 2) ONLY IF NONE, check this block.

Name: Social Security Address: \_\_\_\_\_

(OFFICIAL USE ONLY) 30

11 GIFTS (See instructions on page 2) IF NONE, check this box.

Source of Gift \_\_\_\_\_ Value of Gift \_\_\_\_\_

Address of Source of Gift \_\_\_\_\_ Circumstances (including recipient) of Gift \_\_\_\_\_

12 TRANSPORTATION, LODGING, HOSPITALITY (See instructions on page 2) IF NONE, check this box.

Source (Name and Address) \_\_\_\_\_ Value \_\_\_\_\_

13 OFFICE, DIRECTORSHIP, OR EMPLOYMENT IN ANY BUSINESS (See instructions on page 2) IF NONE, check this box.

Business Entity (Name and Address) \_\_\_\_\_ Position Held (i.e., officer, director, employee, etc.) \_\_\_\_\_

Address: \_\_\_\_\_

14 FINANCIAL INTEREST IN ANY LEGAL ENTITY IN BUSINESS FOR PROFIT (See instructions on page 2) IF NONE, check this box.

Name and Address of Business \_\_\_\_\_ Interest Held (i.e., 5%, 10%, etc.) \_\_\_\_\_

15 BUSINESS INTERESTS TRANSFERRED TO IMMEDIATE FAMILY MEMBER (See instructions on page 2) IF NONE, check this box.

Business (Name and Address) \_\_\_\_\_ Interest Held \_\_\_\_\_

Transferee (Name and Address) \_\_\_\_\_ Date Transferred \_\_\_\_\_

The undersigned hereby attests that the foregoing information is true and correct to the best of said person's knowledge, information and belief, said statement being made subject to the penalties provided in 18 Pa.C.S. 5429 (relating to perjury) and the Public Official and Employee Ethics Act, 65 Pa.C.S. 54100(b).

Signature: Olivia Faison Enter Current Date: 7/25/2020

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR RECORDS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation



POLITICAL BODY CANDIDATE'S AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

2020C 458

SS:

COUNTY OF Lancaster

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below. that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

31<sup>st</sup> day of July  
2020

Commonwealth of Pennsylvania - Notary Seal  
Sophia S. Wright, Notary Public  
Dauphin County  
My commission expires August 13, 2023  
Commission number 1292581  
Member, Pennsylvania Association of Notaries

(SEAL)

(Signature of Person Administering Oath)

My Commission Expires 8/13/2023

State Treasurer  
Office/District  
Timothy Rankle  
Signature of Candidate  
Timothy Rankle  
Printed Name of Candidate  
Timothy Rankle  
Name as it is to appear on the Ballot  
15 Teakwood Cir 17022  
Street Address/Post Office/Zip Code  
Elizabethtown Lancaster  
City/Borough/Township County

Elizabethtown Borough 3rd Ward 2nd Precinct  
Election District of Candidate  
(District Where Registered To Vote)  
(717) 773-1880 Tim@LancasterGreenParty.org  
Telephone Number

OFFICE USE ONLY

316 COUNTY CODE \$ 200.00 AMOUNT RECEIVED F  M   
OFFICE TE DISTRICT 5CM POLITICAL PARTY CPRN NUMBER OF PAPERS 11710  
COMMENTS  
CHECKER JM INPUT VERIFY

9/28 AM 11:29  
3 PM 5:29

# Statement of Financial Interests

IN ORDER TO FUNCTION PROPERLY, THIS FORM REQUIRES INTERNET EXPLORER 4 AND ABOVE, GOOGLE CHROME, OR MOZILLA FIREFOX.  
THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK IS NOT COMPLETED OR IF CONFIRMATION OR SIGNATURE IS MISSING.

AFTER SUBMITTING THE FORM, YOU CAN OBTAIN AN OFFICIAL COPY FROM THE STATE ETHICS COMMISSION'S LIBRARY AT [HTTP://WWW.ETHICSINDINGS.STATEPA.IL.US](http://WWW.ETHICSINDINGS.STATEPA.IL.US). YOU MAY ALSO SELECT YOUR E-MAIL ADDRESS BELOW FOR AN OFFICIAL COPY TO BE SENT VIA E-MAIL.

PRINTING THIS FORM FROM YOUR WEB BROWSER DOES NOT CONSTITUTE AN OFFICIAL COPY OF YOUR FILING.

THOSE REQUIRED TO FILE FOR MORE THAN ONE POSITION MUST FILE IN ALL FILING JURISDICTIONS FOR ALL SUCH POSITIONS.

## THIS FORM MUST BE COMPLETED AND FILED:

**A. Candidates** - Persons seeking election, state, county, and local public offices or sitting first time candidates incumbents seeking re-election and write-in candidates who do not declare a candidacy/election within 30 days of official certification of name.

**B. Nominees** - Persons nominated for public office subject to confirmation.

**C. Public Officials** - Persons serving as current state, county, and local public offices, either a appointive. This term includes persons serving as trustees, executors. The term excludes members of purely advisory boards.

**D. Public Employees** - Individuals employed by the State or local government or a political subdivision who are responsible for making recommendations, either written or oral, with regard to the awarding of a contract.

The term does not include persons whose activities are limited to teaching a person or an other activity where the official action has an economic impact of greater than a de minimis nature or the interests of any person. The term does not include persons whose activities are limited to teaching.

**A former public official or former public employee must file the year after termination of service with the governmental body.**

**E. Solicitors** - Persons elected or appointed to the office of solicitor for political subdivision(s).

Important: Please save all e-mails sent to you in a safe place. If you see e-mails from the State Ethics Commission, please click on the "Yes" link in each section or to view the e-mail. A set of instructions in a second browser window, click on the "Yes" link to view the e-mail. The State Ethics Commission at 717-793-4111. To file at 1-800-032-0300.

This Form requires the filing of a statement of financial interests under the State Ethics Act 85 Pa.C.S. § 101 et seq.

Please check below if you have read and understand the above terms. \*

Yes I have read and understand the above the terms.

Are you attending a prior filing? \*

No

01 Name

First Name \*  Family

Last Name \*  Runkle

Middle Initial

Suffix

2020 AUG -3 PM 5:29

717-

Name\* Mechanics of Finance Dept Union

Address

City\* Mechanicsburg

State\* PA

Zip Code

Interest Rate\* 8.25  
Select

Name\* Sunbelt Mortgage Company

Address

City\* Juntura

State\* OR

Zip Code

Interest Rate\* 7  
Select  
Select the % write

Name\* Northwest Bank

Address

City\*

State\* PA

Zip Code

Interest Rate\*

### 10 Direct or Indirect Sources of Income

Do you have any reportable direct or indirect sources of income?

Yes

Source of Income

Name\*

Address\*

Restor  
2018

2018

# POLITICAL BODY

## NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB)

### PLEASE READ CAREFULLY

In addition to political party nominations made at primaries, the Election Code permits political bodies to nominate candidates for public offices by filing political body nomination papers. Political body nomination papers should not be used to nominate political party candidates for the primary or to nominate minor political party candidates.

- 1. INSTRUCTIONS FOR COMPLETING PREAMBLE (Section A):** *Name of Political Body* – All nomination papers must specify the name of the Political Body which the candidate(s) represent. Such name cannot be more than three (3) words and cannot use words identical with, or deceptively similar to, any words used in the name of an existing political party, or of any political body which has already filed nomination papers for the same office(s). *County of Signers* – Nomination papers may be on one or more sheets (each copy of the two-sided form is considered a “sheet”). However, different sheets must be used for signers residing in different counties. Insert the county of residence (only one) of the electors signing each sheet.
- 2. INSTRUCTIONS FOR COMPLETING CANDIDATE INFORMATION (Section B):** The name of each candidate, and his/her occupation and place of residence must be listed. The correct title of the office which each such candidate is seeking must be indicated with the appropriate district number. NOTE: More than one candidate may be nominated by one set of nomination papers, provided that all the signers are eligible to vote for all offices for which such nominations are made. If candidates for the offices of President and Vice-President of the United States are being nominated, the nomination paper must contain the names, residences and occupation of 20 presidential electors.
- 3. DISAFFILIATION:** Any person who is a registered and enrolled member of a political party during any period of time beginning with thirty (30) days before the primary and extending through the General or Municipal Election is not eligible to be the candidate of a political body in the General or Municipal Election held in the same year.
- 4. INSTRUCTIONS FOR COMPLETING COMMITTEE TO FILL VACANCIES (Section C):** A committee of three (3) to five (5) persons must be listed on the nomination papers in the spaces provided. The names of the committee members must be listed on each page of the nomination paper. This committee is empowered to nominate persons to fill a vacancy in the nomination should it occur. The Pennsylvania Election Code does not specify the qualifications of the members of this committee.
- 5. CIRCULATION OF NOMINATION PAPERS:** Signatures may be secured only between the tenth Wednesday before the primary and August 1 of each year (see the Important Dates to Remember). For 2020, the circulation period begins on February 19 and ends on August 3. As August 1 is a Saturday, the deadline moves to the next business day August 3, which is the deadline to file all nomination papers. For the circulation period for a special election, contact the Bureau of Election Services and Notaries.
- 6. SIGNERS:** Signers must be qualified, registered electors of the Commonwealth and of all electoral districts referred to in the nomination paper sheet they have signed. Each signer must personally sign his/her name, insert his/her printed name, place of residence and the date of signing. (NOTE: The name of the City, Borough or Township must be given, as well as the street address, if any. The date of signing may be expressed in words or numbers, e.g. – February 19, 2020 or 2/19/20.) As a result of a federal district court order, the Secretary of the Commonwealth **is not enforcing the prohibition on signing more nomination papers than there are persons to be elected and offices to be filled** in section 951(c) of the Pennsylvania Election Code, 25 P.S. § 2911(c), to nomination papers filed by the Green Party and the Libertarian Party. *See Green Party of Pa. v. Aichele*, 89 F. Supp. 3d 723 (E.D. Pa. 2015). Because having different nomination requirements for different political bodies raises equal protection concerns under both the Federal and State Constitutions, and because other political bodies would likely be able to obtain relief similar to that already afforded to the *Green Party* plaintiffs, **the Secretary has decided to apply the reasoning of the *Green Party* decision to all nomination papers submitted by political bodies.**
- 7. NUMBER OF SIGNERS:** As a result of a federal district court order, the Secretary of the Commonwealth **is not enforcing the two percent calculation contained in Section 951(b) of the Pennsylvania Election Code, 25 P.S. § 2911(b), for offices to be filled by the voters of the entire State** to nomination papers filed by the Constitution Party, the Green Party and the Libertarian Party. *See Constitution Party of Pa. v. Cortés*, No. 12-2726 (E.D. Pa. Feb. 1, 2018). Rather, candidates for all statewide offices must gather 2,500 signatures, except for the offices of President of the United States, United States Senator, or Governor, which require 5,000 signatures. Please refer to signature requirements for statewide offices on page 2. Because having different nomination requirements for different political bodies raises equal protection concerns under both the Federal and State Constitutions, and because other political bodies would likely be able to obtain relief similar to that already afforded to the *Constitution Party* plaintiffs, **the Secretary has decided to apply the new signature requirements to all nomination papers for all political bodies for statewide candidates.** However, notwithstanding the decision of the Secretary of the Commonwealth to apply the lower signature requirement to all nomination papers for all political bodies for statewide candidates, it remains possible that individual qualified electors may file objections to nomination papers in court on the basis that the federal court order does not expressly apply to statewide political body candidates other than the three political bodies who brought the litigation. In the event that objections to a nomination paper were filed by a qualified elector, the court would determine on its own authority whether to enforce the signature requirement imposed by section 951(b).

For all other nominations, the minimum number of signatures required is two percent of the largest entire vote cast for any officer (except a judge of a court of record) elected at the last preceding election held in the same electoral district, but it may not be less than the number required for nomination petitions for political party candidates for the same office (exceptions to this rule apply to new electoral districts.) The Bureau of Elections and Notaries will furnish the figures for all offices for which nomination papers are filed with the Secretary of the Commonwealth. For other offices, consult your County Board of Elections.

PETITIONER EXHIBIT

P-4

8. **STATEMENT OF CIRCULATOR:** *Every* sheet of the nomination paper must have the "Statement of Circulator" filled in and signed *after* all signatures have been obtained. Recent amendments to section 951(d) of the Pennsylvania Election Code, 25 P.S. § 2911(d), have eliminated the **in-state residency requirement** and the **affidavit requirement** for circulators of nomination papers for all political bodies.
9. **ASSEMBLING NOMINATION PAPERS:** When more than one page is used, they must be fastened or bound together, and each page must be numbered consecutively.
10. **CANDIDATE'S AFFIDAVIT AND ETHICS STATEMENT:** Each candidate for public office must sign and submit *one* CANDIDATE'S AFFIDAVIT per set of nomination papers. The CANDIDATE'S AFFIDAVIT is a separate form and may be obtained from the **Bureau of Election Services and Notaries, Room 210 North Office Building, Harrisburg, PA 17120**. Each candidate for public office, except President and Vice-President of the United States, United States Senator and Representative in Congress, must submit with their nomination papers a copy of the Statement of Financial Interests required to be filed with the State Ethics Commission. The original copy of the Statement of Financial Interests must be filed with the State Ethics Commission.
11. **FILING FEES:**
  - a) For Statewide offices (President of the United States, United States Senator, Attorney General, Auditor General, State Treasurer) – \$200.00; Representative in Congress – \$150.00; and Senator or Representative in the General Assembly - \$100.00.
  - b) The filing fee for offices specified in (a) must be presented with the nomination paper and must be made by CERTIFIED CHECK or MONEY ORDER payable to the Commonwealth of Pennsylvania. A separate filing fee must be submitted for each candidate named in the nomination paper.
12. **TIME AND PLACE TO FILE:** Nomination papers for all offices listed in 11 (a) are filed in the office of the Secretary of the Commonwealth, at **Room 210 North Office Building, Harrisburg, PA 17120**, and must be filed by 5:00 P.M. on the deadline to file nomination papers. Nomination papers for local offices are filed in the Office of the County Board of Elections.

**SIGNATURE REQUIREMENTS FOR STATEWIDE OFFICES  
GENERAL ELECTION – NOVEMBER 3, 2020**

<u>Office</u>	<u>Signatures</u>
President of the United States	5,000
Attorney General	2,500
Auditor General	2,500
State Treasurer	2,500

\* These signature requirements have been updated as a result of a federal district court order that established new signature requirements for nomination papers filed by statewide candidates from the Constitution Party, the Green Party and the Libertarian Party. *See Order, Constitution Party v. Cortés*, No. 12-2726, Doc. No. 97 (E.D. Pa. June 30, 2016). Because having different nomination requirements for different political bodies raises equal protection concerns under both the Federal and State Constitutions, and because other political bodies would likely be able to obtain relief similar to that already afforded to the *Constitution Party* plaintiffs, **the Secretary of the Commonwealth has decided to apply the new signature requirements to all nomination papers submitted by statewide political body candidates.**





POLITICAL BODY NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB) X



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[\(mpp\) general instructions - Pennsylvania Department of State](#)NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB) ... to nominate candidates for public offices by filing **political body nomination papers**.

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[\(mpp\) general instructions - Pa Department of State](#)Feb 19, 2020 - NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB) ... to nominate candidates for public offices by filing **political body**

www.buckscounty.org &gt; docs &gt; default-source &gt; boe PDF

[commonwealth of pennsylvania - Bucks County](#)NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB) ... Election Code permits **political bodies** to nominate candidates for public offices by filing ...

images.wikia.com &gt; fixpa &gt; images &gt; Elecform PDF

[Elecform.pdf](#)Read the **General Instructions** on Side 2 carefully before you fill in Sections A., Band C, and before you circulate the **nomination paper** for signatures. 2. ... below as candidates representing the **political body** named herein, and also appoint ... **DSBE 210-C PB** (rev. ... (each copy of this two-sided form is considered a "**sheet**").

www.pdfFiller.com &gt; 476278404-POLITICAL-BODY-

[Fillable Online POLITICAL BODY Fax Email Print - PDFfiller](#)

POLITICAL BODY NOMINATION PAPER GENERAL INSTRUCTIONS SHEET (DSBE PB) PLEASE READ CAREFULLYThe following instructions relate to the ...

Rating: 4.1 - 21 reviews

www.co.berks.pa.us &gt; Documents &gt; Nomination Papers

[commonwealth of pennsylvania - Berks County](#)Mar 11, 2015 - **instructions** and forms for **nomination papers** filed by minor political party ... **DSBE PB** (3/15). ... **political body** candidates for the Municipal Election. 2. ... OF CIRCULATOR: Every **sheet** of the **nomination paper** must have the.  
Missing: **GENERAL** | Must include: **GENERAL**

www.legis.state.pa.us &gt; cfdocs &gt; legis &gt; uconsCheck

[1937 Act 320 - PA General Assembly](#)Said nomination petition may be on one or more **sheets**, and different **sheets** must be ... with written **instructions** prepared by the Secretary of the Commonwealth. ... by one **nomination paper**: Provided, That each **political body** nominating does ...  
Missing: **(DSBE PB)**

rosemaryroad.org &gt; ctntst3 &gt; MelPackerPetition PDF

[Untitled - rosemaryroad.org](#)1 Read the **General Instructions Sheet** carefully before you fill in Sections A., Band C. and before you circulate the **nomination paper** for signatures. 2. You must fill in all ... below as candidates representing the **political body** named herein, and also appoint the persons designated ... **DSBE 210A PB** (rev, 1/08). Department of ...

www.aqgbzl.com &gt; Amicus\_Brief PDF

[Amicus\\_Brief.pdf](#)receive **nomination papers** submitted by **political bodies** nominating candidates for State.  
Representative ... of **political bodies** to nominate candidates for public office in the 2010 **General**

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Elections and Notaries

SEP 10 PM 1:16

SUBSTITUTE NOMINATION CERTIFICATE

① President of the United States  
Office and District

② Resignation  
Cause of Vacancy (Death, Resignation, etc. of Person Vacating)

③ Howie Hawkins ④ Retired  
Name of Candidate Duly Nominated Herein Occupation

⑤ 410 W Beard Ave., PO Box 562, Syracuse NY 13205  
Street Address/Post Office/Zip Code of Candidate Duly Nominated Herein

⑥ Green Party of Pennsylvania ⑦ August 2, 2020  
Name of Party Committee/Caucus/Convention Date/Time/Place of Meeting

⑧ RULES OF THE GREEN PARTY OF PENNSYLVANIA, AMENDED SEPTEMBER 16, 2018  
Party Rule or Rules Applicable to This Nomination Certificate  
(NOTE: Attach text of applicable party rule or rules)

Member or Proxy Present

Member or Proxy Present

Barbara Laxon

Tre Schumacher

Sheri Miller

Elizabeth Scroggin

Jay Walker

Timothy Runkle

(Note: Attach separate 8-1/2" x 11" sheets if additional space is required)

We, the presiding officer and secretary or secretaries of the committee, caucus or convention listed above, do swear (or affirm) that a quorum of said committee, caucus or convention as provided by party rules, duly convened, and those present at said meeting are the duly elected or appointed members, or their proxies, of said committee, caucus or convention; and do further swear (or affirm) that the names of those present at said meeting, the office and district (if any) where the vacancy exists, the cause of said vacancy, the name, address and occupation of the candidate duly **nominated**, and the rule or rules of the political party setting forth the provisions applicable to the nomination of a candidate to fill said vacancy are as set forth above and/or on the attached sheet or sheets.

⑨ Sworn to and subscribed before me this  
6th day of AUGUST 2020

Carol Gibson

NOTARY PUBLIC  
Official Title

My Commission Expires 1/10/2024

⑩ [Signature]  
Signature of Presiding Officer

Sheri Miller  
Printed Name and Title

⑪ [Signature]  
Signature of Secretary

Tre Schumacher  
Printed Name and Title

⑫ [Signature]  
Signature of Assistant Secretary

Printed Name and Title





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Elections and Notaries

2020 AUG 10 PM 1:15

SUBSTITUTE NOMINATION CERTIFICATE

① Vice President of the United States  
Office and District

② Resignation  
Cause of Vacancy (Death, Resignation, etc. of Person Vacating)

③ Angela Walker ④ Labor Organizer / Driver  
Name of Candidate Duly Nominated Herein Occupation

⑤ 315 Royal St., Apt. A, Florence, SC 29506  
Street Address/Post Office/Zip Code of Candidate Duly Nominated Herein

⑥ Green Party of Pennsylvania ⑦ August 2, 2020  
Name of Party Committee/Caucus/Convention Date/Time/Place of Meeting

⑧ RULES OF THE GREEN PARTY OF PENNSYLVANIA, AMENDED SEPTEMBER 16, 2018  
Party Rule or Rules Applicable to This Nomination Certificate  
(NOTE: Attach text of applicable party rule or rules)

Member or Proxy Present	Member or Proxy Present
<u>Barbara Laxon</u>	_____
<u>Tre Schumacher</u>	_____
<u>Sheri Miller</u>	_____
<u>Elizabeth Scroggin</u>	_____
<u>Jay Walker</u>	_____
<u>Timothy Runkle</u>	_____
_____	_____
_____	_____

(Note: Attach separate 8-1/2" x 11" sheets if additional space is required)

We, the presiding officer and secretary or secretaries of the committee, caucus or convention listed above, do swear (or affirm) that a quorum of said committee, caucus or convention as provided by party rules, duly convened, and those present at said meeting are the duly elected or appointed members, or their proxies, of said committee, caucus or convention; and do further swear (or affirm) that the names of those present at said meeting, the office and district (if any) where the vacancy exists, the cause of said vacancy, the name, address and occupation of the candidate duly nominated, and the rule or rules of the political party setting forth the provisions applicable to the nomination of a candidate to fill said vacancy are as set forth above and/or on the attached sheet or sheets.

⑨ Sworn to and subscribed before me this  
6<sup>th</sup> day of AUGUST, 2020  
Carol C Gibson  
\_\_\_\_\_  
NOTARY PUBLIC  
Official Title  
My Commission Expires 1/10/2024



⑩ [Signature]  
Signature of Presiding Officer  
Sheri Miller  
Printed Name and Title

⑪ \_\_\_\_\_  
Signature of Secretary  
Tre Schumacher  
Printed Name and Title

⑫ \_\_\_\_\_  
Signature of Assistant Secretary  
\_\_\_\_\_  
Printed Name and Title

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Elections and Notaries**

**SUBSTITUTE NOMINATION CERTIFICATE** 2020 AUG 10 PM 1:16

① Vice President of the United States  
Office and District

② Resignation  
Cause of Vacancy (Death, Resignation, etc. of Person Vacating)

③ Angela Walker ④ Labor Organizer / Driver  
Name of Candidate Duly Nominated Herein Occupation

⑤ 315 Royal St., Apt. A, Florence, SC 29506  
Street Address/Post Office/Zip Code of Candidate Duly Nominated Herein

⑥ Green Party of Pennsylvania ⑦ August 2, 2020  
Name of Party Committee/Caucus/Convention Date/Time/Place of Meeting

⑧ RULES OF THE GREEN PARTY OF PENNSYLVANIA, AMENDED SEPTEMBER 16, 2018  
Party Rule or Rules Applicable to This Nomination Certificate  
(NOTE: Attach text of applicable party rule or rules)

Member or Proxy Present	Member or Proxy Present
<u>Barbara Laxon</u>	
<u>Tre Schumacher</u>	
<u>Sheri Miller</u>	
<u>Elizabeth Scroggin</u>	
<u>Jay Walker</u>	
<u>Timothy Runkle</u>	

(Note: Attach separate 8-1/2" x 11" sheets if additional space is required)

We, the presiding officer and secretary or secretaries of the committee, caucus or convention listed above, do swear (or affirm) that a quorum of said committee, caucus or convention as provided by party rules, duly convened, and those present at said meeting are the duly elected or appointed members, or their proxies, of said committee, caucus or convention; and do further swear (or affirm) that the names of those present at said meeting, the office and district (if any) where the vacancy exists, the cause of said vacancy, the name, address and occupation of the candidate duly nominated, and the rule or rules of the political party setting forth the provisions applicable to the nomination of a candidate to fill said vacancy are as set forth above and/or on the attached sheet or sheets.

For ⑩ Only

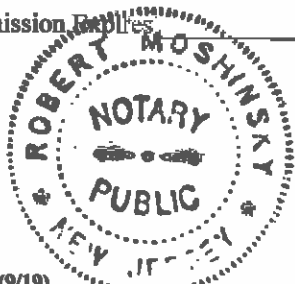
⑨ Sworn to and subscribed before me this  
7 day of August, 2020  
Robert Moshinsky  
\_\_\_\_\_  
Official Title

⑩ \_\_\_\_\_  
Signature of Presiding Officer  
Sheri Miller  
Printed Name and Title

⑪ \_\_\_\_\_  
Signature of Secretary  
Tre Schumacher  
Printed Name and Title

⑫ \_\_\_\_\_  
Signature of Assistant Secretary  
\_\_\_\_\_  
Printed Name and Title

My Commission Expires



**ROBERT MOSHINSKY**  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 8/8/2025  
Commission # 80020793

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation  
POLITICAL BODY CANDIDATE'S AFFIDAVIT

PB  
D

COMMONWEALTH OF PENNSYLVANIA - New York  
SS:

COUNTY OF Cataraugus

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

23rd day of July

2020

BRIANA LEE BUTLER  
NOTARY PUBLIC STATE OF NEW YORK  
MADISON COUNTY  
LIC. # 01BU6361580  
COMM. EXP. 07/10/2021

(SEAL)

President of the United States  
Office/District

Howie Hawkins  
Signature of Candidate

Howie Hawkins  
Printed Name of Candidate

Howie Hawkins  
Name as it is to appear on the Ballot

410 W. Beard Ave., PO Box 562, Syracuse NY  
Street Address/Post Office/Zip Code 13205

Syracuse Cataraugus  
City/Borough/Township County

Election District 4, Ward 19, City of Syracuse  
Election District of Candidate  
(District Where Registered To Vote)

315-200-6046  
Telephone Number

Brian Roberts  
(Signature of Person Administering Oath)

My Commission Expires 07/10/2021

OFFICE USE ONLY

COUNTY CODE		\$	AMOUNT RECEIVED		F	M
OFFICE	DISTRICT	POLITICAL PARTY	NUMBER OF PAPERS			
COMMENTS						
CHECKER	INPUT	VERIFY				

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation  
POLITICAL BODY CANDIDATE'S AFFIDAVIT

PB

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF \_\_\_\_\_

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_

Vice President of Vice United States  
Office/District

Angela Walker  
Signature of Candidate

Angela Walker  
Printed Name of Candidate

Angela Walker  
Name as it is to appear on the Ballot

815 Royal St., apt. A, 29506  
Street Address/Post Office/Zip Code

Florence, Florence  
City/Borough/Township County

Florence 9  
Election District of Candidate  
(District Where Registered To Vote)

474 218-4786  
Telephone Number

(Signature of Person Administering Oath)

My Commission Expires \_\_\_\_\_

OFFICE USE ONLY

COUNTY CODE	S	AMOUNT RECEIVED	F	M
OFFICE	DISTRICT	POLITICAL PARTY	NUMBER OF PAPERS	
				COMMENTS
CHECKER		INPUT		VERIFY

# **RULES OF THE GREEN PARTY OF PENNSYLVANIA**

**EFFECTIVE JANUARY 1, 2002  
AMENDED MARCH 13, 2005  
AMENDED MARCH 11, 2007  
AMENDED NOVEMBER 11, 2007  
AMENDED NOVEMBER 16, 2013  
AMENDED NOVEMBER 18, 2017  
AMENDED SEPTEMBER 16, 2018**

## **STATEMENT OF PRINCIPLES**

The principles of the Green Party of Pennsylvania are articulated in the ten key values of the Green movement in the United States of America:

grassroots democracy,  
social justice and equal opportunity,  
ecological wisdom,  
non-violence,  
decentralization,  
community-based economics and economic justice,  
feminism and gender equity,  
respect for diversity,  
personal and global responsibility, and  
future focus and sustainability.

The Green Party shall govern itself in a manner consistent with and in actualization of these values.

## **RULE I: ORGANIZATION AND QUALIFICATIONS**

**Section 1. The representative and authoritative bodies of the Green Party in Pennsylvania shall consist of:**

- 1. The State Committee**
- 2. The Steering Committee, and**
- 3. The County Committees**

**Section 2. Only duly registered Green electors shall be eligible to serve as members or officers of any of the committees provided in Section 1 of this rule.**

**Section 3. The State Committee, the Steering Committee and County Committees are authorized and empowered to create and establish advisory and auxiliary committees.**

**Section 4. Committees will be organized into four standing teams: Core, Communications, Finance, and Green Wave. Team leaders will be appointed by the Steering Committee.**

---



**Contact Information:** The group must provide full contact information for those 5 members, including school and permanent address, phone, e-mail, and graduation date.

**Representation in GPPA:** The group can have up to 2 delegates on the State Committee. No more than one delegate can be male. Delegates must be registered in Pennsylvania. Only one group per school/campus may be represented. (This Rule was adopted 12/13/2004, by consensus)

**Section 3.** The State Committee shall meet in person or via electronic media, at least three times per year, at such hour, place, and format as shall be designated by the present Steering Committee, as mandated by the previous meeting of the State Committee. At least one meeting per year must be conducted in person. (This Rule was amended on 11/18/2017, by consensus)

a) At the first meeting of each calendar year, the State Committee shall hold elections for two Co-Chairs, Secretary and Treasurer of the State Committee. In even years the members will elect one Co-Chair and a Treasurer. In odd years members will elect one Co-Chair and a Secretary. The Co-Chairs shall be elected prior to the Secretary and the Treasurer. Their terms of office shall be two years, beginning from the date of their election and continuing until their successors have been duly elected. Any person enrolled in the Green Party of Pennsylvania shall be eligible for any of said offices.

b) At the first meeting of each even year, the members of the State Committee shall elect delegates from Pennsylvania to the National Committee of the Green Party of the United States. The number of delegates to be elected will be determined by the Rules of the National Committee. For any meeting of the National Committee, so long as it is permitted by the Rules of that body, a delegate may voluntarily give her or his proxy to any other delegate, provided that no delegate shall carry more than one proxy. The terms of office of the delegates shall be two years, beginning from the date of their election and continuing until their successors have been duly elected. Any person enrolled in the Green Party of Pennsylvania shall be eligible for said offices.

c) Vacancies happening at any time in the office of Co-Chair, Secretary or Treasurer or in the office of a member of any national body of the Green Party shall be filled by the State Committee for the unexpired term.

**Section 4.** The Co-Chairs of the State Committee shall preside at all meetings of the State Committee and of the Steering Committee and shall be entitled to vote therein on all questions. He or she shall execute the business of the Party by and with the advice of the Steering Committee and subject to the approval of the State Committee.

**Section 5.** The Secretary, in the absence of both Co-Chairs at any meeting of the State Committee or Steering Committee, shall preside over the election by such Committee of an interim Co-Chair who shall serve for the duration of the meeting. The Secretary shall also maintain records of all meetings of the State Committee and Steering Committee and shall be entitled to vote at meetings of the State Committee and Steering Committee on all questions.

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### **RULE III: STEERING COMMITTEE**

**Section 1.** The Co-Chairs, Secretary, Treasurer of the State Committee shall hold these same offices on the Steering Committee.

**Section 2.** The Steering Committee shall consist of the Co-Chairs, Secretary and Treasurer of the State Committee as well as three At-Large members, to be elected by the State Committee at the first meeting of each calendar year for a one-year term beginning on the date of their election and continuing until their successors have been duly elected. Steering Committee members are entitled to a vote at meetings of the State Committee and Steering Committee on all questions.

**Section 3.** The Steering Committee shall act in an advisory capacity to all committees and shall perform such other duties as may be conferred by these rules or otherwise delegated to it by the State Committee or the Co-Chair.

**Section 4.** Any vacancy in the membership of the Steering Committee shall be filled by a vote of the State Committee.

**Section 5.** A majority of the members of the Steering Committee shall be required to constitute a quorum.

**Section 6.** The Co-Chair may call a meeting of the Steering Committee at any time at her or his discretion with at least ten (10) days' notice. The Co-Chair may also conduct a poll of the Steering Committee by telephone or electronic communication, provided that each member of the Steering Committee shall have at least seven (7) days to respond to such poll.

### **RULE IV: COUNTY COMMITTEES**

**Section 1.** The State Committee may recognize County Committees organized for the purpose of carrying out the business of the Green Party on the county and municipal levels.

a) No county rules of the Green Party may be accepted by any county Board of Elections except such rules filed by a County Committee that has been recognized by the State Committee on the basis of its viability and commitment to the values of the Green Party. Counties will submit their rules to the State Committee annually.

b) The State Committee may cancel its recognition of any County Committee if such Committee become unviable or engages in activities that are in blatant violation of Green values, including but not limited to failure to adopt democratic internal procedures.

c) A County Committee will be deemed unviable if they fail to file their rules annually, fail to send a delegate to a State Committee meeting for a full calendar year, or fail to send a delegate to an in-person State Committee meeting for two full calendar years.

**Section 2.** The County Committees hold the exclusive authority to nominate Green Party

~~Section 1. The State Committee and Steering Committee shall strive to obtain consensus on all decisions. If consensus fails, a decision on a substantive motion shall require a two-thirds majority of votes cast for or against the motion.~~

~~Section 2. With regard to the election of party officers, the nomination of candidates for public office or any other vote taken to designate a person or persons who will represent the party in any capacity, such election shall be by Score then Automatic Runoff (STAR) voting.~~

~~Section 3. The State Committee and Steering Committee may adopt additional rules of order, temporarily or permanently, to govern their respective meetings. Any such rules adopted permanently must be filed with the state board of elections.~~

~~Section 4. Insofar as they are not inconsistent with these rules or any others adopted is provided in Section 2 of this rule, Robert's Rules of Order, as most recently revised, shall govern procedure at all meetings of the State Committee and Steering Committee.~~

#### **RULE VII: PROCEDURES FOR AMENDING RULES**

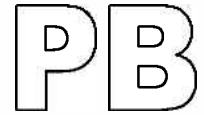
~~Section 1. Amendments to these rules may be made by the State Committee at any regularly scheduled meeting of such Committee, provided that the proposed amendment is submitted to the Co-Chair of the State Committee not less than thirty-five (35) days prior to the meeting at which the amendment is to be considered. The Co-Chair shall then send a copy of the proposed amendment to every member of the State Committee.~~

I Certify that this Amended Copy of the Rules of the Green Party of Pennsylvania was prepared and submitted by:

Elizabeth Scroggin  
Secretary, Green Party of Pennsylvania  
September 16, 2018

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
Bureau of Commissions, Elections and Legislation



POLITICAL BODY CANDIDATE'S AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF \_\_\_\_\_

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_\_.

Office/District

Signature of Candidate

Printed Name of Candidate

Name as it is to appear on the Ballot

Street Address/Post Office/Zip Code

City/Borough/Township

County

Election District of Candidate
(District Where Registered To Vote)

(SEAL)

(Signature of Person Administering Oath)

My Commission Expires \_\_\_\_\_

Telephone Number

OFFICE USE ONLY

COUNTY CODE \$ AMOUNT RECEIVED

F M

OFFICE

DISTRICT

POLITICAL PARTY

NUMBER OF PAPERS

COMMENTS

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PETITIONER EXHIBIT

P-6

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation

PB

POLITICAL BODY CANDIDATE'S AFFIDAVIT

2020C1442

COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF DELAWARE

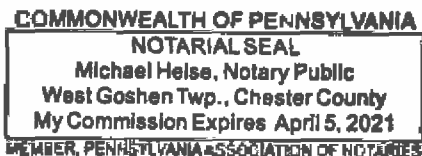
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I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

7th day of March,

2020



(SEAL)

Michael Helse  
(Signature of Person Administering Oath)

My Commission Expires 4/5/2021

President  
Office/District

William Martin Sloane  
Signature of Candidate

William Martin Sloane  
Printed Name of Candidate

William Martin Sloane  
Name as it is to appear on the Ballot

417 West South Street  
Street Address/Post Office/Zip Code

Carlisle Cumberland  
City/Borough/Township County

Carlisle, 3rd Ward, 1st Precinct  
Election District of Candidate  
(District Where Registered To Vote)

(717) 249-1069  
Telephone Number

OFFICE USE ONLY

21 COUNTY CODE \$ 200.00  
AMOUNT RECEIVED

F  M

PA DEPT OF STATE

USP  
OFFICE

---  
DISTRICT

LIB  
POLITICAL PARTY

--- 503  
NUMBER OF PAPERS

JUL 31 2020

COMMENTS

PETITIONER EXHIBIT  
P-7

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VERIFY



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation  
POLITICAL BODY CANDIDATE'S AFFIDAVIT

PB

COMMONWEALTH OF PENNSYLVANIA

2020C1446

SS:  
COUNTY OF Delaware

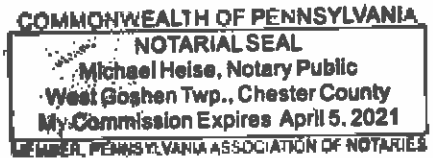
CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this  
7th day of March  
2020

Attorney General  
Office District  
[Signature]  
Signature of Candidate

DANIEL S. WASSMER  
Printed Name of Candidate



(SEAL)

DANIEL WASSMER  
Name as it is to appear on the Ballot

1433 ROUTE 590 HARTLEY 18428  
Street Address/Post Office/Zip Code

LACKAWAXEN TOWNSHIP PAKE  
City/Borough/Township County

LACKAWAXEN TWP #1  
Election District of Candidate  
(District Where Registered To Vote)

Michael Heise  
(Signature of Person Administering Oath)

My Commission Expires 4/5/2021

267-261-6827  
Telephone Number

OFFICE USE ONLY

52 COUNTY CODE \$ 200.00  
AMOUNT RECEIVED

F  M

ATT  
OFFICE

---  
DISTRICT

LIB  
POLITICAL PARTY

--- 503  
NUMBER OF PAPERS

PA DEPT OF STATE

JUL 31 2020

COMMENTS

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VERIFY

JM

# Statement of Financial Interests

IN ORDER TO FUNCTION PROPERLY, THIS FORM REQUIRES INTERNET EXPLORER 9 AND ABOVE, GOOGLE CHROME, OR MOZILLA FIREFOX.  
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**A: Candidates** - Persons seeking elected state, county and local public offices, including first-time candidates, incumbents seeking re-election, and write-in candidates who do not decline nomination/election within 30 days of official certification of same.

**B: Nominees** - Persons nominated for public office subject to confirmation.

**C: Public Officials** - Persons serving as current state/county/local public officials (elected or appointed). The term includes persons serving as alternates/designees. The term excludes members of purely advisory boards.

**D: Public Employees** - Individuals employed by the Commonwealth or a political subdivision who are responsible for taking or recommending official action of a non-ministerial nature with regard to: contracting or procurement; administering or monitoring grants or subsidies; planning or zoning; inspecting, licensing, regulating or auditing any person; or any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person. The term does not include individuals whose activities are limited to teaching.

**A former public official or former public employee must file the year after termination of service with the governmental body.**

**E: Solicitors** - Persons elected or appointed to the office of solicitor for political subdivision(s).

**Important:** Please read all instructions carefully prior to completion of form. To see detailed instructions, hover the cursor over the "(?)" icon in each section or, to view the entire set of instructions in a second browser window, click "here". Any questions may be directed to the State Ethics Commission at (717) 783-1610 or Toll Free at 1-800-932-0936.

This Form is required to be filed pursuant to the provisions of the Public Official and Employee Ethics Act, 65 Pa.C.S. § 1101 et seq.

**Please check below if you have read and understand the above terms. \***

Yes I have read and understand the above the terms.

**Are you amending a prior filing? \***

No

'01 **Name**

**First Name** \* (?) Daniel

**Last Name** \* (?) Wassmer

**Middle Initial** S

**Suffix**



## 02 Address

<b>Business, Governmental, Home, or Postal Address * (?)</b>	<b>Street Address</b> 1433 Route 590 <b>Address Line 2</b>  <b>City</b> Hawley <b>Postal / Zip Code</b> 18428	<b>State / Province / Region</b> PA <b>Country</b>
--	--	--

---

<b>Telephone * (?)</b>	267-261-6627 <small>Telephone Number ###-###-####</small>
------------------------	--

## 03 - 05 Public Position or Public Office and Governmental Entity in which you are/were an Official, Employee, Candidate, Nominee, or Solicitor

<b>Status * (?)</b>	Candidate (including write-in)
<b>State or County/Local * (?)</b>	State
<b>State Entity * (?)</b>	Office of Attorney General
<b>Position * (?)</b>	State Attorney General

**Do you have an additional Public Position or Public Office and Governmental Entity to add to this filing? \***  
No

Selecting "Yes" will allow for additions below.

## 06 Occupation or Profession

**Current Occupation  
or Profession \* (?)** Attorney

**Current Occupation  
or Profession \* (?)** Professor

**Current Occupation  
or Profession \* (?)** Business Consultant

## 07 Year

<b>Year * (?)</b>	2019 <small>The calendar year for which this form is being filed.</small>
-------------------	--

## 08 Real Estate Interests

**Do you have  
reportable real  
estate interests? \***  
(?) No

## 09 Creditors

Do you have reportable creditors? \* (?)

Yes

## Creditors

<b>Name *</b> (?)	Barclays
<b>Address</b> (?)	PO Box 13337
<b>City *</b>	Philadelphia
<b>State *</b>	PA
<b>Zip Code</b>	19101
<b>Interest Rate *</b>	Varies Exclude the "%" symbol
<b>Name *</b> (?)	US Bank
<b>Address</b> (?)	PO Box 790408
<b>City *</b>	St Louis
<b>State *</b>	MO
<b>Zip Code</b>	63179
<b>Interest Rate *</b>	Varies Exclude the "%" symbol
<b>Name *</b> (?)	Citibank
<b>Address</b> (?)	PO Box 90011068
<b>City *</b>	Louisville
<b>State *</b>	KY
<b>Zip Code</b>	40290
<b>Interest Rate *</b>	Varies Exclude the "%" symbol
<b>Name *</b> (?)	Comenity
<b>Address</b> (?)	PO Box 659834
<b>City *</b>	San Antonio
<b>State *</b>	TX
<b>Zip Code</b>	78265
<b>Interest Rate *</b>	Varies Exclude the "%" symbol
<b>Name *</b> (?)	TD Ameritrade
<b>Address</b> (?)	PO Box 2209

**City\*** Omaha  
**State\*** NE  
**Zip Code** 68103  
**Interest Rate\*** Varies  
Exclude the "%" symbol

## 10 Direct or Indirect Sources of Income

**Do you have any reportable direct or indirect sources of income?\*** (?)

Yes

### Source of Income

**Name\*** (?) Law Offices of Daniel S. Wassmer  
**Address\*** (?)  
Street Address  
171 S Main Street  
Address Line 2  
City Doylestown State / Province / Region PA  
Postal / Zip Code 18901 Country

**Name\*** (?) Wassmer Agency Services LLC  
**Address\*** (?)  
Street Address  
171 S Main Street  
Address Line 2  
City Doylestown State / Province / Region PA  
Postal / Zip Code 18901 Country

**Name\*** (?) Bucks County Community College  
**Address\*** (?)  
Street Address  
275 Swamp Road  
Address Line 2  
City Newtown State / Province / Region PA  
Postal / Zip Code 18940 Country

## 11 Gifts

**Have you received any reportable gifts?\*** (?)

No

**Gifts Disclaimer \***

By selecting "No" above, you are indicating that you did not receive any reportable gift(s) during the calendar year for which you are filing this Statement of Financial Interests. By checking the "I Accept" checkbox below, you are acknowledging your understanding that if reportable gift(s) were received and are not included on this form, you are subject to all applicable penalties.

I Accept

**12 Transportation, Lodging, Hospitality**

**Do you have any reportable transportation, lodging, or hospitality? \* (?)**

No

**Transportation,  
Lodging, &  
Hospitality  
Disclaimer \***

By selecting "No" above, you are indicating that you did not receive any reportable transportation, lodging or hospitality during the calendar year for which you are filing this Statement of Financial Interests. By checking the "I Accept" checkbox below, you are acknowledging your understanding that if reportable transportation, lodging or hospitality was received and is not included on this form, you are subject to all applicable penalties.

I Accept

**13 Office, Directorship, or Employment in any Business**

**Did you hold any office, directorship, or employment in any business for the calendar year for which you are reporting? \* (?)**

Yes

**Business Entity**

**Name \* (?)** Wassmer Agency Services LLC

**Address \* (?)**

Street Address

171 S Main Street

Address Line 2

City

Doylestown

Postal / Zip Code

18901

State / Province / Region

PA

Country

**Position Held \* (?)**

Member

**Name \* (?)**

Law Offices of Daniel S Wassmer

**Address \* (?)**

Street Address

171 S Main Street

Address Line 2

City

Doylestown

Postal / Zip Code

18901

State / Province / Region

PA

Country

**Position Held \* (?)**

Owner

**Name \* (?)**

Bucks County Community College

**Address \* (7)**      **Street Address**  
275 Swamp Road  
**Address Line 2**  
**City**      **State / Province / Region**  
Newtown      PA  
**Postal / Zip Code**      **Country**  
18940

**Position Held \* (7)**      Adjunct Professor

## 14 Financial Interest in any Legal Entity in Business for Profit

Do you have a reportable financial interest in any legal entity in business for profit? \* (7)

Yes

### Business Entity

**Name \* (7)**      Wassmer Agency Services LLC

**Address \* (7)**      **Street Address**  
171 S Main Street  
**Address Line 2**  
**City**      **State / Province / Region**  
Doylestown      PA  
**Postal / Zip Code**      **Country**  
18901

**Interest Held \* (7)**      100  
Exclude the "%" symbol

**Name \* (7)**      Law Offices of Daniel S Wassmer

**Address \* (7)**      **Street Address**  
171 S Main Street  
**Address Line 2**  
**City**      **State / Province / Region**  
Doylestown      PA  
**Postal / Zip Code**      **Country**  
18901

**Interest Held \* (7)**      100  
Exclude the "%" symbol

## 15 Business Interests Transferred to Immediate Family Member

Did you transfer any business interests to an immediate family member during the calendar year which you are reporting? \* (7)

No

**Additional  
comments or  
explanations about  
any of the above  
sections:**

**Confirmation \***

The undersigned hereby affirms that the foregoing information is true and correct to the best of said person's knowledge, information and belief; said affirmation being made subject to the penalties prescribed by 18 Pa.C.S. § 4904 (unsworn falsification to authorities) and the Public Official and Employee Ethics Act, 65 Pa.C.S. § 1109(b).

I Confirm

**Signature \* (?)**

**Date**

**Daniel S Wassmer**

**2020-07-28**

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK  
ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR  
RECORDS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation



POLITICAL BODY CANDIDATE'S AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

2020C1441

SS:  
COUNTY OF Delaware

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

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Sworn (or affirmed) and subscribed before me this

7th day of March

2020

Auditor General  
Office/District

Jennifer Lynn Moore  
Signature of Candidate

Jennifer Lynn Moore  
Printed Name of Candidate

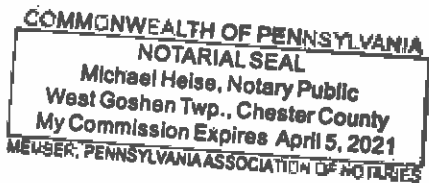
Jennifer Moore  
Name as it is to appear on the Ballot

209 Lovers Ln 19453  
Street Address/Post Office/Zip Code

Upper Providence Montgomery  
City/Borough/Township County

Upper Providence Mont Clare  
Election District of Candidate  
(District Where Registered To Vote)

231-327-0072  
Telephone Number



(SEAL)

Michael Helse  
(Signature of Person Administering Oath)

My Commission Expires 4/5/2021

OFFICE USE ONLY

46 COUNTY CODE \$ 200.00  
AMOUNT RECEIVED

F  M

PA DEPT OF STATE

AUD OFFICE --- DISTRICT LIB POLITICAL PARTY

--- NUMBER OF PAPERS 503

JUL 31 2020

COMMENTS

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# Statement of Financial Interests

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**A former public official or former public employee must file the year after termination of service with the governmental body.**

**E: Solicitors** - Persons elected or appointed to the office of solicitor for political subdivision(s).

**Important:** Please read all instructions carefully prior to completion of form. To see detailed instructions, hover the cursor over the "(?)" icon in each section or, to view the entire set of instructions in a second browser window, click "here". Any questions may be directed to the State Ethics Commission at (717) 783-1610 or Toll Free at 1-800-932-0936.

This Form is required to be filed pursuant to the provisions of the Public Official and Employee Ethics Act, 65 Pa C.S. § 1101 *et seq.*

**Please check below if you have read and understand the above terms.\***

Yes I have read and understand the above the terms.

**Are you amending a prior filing?\***

No

## 01 Name

**First Name \*** (?) Jennifer

**Last Name \*** (?) Moore

**Middle Initial** L

**Suffix**



## 02 Address

**Business, Governmental, Home, or Postal Address \* (?)**

Street Address	209 Lovers Ln	
Address Line 2		
City	Mont Clare	State / Province / Region
		PA
Postal / Zip Code	19453	Country

**Telephone \* (?)** 231-327-0072  
Telephone Number ###-###-####

## 03 - 05 Public Position or Public Office and Governmental Entity in which you are/were an Official, Employee, Candidate, Nominee, or Solicitor

**Status \* (?)** Nominee

**State or County/Local \* (?)** State

**State Entity \* (?)** Department of Auditor General

**Position \* (?)** Auditor General

**Do you have an additional Public Position or Public Office and Governmental Entity to add to this filing? \***

No

Selecting "Yes" will allow for additions below.

## 06 Occupation or Profession

**Current Occupation or Profession \* (?)** Collections Supervisor

## 07 Year

**Year \* (?)** 2019  
The calendar year for which this form is being filed.

## 08 Real Estate Interests

**Do you have reportable real estate interests? \***  
(?) Yes

## Real Estate

<b>Address * (?)</b>	Street Address	
	209 Lovers Ln	
	Address Line 2	
	City	State / Province / Region
	Mont Clare	PA
	Postal / Zip Code	Country
	19453	

## 09 Creditors

Do you have reportable creditors? \* (?)

Yes

### Creditors

<b>Name * (?)</b>	....
	Lending Club
<b>Address (?)</b>	
<b>City *</b>	San Francisco
<b>State *</b>	CA
<b>Zip Code</b>	
<b>Interest Rate *</b>	5.7
	Exclude the "%" symbol
<b>Name * (?)</b>	Mohela
<b>Address (?)</b>	
<b>City *</b>	Chesterfield
<b>State *</b>	MO
<b>Zip Code</b>	
<b>Interest Rate *</b>	3
	Exclude the "%" symbol
<b>Name * (?)</b>	Synchrony Bank
<b>Address (?)</b>	
<b>City *</b>	Longwood
<b>State *</b>	FL
<b>Zip Code</b>	
<b>Interest Rate *</b>	15%
	Exclude the "%" symbol

## 10 Direct or Indirect Sources of Income

Do you have any reportable direct or indirect sources of income? \* (?)

Yes

## Source of Income

<b>Name * (?)</b>	Independence Physician Management		
<b>Address * (?)</b>	<b>Street Address</b>		
	51 Valley Stream Pkwy		
	<b>Address Line 2</b>		
	<b>City</b>	<b>State / Province / Region</b>	
	Malvern	PA	
<b>Postal / Zip Code</b>	<b>Country</b>		
19355			

## 11 Gifts

Have you received any reportable gifts? \* (?)

No

**Gifts Disclaimer \*** By selecting "No" above, you are indicating that you did not receive any reportable gift(s) during the calendar year for which you are filing this Statement of Financial Interests. By checking the "I Accept" checkbox below, you are acknowledging your understanding that if reportable gift(s) were received and are not included on this form, you are subject to all applicable penalties.

I Accept

## 12 Transportation, Lodging, Hospitality

Do you have any reportable transportation, lodging, or hospitality? \* (?)

No

**Transportation, Lodging, & Hospitality Disclaimer \*** By selecting "No" above, you are indicating that you did not receive any reportable transportation, lodging or hospitality during the calendar year for which you are filing this Statement of Financial Interests. By checking the "I Accept" checkbox below, you are acknowledging your understanding that if reportable transportation, lodging or hospitality was received and is not included on this form, you are subject to all applicable penalties.

I Accept

## 13 Office, Directorship, or Employment in any Business

Did you hold any office, directorship, or employment in any business for the calendar year for which you are reporting? \* (?)

No

## 14 Financial Interest in any Legal Entity in Business for Profit

Do you have a reportable financial interest in any legal entity in business for profit? \* (?)

No

## 15 Business Interests Transferred to Immediate Family Member

Did you transfer any business interests to an immediate family member during the calendar year which you are reporting? \* (?)

No

1  
**Additional  
comments or  
explanations about  
any of the above  
sections:**

**Confirmation \***

The undersigned hereby affirms that the foregoing information is true and correct to the best of said person's knowledge, information, and belief; said affirmation being made subject to the penalties prescribed by 18 Pa.C.S. § 4904 (unsworn falsification to authorities) and the Public Official and Employee Ethics Act, 65 Pa.C.S. § 1109(b).

I Confirm

**Signature \* (?)**

**Date**

**Jennifer Moore**

**2020-07-30**

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR RECORDS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation

PB

POLITICAL BODY CANDIDATE'S AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

2020C1445

COUNTY OF Centre SS:

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

27 day of July  
20 20

PA State Treasurer  
Office/District

[Signature]  
Signature of Candidate

Joseph P. Soloski  
Printed Name of Candidate

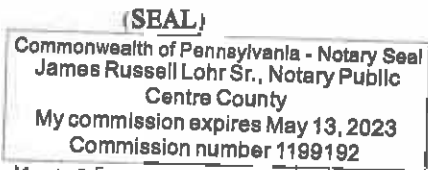
Joe Soloski  
Name as it is to appear on the Ballot

141 Buckhorn Rd. Port Matilda,  
Street Address/Post Office/Zip Code 16870

Halfmoon Township Centre  
City/Borough/Township County

Halfmoon East Central  
Election District of Candidate  
(District Where Registered To Vote)

412-651-2040  
Telephone Number



[Signature]  
(Signature of Notary Administering Oath)  
My Commission Expires May 13 2023

OFFICE USE ONLY

114 COUNTY CODE \$ 200.00  
AMOUNT RECEIVED

F  M

TRE  
OFFICE

---  
DISTRICT

LIB  
POLITICAL PARTY

503  
NUMBER OF PAPERS

JUL 31 2020

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COMMENTS

CHECKER  
JM

INPUT

VERIFY

# STATEMENT OF FINANCIAL INTERESTS

PLEASE PRINT NEATLY

01 LAST NAME FIRST NAME MI SUFFIX  
 SOLOSKI JOSEPH P

02 ADDRESS office (business or governmental) or home City State Zip Code Area Code Phone  
 141 Buckhorn Rd. Port Matilda Pa 16870 (H) 651-2040

NOTE: IF YOU ARE INCLUDING ATTACHMENTS, DO NOT INCLUDE ANYTHING THAT BEARS YOUR SOCIAL SECURITY NUMBER OR FINANCIAL ACCOUNT NUMBERS.

03 STATUS Check applicable block or blocks, more than one block may be marked. (See instructions on page 2)

A  Candidate (including write-in) C  Public Official (Current) D  Public Employee (Current) E  Check this block if you are filing as a solicitor  Check this block if you are amending an original filing  
 B  Nominee C  Public Official (Former) D  Public Employee (Former)

04 PUBLIC POSITION OR PUBLIC OFFICE (administrator, member, Commissioner, job title, etc.)  seeking  hold  held

A PA State Treasurer  seeking  hold  held

B

05 GOVERNMENTAL ENTITY in which you served as an Official, Employee, Candidate or Nominee (e.g., dept, agency, authority, borough, board, commission, county, school district, twp, etc.)

A COMMONWEALTH OF PA

B

06 OCCUPATION OR PROFESSION (This may be the same as block 4) 07 YEAR SEE INSTRUCTIONS.  
 CPA Information in Blocks 8 - 15 represents disclosure for the calendar year listed here: 2019

08 REAL ESTATE INTERESTS (See instructions on page 2) IF NONE, check this box.

09 CREDITORS (See instructions on page 2) Creditor (Name and Address) IF NONE, check this box.

Name: Dept of Treasury Address: Interest Rate

10 DIRECT OR INDIRECT SOURCES OF INCOME including (but not limited to) all employment. (See instructions on pg. 2) ONLY NONE check this box.  (OFFICIAL USE ONLY)

Name: Joseph P. Soloski & Co Address:

11 GIFTS (See instructions on page 2) IF NONE, check this box.

Source of Gift Value of Gift

Address of Source of Gift Circumstances (including description) of Gift

12 TRANSPORTATION, LODGING, HOSPITALITY (See instructions on page 2) IF NONE, check this box.

Source (Name and Address) Value

13 OFFICE, DIRECTORSHIP, OR EMPLOYMENT IN ANY BUSINESS (See instructions on page 2) IF NONE, check this box.

Business Entity (Name and Address) Position Held (i.e., officer, director, employee, etc.)

Name: Joseph P. Soloski & Co Address: owner

14 FINANCIAL INTEREST IN ANY LEGAL ENTITY IN BUSINESS FOR PROFIT (See instructions on page 2) IF NONE, check this box.

Name and Address of Business Interest Held (i.e., 5%, 10%, etc.)

Joseph P. Soloski & Co 100%

15 BUSINESS INTERESTS TRANSFERRED TO IMMEDIATE FAMILY MEMBER (See instructions on page 2) IF NONE, check this box.

Business (Name and Address) Transferee (Name and Address) Interest Held Relationship Date Transferred

The undersigned hereby affirms that the foregoing information is true and correct to the best of said person's knowledge, information and belief; said affirmation being made subject to the penalties prescribed by 18 Pa.C.S. §4904 (unsworn falsification to authorities) and the Public Official and Employee Ethics Act, 65 Pa.C.S. §1109(a).

Signature: Joseph P. Soloski Enter Current Date: 7/27/2020

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR RECORDS.

# STATEMENT OF FINANCIAL INTERESTS

PLEASE PRINT NEATLY

01 LAST NAME FIRST NAME MI SUFFIX  
SOLOSKI JOSEPH P

02 ADDRESS office (business or governmental) or home City State Zip Code Area Code Phone  
141 Buckhorn Rd. Port Matilda PA 16870 (412) 651-2040

NOTE: IF YOU ARE INCLUDING ATTACHMENTS, DO NOT INCLUDE ANYTHING THAT BEARS YOUR SOCIAL SECURITY NUMBER OR FINANCIAL ACCOUNT NUMBERS.

03 STATUS Check applicable block or blocks, more than one block may be marked. (See instructions on page 2)  
A  Candidate (including write-in) B  Nominee C  Public Official (Current) D  Public Official (Former) E  Public Employee (Current) F  Public Employee (Former) G  Check this block if you are filing as a solicitor H  Check this block if you are amending an original filing

04 PUBLIC POSITION OR PUBLIC OFFICE (administrator, member, Commissioner, job title, etc.)  
A PA State Treasurer  seeking  hold  held  
B

05 GOVERNMENTAL ENTITY in which you are/were an Official, Employee, Candidate or Nominee (e.g., dept, agency, authority, borough, board, commission, county, school district, twp, etc.)  
A  
B

06 OCCUPATION OR PROFESSION (This may be the same as block 4) 07 YEAR SEE INSTRUCTIONS.  
CPA Information in Blocks 8-15 represents disclosure for the calendar year listed here: 2019

08 REAL ESTATE INTERESTS (See instructions on page 2) If NONE, check this box.

09 CREDITORS (See instructions on page 2) Creditor (Name and Address) If NONE, check this box.  Interest Rate  
Dept of Treasury Address:

10 DIRECT OR INDIRECT SOURCES OF INCOME Including (but not limited to) all employment. (See instructions on pg. 2) ONLY IF NONE, check this box.  (OFFICIAL USE ONLY)  
Name: Address:

11 GIFTS (See instructions on page 2) If NONE, check this box.   
Source of Gift Value of Gift  
Address of Donor in Gift Circumstances (including description) of Gift

12 TRANSPORTATION, LODGING, HOSPITALITY (See instructions on page 2) If NONE, check this box.  Value  
Source (Name and Address)

13 OFFICE, DIRECTORSHIP, OR EMPLOYMENT IN ANY BUSINESS (See instructions on page 2) If NONE, check this box.  Position Held (i.e., officer, director, employee, etc.)  
Business Entity (Name and Address) Name: Address:

14 FINANCIAL INTEREST IN ANY LEGAL ENTITY IN BUSINESS FOR PROFIT (See instructions on page 2) If NONE, check this box.  Interest Held (i.e., 5%, 10%, etc.)  
Name and Address of Business Joseph P. Soloski + Co 100%

15 BUSINESS INTERESTS TRANSFERRED TO IMMEDIATE FAMILY MEMBER (See instructions on page 2) If NONE, check this box.   
Business (Name and Address) Transferee (Name and Address) Interest Held Relationship Date Transferred

The undersigned hereby affirms that the foregoing information is true and correct to the best of said person's knowledge, information and belief; said affirmation being made subject to the penalties prescribed by 18 Pa.C.S. §4904 (unlawful falsification to authorities) and the Public Official and Employee Ethics Act, 65 Pa.C.S. §1109(b).

Signature: Joseph P. Soloski Enter Current Date: 7/27/2020

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR RECORDS.

# Commonwealth of Pennsylvania 2020 NOMINATION PAPER

**NOTE:** You must fill in all information in A, B & C before you begin collecting for signatures.

**OFFICIAL USE ONLY**

PETITIONER EXHIBIT

P-8

**A. PREAMBLE**

**TO THE SECRETARY OF THE COMMONWEALTH:**

We, the undersigned, all of whom are qualified electors of Pennsylvania, of the County, and of the electoral district(s) designated below, hereby nominate the persons designated in "B" below as candidates representing the political body named herein, and also appoint the persons designated in "C" below as the committee authorized to fill any vacancy caused by the death or withdrawal of any such candidates.

1. **Name of Political Body** LIBERTARIAN

2. **County of Signers** NORTHUMBERLAND

**B. CANDIDATE INFORMATION**

OFFICE TITLE	DISTRICT	NAME OF CANDIDATE	PLACE OF RESIDENCE			OCCUPATION
			House No.	Street or Road	City, Boro or Twp.	
President of the United States	statewide	William Martin Sloane	417	West South Street	Carlisle Boro.	Attorney
Vice-President of the United States	statewide	Daniel Fishman	1270	Old Landing Rd.	Accokeek, MD	Executive Director
Attorney General	statewide	Daniel Wassmer	1433	Route 590	Lackawaxen Twp.	Attorney
Auditor General	statewide	Jennifer Moore	209	Lovers Ln.	Upper Providence Twp.	Collections Supervisor
State Treasurer	statewide	Joe Soloski	141	Buckhorn Rd.	Halfmoon Twp.	Accountant
Representative in Congress	12	Liz Terwilliger	5667	Jackson Valley Rd.	Warren Twp.	Speech Pathologist
Senator in the General Assembly	27	John Burd	1510	W. Pine St.	Coal Twp	Candidate
Representative in the General Assembly	108					

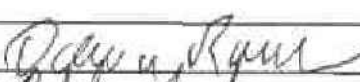




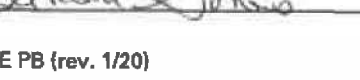

**PRESIDENTIAL ELECTORS:**

NAME	RESIDENCE	OCCUPATION	NAME	RESIDENCE	OCCUPATION
1. Kyle Burton	841 Chester Pike, Apt. 6B, Prospect Park Boro.	Accountant	11. Paul V. Nicotera	1803 Twining Rd., Upper Dublin Twp.	Director of Operations
2. Henry William Conoly	19 Ferndale Dr., Hatfield Twp.	RV Parts Technician	12. Paul Rizzo	3659 Browning Ln., Hanover Twp.	Network Analyst
3. Daniel A. Cooper	1115 Antler Dr., Hellam Twp.	Quality Assurance	13. Richard Schwartzman	146 S. Walnut St., Apt. 1A, Kennel Square Boro.	Writer / Photographer
4. Thomas H. Eckman	228 Cliff Ln., Mt. Joy Twp.	Industrial Electrician	14. William Martin Sloane	417 West South St., Carlisle Boro.	Attorney
5. Greg Faust	1303 Sansa Run, Upper Dublin Twp.	Consultant	15. Kathleen S. Smith	240 W Pike St., Canonsburg Boro.	Retired
6. Kevin Gaughen	21 Mayberry Ln., Silver Spring Twp.	Real Estate Broker	16. Jake Towne	120 Parker Ave., Easton City	Engineer
7. Willie J. Harmon	2010 Wayne Ave., Susquehanna Twp.	Transportation Specialist	17. Glenn J. Tuttle	321 Wallace St., Meadville City	Director of Nursing
8. Ken V. Krawchuk	117 West Ave., Abington Twp.	Entrepreneur	18. Stephen Wahrhaftig	1032 Dunvegan Rd., Westtown Twp.	Marketing Executive
9. Brandon M. Magoon	219 W. 20th St., Erie City	Insurance Salesman	19. John M. Waldenberger	149 N. 4th St., Apt. A, Telford Boro.	Business Owner
10. Roy A. Minet	623 Skyler Dr., East Donegal Twp.	Retired	20. Daniel S. Wassmer	1433 Route 590, Lackawaxen Twp.	Attorney

**C. COMMITTEE TO FILL VACANCIES**

NAME OF COMMITTEE MEMBER	PLACE OF RESIDENCE		
	House No.	Street or Road	City, Boro or Twp.
1. Kevin Gaughen	21	Mayberry Ln.	Silver Spring Twp.
2. Jennifer Moore	209	Lovers Ln.	Upper Providence Twp.
3. Charles E. Moulton, Jr.	1036	Hemlock Dr.	Whitpain Twp.
4. Steve Scheetz	220	Beech St.	Middleton Twp.
5. Daniel S. Wassmer	1433	Route 590	Lackawaxen Twp.

**D. SIGNATURES OF ELECTORS**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
	Danny W. Romer	421	Queen	Northumberland	7/21/20
	Ralph Grogan	2137	Spring St	Schuylkill	7/21/20
	Roy Maurer	4109	MALTA Rd	DALMATIA	7/21/20
	Marshall D. Hummel	264	E Shuman St	Trevorton	7/21/20
	Elizabeth S Hummel	264	E Shuman St	Trevorton	7/21/20
	Gregg Howells	96	E 4th St	Mt Carmel	7/21/20
	Cloyd Jones	241	Keener Dr	Watson Twp	7/21/20
	Sandra Jones	241	Keener Dr	Watson Twp	7/21/20



**D. SIGNATURES OF ELECTORS (Continued)**

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, Boro or Twp.	
<i>[Signature]</i>	Dean Lange	2033	Lanwood	Shunk, PA	7/21/20
<i>[Signature]</i>	Jessica Laska	2296	Susquehanna Trail	McEwen'sville	7/22/20
<i>[Signature]</i>	Olivia Laska	2296	Susquehanna Trail	McEwen'sville	7/22/20
<i>[Signature]</i>	Karen L. Beaver	2100	Broadway	Thurstonville	7/22/20
<i>[Signature]</i>	George C Nye	4485	Snyder Road	Danville	7-21-20
<i>[Signature]</i>	Ron J Snyder	2173	Dorris Rd	Subburg	7-22-20
<i>[Signature]</i>	Nichelle Siskind	38	South 2nd	Subburg	7-22-20
16.					
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31.					
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33.					
34.					
35.					

**E. STATEMENT OF CIRCULATOR**

I state that my residence is as set forth below; that the signers to the foregoing nomination paper signed the same with full knowledge of the contents thereof; that their residences are correctly stated therein; that they all reside in the county specified below; that each signed on the data set opposite his or her name; and that to the best of my knowledge and belief, the signers are qualified electors of the electoral districts designated in this nomination paper.

By signing below, I agree to submit to the jurisdiction of the Commonwealth of Pennsylvania, regarding any case or controversy arising out of my activities while circulating papers, which shall be governed by the laws of the Commonwealth of Pennsylvania.

**NORTHUMBERLAND** County  
County of Paper Signers' Residence

I, Elizabeth Terwilliger state that I am the person whom I represent myself to be herein, and I state that the information set forth in this section is true and accurate and made subject to the criminal penalties imposed by law for violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Signature: *[Signature]* Date: 07/23/20  
MM/DD/YY

Address of Circulator: 5667 Jackson Valley Rd  
Number Street  
Warren Twp PA 18857  
City, Boro or Twp. State Zip Code

NOTE: THIS STATEMENT MUST BE COMPLETED AFTER ALL SIGNATURES HAVE BEEN OBTAINED.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
Bureau of Commissions, Elections and Legislation  
POLITICAL BODY CANDIDATE'S AFFIDAVIT

PB

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CHESTER SS:

CANDIDATE'S AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the name of the office for which I desire to be a candidate are as specified below, that I am eligible for said office, and that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that my name has not been presented as a candidate by nomination petitions for any public office to be voted for at the ensuing primary election, nor have I been nominated by any other nomination papers for any such office; that if I am a candidate for election at a general or municipal election I shall not be a registered and enrolled member of a political party at any time during the period of thirty (30) days prior to the primary up to and including the day of the following general or municipal election, or if I am a candidate for election at a special election I am not a registered and enrolled member of a political party; that I am not a candidate for an office which I already hold, the term of which is not set to expire in the same year as the office subject to this affidavit.

I swear (or affirm) to the above parts as required by the laws applicable to the office I seek.

Sworn (or affirmed) and subscribed before me this

3rd day of August

20 20

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Rafael T. McEachin, Notary Public  
Lower Merion Twp., Montgomery County  
My Commission Expires Oct. 10, 2021  
Member, Pennsylvania Association of Notaries  
(SEAL)

*Rafael T. McEachin*

(Signature of Person Administering Oath)

My Commission Expires 10/10/2021

PRESIDENT OF THE UNITED STATES

Office/District

Elizabeth Faye Scroggin

Signature of Candidate

ELIZABETH FAYE SCROGGIN

Printed Name of Candidate

ELIZABETH FAYE SCROGGIN

Name as it is to appear on the Ballot

233 W PENNSYLVANIA AVE 19335

Street Address/Post Office/Zip Code

DOWNINGTOWN CHESTER

City/Borough/Township

County

DOWNINGTOWN BOROUGH WESTWARD

Election District of Candidate  
(District Where Registered To Vote)

NORTH  
PRECINCT

610 241 0351

Telephone Number

OFFICE USE ONLY

<input type="checkbox"/>	<input type="checkbox"/>	COUNTY CODE	\$	<input type="checkbox"/>	<input type="checkbox"/>	F	<input type="checkbox"/>	<input type="checkbox"/>	M	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
OFFICE	DISTRICT	POLITICAL PARTY	AMOUNT RECEIVED	NUMBER OF PAPERS						COMMENTS
CHECKER			INPUT			VERIFY				

PETITIONER EXHIBIT  
P-9

## Lacey, Alex

---

**From:** Mathis, Jessica <jesmathis@pa.gov>  
**Sent:** Tuesday, August 25, 2020 3:09 PM  
**To:** lawrence otter; Levine, Clifford  
**Cc:** Gates, Timothy  
**Subject:** RE: [External] Scroggins affidavit  
**Attachments:** SKM\_458e20082514160.pdf

### [External Sender]

Larry,

Per your request, attached is the candidate's affidavit.

Thank you.

Jessica Mathis, Director  
Bureau of Elections and Notaries  
PA Department of State  
210 North Office Building I Harrisburg, PA 17120  
Phone: 717. 787.5280 Fax: 717.705.0721  
[www.dos.pa.gov](http://www.dos.pa.gov)

#### Confidentiality Notice:

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender and delete the communication from your electronic mail system.

**From:** lawrence otter <larryotter@hotmail.com>  
**Sent:** Tuesday, August 25, 2020 1:24 PM  
**To:** Mathis, Jessica <jesmathis@pa.gov>  
**Cc:** Gates, Timothy <tgates@pa.gov>  
**Subject:** [External] Scroggins affidavit  
**Importance:** High

**ATTENTION:** This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to [CWOPA\\_SPAM@pa.gov](mailto:CWOPA_SPAM@pa.gov).

Jessica

Can you check to see if you have the attached candidate's affidavit which was faxed to DOS on August 3 before 5 pm

The fax memo suggests it was received

Please advise ASAP

Regards

- Election Information**
- Basic Search**
- Advanced Search**
- Registered Committee List**

[Home](#) > [Election Information](#) > Candidate Information

[Frequently Asked Questions](#)

**Candidate Information - SCROGGIN, ELIZABETH FAYE**


<b>Office Sought:</b>	PRESIDENT OF THE UNITED STATES	<b>District:</b>	Statewide
<b>Election Year:</b>	2020	<b>Party:</b>	Green
<b>Candidate ID:</b>	2020C1459	<b>Candidate-Status:</b>	Withdrawn

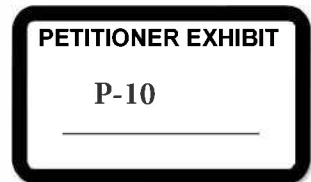
**Certificate/  
Commission-Status:**

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<b>Approved Date:</b>	08/04/2020	<b>Termination Date:</b>	
<b>Candidate Type:</b>	Paper	<b>Running Mate Information:</b>	
<b>Substituting for:</b>		<b>Substituting by:</b>	HAWKINS, HOWIE (2020C1480)
<b>Ballot Lottery #:</b>	0	<b>Primary Ballot Position:</b>	0
<b>Ballot Lottery Proxy Name:</b>		<b>Delegate Status:</b>	
<b>Cross Filed:</b>	No	<b>County:</b>	CHESTER
<b>Mailing Address:</b>	233 W PENNSYLVANIA AVE DOWNTOWN PA 19335-	<b>Municipality:</b>	DOWNTOWN
<b>Email:</b>		<b>Phone:</b>	
<b>Gender:</b>	Female	<b>DOB:</b>	
<b>Withdrawal Reason:</b>	Candidate Withdrew	<b>Withdrawal Date:</b>	08/10/2020

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**Candidate Information - GALE, NEAL TAYLOR**


[Frequently Asked Questions](#)

**Office Sought:** VICE-PRESIDENT      **District:** Statewide  
**Election Year:** 2020      **Party:** Green  
**Candidate ID:** 2020C1460      **Candidate-Status:** Withdrawn  
**Certificate/Commission-Status:**

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<b>Approved Date:</b>		<b>Termination Date:</b>	
<b>Candidate Type:</b>	Paper	<b>Running Mate Information:</b>	HAWKINS, HOWIE (2020C1480)
<b>Substituting for:</b>		<b>Substituting by:</b>	WALKER, ANGELA (2020C1481)
<b>Ballot Lottery #:</b>	0	<b>Primary Ballot Position:</b>	0
<b>Ballot Lottery Proxy Name:</b>		<b>Delegate Status:</b>	
<b>Cross Filed:</b>	No	<b>County:</b>	
<b>Mailing Address:</b>	2214 JENKINTOWN RD GLENSIDE PA 19038-	<b>Municipality:</b>	GLENSIDE
<b>Email:</b>		<b>Phone:</b>	
<b>Gender:</b>	Female	<b>DOB:</b>	
<b>Withdrawal Reason:</b>	Candidate Withdrew	<b>Withdrawal Date:</b>	08/10/2020

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**Candidate Information - HAWKINS, HOWIE**


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**Office Sought:** PRESIDENT OF THE UNITED STATES  
**District:** Statewide  
**Election Year:** 2020  
**Party:** Green  
**Candidate ID:** 2020C1480  
**Candidate-Status:** Approved  
**Certificate/Commission-Status:**

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<b>Approved Date:</b>	08/10/2020	<b>Termination Date:</b>	
<b>Candidate Type:</b>	Substitute	<b>Running Mate Information:</b>	WALKER, ANGELA (2020C1481)
<b>Substituting for:</b>	SCROGGIN, ELIZABETH FAYE (2020C1459)	<b>Substituting by:</b>	
<b>Ballot Lottery #:</b>	0	<b>Primary Ballot Position:</b>	0
<b>Ballot Lottery Proxy Name:</b>		<b>Delegate Status:</b>	
<b>Cross Filed:</b>	No	<b>County:</b>	
<b>Mailing Address:</b>	410 W BEARD AVE PO BOX 562 SYRACUSE NY 13205-	<b>Municipality:</b>	SYRACUSE
<b>Email:</b>		<b>Phone:</b>	3152006046
<b>Gender:</b>	Male	<b>DOB:</b>	
<b>Withdrawal Reason:</b>		<b>Withdrawal Date:</b>	

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 Candidate Information - WALKER, ANGELA

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<b>Office Sought:</b>	VICE-PRESIDENT	<b>District:</b>	Statewide
<b>Election Year:</b>	2020	<b>Party:</b>	Green
<b>Candidate ID:</b>	2020C1481	<b>Candidate-Status:</b>	Approved
<b>Certificate/Commission-Status:</b>			

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<b>Approved Date:</b>	08/13/2020	<b>Termination Date:</b>	
<b>Candidate Type:</b>	Substitute	<b>Running Mate Information:</b>	HAWKINS, HOWIE (2020C1480)
<b>Substituting for:</b>	GALE, NEAL TAYLOR (2020C1460)	<b>Substituting by:</b>	
<b>Ballot Lottery #:</b>	0	<b>Primary Ballot Position:</b>	0
<b>Ballot Lottery Proxy Name:</b>		<b>Delegate Status:</b>	
<b>Cross Filed:</b>	No	<b>County:</b>	
<b>Mailing Address:</b>	315 ROYAL ST APT A FLORENCE SC 29506-	<b>Municipality:</b>	FLORENCE
<b>Email:</b>		<b>Phone:</b>	
<b>Gender:</b>	Female	<b>DOB:</b>	
<b>Withdrawal Reason:</b>		<b>Withdrawal Date:</b>	

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**Candidate Information - SLOANE, WILLIAM MARTIN**


<b>Office Sought:</b>	PRESIDENT OF THE UNITED STATES	<b>District:</b>	Statewide
<b>Election Year:</b>	2020	<b>Party:</b>	Libertarian
<b>Candidate ID:</b>	2020C1442	<b>Candidate-Status:</b>	Withdrawn

**Certificate/  
Commission-Status:**

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<b>Approved Date:</b>	07/31/2020	<b>Termination Date:</b>	
<b>Candidate Type:</b>	Paper	<b>Running Mate Information:</b>	
<b>Substituting for:</b>		<b>Substituting by:</b>	JORGENSEN, JO (2020C1482)
<b>Ballot Lottery #:</b>	0	<b>Primary Ballot Position:</b>	0
<b>Ballot Lottery Proxy Name:</b>		<b>Delegate Status:</b>	
<b>Cross Filed:</b>	No	<b>County:</b>	CUMBERLAND
<b>Mailing Address:</b>	417 WEST SOUTH STREET CARLISLE PA 17111-	<b>Municipality:</b>	CARLISLE
<b>Email:</b>		<b>Phone:</b>	
<b>Gender:</b>	Male	<b>DOB:</b>	
<b>Withdrawal Reason:</b>	Candidate Withdrew	<b>Withdrawal Date:</b>	08/10/2020

[Election Calendar](#) | [Ballot Lottery Position](#) | [Referendum Listing](#) | [Withdrawals Listing](#) | [Retention Candidate List](#) | [Objection Cases Filed](#) | [24 Hour Contributions](#) | [Ballot Lottery Location Reporting Deadlines](#) |

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DEPARTMENT OF STATE  
DECLARATION OF CANDIDACY

TO: THE SECRETARY OF THE COMMONWEALTH

I hereby swear or affirm that I am a candidate for the Democratic nomination for the office of President of the United States, and in accordance with Section 809.1 of the Pennsylvania Election Code, 25 P.S. § 2839.1, do hereby authorize candidates in the 2020 Democratic Presidential Primary for Delegate and Alternate Delegate to the Democratic National Convention to pledge, support and commit themselves to my candidacy.

\_\_\_\_\_  
Signature of Presidential Candidate

\_\_\_\_\_  
Print or Typewrite Name

Sworn to and subscribed before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_

\_\_\_\_\_

(Official Title)

My commission expires \_\_\_\_\_

**PETITIONER EXHIBIT**

**P-11**  
\_\_\_\_\_



pennsylvania department of state 2020 declaration of candidacy



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### Running for Office - Pennsylvania Department of State - PA.gov

Although the Capitol Complex is open to the public the **Department of State** is not open for visitors to enter NOB ... **2020 Nomination** Paper Objections Cases.

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### general information about running for public office

Elections and Legislation, via email at RA-elections@pa.gov, or by telephone at ... **OFFICE**. ELECTION YEARS. President of the United States. **2020**, 2024 ... nomination petition of a candidate for **state**, county or local public **office**. ... required to submit to the **Secretary** of the Commonwealth a **Declaration of Candidacy** and a.

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### department of state declaration of candidacy - Pa Department ...

**DECLARATION OF CANDIDACY. TO: THE SECRETARY OF THE COMMONWEALTH ... Code, 25 P.S. § 2839.1, do hereby authorize candidates in the 2020 ...**

ballotpedia.org > Ballot\_access\_requirements\_for\_politi...

### Ballot access requirements for political candidates in ...

Jump to **State Senate** - Filing requirements for state legislative **candidates, 2020** ... Source: **Pennsylvania Department of State**, "2016 Election Calendar," ...

Missing: ~~declaration~~ | Must include: **declaration**

[Year-specific filing ...](#) · [Process to become a ...](#) · [Election-related agencies](#)

ballotpedia.org > Pennsylvania\_House\_of\_Representati...

### Pennsylvania House of Representatives elections, 2020 ...

Elections for the **office** of **Pennsylvania** House of Representatives will take place ... **State** legislative district maps are drawn by a commission comprising **state** legislators. ... **Candidate** filing procedures: N/A; Voting procedures: Wolf extended the ... disclosure of fees in **declarations** and in public offering statements of planned ...

[Coronavirus and the 2020 ...](#) · [March 27, 2020 ...](#) · [Process to become a ...](#)

www.legis.state.pa.us > PDF > 0320..PDF PDF

### PENNSYLVANIA ELECTION CODE - PA Legislature

ARTICLE XVIII-B. Emergency Provisions For **2020** General Primary. Election (Expired) ... act, of a **candidate** for a public **office** authorized to be voted for at an election. ... voting machine for any election, Federal or **State**, in this. Commonwealth, that ... I hereby **declare** to the voters of my political party in the. (here insert "**State** ...

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sos.oregon.gov > voting-elections

### Voting & Elections - Oregon Secretary of State - State of Oregon

Important Election Dates · Aug. 25, **2020** - Last day to register to vote. · Aug. 25, **2020** - Last day to file **declaration of candidacy** or nominating petition for local ...

Missing: ~~pennsylvania~~ | Must include: **pennsylvania**

www.philadelphiavotes.com > candidates-a-campaigns

### Campaign Finance Filing Requirements

City Commissioners & **PA Department of State** State **Candidates** - File original ... Act **2020-15** allows for unsworn **declarations** for campaign finance reports and ...

**Lacey, Alex**

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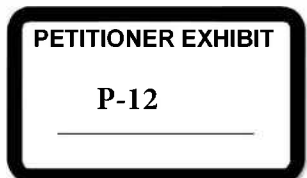
**From:** Jason Henry <jason@padems.com>  
**Sent:** Saturday, September 5, 2020 6:18 PM  
**To:** Lacey, Alex  
**Subject:** Fwd: Green party paperwork  
**Attachments:** 550-600.pdf; 601-650.pdf; 651-700.pdf; District affidavits and SFI.pdf; Statewide affidavits and SFI.pdf

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**From:** Yake, Adam <[ayake@pa.gov](mailto:ayake@pa.gov)>  
**Date:** Tue, Aug 4, 2020, 5:40 PM  
**Subject:** Green party paperwork  
**To:** Jason Henry <[jason@padems.com](mailto:jason@padems.com)>



**Lacey, Alex**

---

**From:** Jason Henry <jason@padems.com>  
**Sent:** Saturday, September 5, 2020 6:23 PM  
**To:** Lacey, Alex  
**Subject:** Fwd: Libertarian party paperwork  
**Attachments:** Statewide Affidavits and SFI.pdf; nomination papers 401-503.pdf

**[External Sender]**

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**From:** Yake, Adam <[ayake@pa.gov](mailto:ayake@pa.gov)>  
**Date:** Tue, Aug 4, 2020, 5:41 PM  
**Subject:** Libertarian party paperwork  
**To:** Jason Henry <[jason@padems.com](mailto:jason@padems.com)>

## Lacey, Alex

---

**From:** Jason Henry <jason@padems.com>  
**Sent:** Saturday, September 5, 2020 6:20 PM  
**To:** Lacey, Alex  
**Subject:** Fwd: Green party paperwork  
**Attachments:** 151-200.pdf; 201-250.pdf

[External Sender]

- Sent from my Verizon Wireless device

----- Forwarded message -----

**From:** Yake, Adam <[ayake@pa.gov](mailto:ayake@pa.gov)>  
**Date:** Tue, Aug 4, 2020, 5:36 PM  
**Subject:** Green party paperwork  
**To:** Jason Henry <[jason@padems.com](mailto:jason@padems.com)>