

APPENDIX

Declaration of Charles J. Cicchetti, Ph.D.

I, Charles J. Cicchetti, declare and state as follows:

1. I am a resident of the State of California. Since 2016, I have been an independent contractor and work as a Managing Director at Berkeley Research Group, Inc. The views expressed are my own and do not reflect the views of any entities with which I am affiliated. I have personal knowledge of the matters set forth below and could and would testify competently to them if called upon to do so.

Professional Background

2. I am an economist with a BA from Colorado College (1965) and a Ph.D. from Rutgers University (1969), and three years of Post Graduate Research in applied economics and econometrics at Resources For the Future (RFF). I was formally trained statistics and econometrics and accepted as an expert witness in civil proceedings. I have been engaged to design surveys, draw random samples, and analyze and test data for significance, and I have conducted epidemiology analysis using logit models to determine the significance of relative odds of outcomes and relative risk. I have also been tasked with evaluating the work of other experts on the data and methods used and to detect and opine on bias, particularly missing variable bias.

3. I have testified in civil, arbitration, and administrative proceedings as an expert witness hundreds of times since my first appearance in 1967. Much of this work involved data analysis and interpretation, sampling, and survey design.

4. I began my professional career after completing my academic and postdoctoral studies at the University of Wisconsin, Madison, from 1972 to 1985, where I eventually became a tenured Professor of Economics and Environmental Studies. During this period, I also served in other capacities, including an early role as the first economist for the Environmental Defense Fund (EDF), Director of the Wisconsin Energy Office, Special Advisor to the Governor of Wisconsin, and Chair of the Wisconsin Public Service Commission. I had grants from EDF, the Ford Foundation, National Science Foundation, and the Planning and Conservation Fund (California).

5. From 1987 to 1990, I was the Deputy Director of the Energy and Environmental Policy Center at the John F. Kennedy School of Government at Harvard University. I have taught at the

University of Southern California (USC) part-time since 1991, and from 1998 to 2006 I held the Jeffrey J. and Paula Miller Chair in Government, Business and the Economy.

6. I worked for and founded a number of consulting firms specializing in applied economics and econometrics. I currently own Cicchetti Associates, Inc., and I am a member of Berkeley Research Group. I have written more than twenty books and monographs and many peer reviewed articles. A true and correct copy of my *c.v.* is attached as Exhibit 1.

Assignment

7. I was asked to analyze some of the validity and credibility of the 2020 presidential election in key battleground states. I analyzed two things that seem to raise doubts about the outcome. First, I analyzed the differences in the county votes of former Secretary of State Hillary Clinton (Clinton) compared to former Vice President Joseph Biden (Biden). Second, many Americans went to sleep election night with President Donald Trump (Trump) winning key battleground states, only to learn the next day that Biden surged ahead. Therefore, I compared and tested the significance of the change in tabulated ballots earlier in the reporting to subsequent tabulations. For both comparisons I determined the likelihood that the samples of the outcomes for the two Democrat candidates and two tabulation periods were similar and randomly drawn from the same population. I used a standard statistical test in this comparison.

8 I was also asked to compare rejection of ballots in 2016 to 2020 in Georgia. I analyzed data for mail-in ballots and their rejection rates for the two elections. I use this comparison to estimate how the election outcome would be affected if the rejection rate in 2020 was similar to 2016 when there were many fewer absentee mail-in and other early ballots. The increase in voters using early ballots in Georgia for the first time would likely cause errors that would decrease acceptance relative to rejections. Furthermore, the time between the two presidential elections is short enough that significant changes as discussed in this declaration could not be due to underlying changes in demographic factors. It is important to determine if there were instances of opening absentee ballots before election day commenced, which was not permitted. The specific procedures for acceptance/rejection are important because the Settlement reached in Georgia, identified in the complaint, agreed to require three registrars to reject a defective ballot. This change alone would increase acceptance, and likely caused lower rejection rates.

9. I was asked to analyze absentee ballots in Wayne County, Michigan to determine if the reporting satisfied the requirements for tabulating and reporting ballots. I found that Detroit precincts do not provide information on voter registration. These same precincts in Detroit do not report balanced tabulations as required. These failures make it impossible to determine if the ballots tabulated are valid.

I. Z-Scores For Georgia¹

A. Comparing Clinton in 2016 to Biden in 2020 in Georgia

10. In 2016, Trump won Georgia with 51.0% of the vote compared to Clinton's 45.9% with more than 211,000 votes separating them. In 2016, Clinton received 1,877,963 votes and Trump received 2,089,104. In 2020, Biden's tabulated votes (2,474,507) were much greater than Clinton's in 2016. Trump's votes also increased to 2,461,837. The Biden and Trump percentages of the tabulations were 49.5% and 49.3%, respectively.

11. I tested the hypothesis that the performance of the two Democrat candidates were statistically similar by comparing Clinton to Biden. I use a Z-statistic or score, which measures the number of standard deviations the observation is above the mean value of the comparison being made. I compare the total votes of each candidate, in two elections and test the hypothesis that other things being the same they would have an equal number of votes.² I estimate the variance by multiplying the mean times the probability of the candidate not getting a vote. The hypothesis is tested using a Z-score which is the difference between the two candidates' mean values divided by the square root of the sum of their respective variances. I use the calculated Z-score to determine the p-value, which is the probability of finding a test result at least as extreme as the actual results observed. First, I determine the Z-score comparing the number of votes Clinton received in 2016 to the number of votes Biden received in 2020. The Z-score is 396.3. This value corresponds to a confidence that I can reject the hypothesis many times more than one in a quadrillion times³ that the two outcomes were similar.

¹ Unless otherwise noted, the data used for Georgia are from the Secretary of State in Georgia.

² The mean of a binomial distribution is defined as the probability of candidate getting a vote times the number of votes cast.

³ A quadrillion is 1 followed by 15 zeros. Z equal to 10 would reject with a confidence of one in a septillion, or one followed by 24 zeros, which would be a billion quadrillion, or a trillion, trillion. As Z increases, the number of zeros increases exponentially. A Z of 396.3 is a chance in 1 in almost an infinite number of outcomes of finding the two results being from the same population, here Georgia voters preferring a Democrat in 2016 being the same as in 2020.

12. Second, since more ballots were cast I performed an additional hypothesis test of the similarity of the Clinton and Biden vote percentages to remove the effect of the difference in the increase number of votes that Biden received relative to Clinton. The estimated Z-score is less because I removed the influence of differences in the number of ballots tabulated in the two elections. I continue to find with very great confidence that I can reject the hypothesis that the percentages of the votes Clinton and Biden achieved in the respective elections are similar. The estimated Z-score is 108.7. The confidence for rejecting the hypothesis remains many times more than one in a quadrillion.⁴

13. There are many possible reasons why people vote for different candidates. However, I find the increase of Biden over Clinton is statistically incredible if the outcomes were based on similar populations of voters supporting the two Democrat candidates. The statistical differences are so great, this raises important questions about changes in how ballots were accepted in 2020 when they would be found to be invalid and rejected in prior elections.

B. Comparing Early and Subsequent Tabulations for Georgia⁵

14. At 3:10 AM EST on November 4 the Georgia reported tabulations were 51.09% for Trump and 48.91% for Biden (eliminating third-party candidates). The total votes reported for the two major candidates were 4,662,328. On November 18 at 2 PM EST, the reported percentages were Trump 49.86% and Biden at 50.14%. The Biden advantage over Trump in the final tabulations reported was less than 14,000 votes, or 0.28%. For this turnaround to occur, the subsequent additional “late” ballots totaling 268,204 votes (5.4% of the votes reported on November 18) had to split 71.60% for Biden and 28.40% for Trump. The two periods report shifts in the percentage favoring Trump from 51.09% to 49.86%, which is a percentage difference of 1.23%.

15. The Georgia reversal in the outcome raises questions because the votes tabulated in the two time periods could not be random samples from the same population of all votes cast. I use a Z-score to test if the votes from the two samples are statistically similar. I estimate a Z-score

⁴ The estimated confidence is actually about 1 in 1 with 2,568 zeros.

⁵ The data on the tabulations for early balloting compared to the final tabulations come from the same source for the different time periods and the five battleground states that I analyzed. The source used was: <https://www.270towin.com/2020-election-results-live/>. These are provided by time, date, and state.

of 1,891.⁶ There is a one in many more than quadrillions of chances that these two tabulation periods are randomly drawn from the same population. Therefore, the reported tabulations in the early and subsequent periods could not remotely plausibly be random samples from the same population of all Georgia ballots tabulated. This result was not expected because the tabulations reported at 3 AM EST represented almost 95% of the final tally, which makes a finding of similarity for random selections likely and not statistically implausible.

16. Put another way, for the outcome to change, the additional ballots counted would need to be much different than the earlier sample tabulated. Location and types of ballots in the subsequent counts had, in effect, to be from entirely different populations, the early and subsequent periods, and not random selections from the same population. These very different tabulations also suggest the strong need to determine why the outcome changed. I am aware of anecdotal statements from election night that some Democrat strongholds were yet to be tabulated. There was also some speculation that the yet-to-be counted ballots were likely absentee mail-in ballots. Either could cause the latter ballots to be non-randomly different than the nearly 95% of ballots counted by 3AM EST, but I am not aware of any actual data supporting that either of these events occurred. However, given the closeness of the vote in Georgia, 12,670 votes, further investigation and audits should be pursued before finalizing the outcome.

II. Z-Scores for Other Battleground States

17. I analyzed three additional battleground states, Michigan, Pennsylvania, and Wisconsin. I reviewed similar matters related to Clinton/Biden differences and early tabulated results and outcome reversals. The states all had significant increases in early ballots compared to 2016. This is shown in Table 1 for Georgia and the other three battleground states that I analyzed in some detail.

Table 1: Early Ballots and Percent Increases Between 2016 and 2020

State	2016	2020	2020/2016
Georgia	2,438,644	3,957,889	162.30%
Michigan	1,277,405	3,111,414	243.60%
Pennsylvania	288,996	2,504,518	866.60%
Wisconsin	825,620	1,924,838	233.10%

⁶ This would be 1 divided by more than 775,000 zeros.

18. I calculated the same Z-scores for Biden and Clinton total ballots and their respective percentage of the votes for the four states. These data were Secretary of State certified tabulations. I analyzed data from what I understand to be a non-partisan neutral source, 270toWin, to compare tabulations when balloting was reported as halted in Georgia discussed above, and Michigan, Pennsylvania, and Wisconsin states at about 3 AM on November 4, 2020. I compared this to the data from other time periods from the same source to avoid any reporting differences. The final tabulations for the two leading candidates that I used in this comparison are tabulations reported November 18, 2020 at 2PM EST.

19. Table 2 shows the Z-scores for Georgia discussed above and the other three states.

Table 2: Z Scores Battleground States

	Biden Votes	& Clinton Percentage	Early to Later
Georgia	396.3	108.7	1891
Pennsylvania	290.4	90.7	736
Wisconsin	198.5	77	1271
Michigan	333.1	107.4	586

20. I reject the hypothesis that the Biden and Clinton votes are similar with great confidence many times greater than one in a quadrillion in all four states. Similarly, I reject the hypothesis that the Biden and Clinton percentage of the two leading candidates' votes are similar with confidence exceeding many times one in a quadrillion. In fact, the confidence I reject the similarity in these comparisons with the probability of incorrectly rejecting such hypotheses is equal to about one divided by one with a thousand or more zeros. Further, when all four battleground states have the same Clinton to Biden difference, the probability of such a collective outcome is lower by an exponential factor of four, *i.e.*, the improbability of that collective outcome effectively raises the odds of all four having the same result to the fourth power. The probability of there being no meaningful difference in voter preferences for Clinton and Biden would be approximately one divided by one with about a trillion zeros.

21. The degree of confidence is even greater for rejecting the hypothesis that the early morning after election tabulations and the subsequent tabulations were drawn from the same population of all voters. For example, the Z-score for Michigan is the lowest of the four states

shown. The degree of confidence for rejecting the Michigan hypothesis has a one in one with 74,593 zeros. Georgia had tabulated about 95% of the ballots cast by 3 AM EST. The comparable initial period tabulations in Pennsylvania, Wisconsin, and Michigan were 75%, 89%, and 69%. These are large enough to expect comparable percentages and vote margins for random selections of ballots to tabulate early and later. Again, the chance of this happening in all four states collectively is even far more improbable, and would be about one divided by about one with a quadrillion zeros.

III. Comparing 2016 Rejection Rates to 2020 Rejection Rates in Georgia

22. In 2016, the rejection rate for mail-in absentee ballots in Georgia was 6.42%.

2016 Mail-in Absentee Ballots

2016 Mail-in Volume	213,033
2016 Mail-in Ballots Rejected	13,677
2016 Mail-in Rejection Rate	6.42%

23. In 2020, many more mail-in absentee ballots were tabulated in Georgia, while the rejection rate dropped to less than 0.37%.

2020 Mail-in Absentee Ballots

2020 Mail in Volume	1,316,943
2020 Mail in Ballots Rejected	4,786
2020 Mail in Rejection Rate	0.3634%

24. There were 1,316,943 absentee mail-in ballots submitted in Georgia in 2020. The Biden and Trump combined absentees mail-in ballots equaled 1,300,886. There were 4,786 absentee ballots rejected in 2020. This is a rejection rate of 0.3634% out of all the absentee mail-in ballots tabulated. This is much smaller than the number of absentee ballots rejected in 2016, when 13,677 absentee mail-in ballots were rejected out of 213,033 submitted. The 2016 rejection rate was 6.42%, which is more than seventeen times greater than 2020. This decrease in rejection rates is very unexpected, since there was more than a six-fold increase in absentee ballot use.

25. If the rejection rate of mailed-in absentee ballots remained the same in 2020 as it was in 2016, there would be 83,517 fewer tabulated ballots for Biden and Trump in 2020. The Secretary of State's certified absentee mail-in ballots for the two major party candidates were

split 34.681% for Trump and 65.319% for Biden. If the higher 2016 rejection rate was applied to the much greater 1,300,886 ballots, and the Biden and Trump shares of rejected ballots was the same as for all absentee mail-in ballots for the two major party candidates, this would decrease Trump votes by 28,965 and Biden votes by 54,552, which is a net gain for Trump of 25,587 votes.

26. The net gain for Trump would be more than the tabulated ballots needed to overcome the Biden advantage of 12,670 votes. Trump would win by 12,917 votes.

IV. Incomplete Ballots and Non-Reporting in Michigan

27. I analyzed the absentee ballot data for Wayne County, Michigan, at the precinct level. I found that 174,384 absentee ballots out of 566,694 absentee ballots tabulated (about 30.8%) were counted without a registration number for precincts in the City of Detroit starting with Absentee Vote County Board 1 (ACVB 1) through (ACVB 134). In Wayne County, Biden won 68.4% of the ballots tabulated.

28. If this same rate was applied to these votes without a registration number, this would cause Biden to lose about 119,300 votes and Trump's comparable loss with 30.3% of the tabulated vote would be about 52,800 votes. This would be a net gain of about 66,500 votes for Trump in one county if votes without a voter registration were not counted. If the percent voting for Biden was greater, the net gain for Trump would be higher. This seems likely since the precincts were all from Detroit that included absentee ballots without registration identification in their tabulation.

29. Michigan requires precincts to balance their reported tabulations. William C. Hartmann and Monica Palmer (Chairperson) are two of the four members of the Board of Canvassers for Wayne County. They signed affidavits (attached to my declaration) attesting they would not certify Wayne County's vote because about 70% of Detroit's 134 AVCB precincts were not balanced. This means the numbers reported must match the votes tabulated and ballots could be misplaced and unexplained mismatches. Given the number of ballots tabulated without a registration and the number of precincts that are not balanced, there is a need for more complete investigations and audits.

V. Summary

30. I examine two reasons why further investigation of the vote tally in Georgia, Michigan, Pennsylvania, and Wisconsin is needed given what, in my opinion, are extremely improbable results in the 2020 election for president. First, Biden outperformed Clinton in both total votes and percentage of the final votes in all four states. Second, Trump led in the voting tabulated before about 3 AM the morning after in all four battleground states. When the additional ballots were added, Biden passed Trump in all four states. Battleground states are, by definition, expected to be close to a 50/50 proposition or coin toss. Biden's collective win in all four of those battleground states were with percentage margins that far exceed Clinton's vote results. I find this statistically to be extremely improbable. In my opinion, this difference in the Clinton and Biden performance warrants further investigation of the vote tally particularly in large metropolitan counties within and adjacent to the urban centers in Atlanta, Philadelphia, Pittsburgh, Detroit and Milwaukee.

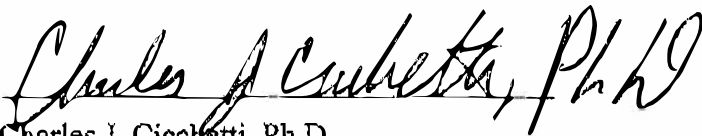
31. Data from two different years or in two different time periods for random coin tossing would not be expected to be much different than 50 heads and 50 tails. If there were differences, this would suggest something not expected in a fair coin toss game was affecting the outcome. This could be a defect in the coin or the tossing procedures. Discovering differences would with high probabilities require more analyses and investigations to determine what happened and why. In my analysis, I found that the odds of the Clinton/Biden and early versus later tabulations randomly happening in one state are astronomical, and in all four simultaneously occurring nearly incomprehensible. Accordingly, all four battleground states should be thoroughly analyzed, investigated and audited to determine whether the outcome of the vote is accurate. In my opinion, the outcome of Biden winning in all these four states is so statistically improbable, that it is not possible to dismiss fraud and biased changes in the way ballots were processed, validated and tabulated. If the efforts to uncover mistakes and violations are completed, I would not be surprised that there could be a reversal in the outcome of Biden winning in some or all of these four battleground states.

32. I found in Georgia that the rejection rates for absentee ballots in 2020 were much less than in 2016. This is surprising since so many more voters (more than six times as many) used absentee mail-in ballots in 2020 compared to 2016. I found that if the previous 6.42% rejection rate of absentee mail-in ballots in 2016 applied in 2020, there would be about 83,500 fewer votes

for the two major party candidates. I estimate that if the same split of all absentee mail-in ballots for Trump and Biden was applied to the difference in the votes corresponding to the 2016 rejection rate that Trump would have fewer ballots rejected for a net gain in the margin of more than 25,500 votes, and win the Georgia presidential election by nearly 13,000 votes.

33. The statistical differences that I found in Georgia strongly point to the necessity of reviewing all ballots to make certain the sharp decrease in rejections and/or curing were accurate and legally⁷ permitted.

34. I analyzed absentee ballots in Wayne County, Michigan. I found 174,384 ballots in Detroit were not matched to registered voters. I further read the Affidavit of two of the four members of the Canvassing Board and learned that about 70% of the Detroit precincts did not balance the votes tabulated as they are required to do so. Both findings strongly support my opinion that the vote tally is materially inaccurate and warrant an investigation and audit of these results.


Charles J. Cicchetti, Ph.D.


Date

⁷ I am not an attorney, and this is not intended to be a legal opinion.

AFFIDAVIT

I, Monica Palmer, being first duly sworn, and under oath, state:

1. I am the Chairperson of the Wayne County Board of Canvassers.
2. The Board is a four-member board, required to have two Republican and two Democrat members, and I serve as one of the Republican members.
3. On August 4, 2020, the Michigan primary election was held.
4. On August 18, 2020, the Board held a public meeting at the Board's office in Detroit. I attended the meeting with the other three members of the Board.
5. The Board reviewed the Wayne County election results and considered whether to certify the August 4, 2020 primary election.
6. As reflected in the meeting minutes, Wayne County Election Director Gregory Mahar gave the Board a report at the meeting that included the following findings:
 - Staff encountered difficulties while trying to canvass the City of Detroit absentee precincts. "He indicated that aside from receiving the poll books on the first Friday and Sunday after the canvass began, the list of voters received made it difficult to determine how many voters actually returned their ballot. He reported that the City of Detroit used the QVF printed list of voters but there was also a handwritten list of voters, which is common to use both, but the two lists combined put the precincts severely out of balance."
 - "Director Mahar also reported on the difficulties staff encountered with trying to retabulate any absentee precincts that were out of balance. He stated that according to the Election Management system, he could see the City of Detroit did not scan a single precinct within a batch. When multiple precincts are scanned within a batch, it makes it nearly impossible to retabulate a precinct without potentially disrupting a perfectly balanced precinct."
 - "Deputy Director Jennifer Redmond reported on the irregularities she encountered while trying to retabulate out of balance precincts. She indicated that in some cases staff could not retabulate because the number of physical ballots counted in the container did not match the number of voters according to the poll book. Staff also requested the applications to vote for Detroit precinct 444 and precinct 262. Both containers ha[d] fewer ballots in the container than the number of voters according to the poll book, but what was strange was there appeared to be some missing applications." 4.
7. It was reported that in the August 2020 primary that 72% of Detroit's absentee voting precincts were out of balance.
8. After discussion among the Board members, I voted along with all the other canvassers in a unanimous vote in favor of certifying the August 4, 2020 Primary Election.

9. Although certifying the primary election results, all Board members expressed serious concerns about the irregularities and inaccuracies. The Board unanimously approved a proposed joint resolution titled "Requesting a State Election Monitor and Investigation" that stated "Now Therefore Be it Resolved That, The Board of Canvassers for the County of Wayne, Michigan, request for the Secretary of State as Michigan's Chief Election Officer, to appoint a monitor to supervise the training and administration of the City of Detroit, Absentee Voter Counting Boards in the 2020 November General Election. Be it Finally Resolved, That, the Board of Canvassers for the County of Wayne, Michigan, request an investigation be conducted by the State Department of Elections into the training and processes used by the City of Detroit in the 2020 August Primary Election."
10. On November 3, 2020, the general election was held. I went to observe the election process at the TCF Center on November 3, 2020 and November 4, 2020.
11. Since November 5, I went to the Wayne County Canvas almost every day and helped the Wayne County staff.
12. On November 17, 2020, there was a board of Canvassers meeting scheduled to start at 3:00pm to determine whether or not to certify the November election. The meeting did not begin until 4:46pm.
13. Minutes before the meeting began at 4:46pm, I was given a report on the final canvas. We were not given an executive summary which was customary at most other certification meetings.
14. During this meeting, I determined that more than 70% of Detroit's 134 Absent Voter Counting Boards (AVCB) did not balance and many had no explanation to why they did not balance.
15. Vice-Chair Kinloch made a motion to certify the vote. I noted our prior reservations about unbalanced precincts in August 2020 and determined the record had discrepancies and irregularities and was incomplete.
16. A motion was made to certify the vote, and I voted not to certify. The vote to certify the Wayne County elections failed 2-2.
17. After the vote, my Democrat colleagues chided me and Mr. Hartmann for voting to not certify.
18. After the vote, public comment period began and dozens of people made personal remarks against me and Mr. Hartmann. The comments made accusations of racism and threatened me and members of my family. The public comment continued for over two hours and I felt pressured to continue the meeting without break.
19. After several hours of harsh comments, Vice-Chair Kinloch suggested a potential resolution. Wayne County Corporate Counsel Janet Anderson-Davis told me that I had to certify the vote that night. She told the members their role was ministerial and they could not use their discretion on matters like the record being incomplete. We were told that discretion was outside the board's authority.
20. After being told by Ms. Anderson-Davis that I could not use my discretion regarding the anomalies, I believed I had no choice but to certify the results despite my desire to oppose certification based on the incomplete record.
21. Additionally, we were presented with a resolution that promised a full, independent audit that would present answers to the incomplete record. I voted to agree to certify based on the promise of a full, independent audit. I would not have agreed to vote to certify but for that promise of a full, independent audit.

22. Vice-Chairman Jonathan Kinloch gave me assurances that voting for the certification of the November election would result in a full, independent audit of Detroit's unbalanced precincts. I relied on that assurance and voted to certify the election based on that assurance. Without that assurance I would not have voted to certify the Wayne County November election.
23. Later that evening, I was sent statements that Secretary Jocelyn Benson made saying that she did not view our audit resolution to be binding. Her comments disputed the representations made by Vice-Chair Kinloch on which I relied.
24. As a result of these facts, I rescind my prior vote to certify Wayne County elections.
25. I fully believe the Wayne County vote should not be certified.
26. The Wayne County election had serious process flaws which deserve investigation. I continue to ask for information to assure Wayne County voters that these elections were conducted fairly and accurately. Despite repeated requests, I have not received the requisite information and believe an additional 10 days of canvas by the State Board of Canvassers will help provide the information necessary.
27. I initially voted not to certify the election, and I still believe this vote should *not* be certified and the State Board of Canvassers should canvass for an additional period.
28. Until these questions are addressed, I remain opposed to certification of the Wayne County results.

The above information is true to the best of my information, knowledge, and belief.

I certify under penalty of perjury, that my statement and the evidence submitted with it, are all true and correct.

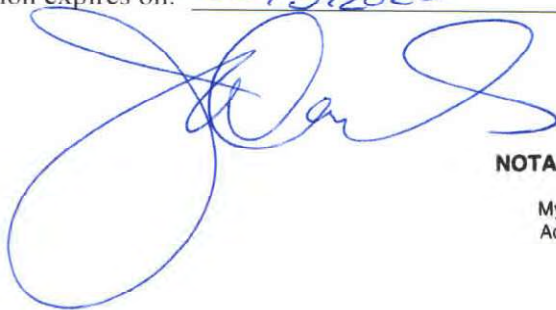
Printed Name: Monica S Palmer

Signed Name: Monica S Palmer

Date:

Sworn to before me this 18 day of November 2020 at 9:33 pm

My Commission expires on: 08/3/2022



JANICE L. DANIELS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires August 3, 2022
Acting in the County of Wayne

AFFIDAVIT

The Affiant, William C. Hartmann, being first duly sworn, hereby deposes and states as follows:

1. My name is William C. Hartmann. I am an adult citizen, voter, and resident of the State of Michigan.
2. I am a member of the Board of Canvassers of Wayne County, Michigan.
3. I personally observed the Absent Voter Counting Boards in Detroit at TCF Center.
4. Since the election on November 3rd, I have attended the Wayne County Canvass on an almost daily basis.
5. On November 17, 2020, at 3:00 p.m. there was a meeting of the Board of Canvassers to determine whether to certify the results of Wayne County. The meeting did not start until 5:00 p.m. We were told it was delayed so that representatives of the Democrat Board members could obtain additional affidavits.
6. At 5:00 p.m. an open meeting and discussion began to discuss the issue of whether to certify the vote. In my review of the results, I determined that approximately 71% of Detroit's 134 Absent Voter Counting Boards (AVCB) were left unbalanced and many *unexplained*. I informed the Board members of the discrepancies, but soon thereafter, a motion to certify was

made by Vice-Chairman Jonathan Kinloch. After further discussion, I renewed my concerns that the reason that the numbers did not balance for the majority of AVCB's in Detroit, and importantly, could not be explained. If the vote totals did not match, there should have been a documented reason explaining why.

7. The Board considered the ultimate question of whether to certify the vote, and the motion to certify the Wayne County elections failed 2-2.
8. This vote was followed by public derision from our two democrat colleagues. I, and Monica Palmer, who also voted against certification, were berated and ridiculed by members of the public and other Board members. This conduct included specious claims that I was racially motivated in my decision. This public ostracism continued for hours during which time we were not provided an opportunity to break for dinner and were not advised that we could depart and resume the hearing on another date.
9. I discussed a potential resolution with Vice-Chair Kinloch in confidence. Ms. Anderson-Davis told us that we must vote to certify on that night. We were told that we could not consider matters such as the unexplained reasons that most of Detroit's AVCB's did not balance and no one knew why. We

were informed that this consideration was outside of the scope of the Board's authority.

10. During the evening, Wayne County counsel, Ms. Janet Anderson-Davis, and my colleagues on the Board, continued to discuss irregularities in the AVCB's. Ms. Anderson-Davis advised the Board that the discrepancies were not a reason to reject the certification, and based on her explicit legal guidance, I was under the belief that I could not exercise my independent judgment in opposition to the certification. Therefore, I voted to certify the results.
11. Late in the evening, I was enticed to agree to certify based on the promise that a full and independent audit would take place. I would not have agreed to the certification but for the promise of an audit.
12. Vice-Chairman Jonathan Kinloch then assured us that if we voted to certify the election, a full, independent, and complete audit of Detroit's election, would be undertaken. We relied on this assurance in coming to an agreement. Without this assurance, I would not have agreed to certify Wayne County on November 17th.
13. After the meeting, I was made aware that Michigan Secretary of State, Jocelyn Benson made a public claim that the representations made by Mr. Kinlock, on which we had relied, would not be followed.

- c. I am also concerned about the use of private monies directing local officials regarding the management of the elections, how those funds were used and whether such funds were used to pay election workers. I have not received answers to these questions, and I believe the people of Michigan deserve these answers. Can we release the logs to the tabulators demonstrating what happened in Detroit?
- d. Why do the pollbooks, Qualified Voter Files, and final tallies not match or balance?
- e. 71% of Detroit AVCB's did not balance, why not?
- f. Did the chairperson of each of Detroit's 134 AVCB's keep logs of shift changes?
- g. Why were republicans *not* used in signing seals certified at the end of the night on Monday, and Wednesday evening before ballot boxes were documented, closed, and locked?
- h. How many challenged ballots were counted?
- i. Was any information placed directly into the Qualified Voter Files in the AVCB's?
- j. How many voter birthdates were altered in the pollbooks?

k. Were ballots counted in TCF that were not reflected in the electronic pollbook or paper supplemental list?

l. Based upon information and belief, there were over 18,000 same-day registrations in Detroit on November 3. Were these new applicants verified as proper voters prior to the tabulation of their ballots?

18. I voted not to certify, and I still believe this vote should *not* be certified.

19. Until these questions are addressed, I remain opposed to certification of the Wayne County results.

19. The above information is true to the best of my information, knowledge, and belief.

I certify under penalty of perjury, that my statement and the evidence submitted with it, are all true and correct.

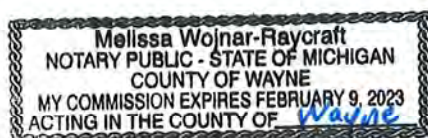
Printed Name: William C. Hartmann

Signed Name: William C. Hartmann

Date:

Sworn to before me this 18th day of November, 2020 at 6:29pm

Melissa Wojnar-Raycraft
Notary Public Melissa Wojnar-Raycraft
My Commission expires on: Feb. 9, 2023



COMPROMISE SETTLEMENT AGREEMENT AND RELEASE

This **Compromise Settlement Agreement and Release** (“Agreement”) is made and entered into by and between the Democratic Party of Georgia, Inc. (“DPG”), the DSCC, and the DCCC (collectively, the “Political Party Committees”), on one side, and Brad Raffensperger, Rebecca N. Sullivan, David J. Worley, Seth Harp, and Anh Le (collectively, “State Defendants”), on the other side. The parties to this Agreement may be referred to individually as a “Party” or collectively as the “Parties.” The Agreement will take effect when each and every Party has signed it, as of the date of the last signature (the “Effective Date”).

WHEREAS, in the lawsuit styled as *Democratic Party of Georgia, et al. v. Raffensperger, et al.*, Civil Action File No. 1:19-cv-5028-WMR (the “Lawsuit”), the Political Party Committees have asserted claims in their Amended Complaint [Doc. 30] that the State Defendants’ (i) absentee ballot signature matching procedure, (ii) notification process when an absentee ballot is rejected for any reason, and (iii) procedure for curing a rejected absentee ballot, violate the First and Fourteenth Amendments to the United States Constitution by unduly burdening the right to vote, subjecting similarly situated voters to disparate treatment, and failing to afford Georgia voters due process (the “Claims”), which the State Defendants deny;

WHEREAS, the State Defendants, in their capacity as members of the State Election Board, adopted on February 28, 2020 Rule 183-1-14-.13, which sets forth specific and standard notification procedures that all counties must follow after rejection of a timely mail-in absentee ballot;

WHEREAS, the State Defendants have a Motion to Dismiss [Doc. 45] pending before the Court, which sets forth various grounds for dismissal of the Amended Complaint, including mootness in light of the State Election Board’s promulgation subsequent to adoption on February 28, 2020 of Rule 183-1-14-.13, which Motion the Political Party Committees deny is meritorious;

WHEREAS, all Parties desire to compromise and settle all disputed issues and claims arising from the Lawsuit, finally and fully, without admission of liability, having agreed on the procedures and guidance set forth below with respect to the signature matching and absentee ballot rejection notification and cure procedures; and

WHEREAS, by entering into this Agreement, the Political Party Committees do not concede that the challenged laws and procedures are constitutional, and

similarly, the State Defendants do not concede that the challenged laws and procedures are unconstitutional.

NOW THEREFORE, for and in consideration of the promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. **Dismissal.** Within five (5) business days of March 22, 2020, the effective date of the Prompt Notification of Absentee Ballot Rejection rule specified in paragraph 2(a), the Political Party Committees shall dismiss the Lawsuit with prejudice as to the State Defendants.

2. **Prompt Notification of Absentee Ballot Rejection.**

(a) The State Defendants, in their capacity as members of the State Election Board, agree to promulgate and enforce, in accordance with the Georgia Administrative Procedures Act and State Election Board policy, the following State Election Board Rule 183-1-14-.13 of the Georgia Rules and Regulations:

When a timely submitted absentee ballot is rejected, the board of registrars or absentee ballot clerk shall send the elector notice of such rejection and opportunity to cure, as provided by O.C.G.A. § 21-2-386, by mailing written notice, and attempt to notify the elector by telephone and email if a telephone number or email is on the elector's voter registration record, no later than the close of business on the third business day after receiving the absentee ballot. However, for any timely submitted absentee ballot that is rejected on or after the second Friday prior to Election Day, the board of registrars or absentee ballot clerk shall send the elector notice of such rejection and opportunity to cure, as provided by O.C.G.A. § 21-2-386, by mailing written notice, and attempt to notify the elector by telephone and email if a telephone number or email is on the elector's voter registration record, no later than close of business on the next business day.

Ga. R. & Reg. § 183-1-14-.13 Prompt Notification of Absentee Ballot Rejection

(b) Unless otherwise required by law, State Defendants agree that any amendments to Rule 183-1-14-.13 will be made in good faith in the spirit of ensuring that voters are notified of rejection of their absentee ballots with ample time to cure

their ballots. The Political Party Committees agree that the State Election Board's proposed amendment to Rule 183-1-14-.13 to use contact information on absentee ballot applications to notify the voter fits within that spirit.

3. Signature Match.

(a) Secretary of State Raffensperger, in his official capacity as Secretary of State, agrees to issue an Official Election Bulletin containing the following procedure applicable to the review of signatures on absentee ballot envelopes by county elections officials and to incorporate the procedure below in training materials regarding the review of absentee ballot signatures for county registrars:

County registrars and absentee ballot clerks are required, upon receipt of each mail-in absentee ballot, to compare the signature or mark of the elector on the mail-in absentee ballot envelope with the signatures or marks in eNet and on the application for the mail-in absentee ballot. If the signature does not appear to be valid, registrars and clerks are required to follow the procedure set forth in O.C.G.A. § 21-2-386(a)(1)(C). When reviewing an elector's signature on the mail-in absentee ballot envelope, the registrar or clerk must compare the signature on the mail-in absentee ballot envelope to each signature contained in such elector's voter registration record in eNet and the elector's signature on the application for the mail-in absentee ballot. If the registrar or absentee ballot clerk determines that the voter's signature on the mail-in absentee ballot envelope does not match any of the voter's signatures on file in eNet or on the absentee ballot application, the registrar or absentee ballot clerk must seek review from two other registrars, deputy registrars, or absentee ballot clerks. A mail-in absentee ballot shall not be rejected unless a majority of the registrars, deputy registrars, or absentee ballot clerks reviewing the signature agree that the signature does not match any of the voter's signatures on file in eNet or on the absentee ballot application. If a determination is made that the elector's signature on the mail-in absentee ballot envelope does not match any of the voter's signatures on file in eNet or on the absentee ballot application, the registrar or absentee ballot clerk shall write the names of the three elections officials who conducted the signature review across the face of the absentee ballot envelope, which shall be in addition to writing "Rejected" and the reason for the rejection as required under OCGA 21-2-386(a)(1)(C). Then, the registrar or absentee ballot clerk shall

commence the notification procedure set forth in O.C.G.A. § 21-2-386(a)(1)(C) and State Election Board Rule 183-1-14-.13.

(b) The Parties agree that the guidance in paragraph 3(a) shall be issued in advance of all statewide elections in 2020, including the March 24, 2020 Presidential Primary Elections and the November 3, 2020 General Election.

4. Consideration of Additional Guidance for Signature Matching. The State Defendants agree to consider in good faith providing county registrars and absentee ballot clerks with additional guidance and training materials to follow when comparing voters' signatures that will be drafted by the Political Party Committees' handwriting and signature review expert.

5. Attorneys' Fees and Expenses. The Parties to this Agreement shall bear their own attorney's fees and costs incurred in bringing or defending this action, and no party shall be considered to be a prevailing party for the purpose of any law, statute, or regulation providing for the award or recovery of attorney's fees and/or costs.

6. Release by The Political Party Committees. The Political Party Committees, on behalf of themselves and their successors, affiliates, and representatives, release and forever discharge the State Defendants, and each of their successors and representatives, from the prompt notification of absentee ballot rejection and signature match claims and causes of action, whether legal or equitable, in the Lawsuit.

7. No Admission of Liability. It is understood and agreed by the Parties that this Agreement is a compromise and is being executed to settle a dispute. Nothing contained herein may be construed as an admission of liability on the part of any of the Parties.

8. Authority to Bind; No Prior Assignment of Released Claims. The Parties represent and warrant that they have full authority to enter into this Agreement and bind themselves to its terms.

9. No Presumptions. The Parties acknowledge that they have had input into the drafting of this Agreement or, alternatively, have had an opportunity to have input into the drafting of this Agreement. The Parties agree that this Agreement is and shall be deemed jointly drafted and written by all Parties to it, and it shall be interpreted fairly, reasonably, and not more strongly against one Party than the other.

Accordingly, if a dispute arises about the meaning, construction, or interpretation of this Agreement, no presumption will apply to construe the language of this Agreement for or against any Party.

10. Knowing and Voluntary Agreement. Each Party to this Agreement acknowledges that it is entering into this Agreement voluntarily and of its own free will and accord, and seeks to be bound hereunder. The Parties further acknowledge that they have retained their own legal counsel in this matter or have had the opportunity to retain legal counsel to review this Agreement.

11. Choice of Law, Jurisdiction and Venue. This Agreement will be construed in accordance with the laws of the State of Georgia. In the event of any dispute arising out of or in any way related to this Agreement, the Parties consent to the sole and exclusive jurisdiction of the state courts located in Fulton County, Georgia. The Parties waive any objection to jurisdiction and venue of those courts.

12. Entire Agreement; Modification. This Agreement sets forth the entire agreement between the Parties hereto, and fully supersedes any prior agreements or understandings between the Parties. The Parties acknowledge that they have not relied on any representations, promises, or agreements of any kind made to them in connection with their decision to accept this Agreement, except for those set forth in this Agreement.

13. Counterparts. This Agreement may be executed in counterparts which, taken together, will constitute one and the same Agreement and will be effective as of the date last set forth below, and signatures by facsimile and electronic mail will have the same effect as the originals.

IN WITNESS WHEREOF, the Parties have set their hands and seals to this instrument on the date set forth below.

Dated: March 6, 2020

/s/ Bruce V. Spiva

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Bruce V. Spiva*
John Devaney*
Amanda R. Callais*
K'Shaani Smith*
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Joyce Gist Lewis
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Counsel for State Defendants

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

MELLISSA A. CARONE,

Plaintiff,

AFFIDAVIT OF MELLISSA A.

CARONE

-vs-

CITY OF DETROIT: DETROIT ELECTION
COMMISSION; JANICE M. WINFREY, in
her official capacity as the CLERK OF THE
CITY OF DETROIT and the Chairperson of
The DETROIT ELECTION COMMISSION;
CATHY M. GARRETT, in her official
Capacity as the CLERK OF WAYNE COUNTY
BOARD OF CANVASSERS,

Defendants,

FILE NO: _____-AW

JUDGE

BOBBY TENORIO NOTARY PUBLIC - STATE OF MICHIGAN COUNTY OF WASHTENAW My Commission Expires February 19, 2021 Acting in the County of <u>Wayne</u>
--

David A. Kallman (P43200)
Erin E. Mersino (P70886)
Jack C. Jordan (P46551)
Stephan P. Kallman (P75622)

GREAT LAKES JUSTICE CENTER

Attorneys for Plaintiff

5600 W. Mount Hope Hwy.

Lansing, MI 48917

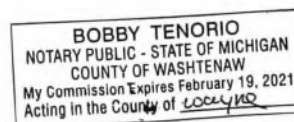
(517) 322-3207/ Fax: (517) 322-3208

AFFIDAVIT

The Affiant, Mellissa A. Carone, being the first duly sworn, hereby deposes and states as follows:

Appendix - 00158

1. My name is Mellissa A. Carone, I was contracted by Dominion Voting Services to do IT work at the TCF Center for the November 3, 2020 election, and I am a resident of Wayne County.
2. I arrived at the TCF Center at approximately 6:15 AM November 3, 2020 and worked until 4:00 AM November 4, 2020. I went home to get some sleep, then arrived back at the TCF Center at 10:00 AM in which I stayed until 1:45 PM. During this time I witnessed nothing but fraudulent actions take place.
3. The counters (which were trained very little or not at all), were handed a "batch" (stack of 50) of mail-in ballots in which they would run through the tabulator. The tabulators would get jammed 4-5 times an hour, when they jammed the computer would put out an error that tells the worker the ballot number that was jammed and gives an option to either discard the batch or continue scanning at which the counter should discard the batch, put the issue ballot on top of the batch and rescan the entire batch. I witnessed countless workers rescanning the batches without discarding them first which resulted in ballots being counted 4-5 times.
4. At approximately midnight I was called over to assist one of the counters with a paper jam and noticed his PC had a number of over 400 ballots scanned- which means one batch was counted over 8 times. This happened countless times while I was at the TCF Center. I confronted my manager, Nick Ikonomakis saying how big of a problem this was, Nick told me he didn't want to hear that we have a big problem. He told me we are here to do assist with IT work, not to run their election.
5. The adjudication process, from my understanding there's supposed to be a republican and a democrat judging these ballots. I overheard numerous workers talking during shift change in which over 20 machines had two democrats judging the ballots-resulting in an unfair process.
6. Next, I want to describe what went on during shift change, it was a chaotic disaster. It took over two hours for workers to arrive at their "assigned areas", over 30 workers were taken upstairs and told they didn't have a job for them to do. These people were chosen to be counters, in which 6 workers admitted to me that they received absolutely no training at all.
7. The night shift workers were free to come and go as they pleased, they could go out and smoke from the counting room. This is illegal, as there were boxes and stacks of ballots everywhere, anyone could have taken some out or brought some in, and No one was watching them.
8. There was two vans that pulled into the garage of the counting room, one on day shift and one on night shift. These vans were apparently bringing food into the building because they only had enough food for not even 1/3 of the workers. I never saw any food coming out of these vans, coincidentally it was announced on the news that Michigan had discovered over 100,000 more ballots- not even two hours after the last van left.
9. When a worker had a ballot that they either could not read, or it had something spilled on it, they would go to a table that had blank ballots on it and fill it out. They were supposed to be filling them out exactly like the one they had received but this was not the case at all. The workers would also sign the name of the person that the ballot belonged to-which is clearly illegal.
10. Samuel Challandes and one more young man in his mid-20 were responsible for submitting the numbers into the main computer. They had absolutely no overhead, my manager Nick would assist them with any questions but Nick was on the floor assisting with IT most of the time.



Appendix - 00159

11. There was a time I overheard Samuel talking to Nick about losing tons of data, they all got on their phones and stepped to the side of the stage. I asked Nick what was going on and he told me it was all taken care of and not to worry about it. I fully believe that this was something very crucial that they just covered up.
12. I was the only republican working for Dominion Voting, and on the stage there was many terrible comments being made by the city workers and Dominion workers about republicans. I did not give out any indication that I was a republican, I have a family at home and knew I was going to have to walk to my car at the end of my shift. If anyone had an American flag on their shirt or mask, they were automatically deemed to be Trump supporters.
13. I called the FBI and made a report with them, I was told that I will be getting a call back.
14. I am doing my best to make sure something is done about this, I was there and I seen all of this take place.

On this 8th day of November, 2020, before me personally appeared Mellissa A. Carone, who in my presence did execute the foregoing affidavit, and who, being duly sworn, deposes and states that he has read the foregoing affidavit by him subscribed and knows the contents thereof, and that the same is true of his own knowledge and belief, except as to those matters he states to be on information and behalf, and as to those matters he believes them to be true.

Mellissa A. Carone *Mellissa A. Carone* 11/08/20

Notary Public, Washtenaw County, Michigan

My Commission Expires: 02 19 2021
Feb 19, 2021

Bobby Tenorio 11/8/2020
BOBBY TENORIO
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WASHTENAW
My Commission Expires February 19, 2021
Acting in the County of Wayne

AFFIDAVIT

The Affiant, William C. Hartmann, being first duly sworn, hereby deposes and states as follows:

1. My name is William C. Hartmann. I am an adult citizen, voter, and resident of the State of Michigan.
2. I am a member of the Board of Canvassers of Wayne County, Michigan.
3. I personally observed the Absent Voter Counting Boards in Detroit at TCF Center.
4. Since the election on November 3rd, I have attended the Wayne County Canvass on an almost daily basis.
5. On November 17, 2020, at 3:00 p.m. there was a meeting of the Board of Canvassers to determine whether to certify the results of Wayne County. The meeting did not start until 5:00 p.m. We were told it was delayed so that representatives of the Democrat Board members could obtain additional affidavits.
6. At 5:00 p.m. an open meeting and discussion began to discuss the issue of whether to certify the vote. In my review of the results, I determined that approximately 71% of Detroit's 134 Absent Voter Counting Boards (AVCB) were left unbalanced and many *unexplained*. I informed the Board members of the discrepancies, but soon thereafter, a motion to certify was

made by Vice-Chairman Jonathan Kinloch. After further discussion, I renewed my concerns that the reason that the numbers did not balance for the majority of AVCB's in Detroit, and importantly, could not be explained. If the vote totals did not match, there should have been a documented reason explaining why.

7. The Board considered the ultimate question of whether to certify the vote, and the motion to certify the Wayne County elections failed 2-2.
8. This vote was followed by public derision from our two democrat colleagues. I, and Monica Palmer, who also voted against certification, were berated and ridiculed by members of the public and other Board members. This conduct included specious claims that I was racially motivated in my decision. This public ostracism continued for hours during which time we were not provided an opportunity to break for dinner and were not advised that we could depart and resume the hearing on another date.
9. I discussed a potential resolution with Vice-Chair Kinloch in confidence. Ms. Anderson-Davis told us that we must vote to certify on that night. We were told that we could not consider matters such as the unexplained reasons that most of Detroit's AVCB's did not balance and no one knew why. We

were informed that this consideration was outside of the scope of the Board's authority.

10. During the evening, Wayne County counsel, Ms. Janet Anderson-Davis, and my colleagues on the Board, continued to discuss irregularities in the AVCB's. Ms. Anderson-Davis advised the Board that the discrepancies were not a reason to reject the certification, and based on her explicit legal guidance, I was under the belief that I could not exercise my independent judgment in opposition to the certification. Therefore, I voted to certify the results.

11. Late in the evening, I was enticed to agree to certify based on the promise that a full and independent audit would take place. I would not have agreed to the certification but for the promise of an audit.

12. Vice-Chairman Jonathan Kinloch then assured us that if we voted to certify the election, a full, independent, and complete audit of Detroit's election, would be undertaken. We relied on this assurance in coming to an agreement. Without this assurance, I would not have agreed to certify Wayne County on November 17th.

13. After the meeting, I was made aware that Michigan Secretary of State, Jocelyn Benson made a public claim that the representations made by Mr. Kinlock, on which we had relied, would not be followed.

14. I thus rescind my prior vote to certify Wayne County.
15. I remain of the firm belief that the Wayne County vote should not be certified. These are more than clerical errors.
16. The Wayne County election was conducted in a manner which calls into serious question whether the voice of Wayne County residents is reflected in the result. During the election process I repeatedly asked for information and data that would help verify the process was accurate and fair. Despite my requests I have not received a written Executive Summary of the election results that could be read. This Executive Summary will tell you which AVCBs are over/under as well as which AVCBs were balanced.
17. Moreover, there are other questions which need to be answered and can only be answered if Wayne County's Canvass is transparent and provides information within its control. This information includes:
- a. The logs indicating when dropbox ballots were collected and delivered, the log of persons who made these deliveries and who had access to dropbox keys and when that access was obtained.
 - b. Similar concerns exist regarding the delivery of ballots to the TCF Center during the night of November 3 and the morning hours of November 4.

- c. I am also concerned about the use of private monies directing local officials regarding the management of the elections, how those funds were used and whether such funds were used to pay election workers. I have not received answers to these questions, and I believe the people of Michigan deserve these answers. Can we release the logs to the tabulators demonstrating what happened in Detroit?
- d. Why do the pollbooks, Qualified Voter Files, and final tallies not match or balance?
- e. 71% of Detroit AVCB's did not balance, why not?
- f. Did the chairperson of each of Detroit's 134 AVCB's keep logs of shift changes?
- g. Why were republicans *not* used in signing seals certified at the end of the night on Monday, and Wednesday evening before ballot boxes were documented, closed, and locked?
- h. How many challenged ballots were counted?
- i. Was any information placed directly into the Qualified Voter Files in the AVCB's?
- j. How many voter birthdates were altered in the pollbooks?

k. Were ballots counted in TCF that were not reflected in the electronic pollbook or paper supplemental list?

l. Based upon information and belief, there were over 18,000 same-day registrations in Detroit on November 3. Were these new applicants verified as proper voters prior to the tabulation of their ballots?

18. I voted not to certify, and I still believe this vote should *not* be certified.

19. Until these questions are addressed, I remain opposed to certification of the Wayne County results.

19. The above information is true to the best of my information, knowledge, and belief.

I certify under penalty of perjury, that my statement and the evidence submitted with it, are all true and correct.

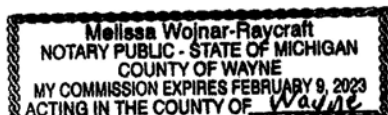
Printed Name: WILLIAM C. HARTMANN

Signed Name: *William C. Hartmann*

Date:

Sworn to before me this 18th day of November, 2020 at 6:29pm

Melissa Wojnar-Raycraft
Notary Public Melissa Wojnar-Raycraft
My Commission expires on: Feb. 9, 2023



STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

CHERYL A. COSTANTINO and EDWARD P. McCALL, JR.,

Plaintiff,

-vs-

AFFIDAVIT OF JESSY JACOB

FILE NO: 20-_____-AW

JUDGE

CITY OF DETROIT; DETROIT ELECTION COMMISSION; JANICE M. WINFREY, in her official capacity as the CLERK OF THE CITY OF DETROIT and the Chairperson of the DETROIT ELECTION COMMISSION; CATHY M. GARRETT, in her official capacity as the CLERK OF WAYNE COUNTY; and the WAYNE COUNTY BOARD OF CANVASSERS,

Defendants.

David A. Kallman (P34200)
Erin E. Mersino (P70886)
Jack C. Jordan (P46551)
Stephen P. Kallman (P75622)

GREAT LAKES JUSTICE CENTER
Attorneys for Plaintiff
5600 W. Mount Hope Hwy.
Lansing, MI 48917
(517) 322-3207/Fax: (517) 322-3208

AFFIDAVIT

The Affiant, Jessy Jacob, being first duly sworn, hereby deposes and states as follows:

1. My name is Jessy Jacob. I am an adult citizen and resident of the State of Michigan.
2. I have been an employee for the City of Detroit for decades.
3. I was assigned to work in the Elections Department for the 2020 election.
4. I received training from the City of Detroit and the State of Michigan regarding the election process.


5. I worked at the election headquarters for most of September and I started working at a satellite location for most of October, 2020.
6. I processed absentee ballot packages to be sent to voters while I worked at the election headquarters in September 2020 along with 70-80 other poll workers. I was instructed by my supervisor to adjust the mailing date of these absentee ballot packages to be dated earlier than they were actually sent. The supervisor was making announcements for all workers to engage in this practice.
7. At the satellite location, I processed voter registrations and issued absentee ballots for people to vote in person at the location.
8. I directly observed, on a daily basis, City of Detroit election workers and employees coaching and trying to coach voters to vote for Joe Biden and the Democrat party. I witnessed these workers and employees encouraging voters to do a straight Democrat ballot. I witnessed these election workers and employees going over to the voting booths with voters in order to watch them vote and coach them for whom to vote.
9. During the last two weeks while working at this satellite location, I was specifically instructed by my supervisor not to ask for a driver's license or any photo I.D. when a person was trying to vote.
10. I observed a large number of people who came to the satellite location to vote in-person, but they had already applied for an absentee ballot. These people were allowed to vote in-person and were not required to return the mailed absentee ballot or sign an affidavit that the voter lost the mailed absentee ballot.
11. Whenever I processed an absentee voter application or in-person registration, I was instructed to input the person's name, address, and date of birth into the Qualified Voter File (QVF) system.
12. The QVF system can be accessed and edited by any election processor with proper credentials in the State of Michigan at any time and from any location with internet access.
13. I worked at the satellite location until the polls closed on November 3, 2020 at 8:00 p.m. and properly completed the entry of all absentee ballots into the QVF by 8:30 p.m.

14. I then reported to work at the TCF Center on November 4, 2020, at 8:30 a.m. to process ballots. I was instructed not to validate any ballots and not to look for any deficiencies in the ballots.
15. Absentee ballots that were received in the mail would have the voter's signature on the envelope. While I was at the TCF Center, I was instructed not to look at any of the signatures on the absentee ballots, and I was instructed not to compare the signature on the absentee ballot with the signature on file.
16. All absentee ballots that existed were required to be inputted into the QVF system by 9:00 p.m. on November 3, 2020. This was required to be done in order to have a final list of absentee voters who returned their ballots prior to 8:00 p.m. on November 3, 2020. In order to have enough time to process the absentee ballots, all satellites were instructed to collect the absentee ballots from the drop-box once every hour on November 3, 2020.
17. On November 4, 2020, I was instructed to improperly pre-date the absentee ballots receive date that were not in the QVF as if they had been received on or before November 3, 2020. I was told to alter the information in the QVF to falsely show that the absentee ballots had been received in time to be valid. I estimate that this was done to thousands of ballots.
18. The above information is true to the best of my information, knowledge, and belief.
19. Further affiant says not.



 Jessy Jacob

On this 7th day of November, 2020, before me personally appeared Jessy Jacob, who in my presence did execute the foregoing affidavit, and who, being duly sworn, deposes and states that she has read the foregoing affidavit by her subscribed and knows the contents thereof, and that the same is true of her own knowledge and belief, except as to those matters she states to be on information and belief, and as to those matters she believes them to be true.



 Stephen P. Kallman
 Notary Public, Eaton County, Michigan
 My Commission Expires: 11/26/2025

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

**CHERYL A. COSTANTINO and EDWARD P.
McCALL, JR.,**

Plaintiff,

-vs-

**CITY OF DETROIT; DETROIT ELECTION
COMMISSION; JANICE M. WINFREY, in
her official capacity as the CLERK OF THE
CITY OF DETROIT and the Chairperson of
the DETROIT ELECTION COMMISSION;
CATHY M. GARRETT, in her official
capacity as the CLERK OF WAYNE
COUNTY; and the WAYNE COUNTY
BOARD OF CANVASSERS,**

Defendants.

**AFFIDAVIT OF ZACHARY
LARSEN**

FILE NO: 20-_____-AW

JUDGE

**David A. Kallman (P34200)
Erin E. Mersino (P70886)
Jack C. Jordan (P46551)
Stephen P. Kallman (P75622)
GREAT LAKES JUSTICE CENTER
Attorneys for Plaintiff
5600 W. Mount Hope Hwy.
Lansing, MI 48917
(517) 322-3207/Fax: (517) 322-3208**

AFFIDAVIT

The Affiant, Zachary Larsen, being first duly sworn, hereby deposes and states as follows:

1. My name is Zachary Larsen, I am over the age of eighteen, have personal knowledge of the facts stated in this Affidavit and, if sworn as a witness, I am competent to testify to these facts.

2. I am an attorney in private practice and licensed in the State of Michigan. Prior to my entry into private practice, I served as an Assistant Attorney General for eight years from January 2012 through January 2020, where I was recognized with an award for the quality of my work and served the state on several high-priority litigation matters.

3. In September 2020, I volunteered to serve as a poll challenger for the Michigan Republic Party's election day operations to ensure the integrity of the vote and conformity of the election process to the election laws of Michigan.

4. In preparation for my service, I attended an elections training, reviewed materials relating to the conduct of elections, and read pertinent sections of Michigan's election law.

5. On Election Day, Tuesday, November 3, 2020, I served as a roving attorney and credentialed poll challenger with a group of attorneys and visited approximately 20-30 voting precincts in Lansing, East Lansing, and Williamston, Michigan to confirm that the election was conducted in accordance with law, and on a few occasions, to address complaints raised by specific voters.

6. During my visits to precincts on Election Day, I was allowed to visually inspect the poll book without touching it at every precinct where we asked to review it. In each instance, I was allowed to stand a respectful distance behind the election officials while remaining close enough to read relevant names and numbers.

7. The following day, on Wednesday, November 4, 2020, I arrived at the former Cobo Center, now known as the TCF Center, in Detroit, Michigan to serve as a poll challenger for the absent voter count occurring in Detroit and arrived between 9:30 and 9:45 a.m.

8. Prior to my admission to the floor where the absent voter count was occurring, I received credentials from the Michigan Republican Party and further instruction regarding the process for handling ballots at absent voter counting boards (“AVCBs”).

9. Thereafter, I received a temperature scan from election officials that confirmed I did not have an elevated temperature. I arrived inside, and I was “checked in” by an election official who reviewed my driver’s license and confirmed my credentials and eligibility to serve as a challenger. I was admitted at approximately 10:30 a.m.

10. When I arrived at a counting table and began to observe the process, I noticed immediately that part of the process that was being implemented did not conform to what I had been told in my training and the materials that I had received.

11. Specifically, the information I had received described the process that was supposed to be occurring at the tables as follows.

12. A first election official would scan a ballot. If the scan did not confirm a voter in the poll book, that official would then check the voter against a paper copy “supplemental poll book.”

13. The official would then read the ballot number to a second election official and hand the ballot to that official, who would remove the ballot (while still in the secrecy sleeve) and confirm the ballot number. That second official would then hand the ballot (in the secrecy sleeve) to a third official who would tear the stub off of the ballot, and place the stub in a ballot stub envelope, then pass the remaining ballot to a fourth official.

14. The fourth official would then remove the ballot from the secrecy sleeve, flatten the ballot to ensure it was capable of processing, and visually inspect for rips, tears, or stains before placing the ballot in the “ballots to be tabulated box.” However, if that fourth official identified a

concern, she would place the ballot back in its envelope and into a “problem ballots” box that required additional attention to determine whether they would be processed and counted. A copy of a diagram that I had received on this process is attached as Exhibit A to this affidavit.

15. What I observed immediately was that the secrecy of the ballot was not being respected.

16. Instead, the second official at the table where I was observing was repeatedly placing her fingers into the secrecy sleeve to separate the envelope and visually peek into the envelopes in a way that would allow her to visually observe the ballot and identify some of the votes cast by the voter.

17. Sometimes, the third official whose job was merely to remove the stub from the ballot would likewise remove the ballot from the secrecy sleeve or otherwise peek to observe the ballot. Sometimes a ballot would be removed completely from the secrecy sleeve and then placed back inside and passed along this process.

18. I conferred regarding this issue with another challenger at a nearby table, and he indicated he had observed similar irregularities regarding the use of the secrecy sleeves.

19. When that challenger raised the issue with a supervisor, and he was immediately asked “why does it matter?” and “what difference does it make?”

20. Beyond the legal requirements for maintaining ballot secrecy, both of us were concerned that the violations of the secrecy of the ballot that we witnessed could be or were being used to manipulate which ballots were placed in the “problem ballots” box.

21. Later that morning, at another table, a challenger identified concerns that ballots were being placed into “problem ballots” boxes purportedly based on the reason that the voter had failed to place the ballot in the secrecy sleeve, while other ballots at the same table were being

passed along and placed into the “ballots to be tabulated” box that also did not have secrecy sleeves.

22. I personally observed that several ballots were placed into the “problem ballots” boxed and marked with a sticky note indicating that they were “problem ballots” merely because of the lack of a secrecy sleeve.

23. When I spoke with a supervisor regarding this issue, he explained that these ballots were being placed in the “problem ballots” box for efficiency.

24. From my experience at the first table I had visited (addressed in Paragraphs 15 through 17 above), I had also witnessed ballots that were placed into the “ballots to be tabulated” box that had arrived without a secrecy sleeve. So the differentiation among these ballots despite both ballots arriving in secrecy sleeves was perplexing and again raised concerns that some ballots were being marked as “problem ballots” based on who the person had voted for rather than on any legitimate concern about the ability to count and process the ballot appropriately.

25. Just before noon, I arrived at another table (which I later contemporaneously noted as AVCB # 23), and I conferred with the Republican challenger who had been observing the process from a viewing screen and watching the response of the computer system as ballots were scanned by the first official.

26. I asked the challenger if she had observed anything of concern, and she immediately noted that she had seen many ballots scanned that did not register in the poll book but that were nonetheless processed. Because she needed to leave for lunch, I agreed to watch her table.

27. As I watched the process, I was sensitive to her concern that ballots were being processed without confirmation that the voter was an eligible voter in the poll book, so I stood at the monitor and watched.

28. The first ballot scanned came in as a match to an eligible voter. But the next several ballots that were scanned did not match any eligible voter in the poll book.

29. When the scan came up empty, the first official would type in the name "Pope" that brought up a voter by that last name.

30. I reviewed the running list of scanned in ballots in the computer system, and it appeared that the voter had already been counted as having voted. Then the first official appeared to assign a number to a different voter as I observed a completely different name that was added to the list of voters at the bottom of a running tab of processed ballots on the right side of the screen.

31. That same official would then make a handwritten notation on her "supplemental poll book," which was a hard copy list that she had in front of her at the table.

32. The supplemental poll book appeared to be a relatively small list.

33. I was concerned that this practice of assigning names and numbers indicated that a ballot was being counted for a non-eligible voter who was not in either the poll book or the supplemental poll book. From my observation of the computer screen, the voters were certainly not in the official poll book. Moreover, this appeared to be the case for the majority of the voters whose ballots I had personally observed being scanned.

34. Because of this concern, I stepped behind the table and walked over to a spot behind where the first official was conducting her work.

35. Understanding health concerns due to COVID-19, I attempted to stand as far away from this official as I reasonably could while also being able to visually observe the names on the supplemental poll book and on the envelopes.

36. Partly inhibiting my ability to keep a distance, the tables were situated so that two counting tables were likely a maximum of eight feet apart. In other words, you could not stand more than four feet behind one without being less than four feet from another.

37. As soon as I moved to a location where I could observe the process by which the first official at this table was confirming the eligibility of the voters to vote, the first official immediately stopped working and glared at me. I stood still until she began to loudly and aggressively tell me that I could not stand where I was standing. She indicated that I needed to remain in front of the computer screen.

38. I responded, "Ma'am, I am allowed by statute to observe the process." As I did, a Democratic challenger ran towards me and approached within two feet of me, saying "You cannot speak to her! You are not allowed to talk to her." I responded, "Sir, she spoke to me. I was just answering her."

39. The first official again told me that the only place I was allowed to observe from was at the computer screen. A second official at the table reiterated this. I said that was not true.

40. Both officials then began to tell me that because of COVID, I needed to be six feet away from the table. I responded that I could not see and read the supplemental poll book from six feet away, but I was attempting to keep my distance to the extent possible.

41. Just minutes before at another table, a supervisor had explained that the rules allowed me to visually observe what I needed to see and then step back away. Likewise, on Election Day, I had been allowed to stand at equivalent distance from poll books in Lansing and East Lansing precincts without any problem. With this understanding, I remained in a position where I would be able to observe the supplemental poll book until I could do so for the voter whose ballots had just been scanned and did not register in the poll book.

42. Both officials indicated that I could not remain in a position that would allow me to observe their activities and they were going to get their supervisor.

43. This seemed particularly concerning because the Democratic challenger who raised concerns over my verbal response to the official had been positioned behind the second official (the one who confirms ballots as described in Paragraph 13) no further away than I was from the first official at that time and had not been stationed at the computer screen as the officials repeatedly told me was the only place that I could stay.

44. When the supervisor arrived, she reiterated that I was not allowed to stand behind the official with the supplemental poll book, and I needed to stand in front of the computer screen. I told her that was not true, and that I was statutorily allowed to observe the process, including the poll book.

45. The supervisor then pivoted to arguing that I was not six feet away from the first official. I told her I was attempting to remain as far away as I could while still being able to read the names on the poll book.

46. In an attempt to address her concerns, I took a further step away from the table and indicated I would try to keep my distance, and that I thought I was about six feet away from the first official. The supervisor then stood next to the chair immediately to the left of the first official and indicated that I was “not six feet away from” the supervisor and that she intended to sit in the chair next to the official with the poll book, so I would need to leave.

47. This supervisor had not been at the table at any time during the process, and she had responsibility for numerous ACVBs. Further, the supervisor’s choice of chairs was approximately three feet to the left of the first official and therefore in violation of the six-foot distance rule.

48. Accordingly, I understood that this was a ruse to keep me away from a place where I could observe the confirmation of names in the supplemental poll book. The supervisor began to repeatedly tell me that I “needed to leave” so I responded that I would go speak with someone else or fill out a challenge form.

49. I went to find another attorney serving as a challenger and returned to discuss the matter further with the supervisor. When I returned, she reiterated her assertions and insisted that there was nowhere where I could stand in conformity with the six-foot rule that would allow me to observe the supplemental poll book. Ultimately, to avoid further conflict with the supervisor, I agreed that I would leave that counting table and move to another table.

50. Between 1:30 p.m. and 2 p.m., my colleague and I decided to return to the suite that housed the Republican challengers to get lunch. We left the counting floor and went up to the Republicans second-floor suite.

51. About 30 to 45 minutes later, an announcement was made that challengers needed to return to the floor. As we attempted to return, we were made aware that the officials admitting people had limited the number of election challengers to another 52 people who would be allowed inside. I displayed my credentials and walked up to near the door where a small crowd was gathering to be let in.

52. Shortly thereafter, a man came out to announce that no one would be let in (despite the prior announcement) because the room had reached the maximum number of challengers. As he was asked why we would not be let in, he explained that the maximum number of challengers were determined from the number of names on the sign-in sheet, regardless of how many people had left the room.

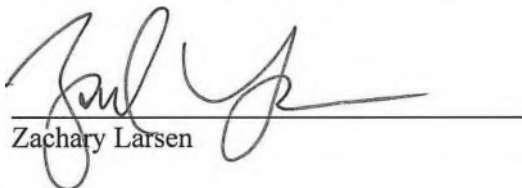
53. Many Republican challengers had left the room for lunch without signing out, including myself and my colleague. Accordingly, we were being arbitrarily "counted" towards this capacity limitation without actually being allowed into the room to observe.

54. When challengers raised this issue with the man at the door, he refused to discuss any solutions such as confirming the identify of challengers who had been previously admitted.


55. To the best of my recollection, I was never informed that if I left the room and failed to sign out that I would be refused admission or that there would be no means of confirming that I had been previously admitted.

56. The above information is true to the best of my information, knowledge, and belief.

57. Further affiant says not.


Zachary Larsen

On this 8th day of November, 2020, before me personally appeared Zachary Larsen, who in my presence did execute the foregoing affidavit, and who, being duly sworn, deposes and states that he has read the foregoing affidavit by his subscribed and knows the contents thereof, and that the same is true of his own knowledge and belief, except as to those matters he states to be on information and belief, and as to those matters he believes them to be true.


Stephen P. Kallman
Notary Public, Eaton County, Michigan
My Commission Expires: 11/26/2025

AFFIDAVIT OF ANDREW JOHN MILLER

Andrew John Miller, being sworn, declares under penalty of perjury:

1. I am personally familiar with the facts stated in this Affidavit and, if sworn as a witness, am competent to testify to them as well.
2. I am a registered voter in the State of Michigan.
3. I was a poll challenger on Tuesday, November 3, 2020 and Wednesday, November 4, 2020.
4. The table I was at was duplicating ballots and had about 25 ballots to duplicate.
5. One poll worker held the original ballot and a second poll worker duplicated the ballot.
6. The poll worker who duplicated the ballot hovered over the ballot and blocked me from being able to see the duplication process.
7. A third worker was blocking anyone from being able to see this duplication process.
8. I informed a supervisor that I was denied access to see the duplication process and need to review the ballots for accuracy. I was informed that I "couldn't because the duplication process was personal like voting."
9. I watched them duplicate 3 or 4 ballots and this happened on each ballot I watched.
10. I challenged these 3 or 4 ballots and the table worker refused to acknowledge my challenge.
11. Additionally, the poll workers refused to enter my challenge into the computer and also refused to enter my challenge into the poll log.
12. On both November 3, 2020 and November 4, 2020, I was instructed to back up 6 feet from the table and I was unable to see what was happening with the ballots from 6 feet away from the table.

1. At one point on November 4, 2020, a democrat challenger was standing between myself and the table where the poll worker was processing the ballots
2. I was instructed to back up 6 feet from the table, however, the democrat challenger, who stood in between where I was standing and the poll worker at the table, was not told they needed to back up.
3. I saw roughly 24 computers on November 3, 2020 and every computer I saw had a red error messages in the lower right-hand corner saying "update overdue." Additionally, not all of the computers indicated the correct time, with some being off by approximately 5 hours. All computers with the incorrect time were synchronized to show the same incorrect time.

Dated: November 8, 2020

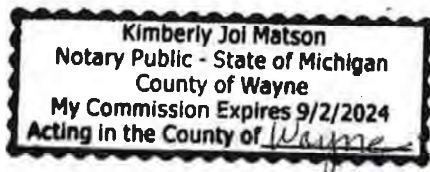
Andrew J. Miller
Andrew J. Miller
Andrew John Miller 11/8/20

Subscribed and sworn to before me on:

is *Kimberly J. Matson* 11/8/2020

Notary public, State of Michigan, County of:

My commission expires: 9/2/2024



AFFIDAVIT

I, Monica Palmer, being first duly sworn, and under oath, state:

1. I am the Chairperson of the Wayne County Board of Canvassers.
2. The Board is a four-member board, required to have two Republican and two Democrat members, and I serve as one of the Republican members.
3. On August 4, 2020, the Michigan primary election was held.
4. On August 18, 2020, the Board held a public meeting at the Board's office in Detroit. I attended the meeting with the other three members of the Board.
5. The Board reviewed the Wayne County election results and considered whether to certify the August 4, 2020 primary election.
6. As reflected in the meeting minutes, Wayne County Election Director Gregory Mahar gave the Board a report at the meeting that included the following findings:
 - Staff encountered difficulties while trying to canvass the City of Detroit absentee precincts. "He indicated that aside from receiving the poll books on the first Friday and Sunday after the canvass began, the list of voters received made it difficult to determine how many voters actually returned their ballot. He reported that the City of Detroit used the QVF printed list of voters but there was also a handwritten list of voters, which is common to use both, but the two lists combined put the precincts severely out of balance."
 - "Director Mahar also reported on the difficulties staff encountered with trying to retabulate any absentee precincts that were out of balance. He stated that according to the Election Management system, he could see the City of Detroit did not scan a single precinct within a batch. When multiple precincts are scanned within a batch, it makes it nearly impossible to retabulate a precinct without potentially disrupting a perfectly balanced precinct."
 - "Deputy Director Jennifer Redmond reported on the irregularities she encountered while trying to retabulate out of balance precincts. She indicated that in some cases staff could not retabulate because the number of physical ballots counted in the container did not match the number of voters according to the poll book. Staff also requested the applications to vote for Detroit precinct 444 and precinct 262. Both containers ha[d] fewer ballots in the container than the number of voters according to the poll book, but what was strange was there appeared to be some missing applications." 4.
7. It was reported that in the August 2020 primary that 72% of Detroit's absentee voting precincts were out of balance.
8. After discussion among the Board members, I voted along with all the other canvassers in a unanimous vote in favor of certifying the August 4, 2020 Primary Election.

9. Although certifying the primary election results, all Board members expressed serious concerns about the irregularities and inaccuracies. The Board unanimously approved a proposed joint resolution titled "Requesting a State Election Monitor and Investigation" that stated "Now Therefore Be it Resolved That, The Board of Canvassers for the County of Wayne, Michigan, request for the Secretary of State as Michigan's Chief Election Officer, to appoint a monitor to supervise the training and administration of the City of Detroit, Absentee Voter Counting Boards in the 2020 November General Election. Be it Finally Resolved, That, the Board of Canvassers for the County of Wayne, Michigan, request an investigation be conducted by the State Department of Elections into the training and processes used by the City of Detroit in the 2020 August Primary Election."
10. On November 3, 2020, the general election was held. I went to observe the election process at the TCF Center on November 3, 2020 and November 4, 2020.
11. Since November 5, I went to the Wayne County Canvas almost every day and helped the Wayne County staff.
12. On November 17, 2020, there was a board of Canvassers meeting scheduled to start at 3:00pm to determine whether or not to certify the November election. The meeting did not begin until 4:46pm.
13. Minutes before the meeting began at 4:46pm, I was given a report on the final canvas. We were not given an executive summary which was customary at most other certification meetings.
14. During this meeting, I determined that more than 70% of Detroit's 134 Absent Voter Counting Boards (AVCB) did not balance and many had no explanation to why they did not balance.
15. Vice-Chair Kinloch made a motion to certify the vote. I noted our prior reservations about unbalanced precincts in August 2020 and determined the record had discrepancies and irregularities and was incomplete.
16. A motion was made to certify the vote, and I voted not to certify. The vote to certify the Wayne County elections failed 2-2.
17. After the vote, my Democrat colleagues chided me and Mr. Hartmann for voting to not certify.
18. After the vote, public comment period began and dozens of people made personal remarks against me and Mr. Hartmann. The comments made accusations of racism and threatened me and members of my family. The public comment continued for over two hours and I felt pressured to continue the meeting without break.
19. After several hours of harsh comments, Vice-Chair Kinloch suggested a potential resolution. Wayne County Corporate Counsel Janet Anderson-Davis told me that I had to certify the vote that night. She told the members their role was ministerial and they could not use their discretion on matters like the record being incomplete. We were told that discretion was outside the board's authority.
20. After being told by Ms. Anderson-Davis that I could not use my discretion regarding the anomalies, I believed I had no choice but to certify the results despite my desire to oppose certification based on the incomplete record.
21. Additionally, we were presented with a resolution that promised a full, independent audit that would present answers to the incomplete record. I voted to agree to certify based on the promise of a full, independent audit. I would not have agreed to vote to certify but for that promise of a full, independent audit.

22. Vice-Chairman Jonathan Kinloch gave me assurances that voting for the certification of the November election would result in a full, independent audit of Detroit's unbalanced precincts. I relied on that assurance and voted to certify the election based on that assurance. Without that assurance I would not have voted to certify the Wayne County November election.
23. Later that evening, I was sent statements that Secretary Jocelyn Benson made saying that she did not view our audit resolution to be binding. Her comments disputed the representations made by Vice-Chair Kinloch on which I relied.
24. As a result of these facts, I rescind my prior vote to certify Wayne County elections.
25. I fully believe the Wayne County vote should not be certified.
26. The Wayne County election had serious process flaws which deserve investigation. I continue to ask for information to assure Wayne County voters that these elections were conducted fairly and accurately. Despite repeated requests, I have not received the requisite information and believe an additional 10 days of canvas by the State Board of Canvassers will help provide the information necessary.
27. I initially voted not to certify the election, and I still believe this vote should *not* be certified and the State Board of Canvassers should canvass for an additional period.
28. Until these questions are addressed, I remain opposed to certification of the Wayne County results.

The above information is true to the best of my information, knowledge, and belief.

I certify under penalty of perjury, that my statement and the evidence submitted with it, are all true and correct.

Printed Name: Monica S Palmer

Signed Name: Monica S Palmer

Date: _____
Sworn to before me this 18 day of November 2020 at 9:33 pm

My Commission expires on: 08/31/2022



JANICE L. DANIELS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires August 3, 2022
Acting in the County of WAYNE

**DECLARATION OF GREGORY STENSTROM IN SUPPORT OF PLAINTIFFS'
MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTION**

I, Gregory Stenstrom, hereby declare as follows under penalty of perjury:

1. The following statements are based on my personal knowledge, and if called to testify I could swear competently thereto.
2. I am at least 18 years old and of sound mind.
3. I am a citizen of the United States and of the Commonwealth of Pennsylvania. I reside at 1541 Farmers Lane, Glenn Mills, PA 19342. I am an eligible Pennsylvania voter and am registered to vote in Delaware County.
4. I voted in the November 3rd, 2020 general election.
5. The Delaware County Republican Committee appointed me as the sole GOP poll watcher for 36 precincts (1-1 through 11-6), located in Chester City, Pennsylvania, of which I was able to inspect and observe 22 precincts.
6. The Delaware County Board of Elections provided me with a certificate of appointment as a poll watcher.
7. I carried my certificate of appointment with me when I presented at the polling locations in Chester City on Election Day and presented the certificate when requested to do so.
8. I did not attempt to enter the enclosed space within any polling location, nor interfere in any way with the process of voting, nor mark or alter any official election record.
9. On November 3rd, I observed poll workers in multiple assigned Chester City polling places, that included the 1-3, 1-4, 1-6, 2-1, 2-2, 2-3, 11-2, and several others, provide regular ballots, rather than provisional ballots, to voters who were told they had registered to

DECLARATION OF GREGORY STENSTROM RE DELAWARE COUNTY, PA, ELECTION
09NOV2020

vote by mail, without making them sign in the registration book. I challenged the practice in those precincts where I observed it, and while I was present, they then stopped the practice and began providing provisional ballots. I was informed at each polling location by their respective judge of elections that I was the only GOP poll watcher they had seen in this 2020 election, or any other election they could remember.

10. On the evening of November 3rd, I went to the Delco Chester City counting center with my certified poll watcher certificate, to observe, on assignment as the sole poll watcher from the Tom Killion Campaign, as authorized and tasked to do so by Cody Bright, Mr. Killion's campaign manager, at approximately 6pm. Mr. Bright had been informed, and he informed me in turn, that there were "a dozen national level GOP poll watchers" at the counting center observing and monitoring, but he was apparently misinformed. I checked into the building observing their COVID-19 procedures, and took the elevator from the ground floor to the 1st floor counting room, was denied entry, surrounded by first four (4) Park Police, and then an additional five (5) joined them. I presented my poll watcher certificate, and refused to leave, and was threatened with physical removal and arrest, which I humorously stated would be agreeable to me, de-escalating the situation, at which point I was informed there was a separate list for "observers," and I had to somehow get on it. I asked if there were any GOP poll watchers in the building and was informed by Deputy Sheriff Donahue that there were two (2) inside. I asked to speak to them, and one man came out. I asked him how he got on the list and he stated he had volunteered via email and been told to go there, with no other explanation as to what he was supposed to do other than "watch," and that he was leaving shortly. I asked him if he knew what he was supposed to be "watching" and if he could see anything at all, and he stated he had

DECLARATION OF GREGORY STENSTROM RE DELAWARE COUNTY, PA, ELECTION
09NOV2020

“no idea,” and “couldn’t see anything from behind the barriers.” I went back to the ground floor to figure out how to gain access and make calls.

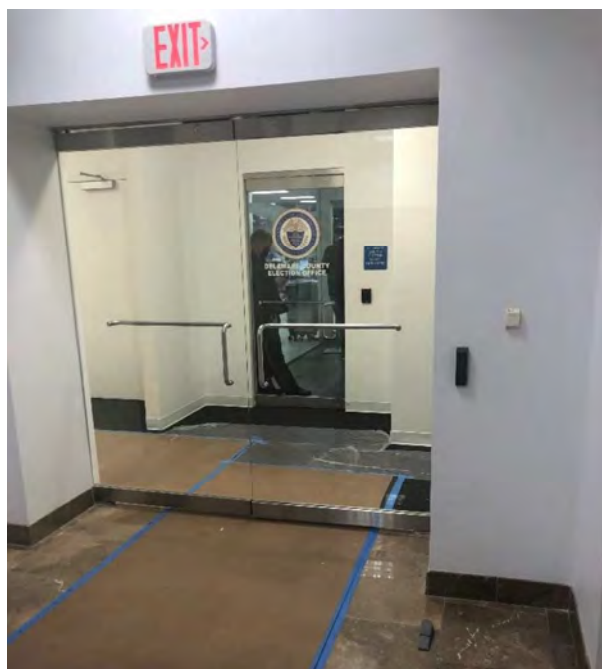


Figure 1 - Entrance to DelCo Vote Counting Center from 1st Floor Elevator bank

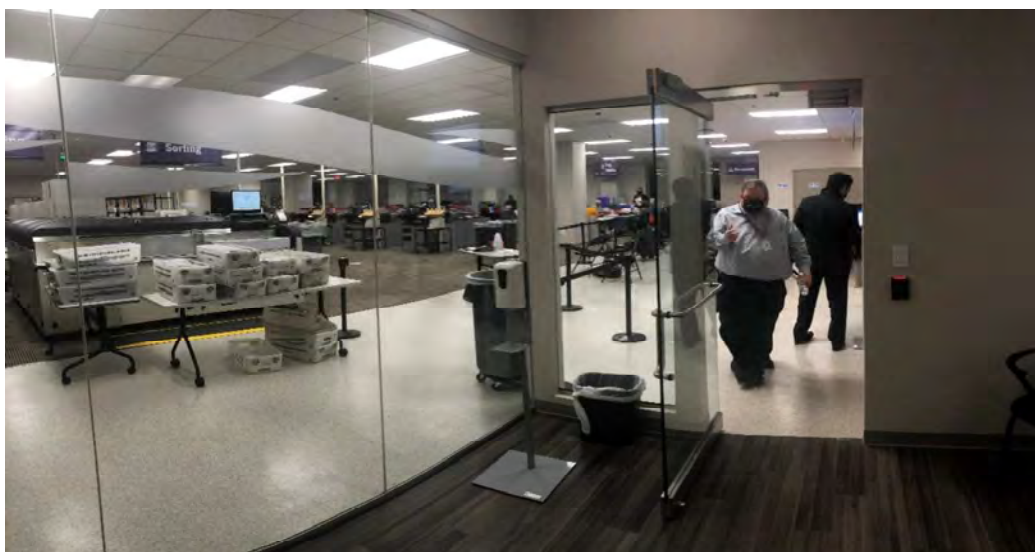


Figure 2 - Inner Entrance to DelCo Vote Counting Center - Note DelCo County employee approaching to stop photo

DECLARATION OF GREGORY STENSTROM RE DELAWARE COUNTY, PA, ELECTION
09NOV2020

11. While on the ground floor working on obtaining GOP assistance and authorized access, I witnessed organized chaos with rolling racks of mail-in ballots going in different directions with some going to the cafeteria, and some going to and from the main elevators, the separate garage loading dock elevators, and some to and from the back doors closest to the Delaware River, without any chain of custody. There was no apparent process integrity, or obvious way for anyone to determine the origin of any mail-in ballot, or its ingestion, or egress into the system. Some workers sat at cafeteria tables while others brought them boxes of mail-in ballots, while yet others collected and pushed the rolling racks around. Joe Masalta took videos and photos of this operation, and has also completed an affidavit.

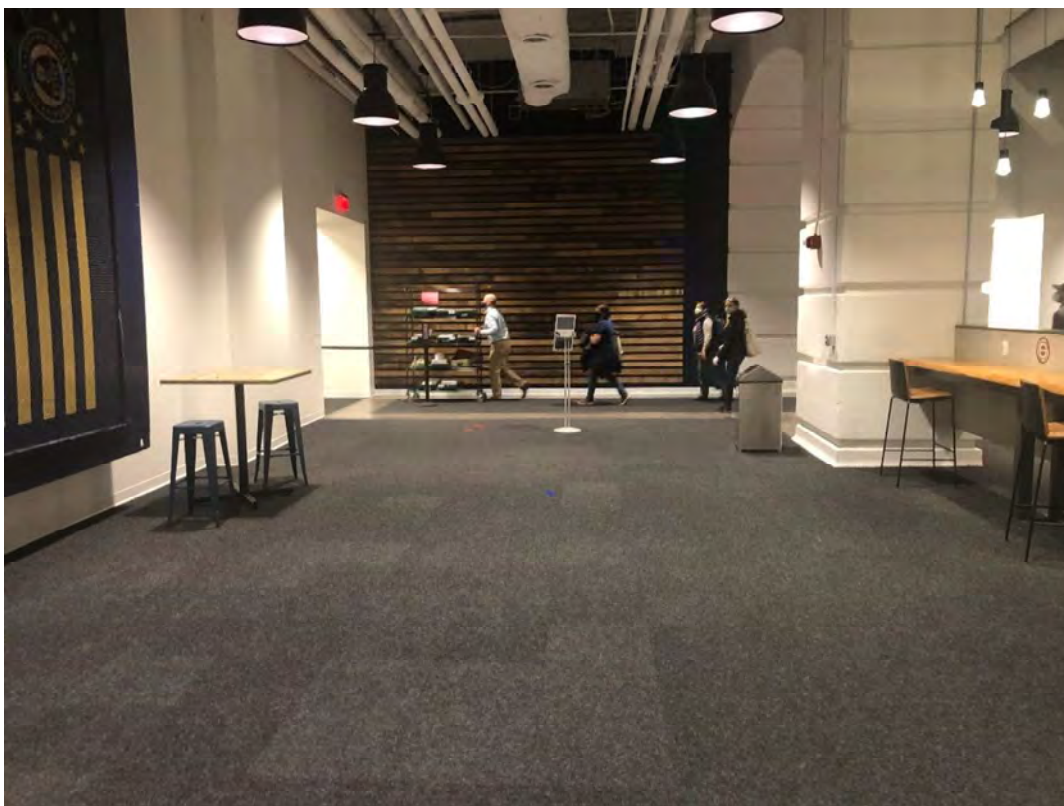


Figure 3 - Election Evening - Multiple Racks of Mail-In ballots in green trays of 500 were going in multiple directions from multiple points of entry up and down elevators that led from the garage loading dock to the top floor of the building.

DECLARATION OF GREGORY STENSTROM RE DELAWARE COUNTY, PA, ELECTION
09NOV2020

12. After seeking legal assistance through multiple avenues, I obtained a lawyer, John McBlain, after a call to the 501C Project Amistad organization, who arrived on site at approximately 10pm, and we went back up to the 1st floor counting room. We were met with similar hostility to my earlier experience, and went back to the ground floor where Mr. McBlain made multiple phone calls. I learned he was a former Delaware County Solicitor and familiar to some of Election Board staff. I was subsequently added to the entry list and finally gained access as an official “observer,” along with Mr. Barron Rendel, one of several people I had asked to accompany me, at approximately 11pm, five (5) hours after our arrival.

13. We were the only GOP “observers” in the room, that was otherwise packed with Democrat employees, volunteers, and poll watchers.

14. I observed a counting room for ballots with counting machines. Trays of ballots came in through three doors that appeared to lead from a back office, a second back office supply room, and doors leading from an outside hallway with separate elevator access from the public elevators and the garage loading dock elevators.



Figure 4 - The BlueCrest Sorting Machine Loading Tray section

15. I had no meaningful opportunity to observe any part of the count: the sorting appeared to have been done elsewhere, and the machines were too far away from the observation position to see any part of the mail-in envelopes or ballots. I observed opened ballots going out the second back office closest to the windows in red boxes after handling and sorting by volunteers, some being placed in green boxes, and ballots from the green boxes being placed in scanners by workers, similar to the scanner I had used to vote myself, but was too far away (30 feet) to be sure. I asked the sheriff where the ballots came from, and where the ones that were leaving the room went, and he said he did not know.

16. I asked Ms. Lorraine Hagan, the elections official in charge of the operations, where the ballots were coming from and how they were being processed. She responded that I was only there to observe, and that I had no right to ask any questions. I said that I wanted to observe the activity in the sequestered room, but she denied my request, stating that the law prohibited access to that room by poll observers. I responded that there was no law denying access to observers, and she then said that it was “a COVID thing.” I pointed out that I have a mask on, and so did the people visible through the door when it opened. She then informed me that she wanted to prevent us from “interfering.” I responded that I was only there to observe and not to interfere, and to make a statement if I observed something wrong. Ms. Hagan said, “I assure you that everything’s fine. There’s no fraud going on.”

17. Shortly after this exchange with Ms. Hagan, workers – who appeared to be volunteers – started bringing in semi-opaque bins with blue folding tops that contained clear plastic bags, approximately 10” square, with each bag containing a scanner cartridge, a USB drive, and a paper tape, and they were brought to the computer tables which contained four (4) computer workstation towers on tables connected to four (4) wall mounted monitors, with one

workstation tower on the floor under the tables that was not connected to a monitor, for a total of five (5) computers. A flurry of workers started disassembling the bags and separating out the USB sticks, cartridges, and paper tapes from the plastic bags, and dropping them in open cardboard boxes, with two workers sticking the USB drives into the computers to start the election day counts. I immediately objected, and demanded that Mr. McBlain challenge the process, and he again retrieved Ms. Hagan to hear my objections. I asked why the returned items had not come with the sealed bags from the judges of elections, and she explained that they had been taken out of the bags at the three (3) county election “processing centers” by the Sheriffs who were collecting them for ease of transport, and I stated that that was a break in the chain of custody, to which she shrugged her shoulders. I then asked her why they were separating out the USB drives from the cartridges and paper tapes, which was destroying any forensic auditability and further corrupting chain of custody, and she said “that’s how we have always done it,” and again stated I had no right to object, interfere, and was only permitted to observe, turned on her heels and walked away. I pleaded with Mr. McBlain to intervene and at least demand that the USB drives remain with the cartridges and tapes in the plastic bags so we would not have to reassemble them during tabulation, and he did nothing.

18. It is noteworthy that dozens of “volunteer” workers constantly streamed through the counting area unaccompanied, with no check of either ID’s, or names, as the certified poll watchers were, several still wearing “Voter Integrity” lanyards and badges that had been widely distributed by Democrat poll watchers throughout the day, and they walked about unrestricted, and unaccompanied without any scrutiny, many handling ballots.

19. After multiple, similarly caustic exchanges, elections officials continued to refuse access to the back rooms and a line of sight to anything meaningful, and under threat of removal

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by Park Police and Sheriffs we were stuck “observing” in a small box where we could essentially see nothing, and I again conveyed to John McBlain that I wanted to pursue further legal recourse to gain meaningful access, and he left the roped off area to seek Solicitor Manly. At approximately 2:30am he returned, and stated he had a conversation with the President of the Board of Elections, and they had agreed to allow us access to the “back office” and “locked “ballot room” at 9:30 AM the following morning. By that time, and given that any other legal recourse would have taken as long, or longer, and there was nothing meaningful to observe, I objected, but reluctantly agreed and left. I believe counting continued through the night because the count had increased, when I returned several hours later, the count on the tally screen was approximately 140,000 for Biden, and 85,000 for President Trump, and with all Republican candidates of all other races leading their opponents.

20. As agreed only seven (7) hours previous with the Chairman of the Board of Elections and Solicitor Manly, I returned with attorney John McBlain, and Leah Hoopes, an official poll watcher for President Trump, at 9:30 AM. The elections officials ignored us for two hours, and at 11:30 AM, Ms. Hagan informed us that she would give a tour of the Chester City counting center to our group and a few Democrat poll watchers. I stated that I did not want a tour of the facility, that I only wanted them to honor their agreement to allow direct access to the sequestered counting room, and was ignored. Ms. Hagan, along with Ms. Maryann Jackson, another elections official, did not allow us to enter the sequestered counting room. Instead they walked us in an approximate 20-foot circle directly in front of the roped off area we had been restricted to, discussing the basics of election balloting but provided no insight into the purpose of the sequestered counting room.

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21. One comment made by Ms. Hagan led me to think that “pre”-pre-canvassing happened in the back room. The comment indicated that all ballots had been checked before going downstairs to the ground floor cafeteria for pre-canvassing, before being brought back to the 1st floor counting area, and entering the main counting room, for accuracy/sufficiency of signature, date, and barcode label, and entry in the Commonwealth SURE system. I specifically asked Ms. Hagan whether the names and signature were matched, and whether the dates and barcode label were accurate. She replied in the affirmative. I then asked whether the names were checked against the voter registration rolls, and she again answered in the affirmative, indicating that people in the back room did the checking.

22. From my vantage point, I observed approximately ten people in the back room through the door when it was opened. Ms. Hagan confirmed that no ballots went through the BlueCrest sorter (photo included herein) without first being checked for name, date, signature, and barcode.

23. I could see 4000-5000 ballots in bins on the racks next to the BlueCrest Sorter, and I asked both Ms. Hagan and Ms. Jackson in front of the group “If all of the mail in ballot envelopes are checked for completion, as you stated, then why are there multiple large bins of ballots on the racks next us between the BlueCrest sorter and ballot extractors labeled “No Name,” “No date,” and “No signature,” on the bins?” The election officials, red faced, declined to answer. At this time, several Democrat observers, including Mr. Richard Schiffer, conferred with myself and Ms. Hoopes and stated that they were now not comfortable with the ballot ingestion process, and the back room, being sequestered from all watcher’s sight, and also wanted to see the back room with us. The bins mentioned above were removed shortly after.

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24. At this time, Ms. Hagan and Ms. Maryann Jackson ended the “tour” to “take a phone call” upon the arrival, and demand of Solicitor Manley Parks, and the “tour” was abruptly ended. I asked Solicitor Parks when that phone call would be done so that we could see the back rooms as promised, and he said he did not know. I asked him if he intended to grant us access as promised, and he simply turned around, and walked into the back room without further comment. Ms. Hagan, Ms. Jackson, and Solicitor Parks never returned, and we left after two (2) hours after having been denied access to the back room.

25. Mr. McBlain, our attorney, went to court and obtained a court order providing access to the room, and texted me that the court order had been signed by Common Pleas Judge Capuzzi at 9:30 PM, and the court order required that observers receive only a five minute observation period in the sequestered room once every two hours.

26. I returned the following morning at 8:30 AM with Ms. Hoopes and the sheriff again barred entry despite the court order. I contacted Judge Capuzzi’s chambers directly and explained to his secretary that the elections officials were not complying with his order. She suggested that I consult with my attorney to follow through, and that she could not discuss the matter further with me.

27. When I returned to the main room, I saw that some areas had been cordoned off, and John McBlain unexpectedly came out from the back room and stated he had conferred with Solicitor Manley Parks and they had mutually agreed to bringing ballots in question out from the sequestered room to the main room so that I didn’t have to go into the back room. Mr. McBlain told me that the elections officials were going to bring 4500 of the 6000 total ballots in the back room out to the main room, and leave the remaining 1500 spoiled ballots in the “spoilage room.” I made Mr. McBlain confirm multiple times that the “universe” of remaining ballots in the back

room that remained to be processed was, in fact 6,000, and further made him affirm multiple times that he had personally sighted those ballots in the back rooms and storage rooms, and he re-affirmed this multiple times to me,

28. Mr. McBlain stated that their new plan was to re-tabulate the 4500 ballots by re-filling them out with a pen so that they could be read by voting machines, so we could “see everything.” I followed him out of the counting room, and continued to ask him if it was, in fact, legal under election law to cure ballots, and was unconvinced that this was the case, and thought we should challenge it, but he assured me it was “normal” procedure and got on the elevator and left. It was during this time that Leah Hoopes, who had remained behind in the counting room (see her Affidavit) observed Jim Savage, the Delaware County voting machine warehouse supervisor, walk in with about a dozen USB drives in a clear unsealed bag, and she showed me two photos she had been able to surreptitiously take (no photos or camera use was permitted anywhere in the counting rooms despite live streaming cameras throughout the room).

29. I went back outside to see if I could retrieve Mr. McBlain, unsuccessfully, and upon my return to the counting room at approximately 11am, I observed Mr. Savage plugging USB drives into the vote tallying computers. The bag containing those drives was not sealed or secured, and the voting machine cartridges were not present with the drives, and he had no ballots at that time.

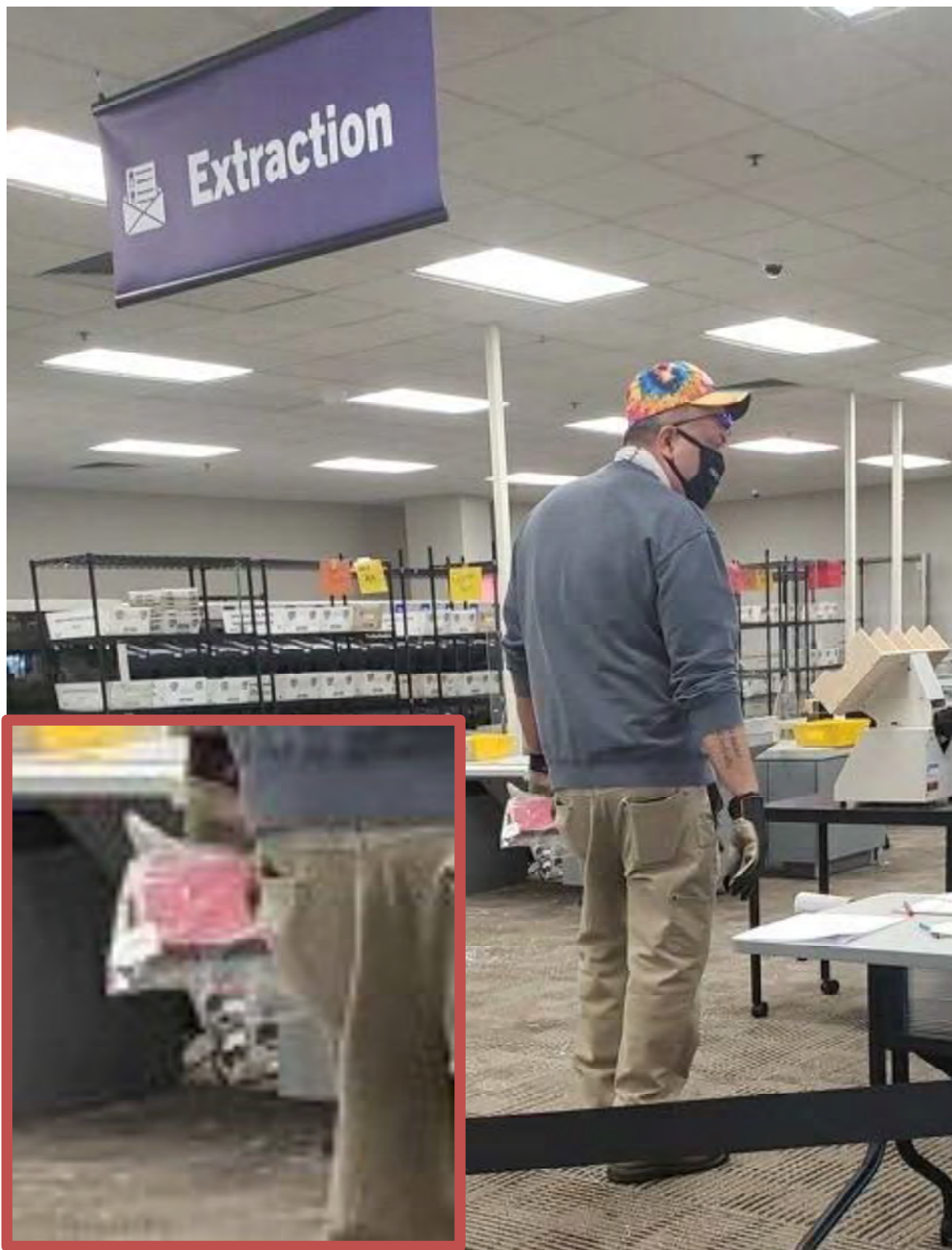


Figure 5 - Delco Voting Machine Warehouse Manager Jim Savage holding bag of USB drives
Thursday morning

30. I immediately objected and challenged the uploading of votes from the unsecured drives, and retrieved Deputy Sheriff Mike Donahue with my objection, and he went to the back room to retrieve Ms. Hagan. Ms. Hagan informed me that I could only observe the process but I could not make any comments or ask any questions while Mr. Savage was directly in front of us loading USB sticks, and the display monitors above the computers reflected that they were being updated. I responded that I was indeed observing a person plug USB sticks into the computer without any apparent chain of custody and without any oversight. No one stopped the upload, and Mr. Savage was permitted to continue this process and he was then allowed to walk out without any interference or examination by anyone. I called and texted Mr. McBlain throughout the day without success to get him back to the counting center to address the USB issue, and what was now being reported to me by other GOP observers that there appeared to be more additional paper ballots in excess of the 6000 “universe” coming into the office administration area that McBlain had assured me of, to represent us and get us into the back office and storage room as ordered by the judge. He would not return until approximately 5:30pm.

31. **Approximately one hour after Savage had departed, at 1:06pm, the center published an update on the vote. The numbers moved dramatically as follows: from approximately 140,000 Biden and 85,000 Trump in the morning; to now approximately 180,000 Biden and 105,000 Trump after the 1:06 PM update. (At that 1:06 PM update, ALL Republican candidates who had previous leads were reversed and flipped).**

32. Having seen the USB updates, and now seeing paper ballots in the back office, and other observers reporting that they had seen more ballots as well, I went outside and again called Judge Capuzzi’s office and again spoke with his secretary and explained the situation, and the McBlain had departed and was nonresponsive to calls or texts, and she asked me what I

wanted the judge to do. I stated that I wanted him to call to demand his order be enforced, and that I would gladly bring my phone back up and hand it to the Sheriff and Solicitor. She stated she could not provide any legal advice, suggested I seek legal counsel, and hung up. She did not realize she had not actually seated the phone in it's receiver and I heard loud laughter from her and a deeper toned laugh from a male before the line went dead, and I returned back inside to the counting floor.

33. At 1:30 PM, Deputy Sheriff Donahue inexplicably informed me I would now be allowed to access the locked ballot room for exactly 5 minutes, after having been denied access despite all previous efforts. We were met by Delaware County Solicitor William F. Martin, and I was joined by Democrat Observer Dr. Jonathan Briskin. On my way to the locked storage room, while passing through what was now referred to as the "back office," I counted 21 white USPS open letter boxes on two racks, on my immediate right after entering the room, labeled "500 ballots" per box. In addition, the approximately 16 cubicles for workers in the same room each contained one box also labeled "500 ballots," for a total of 31 boxes of 500 in that sequestered room. This is the same room that McBlain had stated had 4,500 ballots in it earlier, most of which had been presumably moved to the front of the counting room (and later cured and copied to new ballots) and was supposed to be relatively empty with the exception of "several hundred ballots being processed by workers to update the Commonwealth's SURE system," according to McBlain. This was a delta (difference) of approximately 16,500 ballots in just the "back office."



Figure 6 - Table with 4,500 opened ballots that would reportedly not scan being sorted and cured. Note approximate 10 foot distance from "observer" barrier

34. Just after the two racks with the 21 boxes of 500 unopened ballots each, I observed an open door to a 20'x30' storage room with dozens of semi opaque storage bins with blue folding tops that appeared to have envelopes in them. I could see through to another door that led back into the counting room which was the same door I had seen workers bring red bins full of "spoiled" ballots in the previous evening.

35. I also saw one shelf just to the left of the locked and secured “ballot room” with 4 sealed boxes. I lifted one box before Solicitor Martin objected that I could not touch anything, and it was heavy, and approximately 30-40 pounds. They appeared to match the description of the boxes described to me earlier by poll watcher Jim Driscoll and another observer with a first name of Paul. If those boxes contained ballots, I estimate that they were about two times the size of the 500-ballot containers, and if full, could have contained an additional 2,500 ballots per box for a total of 10,000.

36. Ms. Hagan unlocked and opened the “ballot room” and Solicitor Hagan entered first and started the timer for 5 minutes, with Sheriff Donahue following us and closing the door behind us. There were multiple racks filled with thousands of unopened mail-in ballots. We were not allowed to take any photos, so I immediately started counting. Labels on some boxes were visible, mostly with names of districts known to trend Republican, including Bethel and Brandywine. I took the following notes at the time:

- a. 5 boxes of 500 labeled 10-12
- b. 5 boxes of 500 labeled 18-20
- c. 1 box of 500 each, labeled 26-28, 50-52, and 58-60.
- d. The remaining boxes did not have markings visible and we were not allowed to touch them to determine their origin.
- e. Democratic poll watcher Dr. Jonathan Briskin also observed these boxes and confirmed the numbers of ballots, and that the total number of ballots was vastly greater than we had been led to believe earlier in the day.
- f. I later observed Dr. Briskin working with a fellow female poll watcher drawing a diagram and detailing what he had seen after we were returned to

the roped off area in the counting room, and noted it was quite detailed and corroborated what I had observed in the ballot room.

37. In addition to the boxes of unopened mail-in ballots, I observed another shelf that was packed with open and ripped clear plastic bags with cartridges, green security ties, and a 16"x16"x28" cardboard box labeled "CHAIN OF CUSTODY RECEIPTS." In total, I estimated approximately 18,500 unopened mail-in ballots, which Dr. Briskin uncomfortably concurred with.

38. So, after being told the "universe" of total remaining paper ballots to be counted was 6,000 by Mr. McBlain, the 1:30pm tour, on Thursday, two days after election, and 38 hours after being denied access, and having to obtain a court order, I sighted a total of:

- a. 16,500 unopened mail-in ballots in the "back office"
- b. 18,500 unopened mail-in ballots in the locked "ballot room"
- c. Potentially 10,000 ballots in the sealed 30-40-pound boxes outside of the locked ballot room
- d. 4,500 ballots being "cured" in the counting room
- e. For a grand total of 49,500 unopened ballots***

39. To my knowledge, and according to the tally monitor, and as reported on the web, 113,000 mail-in ballots had been requested, and 120,000 mail-in ballots had already been counted, with an approximate outcome of 18,000 for President Trump and 102,000 for Biden already recorded.

40. At that time, I assumed that the approximately 49,500 unopened ballots would also be processed in the pending running of the sorter, envelope-ballot extractors, and scanners, adding those ballots to the overall total.

41. At 3:30 PM, I again re-entered the room, now accompanied by another Democrat poll watcher who did not provide her name, and in addition to the boxes I previously observed and described above, which remained undisturbed, I saw an additional two racks had been moved into the room, with another 16 additional, new boxes of 500 unopened mail-in ballots with approximately 8000 more unopened mail in ballots labeled 5-2, 6-1, 6-2, and 7-2, with some labels not visible from my position. There were three red “spoiled” ballot boxes with several shed ballots visible in one, and the others appeared to be empty, but I could not verify as I was not allowed to touch anything or take any photos. The 21 boxes in the “back office” were still in place, so this brought the suspected unopened mail in ballot total to **57,500**.

42. I asked Sheriff Donahue when the next machine run that would process the unopened ballots was scheduled for, and was informed that election officials planned on a 4:00PM start, and I could see workers coming in and preparing. I went outside to call GOP officials to see if we could potentially either delay the run, or be permitted to get close enough to the machines to see something, but was unsuccessful.

43. When I returned at 5:30 PM for the next 5 minute tour, I was informed that a Committeewoman, and Delco GOP representative, Val Biancaniello, had been taken in my place by Solicitor Martin, and upon her return I asked her why she would do that, and what she had observed. She stated she had “not seen any fraud” and I again asked her specifically, if she had seen boxes of unopened mail in ballots, and she said “oh, yes, lots of them,” but could not recall any further details. When I pressed her for more details, she became very angry, and told me I needed to “relax,” and that she had “straightened everything out,” and gotten more observers to watch over the re-filling out of the 4,500 ballots that could not be scanned.

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44. It is noteworthy that I was able to see the table of 4500 ballots being curated and re-filled out, and those I was able to see were all for Biden without exception. I asked Joe Driscoll if he had been able to see, and he said he had seen 15 for Biden and 1 for President Trump, before election officials repositioned the barrier moving us back from being able to see.

45. For the 7:30 5-minute inspection, Val vigorously objected to me going back into the room, and demanded we send Attorney Britain Henry instead, who had been convinced to come to the center by Leah Hoopes, and who I had been speaking with for the previous hour. Val stated she had “got him down there,” which was confusing to me, but I agreed it would be a good idea for an attorney to corroborate my observations, and briefed him of the layout, previous observations, and what to look for over Val’s increasingly loud, and impatient objections.

46. Attorney Henry returned from the tour and essentially corroborated my observations, and my understanding is he is preparing a statement of what he observed. I did not understand, and could not reconcile at that time, why the election result counts had remained roughly the same, while the sorters and envelope extraction machines had been running for almost 4 hours, and presumably processing mail in ballots, and at that time attributed it to the count not being updated on the monitor.

47. In the presence of Ms. Biancaniello and Attorney Henry, I asked the now present Mr. McBlain to explain how the USB drives had made their way to the center carried by Mr. Savage. He informed me that in his experience, some USB drives were typically left in voting machines by judges of elections overnight in previous elections, and that Mr. Savage had simply found them in the machines that had been returned from polling locations back to the warehouse, including machines that still had all components in them (USB. Cartridge, and Paper Tape) and that the next day he had transported approximately 24 USB sticks and an assortment of

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cartridges and tapes from the warehouse to the counting center. I pressed him to find out why there had been so many, and why there was no chain of custody, and why Mr. Savage would be involved in entering the USB drives into the computers without any other election officials present, particularly Ms. Hagan, who had overseen the process previously. Mr. McBlain informed me that it had been explained to him that some judges of elections had left entire scanners – with cartridges, USB drives and tapes – and that the moving company had returned them to the warehouse, where Mr. Savage collected everything and put them in bags. This explanation, in part, accounted for the 5 large election judge bags that I witnessed had been carried in by a Sheriff earlier, and I was able to take photos of them being removed from the building later.



Figure 7 – Presumed Cartridges, USB, Paper Tape from scanner, properly sealed with green lock tie, being brought into building on THURSDAY morning by Sheriff, having been allegedly returned to the warehouse WEDNESDAY morning. They were opened without observers in off limits sequestered area



Figure 8 - Five (5) more bags from scanners that had been allegedly "left at polling locations" and brought to counting center THURSDAY afternoon. Sheriff Donahue is on left.

48. I informed Mr. McBlain in the presence of Ms. Biancaniello that I had seen the 30,000 vote jump for Biden after Mr. Savage had plugged in the USB drives earlier, as described above, and asked them both if that was “normal” for previous elections, and they did not respond.

49. Despite my multiple, strong and forceful objections, to the lack of transparency, and what I perceived to be a significant break down in any chain of custody, I was routinely ignored by election officials, and was met by mostly blank stares and shoulder shrugs by Mr. McBlain. I could not understand how the mail-in ballot count remained essentially steady at

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120,000 when myself and multiple others described herein had sighted anywhere from 20,000 to 60,000 unopened mail in ballots AFTER the 120,000 count had already been completed and updated on the <http://DelcoPA.Gov/Vote> website. I do not know where the 120,000 ballots went from the counting room after being counted, and was ignored by Ms. Hagan when I asked her where they were, and denied access to see them. At the end of the day on Thursday, I observed the opaque blue lidded plastic boxes stacked against the wall next to the BlueCrest sorter with what appeared to be mail-in voter envelopes but was not permitted to go near them and find out if they were opened and empty, or still sealed with ballots, or still had ballots in them, and they disappeared from the room shortly after I took the photo below.

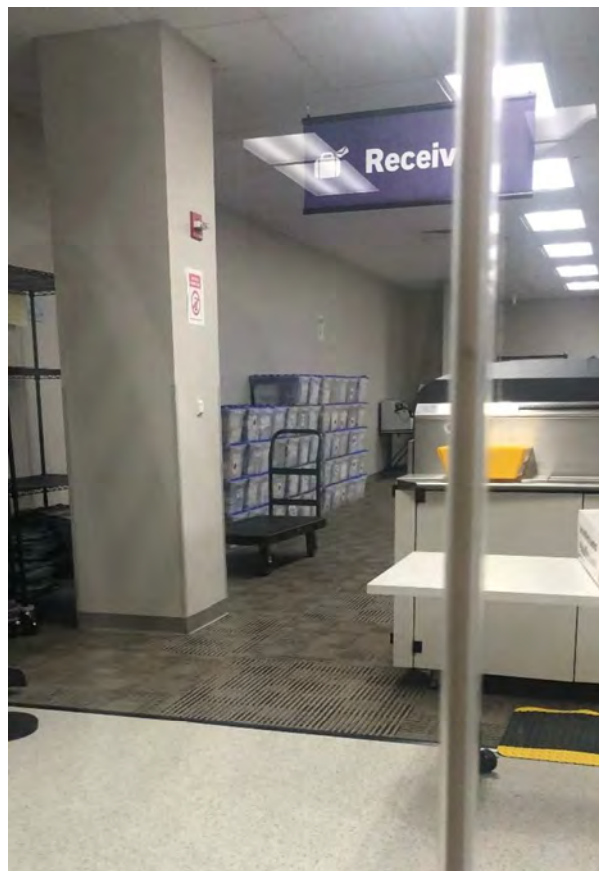
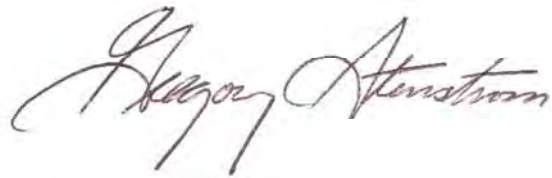


Figure 9 - Bins that had been moved from off limits "Office Space" storage room to another off limits area with what appeared to be envelopes inside to Receiving area near exit doors on Thursday evening - they were removed and gone shortly afterwards.

50. As a result of the election officials' acts, I was unable to fulfill my responsibilities or exercise my rights as an official observer. I was continuously harassed, threatened, denied access to the room and the ballots, and the election officials were openly hostile and refused to answer questions, repeatedly defied a court order to provide access, and obstructed my ability to observe the count in a way that would enable me to identify irregularities, which is the primary purpose of the observer role.

A handwritten signature in dark ink, reading "Gregory Stenstrom". The signature is fluid and cursive, with the first name "Gregory" and last name "Stenstrom" clearly legible.

Gregory Stenstrom

09 November 2020