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14 ARIZONA SUPERIOR COURT
15 SANTA CRUZ COUNTY

16 Arizona Democratic Party,
17 Plaintiff,
18 v.
19 Suzanne Sainz, in her official capacity
as Santa Cruz County Recorder,
20 Defendant.

No.

**DECLARATION OF MICHAEL
NORTON IN SUPPORT OF
APPLICATION FOR ORDER TO
SHOW CAUSE FOR STATUTORY
SPECIAL ACTION**

(Assigned to Hon. _____)

22
23 I, Michael Norton, have personal knowledge of the facts contained in this declaration
24 and declare as follows:

25 1. I am the Deputy Voter Protection Director for Post-Election Operations for
26 Mission for Arizona, which is the Arizona Democratic Party's statewide coordinated effort
27 to elect Democrats up and down the ticket in the November 2020 election. Through this
28 role, I have personal knowledge of the Arizona Democratic Party's efforts to ensure voters'

1 ballots are counted in the November 2020 election and related efforts by the Arizona
2 Democratic Party to obtain public election records.

3 2. The Arizona Democratic Party is dedicated to electing candidates of the
4 Democratic Party to public office throughout the State of Arizona, including to the offices
5 of the President of the United States and the United States Senate. To advance its mission,
6 the Arizona Democratic Party is also dedicated to ensuring that all ballots cast for
7 Democratic Party candidates, including for the Presidency and the United States Senate, are
8 counted.

9 3. The Arizona Democratic Party has many members and constituents who vote
10 by mail or who receive early ballots. As part of its strategy to ensure all Arizona votes are
11 counted and as a service to its members and constituents to ensure that they are fully
12 enfranchised, the Arizona Democratic Party contacts voters whose mail ballots have been
13 identified by the Recorder as potentially deficient to inform them of the deficiency and to
14 provide them with information about how to cure their ballots to make sure they are counted.

15 4. Specifically, volunteers from the Arizona Democratic Party call voters,
16 clearly identify themselves, ask if the voter has already been made aware of the need to cure
17 a deficiency, and then provide information on steps the voter can take to cure the deficiency.
18 Volunteers work carefully to provide accurate information to voters about how they can
19 cure their ballots.

20 5. The only way the Arizona Democratic Party can reach out to voters in each
21 county whose ballots have been identified as deficient is by obtaining a list of those voters
22 from that county's Recorder. Nearly every county in Arizona has agreed to produce this
23 information to the Party before election day.

24 6. Based on numbers from previous elections, I estimate that upward of 60,000
25 ballots or more statewide may require curing for the November 2020 general election, with
26 30,000 ultimately rejected for a deficiency without further action by the voter. Therefore,
27 in anticipation of the potentially large number of deficient ballots in this year's general
28 election, the Arizona Democratic Party sent a written public records request to the Recorder

1 on or about Tuesday, September 1, 2020, well in advance of the election and over a month
2 before the Recorder is expected to begin receiving completed early ballots, during the week
3 of October 12, 2020. A true and correct copy of the Arizona Democratic Party's public
4 records request is attached to this declaration as Exhibit 1.

5 7. The Arizona Democratic Party provided the Recorder with its public records
6 request on this timeline to give the Recorder sufficient notice of its request and to ensure
7 that the Arizona Democratic Party receives its requested list of deficient ballots on a regular,
8 rolling basis during the election, thereby reducing the burden on not only the Recorder and
9 the Arizona Democratic Party, but also the Arizona voters who may need to cure their
10 ballots on a short timeline.

11 8. The written public records request to the Recorder sought, among other
12 things:

13 As ballots are processed, both before the final disposition and
14 before the cure period comes to completion, control sheets or
15 other logs indicating: 1) name of voter, 2) ballot defect,
16 3) method of contact by recorder/staff, 4) time(s)/date(s)
17 contacted, 5) number of times contacted, for any voter whose
18 ballot has a missing or mismatched signature or other defect,
including conditional or regular provisional ballots if voting in
person.

19 Ex. 1.

20 9. On September 23, 2020, representatives of the Arizona Democratic Party
21 spoke with staff at the Recorder's office and explained what the Party needed the data for
22 and also that it needed the data on a rolling basis in advance of the election, starting around
23 October 16, 2020. The Recorder's office informed the Arizona Democratic Party that the it
24 would not be producing the requested mail ballot data.

25 10. The Arizona Democratic Party will not have time to contact voters to inform
26 them about their deficient ballots and how to cure them if we do not receive the requested
27 list well before Election Day, starting on or before October 16, 2020.
28

