

**IN THE SUPREME COURT
STATE OF ARIZONA**

SETH LEIBSOHN, *et al.*,

Plaintiffs/Appellants,

v.

KATIE HOBBS, in her capacity as the
Secretary of State of Arizona,

Defendant/Appellee,

and

VOTERS' RIGHT TO KNOW, a political
committee,

Real Party in
Interest/Appellee.

No. CV-22-0204-AP/EL

Maricopa County Superior Court
No. CV2022-009709

OPENING BRIEF OF APPELLANTS

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The trial court’s judgment embraces two consequential errors of law that this Court should reverse. First, it abrogated A.R.S. § 19-118(B)’s mandate that paid and out-of-state-circulators must support *each* registration with a sworn and notarized affidavit. Second, it excused circulators from providing on their registrations a full and strictly compliant “residence address,” A.R.S. § 19-118(B)(1), unless a challenger can adduce individualized proof that the omission of a relevant unit number hindered contact with the circulator—a formulation that is irreconcilable with this Court’s longstanding conception of the “strict compliance” standard.

INTRODUCTION

Voters’ Right to Know (the “Committee”) has admirably “devot[ed] effort and funds to place [its] proposition on the ballot.” *Harris v. Purcell*, 193 Ariz. 409, 414, ¶ 24 (1998). Solicitude for that civic endeavor, however, cannot temper the Committee’s obligation to “strictly comply,” A.R.S. § 19-102.01(A), with legislative directives governing its paid and out-of-state circulators, *see id.* § 19-118(B). Evidently loath to exact “the harsh consequences that can occur when the statutory framework is not followed,” *Fid. Nat’l Title Co. v. Town of Marana*, 220 Ariz. 247, 250, ¶ 14 (App. 2009), the Superior Court has experimented with two (mutually inconsistent) interpretive maneuvers that spare circulators from their statutory duty to support each registration for each petition drive with a notarized affidavit. *See* A.R.S. § 19-118(B)(5). In a companion case, *Protect Our Arizona v. Hobbs*, CV-22-0203-AP/EL, the Superior Court effectively excised subsections

(B)(2) and (B)(4) of Section 19-118(B) altogether, reasoning that a single registration mutates prospectively to encompass every petition drive for which a circulator will ever work.

Apparently recognizing that construction as a bridge too far, the trial court here seemingly acknowledged that circulators must register anew for each ballot measure campaign. It added, however, that they need not swear to the information contained in those subsequent registrations before a notary public, as long as a *prior* registration for a *different* measure had been properly notarized. This paradigm not only suffers from the same textual infirmities that afflict the court's approach in *Protect Our Arizona*, but also derogates the universal conception of a notarization as unique to a specific document at a discrete moment in time.

A return to Section 19-118(B)'s text conduces clarity. That provision prescribes (in a numbered list, no less) five distinct attributes of a strictly compliant registration. It follows that when a circulator submits a new registration for a new petition effort, that registration must contain **all five** elements. Application of the plain text—particularly given the Secretary's refusal to expand the online Circulator Portal's functionality for affidavit uploads—may engender “harsh consequences,” *Fid. Nat'l*, 220 Ariz. at 250, ¶ 14. But “the right of the people to exercise the legislative prerogative is, and must be, subject to reasonable regulation of the initiative process,” *Stanwitz v. Reagan*, 245 Ariz. 344, 351,

¶ 29 (2018), which the courts are duty-bound to strictly enforce—even (or especially)—when elections officials will not.

Similarly, this Court has always maintained that, when a statute demands a particular disclosure, strict compliance entails provision of the required item in its full, complete and accurate form. *See McKenna v. Soto*, 250 Ariz. 469, 472, ¶ 14 (2021). The facial omission of any element—including the relevant unit number of a residence within a multi-unit structure—renders the item of information not strictly compliant *as a matter of law*, regardless of whether it induced actual confusion. The trial court’s conclusion otherwise was in error.

Appellants have provided in Appendix 1 an itemization (with citations to the trial record) of the number of signatures affected by each of the foregoing issues.

STATEMENT OF THE ISSUES

1. Has a paid or out-of-state circulator strictly complied with A.R.S. § 19-118(B) if he did not support his registration for this Initiative Petition with a sworn and notarized affidavit, but rather relied on an affidavit submitted in connection with a separate registration at an earlier time?

2. Has a circulator who resides in a multiunit structure provided a strictly compliant “residence address,” A.R.S. § 19-118(B)(1), if he or she omitted the relevant unit number?

STANDARD OF REVIEW

The legal sufficiency of circulator registrations that are not supported by a contemporaneous notarized affidavit or that disclose only a partial residence address are questions of law that this Court reviews *de novo*. *Leach v. Reagan*, 245 Ariz. 430, 438, ¶ 33 (2018) [*“Leach I”*].

ARGUMENT

I. **Certain Circulator Registrations Are Invalid Because The Circulator Did Not Certify the Accuracy of the Information Contained in That Registration Under Oath Before a Notary Public**

A valid circulator registration consists of five components. The first four are contained in a form that is submitted electronically through the Secretary of State’s Circulator Portal disclosing the (i) circulator’s name and contact information, (ii) “the initiative or referendum petition on which the circulator will gather signatures,” (iii) a statement consenting to the jurisdiction of Arizona courts in any petition-related litigation, and (iv) “the address of the committee in this state for which the circulator gathering signatures and at which the circulator will accept service of process.” A.R.S. § 19-118(B)(1)-(4).

The fifth facet of a valid registration is “[a]n affidavit from the registered circulator that is signed by the circulator before a notary public,” which confirms that the circulator is eligible to collect signatures and that “all of the information provided [in the registration] is correct to the best of [the circulator’s] knowledge.” *Id.* § 19-118(B)(5). Circulators can

upload the completed certification to the Secretary of State's website as a supplement to the electronic registration form. *See* Sec'y of State, 2019 ELECTIONS PROCEDURES MANUAL (Dec. 2019) [hereafter, the "EPM"] at p. 252. The legal sufficiency of a circulator registration is conditioned upon its strict compliance with the provisions of A.R.S. § 19-118, which, in turn, must be strictly construed. *See* A.R.S. § 19-102.01(A).

Certain circulators of the petition in support of the so-called "Voters' Right to Know Act" (the "Initiative Petition") circumvented the notarized affidavit requirement by attaching to their electronic registration forms for this Initiative Petition an affidavit that they had executed in connection with a *different* registration (often, many months beforehand) that contained *different* items of required information. These registrations are legally insufficient because the circulator failed to strictly comply with the statutory directive that s/he swear to, in the presence of notary public, the accuracy of the information contained in *this* registration.

The Committee's position appears to be that (1) a circulator who has registered once need not separately register for other petition campaigns, (2) even if a circulator must re-register for each petition campaign, the subsequent registrations need not be supported by a notarized affidavit, and/or (3) circulators were entitled to rely on the Secretary's Circulator Portal design, which limits affidavit uploads. Each of these theories dissipates under scrutiny.

A. The Unambiguous Statutory Text Requires That Circulators Register for Each Petition They Circulate

Any given circulator registration is intrinsically specific to the measure identified in the registration. When construing statutory provisions, courts assess specific words “in context” and “look to the statute as a whole.” *Stambaugh v. Killian*, 242 Ariz. 508, 509, ¶ 7 (2017). This Court always has oriented its exegesis of Section 19-118 toward “the goal of effecting legislative intent,” *Leach I*, 245 Ariz. at 438, ¶ 33, and does so by honoring “the controlling language of the statute,” *Sherrill v. City of Peoria*, 189 Ariz. 537, 540 (1997).

Read collectively, the provisions of Section 19-118(B) instruct that a registration necessarily is specific to a given ballot measure. Indeed, the registration form promulgated by the Secretary states prominently that “**EACH CIRCULATOR MAY REGISTER FOR ONLY ONE CANDIDATE OR PETITION SERIAL NUMBER PER FORM. REGISTRATION FOR ADDITIONAL CANDIDATES OR PETITIONS MUST BE SUBMITTED ON A SEPARATE FORM**” Sec’y of State, ARIZONA PETITION CIRCULATOR TRAINING GUIDE (rev. June 2022) at A2, *available at* https://azsos.gov/sites/default/files/2022_petition_circulator_training_guide_final.pdf [emphasis in original]. In other words, *each* measure requires a *separate* registration.

If registrations were wholly specific to individual circulators and transcended specific petition drives, then subsections (B)(2) and (B)(4) would be superfluous; there

would be no discernible utility in requiring circulators to identify “*the* initiative or referendum petition on which the circulator will gather signatures” [emphasis added], and even less sense in mandating disclosure of “the address of the committee in this state for which the circulator is gathering signatures and at which the circulator will accept service of process.” See *Arizonans for Second Chances, Pub. Safety & Rehabilitation v. Hobbs*, 249 Ariz. 396, 406, ¶ 28 (2020) (“[W]e give meaning to ‘each word, phrase, and sentence’”). Subsection (A)’s directive that “[t]he committee that is circulating the petition shall collect and submit the completed registration applications to the secretary of state” further fortifies the interpretive inference that each registration is anchored to the particular measure denominated in the registration.

Apprehending registrations as measure-specific likewise comports with “the legislature’s plain intent: circulators must be available for court proceedings if the signatures they gather are challenged.” *Leach v. Hobbs*, 250 Ariz. 572, 576, ¶ 19 (2021) [*“Leach II”*]. A concrete example illuminates the incoherence afflicting a contrary conclusion. A certain Eilene Janke submitted on July 29, 2021 an apparently full and complete circulator registration for then-pending referenda on tax reform legislation sponsored by a committee called “Invest in Arizona.” If it were true that circulators need only register on one occasion, Ms. Janke need never have submitted a new registration for this Initiative Petition. A corollary, however, is that the Appellants could have validly subpoenaed Ms. Janke in *this* litigation by serving the Invest in Arizona committee—an

entity that has no evident legal or operational relationship whatsoever to the Committee or Initiative Petition here. *See* A.R.S. § 19-118(B)(4).

Fidelity to the statutory text subsists in “discern[ing] literal meaning in context.” Antonin Scalia & Bryan A. Garner, *READING LAW: THE INTERPRETATION OF LEGAL TEXTS* 40 (2012). The only interpretation of Section 19-118(B) that both infuses each element with an independent purpose and imparts symmetry and coherence to the statute as a whole is that each paid or non-resident circulator must register separately for *each* petition campaign s/he joins.

B. A Notarization Necessarily Is Unique to a Specific Registration

Because a given registration is tethered to the specific petition designated, new registrations for additional measures must strictly comply with every element of Section 19-118(B). Although it seemingly agreed that circulators must register anew for each ballot measure, the trial court “conclude[d] that the Legislature intended not to require new circulator affidavits for each new petition.” Under Advisement Ruling at 6. The trial court’s understanding of subsection (B)(5)’s relationship to the rest of Section 19-118(B) is unclear, but seems susceptible to two (equally unavailing) interpretations.

The first is that the trial court construed Section 19-118(B) as categorically exempting subsequent registrations from the affidavit requirement in subsection (B)(5). But this collides with the statute’s plain text, which does not differentiate the constitutive elements of a compliant circulator registration. There is no textual indication whatsoever

that the affidavit requirement in subsection (B)(5) is severable from the other provisions of Section 19-118(B) or relegated to some lesser legal plane. The notion that subsequent circulator registrations must strictly comply with subsections (B)(1) through (B)(4)—but not subsection (B)(5)—is not only unmoored from the statutory text, but affirmatively undermines the Legislature’s objective of ensuring that every circulator registration is sworn and notarized. *See* 2019 Ariz. Laws ch. 315, § 3.¹

The second possible justification for the trial court’s conclusion is that the affidavit accompanying a circulator’s initial registration somehow preemptively and prospectively embraces all future registrations. But that analysis is not viable, either. An individual cannot validly execute a notarized affidavit that swears in advance to the accuracy of facts that do not yet exist. The hallmark of an affidavit—the jurat completed by the notary public—is not some exercise in rote formalism; it denotes a solemn and significant legal act. The jurat “certifies that a signer . . . has made in the notary’s presence a voluntary signature and has taken an oath or affirmation vouching for the truthfulness *of the signed document.*” A.R.S. § 41-311(5) [emphasis added].

A notarial certificate is linked permanently and invariably to a specific document. A signer executing an affidavit is not avowing to the truthfulness of a generic placeholder

¹ This Court’s finding that a prior iteration of the statute tolerated inaccuracies in registrations because “[n]othing required any registration . . . to be made under oath,” *Leach I*, 245 Ariz. at 439, ¶ 41, seemingly precipitated the 2019 amendment.

that can be repurposed repeatedly in the future to suit the needs of the moment. Rather, she or he is swearing to the accuracy of a *particular* representation, made in a *particular* time and place, before a *particular* notary public. *See* A.R.S. §§ 41-328(A) (prohibiting a notary from “perform[ing] a jurat on a document that is incomplete”); 41-313(C) (notarial certificate attached on a separate sheet of paper must specifically identify the particular document to which it corresponds).²

The same principle is engrained in the statutory regime governing the ballot measure process. A circulator cannot preemptively execute the affidavit printed on the back of a petition sheet *prior* to collecting the signatures affixed to the front of the sheet. *See* A.R.S. § 19-121.01(A)(1)(f), (A)(3)(c). The rationale undergirding this provision is the same one that precludes recycling affidavits appended to other circulator registrations in earlier election cycles: an individual cannot swear to the veracity of facts not yet in existence.

C. The Secretary’s Design of the Circulator Portal Is Not Relevant to Whether the Challenged Registrations Strictly Comply with A.R.S. § 19-118

Although the Secretary has some discretion in structuring the mechanics of circulator registration, she cannot modify or abridge a statutory mandate by administrative fiat. As currently constructed, the online Circulator Portal permits circulators to electronically file new registrations and to electronically certify the accuracy of the

² This Brief references statutes in force when the Initiative Petition was in circulation.

averments contained therein, without submitting an updated notarized certification. But the notion that the Secretary's chosen design of the Circulator Portal absolves the Committee or its circulators of their statutory responsibilities is unpersuasive for at least three reasons.

First, if the Secretary wishes to exercise the limited ministerial discretion afforded to her by A.R.S. § 19-118(A), she must do so within the confines of the EPM, which the Governor and the Attorney General must independently approve. *See* A.R.S. § 16-452. Nothing in the relevant provisions of the EPM, however, states or even insinuates that circulators must be limited to a single affidavit. And even if the Secretary had wished to truncate subsection (B)(5)'s affidavit requirement in the EPM, "an EPM regulation that . . . contravenes an election statute's purpose does not have the force of law." *Leach II*, 250 Ariz. at 576, ¶ 21.

Second, it is factually untrue that all circulators are unable to conjoin new electronic registrations with new affidavits. The Secretary has configured the Circulator Portal to allow multiple affidavit uploads by circulators who had registered prior to September 29, 2021. Indeed, some 14 of the Initiative Petition's registered circulators availed themselves of this easy opportunity to submit strictly compliant registrations. At the very least, the Court should disqualify signatures collected by circulators who could have, but did not,

upload a second affidavit to the Portal.³ More broadly, there is no reason why any circulator could not have mailed, faxed, emailed or otherwise transmitted a new affidavit to the Secretary. Even if the latter declined to accept it, the circulators nevertheless would have discharged their statutory obligation.

Third, even where the Committee and its circulators relied on the Secretary's system, their registrations remain legally insufficient. It was the Committee's and circulators' "responsibility to comply with the statutory requirements for filing a[n] [initiative] petition, and the receipt of erroneous advice, even from governmental officials responsible for administering the [initiative] process, does not excuse that responsibility." *Fid. Nat'l*, 220 Ariz. at 250, ¶ 14; *see also W. Devcor v. City of Scottsdale*, 168 Ariz. 426, 431 (1991) (error in Secretary's approved petition form was not a defense). If the Committee had wanted to inoculate its petition from future challenges of this kind, it should have either submitted the necessary affidavits to the Secretary through means other than the Portal, or obtained a judicial declaration confirming the Secretary's statutory obligations.

In short, circulator registrations that were not accompanied by a notarized affidavit averring to the accuracy of *that* registration simply are not strictly compliant with A.R.S. § 19-118(B)(5).

³ A breakdown of signatures affected by each permutation of this objection is included in Appendix 1.

II. An Address Lacking the Applicable Unit Number is Not Strictly Compliant With A.R.S. § 19-118(B)(1)

All circulator registrations must identify the circulator’s “residence address.” A.R.S. § 19-118(B)(1). If a circulator resides in a multiunit structure, strict compliance with this provision demands disclosure of the specific unit number in which the circulator resides.

A. Overview of the “Strict Compliance” Standard

Preliminarily, it is worth pausing to examine the contours and rigor of the “strict compliance” standard that governs this Court’s adjudication of the Committee’s circulator registration obligations. Recognizing that the initiative can be wielded to exert pervasive and effectively unalterable, *see* Ariz. Const. art. IV, pt. 1, § 1(6)(C), changes to state law, the Legislature—extending the rubric that courts have long applied to referendum efforts—has directed that “[c]onstitutional and statutory requirements for statewide initiative measures must be *strictly construed* and persons using the initiative process must *strictly comply* with those constitutional and statutory requirements.” A.R.S. § 19-102.01(A) [emphases added]; *cf. Cottonwood Dev. v. Foothills Area Coal. of Tucson, Inc.*, 134 Ariz. 46, 49 (1982) (prescribing strict compliance standard in referendum context).

This strict compliance standard necessitates punctilious and “nearly perfect” adherence to all applicable statutory and regulatory mandates; even slight deviations from prescribed standards compel invalidation of the affected signatures. *Arrett v. Bower*, 237 Ariz. 74, 81, ¶ 23 (App. 2015) (internal citation omitted); *see also Comm for Preservation*

of Established Neighborhoods v. Riffel, 213 Ariz. 247 (App. 2006); *Grosvenor Holdings, L.C. v. City of Peoria*, 195 Ariz. 137, 140 (App. 1999); *Homebuilders Ass’n of Cent. Ariz. v. City of Scottsdale*, 186 Ariz. 642, 648 (App. 1996) (noting that strict compliance standard extends to all “constitutional and statutory provisions, no matter how minor”).

Decades of case law illustrate both the rigorous stringency of the strict compliance rule and its unconditional application. For example, in *Western Devcor*, the affidavits of circulators of a Scottsdale municipal referendum petition averred only that the circulator believed each signer to be a qualified elector of the State of Arizona, but failed to recite the circulator’s belief that the signers were qualified electors of the city. This Court deemed the oversight fatal, explaining that the petition form’s omission of expressly required verbiage disqualified it, regardless of whether the affected signatures were in fact affixed by eligible Scottsdale voters. *See* 168 Ariz. at 432.

Other cases likewise underscore courts’ insistence on scrupulous observance of the legal framework governing the ballot measure process, irrespective of the perceived “fairness” of the outcome. *E.g.*, *Cottonwood*, 134 Ariz. at 49–50 (municipal referendum proponent’s failure to attach copy of measure’s text to the petition was fatal even though no written measure yet existed, reasoning that proponent could have attached transcript of the relevant city council meeting and that “a literal reading of [the applicable statute] is justified”); *Perini Land & Dev. Co. v. Pima County*, 170 Ariz. 380, 384 (1992) (vote totals from election held while petition already was in circulation dictated signature

threshold); *Arrett*, 237 Ariz. at 82, ¶ 28 (failure to print serial number on both sides of each petition sheet disqualified all signatures); *Riffel*, 213 Ariz. at 250, ¶¶ 9–11 (by stapling description of measure to petition forms, petition proponents did not strictly comply with statute requiring description to be “inserted” into body of petition); *De Szendeffy v. Threadgill*, 178 Ariz. 464, 465–66 (App. 1994); *cf. Morales v. Archibald*, 246 Ariz. 398, 401–02, ¶¶ 17–22 (2019) (failure to attach copy of serial number application to each sheet of recall petition rendered the petition void in its entirety).

The strict compliance standard embodies the Legislature’s reasoned judgment that the initiative process be cabined by a meticulous, consistent and exacting enforcement of all applicable constitutional and statutory mandates. Its demands are not contingent upon the nature of the requirement, a qualitative assessment of its “importance,” or the capacity of an error to induce deception or confusion. The analysis is linear and straightforward, and reflects the imperative of uniformity and “bright-line rule[s]” in the ballot measure context. *Pioneer Trust Co. v. Pima County*, 168 Ariz. 61, 66 (1991). Any error, “no matter how minor,” *Homebuilders Ass’n*, 186 Ariz. at 648, categorically disqualifies the affected petition sheets and signatures.

B. An Address Missing A Relevant Unit Number Is Not Strictly Compliant

Every registration must disclose the circulator’s “residence address.” A.R.S. § 19-118(B)(1). Because many professional petition circulators are itinerants who maintain temporary residences outside their home states, the registration contains separate fields for

the circulator's permanent residential address and any temporary address that he or she may have in Arizona.

When a controlling statute elicits a discrete item of information—such as a “residence address” or a “date”—strict compliance entails disclosing each constituent element *in full*; the provision of partial or incomplete information is insufficient, even if the omitted component can be reasonably inferred or ascertained through extrinsic sources. *See McKenna*, 250 Ariz. at 472, ¶ 14. As the Court of Appeals has explained, “a complete address is one that contains all the following required address elements: the recipient’s name, street and number, *including the apartment number*, city and state, and zip code.” *Ruiz v. Lopez*, 225 Ariz. 217, 221, ¶ 14 (App. 2010) [emphasis in original]. It follows that the “residence address” of a circulator residing in a multiunit structure must include the relevant unit number.

The trial court concluded that “a factual inquiry is required to determine whether the applicable unit number is necessary.” Under Advisement Ruling at 8. To be clear, Appellants bear—and undisputedly have discharged—the burden of proving that a challenged address is, in fact, a multiunit structure. The trial court, however, imputed to Appellants an *additional* onus of establishing that “an applicable unit number was necessary to ensure contact.” *Id.*

This formulation imports the attributes of substantial compliance review under a façade of strict compliance. The lodestar of a substantial compliance analysis is whether

an error or omission will beget actual confusion or misapprehension. *See, e.g., McKenna*, 250 Ariz. at 474, ¶ 27 (incomplete address was substantially compliant if Recorder could verify signer’s voter registration status); *Feldmeier v. Watson*, 211 Ariz. 444, 449, ¶ 25 (2005) (substantial compliance queries whether, “[v]iewed as a whole,” the document “fulfill[s] the purpose underlying the . . . statutory requirements”). By contrast, in the strict compliance realm, the facial omission or misstatement of a required item of information is *per se* fatal, irrespective of whether it inflicted any articulable prejudice. *See Riffel*, 213 Ariz. at 250, ¶ 12 (stapling measure description, rather than inserting it into sheet, was fatal error, even though it did not “hinder[] electors’ ability to comprehend the petition”); *Arrett*, 237 Ariz. at 80, ¶ 20 (misprinting serial number was fatal “mistake”). A circulator who neglects to identify the applicable unit number of his residence has not supplied a “residence address” that strictly complies with A.R.S. § 19-118(B)(1).

ATTORNEYS’ FEES AND COSTS

Appellants request an award of reasonable attorneys’ fees and costs, pursuant to A.R.S. § 19-118(F) and A.R.C.A.P. 21.

CONCLUSION

The Court should reverse the judgment of the trial court and order the Secretary, prior to applying the invalidity rate calculated by the county recorders, to deduct the signatures identified in Appendix 1 from the total number of signatures remaining on the Initiative Petition.

RESPECTFULLY SUBMITTED on this 19th day of August, 2022.

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Appendix 1

Appendix — Record Evidence of the Number of Invalid Signatures

ID No.	Circulator Name	Date Registered	Objection No. 1(a) (Outdated Affidavit -- All Circulators)	Objection No. 1(b) (Outdated Affidavit -- Only Circulators Without a Factual Impossibility Defense Arising from the Design of the SoS Website)	Objection No. 3(a) (Missing Unit No. -- Permanent)	Objection No. 3(b) (Missing Unit No. -- Temporary)	Combination of Objections 1(a) and 3(a)	Combination of Objections 1(a), 3(a), and 3(b)	Combination of Objections 1(b) and 3(a)	Combination of Objections 1(b), 3(a), and 3(b)	Relevant Page in Exhibit 147¹	Images of Multi-Unit Address¹
AZ30498	Alkhulifi Faten	2022-06-30	7	7		7	7	7	7	7	2	Exhibit 1
AZ90942	Allen Rodman	2022-02-23			455	455	455	455	455	455	2	Exhibit 2
AZ19510	Attisso Victor	2022-06-29				156		156		156	4	Exhibit 5
AZ11926	Applin Derek	2022-02-09				1,851		1,851		1,851	4	Exhibit 3
AZ82200	Ashley Matthew	2022-04-29			36		36		36	36	4	Exhibit 4
AZ50997	Andreas Landon	2021-06-02	402	402			402	402	402	402	4	
AZ79847	Baptist Fahja	2021-09-29			122		122		122	122	6	Exhibit 6
AZ58726	Bell Jefferson	2022-03-23				163		163		163	8	Exhibit 8
AZ53736	ben latoya	2022-02-01				1,382		1,382		1,382	8	Exhibit 9
AZ62325	Bertram Zack	2021-09-27			175		175		175	175	9	Exhibit 11
AZ23861	Birdman Beatrice	2022-01-26	1,013	1,013			1,013	1,013	1,013	1,013	9	
AZ59646	Boyd Jr. Timothy	2021-07-19	44	44			44	44	44	44	11	
AZ80408	Bradstreet Anjela	2021-09-30	315	315			315	315	315	315	11	
AZ21064	Borrogo Juan	2022-07-01	153				153				11	
AZ99100	Brown Brandon	2022-05-23				408		408		408	13	Exhibit 12
AZ10101	Cafiso Laura	2021-12-13	19				19				15	
AZ39239	Calderon Chanz	Multiple				232		232		232	16	Exhibits 13-14
AZ37515	Cassell Tasia	2022-07-05			32		32		32	32	17	Exhibit 16
AZ82044	Carter Jr. Dana	2022-01-28				562		562		562	17	Exhibit 15
AZ59893	chance jesse	2022-07-04				274		274		274	18	Exhibit 17
AZ50379	Chansley Kyle	2021-08-31			634		634		634	634	18	Exhibit 18
AZ20600	Colbert Teyan	Multiple				957		957		957	20	Exhibits 20-23
AZ17073	Clark Devin	2021-05-21				4,604		4,604		4,604	20	Exhibit 19
AZ51594	Cochlin Fallon	2021-05-17	57	57			57	57	57	57	20	
AZ18359	Coleman Zhane	2022-06-29				137		137		137	21	Exhibit 24
AZ48217	Cordova Sierra	2022-04-19	320	320			320	320	320	320	22	
AZ76792	Cruz-perkins Michael	2021-12-21	6				6				23	
AZ98341	De La Torre Citlali	2021-09-28			35		35		35	35	25	Exhibit 26
AZ62158	Dixon Tamika	Multiple	673	673			673	673	673	673	26	
AZ90807	Dunn Parris	2022-02-15				479		479		479	27	Exhibit 27
AZ70595	Easley Emma	2021-08-12	65	65			65	65	65	65	27	
AZ49073	Elinord Emmanuel	2022-06-29	177			177		177		177	28	Exhibit 29
AZ62792	Ellis Adam	2022-02-17				352		352		352	28	Exhibit 30
AZ37803	Eldridge Andrea	2021-10-27			15		15		15	15	28	Exhibit 28
AZ21958	Espinoza Ricki	2021-09-03			113		113		113	113	29	Exhibit 31
AZ85531	Espriu Alejandra	2021-10-20	467	467			467	467	467	467	29	
AZ13342	Farley Marlon	2021-08-27			5,000		5,000	5,000	5,000	5,000	30	Exhibit 32
AZ53784	Federoff Zoe	2021-09-30	1,555	1,555			1,555	1,555	1,555	1,555	30	
AZ60798	Findlay Anthony	2022-01-05			249		249		249	249	31	Exhibit 33
AZ67521	Finley Andrew	2021-12-16			808		808		808	808	31	Exhibit 34
AZ42120	Fitch Edward	2022-07-01				169		169		169	32	Exhibit 35
AZ84564	Flanagan Madelin	2022-02-21				1,522		1,522		1,522	32	Exhibit 36
AZ17047	Fournier Michael	2022-06-28	347	347			347	347	347	347	33	Exhibit 37
AZ13098	Franklin Rafael	2022-02-01				633		633		633	33	Exhibit 38
AZ63125	Garr Bradley	2022-04-28	765				765	765			36	
AZ60463	Gelety Timothy	2021-10-21	3,393	3,393			3,393	3,393	3,393	3,393	37	
AZ29057	Gonzalez Alondra	2021-09-13	24	24			24	24	24	24	38	
AZ46492	Gomez Chanel	2021-12-16	1,376	1,376			1,376	1,376	1,376	1,376	38	
AZ32161	Grant Zanaki	2022-02-08				163		163		163	39	Exhibit 40
AZ74123	Griffin Myka	2022-06-29	154			154		154		154	40	Exhibit 41
AZ51418	Gutierrez-Garcia Jonathan	2022-02-07				59		59		59	41	Exhibit 42

Appendix — Record Evidence of the Number of Invalid Signatures

ID No.	Circulator Name	Date Registered	Objection No. 1(a) (Outdated Affidavit – All Circulators)	Objection No. 1(b) (Outdated Affidavit – Only Circulators Without a Factual Impossibility Defense Arising from the Design of the SoS Website)	Objection No. 3(a) (Missing Unit No. – Permanent)	Objection No. 3(b) (Missing Unit No. – Temporary)	Combination of Objections 1(a) and 3(a)	Combination of Objections 1(a), 3(a), and 3(b)	Combination of Objections 1(b) and 3(a)	Combination of Objections 1(b), 3(a), and 3(b)	Relevant Page in Exhibit 147¹	Images of Multi-Unit Address¹
AZ71022	Hamed Armando	2021-10-20	377	377			377	377	377	377	42	
AZ16870	Hamed Jazmine	2021-10-21	656	656			656	656	656	656	42	
AZ56453	Hess Michael	2022-02-18				3,683		3,683		3,683	45	Exhibit 43
AZ73851	Hohnholt Matthew	2022-01-21				1,557		1,557		1,557	46	Exhibit 44
AZ27572	Howard Devon	2022-07-01	40				40	40			47	
AZ75813	Itzol Benjamin	2021-10-06	9	9			9	9	9	9	48	
AZ39104	James Sonya	2022-07-06				30		30		30	49	Exhibit 46
AZ72312	Jackson Cortez	2021-11-19			343		343	343	343	343	49	Exhibit 45
AZ26022	janke eilene	2021-11-09	1,930	1,930			1,930	1,930	1,930	1,930	49	
AZ83553	Jarrell Redman	2022-04-29	766				766	766			50	
AZ91563	Jarrell Vila	2022-04-29	1,802				1,802	1,802			50	
AZ62608	Johnson Neyah	2022-02-28				733		733		733	51	Exhibit 49
AZ85759	Johnson Burton	2022-02-23			1,073	1,073	1,073	1,073	1,073	1,073	51	Exhibit 47
AZ34294	Johnson Molubah	2022-03-24	31	31	31		31	31	31	31	51	Exhibit 48
AZ31319	Joseph Anuschka	2022-03-03				460		460		460	52	Exhibit 51
AZ88656	Jones Nicole	2021-05-19				4,384		4,384		4,384	52	Exhibit 50
AZ52069	Kebreau Tesa	2022-03-03				375		375		375	53	Exhibit 52
AZ73671	Keene Philip	2021-12-01	1,249	1,249			1,249	1,249	1,249	1,249	53	
AZ97680	Kesley Lance	2022-02-15				489		489		489	54	Exhibit 55
AZ19879	Keyser Lindsay	2022-03-03				643		643		643	54	Exhibit 56
AZ78438	Kenyatta Asiya	Multiple			169		169	169	169	169	54	Exhibit 53
AZ20409	Kimble Reginald	2022-06-30	100	100		100		100		100	55	Exhibit 57
AZ99739	King William	2021-11-02	5,093	5,093			5,093	5,093	5,093	5,093	55	
AZ51101	Kondeti Lovasia	2022-03-09	3,850				3,850	3,850			55	
AZ56801	Kountz-Smith Andre	2022-01-13			373		373	373	373	373	56	Exhibit 58
AZ64826	Kroupa Jaylen	2021-08-23			2,524		2,524	2,524	2,524	2,524	56	Exhibit 59
AZ81905	Lane Christopher	Multiple				358		358		358	57	Exhibits 60-61
AZ69034	Laubach Garrett	2021-05-14	521	521		521		521	521	521	57	Exhibit 62
AZ16934	Laporta Jr. Michael	2022-07-01	204				204	204			57	
AZ85996	Lee Jennifer	2021-09-22	3,088	3,088			3,088	3,088	3,088	3,088	58	
AZ22829	Lewis Jr. Omar	2022-02-11				520		520		520	59	Exhibit 63
AZ56512	Lloyd Tracey	2022-06-02	30				30	30			60	
AZ78661	Lopez Erika	2021-09-03	294	294			294	294	294	294	61	
AZ92396	Mares Gracie	Multiple				194		194		194	63	Exhibits 66-67
AZ26306	Marmolejo Victor	2022-01-20				1,268		1,268		1,268	63	Exhibit 68
AZ11783	Manas Whitney	2021-05-10	17,337	17,337			17,337	17,337	17,337	17,337	63	
AZ72959	Mathis Dominique	2022-02-02				448		448		448	66	Exhibit 69
AZ45105	Mcconaughey William	Multiple				72		72		72	67	Exhibits 70-71
AZ62795	McCool Michael	Multiple	86		1,378		86	1,378	1,378	1,378	67	Exhibits 72-73
AZ61006	McGriff Dominique	2022-06-07				565		565		565	68	Exhibit 74
AZ20551	Mckoy Trevin	2021-08-12	1,016	1,016			1,016	1,016	1,016	1,016	68	
AZ47366	Memale Catherine	2021-10-21	102	102			102	102	102	102	69	
AZ94452	Milliner Richard	2021-06-16	369	369	369		369	369	369	369	71	Exhibit 76
AZ28321	Montes Eliseo	2022-01-20				106		106		106	72	Exhibit 78
AZ75695	Moore Brittany	2022-02-02				2,216		2,216		2,216	72	Exhibit 79
AZ78134	Monteith Skyler	2021-09-16			369		369	369	369	369	72	Exhibit 77
AZ55404	Morgan Jay	2022-02-09			686	686	686	686	686	686	73	Exhibit 80
AZ16628	Moz Jordan	2022-03-03				117		117		117	74	Exhibit 81
AZ51303	Nelson Bradlee	2022-02-08				37		37		37	75	Exhibit 83
AZ81907	Neal Kieon	2022-07-01				162		162		162	75	Exhibit 82
AZ21631	Noble Zion	2022-03-09				266		266		266	76	Exhibit 84

Appendix — Record Evidence of the Number of Invalid Signatures

ID No.	Circulator Name	Date Registered	Objection No. 1(a) (Outdated Affidavit -- All Circulators)	Objection No. 1(b) (Outdated Affidavit -- Only Circulators Without a Factual Impossibility Defense Arising from the Design of the SoS Website)	Objection No. 3(a) (Missing Unit No. -- Permanent)	Objection No. 3(b) (Missing Unit No. -- Temporary)	Combination of Objections 1(a) and 3(a)	Combination of Objections 1(a), 3(a), and 3(b)	Combination of Objections 1(b) and 3(a)	Combination of Objections 1(b), 3(a), and 3(b)	Relevant Page in Exhibit 147 ¹	Images of Multi-Unit Address ¹
AZ95453	Olowoeshin Yusuff	Multiple	368	368		368	368	368	368	368	78	Exhibits 85-87
AZ50429	ortiz michael	2021-08-26				13		13		13	79	Exhibit 88
AZ76525	Pardike Neil	2022-02-18				780		780		780	80	Exhibit 89
AZ70105	Payne Marc	2021-11-29			141		141	141	141	141	81	Exhibit 90
AZ31585	Pollock Courtney	2022-02-22				140		140		140	83	Exhibit 91
AZ40144	Powell ernesa	2022-06-29				216		216		216	83	Exhibit 92
AZ37217	Preston Dominique	2022-01-13				481		481		481	83	Exhibit 93
AZ30166	Pridgen IV William	2022-03-03				618		618		618	83	Exhibit 94
AZ32745	Riley Breian	2022-06-29	135			135	135	135		135	87	Exhibit 95
AZ47064	Robinson Sterling	Multiple	17			17	17	17		17	88	Exhibits 96-97
AZ54581	Rollins Nathan	2022-06-30				137		137		137	89	Exhibit 98
AZ25479	Rosenfield Jacob	2022-02-10				15		15		15	90	Exhibit 99
AZ31587	Samios Phillip	2022-02-09				1,061		1,061		1,061	92	Exhibit 100
AZ30897	Saenz Dariel	2021-10-22	402	402			402	402	402	402	92	
AZ50300	Santos Daniel	2022-07-05	29				29	29			92	
AZ50433	Self Shawn	2022-02-24				90		90		90	94	Exhibit 104
AZ36738	Scott III Charles	2022-06-07				639		639		639	94	Exhibit 101
AZ91611	Smarra Saul	2021-08-21			18		18	18	18	18	96	Exhibit 108
AZ23282	Simmons Brianna	2021-09-29			58		58	58	58	58	96	Exhibit 105
AZ27840	Sloan Shantelle	2021-08-07	916	916	916		916	916	916	916	96	Exhibit 107
AZ72765	Silverman Carrie	2021-11-23	2,015				2,015	2,015			96	
AZ73761	Smith Isaiah	2022-06-29	170			170		170		170	97	Exhibit 109
AZ79096	Smith LaTorianna	2021-09-03				281		281		281	97	Exhibit 110
AZ44150	Spearman Tomorra	Multiple	199			199	199	199		199	98	Exhibit 111-13
AZ65919	Staska James	2021-10-25	6,919	6,919			6,919	6,919	6,919	6,919	99	
AZ20102	Surgent matthew	2022-06-29				155		155		155	101	Exhibit 115
AZ92663	Taha Mariyam	2022-05-18	1,121	1,121			1,121	1,121	1,121	1,121	101	
AZ62374	Taylor Byron	2022-06-29				108		108		108	102	Exhibit 116
AZ94324	Teeters Shylow	2021-10-25	53	53			53	53	53	53	102	
AZ25025	Taylor Jane	2021-10-18	1,446	1,446			1,446	1,446	1,446	1,446	102	
AZ58034	Thomas Norma	2022-01-18	565				565	565			103	
AZ99695	toy christopher	2021-09-22			282		282	282	282	282	105	Exhibit 117
AZ61753	Turner Albert	2021-07-30	35	35			35	35	35	35	106	
AZ10351	Vazquez Andrea	2021-11-10	131	131			131	131	131	131	108	
AZ81659	Villines Andrew	2021-08-12	424	424			424	424	424	424	109	
AZ18342	Wahl Adam	2022-06-29				219		219		219	110	Exhibit 119
AZ94794	Wallace Joel	2021-06-24	1,229	1,229			1,229	1,229	1,229	1,229	110	
AZ35643	Wilkins Gerald	Multiple				173		173		173	112	Exhibits 120-22
AZ32988	Wilkerson Ambur	2021-12-08	14				14	14			112	
AZ26958	Williams Richard	2022-02-07				244		244		244	113	Exhibit 124
AZ77264	Williams Godbeee Chevis	2022-03-03				255		255		255	113	Exhibit 123
AZ20854	williams Sr. diondre	2021-07-23	258	258	258		258	258	258	258	113	Exhibit 125
AZ14241	Wilson Cheagan	2022-01-20				70		70		70	114	Exhibit 126
AZ50104	Womack Thomas	2022-06-29	450	450			450	450	450	450	114	Exhibit 127
AZ41785	Withrow Chelsea	2022-02-24	195				195	195			114	
AZ56708	Wright Tanner	2021-07-19			869		869	869	869	869	115	Exhibit 129
AZ20951	York Joshua	2021-06-21	37	37			37	37	37	37	116	
			67,579	56,188	17,763	45,885	83,682	124,358	72,377	113,905		

¹ See also Joint Pretrial Statement (Aug. 10, 2022) at 2-3 (listing factual stipulations)