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[Exempt from filing fees, Gov. Code, § 6103]

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8 **SUPERIOR COURT OF CALIFORNIA**
9 **FOR THE COUNTY OF SACRAMENTO**

10 ELECTION INTEGRITY PROJECT
CALIFORNIA, INC.; LARRY LEWIS, an
individual; COLETTE CASEY, an individual;
11 ELLEN SWENSEN, an individual; THOMAS
D.PAVICH an individual; and
12 CHARLESSHINN, an individual,,

13 Petitioners,

14 vs.

15 SHIRLEY WEBER, CALIFORNIA
SECRETARY OF STATE; BOB PAGE,
16 ORANGE COUNTY REGISTRAR OF
VOTERS; DEAN LOGAN, LOS ANGELES
17 COUNTY REGISTRAR-
RECORDER/COUNTY CLERK; ART
18 TINOCO, RIVERSIDE COUNTY
REGISTRAR OF VOTERS; AIMEE X.
19 EXPINOZA, KERN COUNTY AUDITOR-
CONTROLLER-COUNTY CLERK; and
20 MICHELLE BALDWIN, TULARE COUNTY
REGISTRAR OF VOTERS,,

21 Respondents.
22

Case No. 24WM000168

**DEFENDANT, AIMEE X. EXPINOZA,
KERN COUNTY AUDITOR-
CONTROLLER-COUNTY CLERK'S
JOINDER IN RIVERSIDE COUNTY'S
OPPOSITION TO PETITIONER'S EX-
PARTE APPLICATION**

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24 On November 15, 2024, Defendant, Riverside County Registrar of Voters (hereinafter
25 "Riverside Defendant") filed an Opposition to Petitioner's Ex-Parte Application for Order
Shortening Time and Stay.

26 Defendant, Aimee X. Expinoza, Kern County Auditor-Controller-County Clerk (hereinafter
27 "Kern Defendant"), joins in Riverside Defendant's Opposition to Petitioner's Ex-Parte Application
28 for Order Shortening Time and Stay.

1 Kern County’s position on the ex parte mirrors Riverside County’s position. There is no good
2 cause to warrant ex parte relief, and petitioners have failed to demonstrate irreparable harm.

3 As to Kern County specifically, petitioners have not shown good cause. Petitioners allege a
4 “vote count difference” in Kern County by comparing two data points, the Statement of Vote and
5 Voter History. However, the declarations provided in support of the ex parte confirm Voter History
6 is not accurate for county-by-county accounting. The very data petitioner uses to “audit” votes and
7 require oversight of Kern County is the data they admit is useless for such accounting. Given the
8 lack of reliable information, and no allegation of wrongdoing, petitioner has no basis to request
9 oversight of Kern County’s election processing.

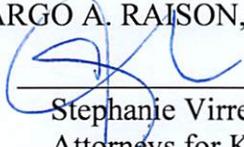
10 Petitioners allege a vote count difference of 490 in Kern County’s November 2022 election.
11 (See Declaration of Ellen Swensen, ¶ 12; Ex. 6, p. 1) Petitioners come to this conclusion by
12 comparing (1) the Certified Accounting (i.e., November 2022 Statement of Vote); and (2) June 2024
13 Accounting (i.e., voter participation history with voter registration files). (See Declaration of Ellen
14 Swensen, ¶ 10).

15 The voter history with voter registration files was created on June 28, 2024. Significantly,
16 “When the voter moves to a different county, the ‘County Code’ in the vote history is changed to
17 the new county. . . The impact of the County Code changing prevents the vote history data from
18 being used to accurately audit any election because the vote tallies no longer match the vote tallies
19 on the Statement of Vote used by the SOS to certify an election.” (See Declaration of Carl Knowles,
20 ¶12). If a voter (or 490 voters) has moved into Kern County from November 2022 to June 8, 2024,
21 their vote history would be changed to Kern County and, as the declaration states, the two data points
22 petitioners are comparing would no longer align. The answer could be as benign as voter relocation,
23 and does not indicate fraud, error, or omission. Thus, there does not exist good cause for the relief
24 requested against Kern County (or any individual county).

25 Kern intends to file a demurrer on the vague allegations and joins Riverside’s arguments
26 challenging the sufficiency of the petition.

27 Dated: November 15, 2024

MARGO A. RAISON, COUNTY COUNSEL

28 By: 
Stephanie Virrey Gutcher, Deputy
Attorneys for Kern Defendant
Aimee X. Expinoza, Auditor-Controller-
County Clerk

PROOF OF SERVICE

I am over the age of eighteen years and not a party to the within action; my business address is 1115 Truxtun Avenue, Fourth Floor, Bakersfield, CA 93301.

On the date last written below, I served the attached **DEFENDANT, AIMEE X. EXPINOZA, KERN COUNTY AUDITOR-CONTROLLER-COUNTY CLERK'S JOINDER IN RIVERSIDE COUNTY'S OPPOSITION TO PETITIONER'S EX-PARTE APPLICATION** the party(ies) listed below, through their attorneys of record, if any, by facsimile transmission, by personal delivery or by placing true copies/originals thereof in sealed envelope(s) addressed/designated as shown below:

A. BY MAIL - I enclosed such document in sealed envelope(s) with the name(s) and address(es) of the person(s) served as shown on the envelope(s) and caused such envelope(s) to be deposited in the mail at Bakersfield, California. The envelope(s) was/were mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

B. BY OVERNIGHT SERVICE - I caused each such envelope to be delivered by overnight service to the addressee(s) noted below.

C. BY FACSIMILE SERVICE - I placed such document in a facsimile machine (pursuant to California Rules of Court, Rule 2.301(3)) with the fax number of (661) 868-3805. Upon facsimile transmission of the document, I obtained a report from the transmitting facsimile machine stating that the facsimile transmission was complete and without error. A copy of the transmission report is attached to this Proof of Service pursuant to California Rules of Court, Rule 2.306(g).

D. BY PERSONAL SERVICE - I caused such envelope(s) to be delivered by hand to the addressee(s) listed below.

E. BY ELECTRONIC MAIL – Pursuant to CRC, Rule 2.251(c), Local Rules of Court, Rule 1.10 and CCP 1010.6, I caused a copy of such document to be transmitted via electronic mail in Portable Document Format ("PDF") Adobe Acrobat from the electronic address: goldsberrymic@kerncounty.com.

Type of Service Addressee

A & E	SEE ATTACHED
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(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on **November 15, 2024**, at Bakersfield, California.


Michele Goldsberry

ADDRESSEE	EMAIL ADDRESSES
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