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Logan, in his official capacity as the Los
7 Angeles County Registrar-
Recorder/County Clerk
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SACRAMENTO**
11

12 ELECTION INTEGRITY PROJECT
CALIFORNIA, INC.; LARRY
13 LEWIS, an individual; ,

14 Petitioners,

15 v.

16 SHIRLEY WEBER, CALIFORNIA
SECRETARY OF STATE; DECAL
17 LOGAN, LOS ANGELES COUNTY
REGISTRAR-RECORDER/COUNTY
18 CLERK,

19 Respondent.

CASE NO. 24WM000168

**RESPONDENT DEAN C. LOGAN'S
ANSWER TO VERIFIED FIRST
AMENDED PETITION FOR
PEREMPTORY WRIT OF MANDATE**

Assigned to the Hon. Shelleyanne W.L.
Chang, Dept. 21

Action Filed: October 30, 2024

20
21 Respondent Dean C. Logan, in his official capacity as the Los Angeles County Registrar-
22 Recorder/County Clerk ("Respondent") hereby answers the Verified First Amended Petition for
23 Peremptory Writ of Mandate ("FAP") filed by Petitioners Election Integrity Project California,
24 Inc. and Larry Lewis (collectively, "Petitioners"), as follows :

25 1. In response to Paragraph 1 of the FAP, Respondent admits Petitioners filed the
26 FAP. Respondent states he has complied with California election laws, contrary to any express or
27 implied allegations in Paragraph 1. Except as expressly admitted and to the extent there are any
28 other factual allegations in Paragraph 1, they are denied.

HOA.105221711.1

1 2. Paragraph 2 contains legal conclusions or argument that do not require a response.
2 To the extent that Paragraph 2 contains factual allegations as to Respondent, those allegations are
3 denied. Respondent also lacks knowledge, information, or belief sufficient to admit or deny the
4 remainder of the factual allegations in Paragraph 2 as to data Petitioner Election Integrity Project
5 California, Inc. ("EIPCa") requested and received from Respondent Shirley Weber, in her official
6 capacity as the Secretary of State of California ("Secretary"), or any alleged audit of the data
7 performed by EIPCa, and on that basis, denies said allegations. Respondent states that the election
8 results data provided by Respondent to the Secretary for the Secretary's compilation of the
9 November 8, 2022 General Election Statement of Vote ("November 2022 Statement of Vote") is
10 based on ballots tabulated in the County of Los Angeles ("County"). Respondent is informed and
11 believes that the alleged data EIPCa received from the Secretary in June 2024 (the "June 2024
12 Accounting") in response to a public "California Voter Registration File Request" is an extract of
13 the State of California's ("State") voter registration records data for voters within the entire State
14 stored on the State's voter database, VoteCal, at the time of its creation (in or around June 2024),
15 per EIPCa's specifications, pursuant to Elections Code section 2188. As such, Respondent is
16 informed and believes the alleged June 2024 Accounting contains data different from the data used
17 by the Secretary to certify the November 8, 2022 General Election results and prepare the
18 November 2022 Statement of Vote, including the "Voter Participation Statistics by County"
19 document published by the Secretary and contained in the November 2022 Statement of Vote.
20 Consequently, Respondent states EIPCa's alleged audit of the June 2024 Accounting and resulting
21 findings are based on improper comparison of the June 2024 Accounting with the November 2022
22 Statement of Vote data. Respondent further states the County's voter registration database and
23 VoteCal database are dynamic databases that are updated in the regular course of voter record
24 maintenance, to account for various activities including voter registration, re-registration, voters
25 who become inactive due to lack of activity, voters moving in and out of counties, states and the
26 country, and voters whose registrations are canceled due to death, imprisonment or incapacity or
27 experience other life events impacting their voter status. Respondent further states that data in the
28 County and State's databases synchronize with one another from time to time but are not used or

1 intended to be used for comparison with Statement of Vote data. To the extent Paragraph 2
2 contains allegations in reference to or interpreting Elections Code section 2191, the law speaks for
3 itself.

4 3. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
5 factual allegations in Paragraph 3 as to the Secretary, any data EIPCa requested and received from
6 the Secretary, or any alleged audit of the data performed by EIPCa, and on that basis, denies said
7 allegations. To the extent that Paragraph 3 states factual allegations as to Respondent, they are
8 denied. To the extent Paragraph 3 contains allegations in reference to or interpreting Elections
9 Code section 2191, the law speaks for itself. The remainder of Paragraph 3 contains legal
10 conclusions or argument that do not require a response.

11 4. Paragraph 4 contains legal conclusions or argument that do not require a response.
12 To the extent that Paragraph 4 states factual allegations as to Respondent, they are denied.
13 Respondent specifically denies any mischaracterization in Paragraph 4's allegations as to the
14 existence of an alleged "discrepancy of 49,777 total ballots," any mischaracterization regarding
15 the County's voter database records, and any mischaracterization as to the total number of ballots
16 counted in the County's November 2022 General Election. Respondent lacks knowledge,
17 information, or belief sufficient to admit or deny the remainder of the factual allegations in
18 Paragraph 4 as to the Secretary, any data EIPCa requested and received from the Secretary, or any
19 alleged audit of the data performed by EIPCa, and on that basis, denies said allegations.
20 Respondent states that the election results data provided by the County to the Secretary for the
21 Secretary's compilation of the November 2022 Statement of Vote is based on ballots tabulated in
22 the County. Respondent is informed and believes that the alleged June 2024 Accounting provided
23 by the Secretary in response to EIPCa's Voter Registration File Request is an extract of the State's
24 voter registration records data for voters within the entire State stored on VoteCal at the time of its
25 creation (in or around June 2024), per EIPCa's specifications, pursuant to Elections Code section
26 2188. As such, Respondent is informed and believes the alleged June 2024 Accounting contains
27 data different from the data used by the Secretary to certify the November 8, 2022 General
28 Election results and prepare the November 2022 Statement of Vote, including the "Voter

1 Participation Statistics by County" document published by the Secretary and contained in the
2 November 2022 Statement of Vote. Consequently, Respondent states EIPCa's alleged audit of the
3 June 2024 Accounting and resulting findings are based on improper comparison of the June 2024
4 Accounting with the November 2022 Statement of Vote data. Respondent further states the
5 County's voter registration database and VoteCal database are dynamic databases that are updated
6 in the regular course of voter record maintenance, to account for various activities including voter
7 registration, re-registration, voters who become inactive due to lack of activity, voters moving in
8 and out of counties, states and the country, and voters whose registrations are canceled due to
9 death, imprisonment or incapacity or experience other life events impacting their voter status.
10 Respondent further states that data in the County and State's databases synchronize with one
11 another from time to time but are not used or intended to be used for comparison with Statement
12 of Vote data.

13 5. Respondent denies all factual allegations as to Respondent in Paragraph 5.
14 Respondent also lacks knowledge, information, or belief sufficient to admit or deny the remainder
15 of the factual allegations in Paragraph 5 as to the Secretary, any data EIPCa requested and
16 received from the Secretary, or any alleged audit of the data performed by EIPCa, and on that
17 basis, denies said allegations. Respondent specifically denies any mischaracterization in Paragraph
18 5's allegations regarding "duplicate ballots" or "multiple ballots" in the County's November 2022
19 General Election, and any mischaracterization regarding the alleged existence of "42,112 ballots
20 that were attributable to 21,027 unique Registration ID numbers." Respondent states that the
21 election results data provided by the County to the Secretary for the Secretary's compilation of the
22 November 2022 Statement of Vote is based on ballots tabulated in the County. Respondent is
23 informed and believes that the alleged June 2024 Accounting provided by the Secretary in
24 response to EIPCa's Voter Registration File Request is an extract of the State's voter registration
25 records data for voters within the entire State stored on VoteCal at the time of its creation (in or
26 around June 2024), per EIPCa's specifications, pursuant to Elections Code section 2188. As such,
27 Respondent is informed and believes the alleged June 2024 Accounting contains data different
28 from the data used by the Secretary to certify the November 8, 2022 General Election results and

1 prepare the November 2022 Statement of Vote, including the "Voter Participation Statistics by
2 County" document published by the Secretary and contained in the November 2022 Statement of
3 Vote. Consequently, Respondent states EIPCa's alleged audit of the June 2024 Accounting and
4 resulting findings are based on improper comparison of the June 2024 Accounting with the
5 November 2022 Statement of Vote data. Respondent further states the County's voter registration
6 database and VoteCal database are dynamic databases that are updated in the regular course of
7 voter record maintenance, to account for various activities including voter registration, re-
8 registration, voters who become inactive due to lack of activity, voters moving in and out of
9 counties, states and the country, and voters whose registrations are canceled due to death,
10 imprisonment or incapacity or experience other life events impacting their voter status.
11 Respondent further states that data in the County and State's databases synchronize with one
12 another from time to time but are not used or intended to be used for comparison with Statement
13 of Vote data. The remainder of Paragraph 5 contains legal conclusions or argument that do not
14 require a response.

15 6. In response to Paragraph 6 of the FAP, Respondent admits counsel for Petitioners
16 emailed questions to Respondent and requested a meeting with Respondent to discuss, and that the
17 request is under review. Respondent states Petitioners filed this litigation prior to making any
18 formal or informal request for "explanation" from Respondent. Respondent states that he has
19 administered County elections. including the November 8, 2022 General Election and the
20 November 5, 2024 General Election, in accordance with law, and complied with his ministerial
21 duties in accordance with law. Except as specifically admitted, all other factual allegations as to
22 Respondent in Paragraph 6 are denied. Respondent further lacks knowledge, information, or
23 belief sufficient to admit or deny the remainder of the factual allegations in Paragraph 6 pertaining
24 to the Secretary, and on that basis, denies said allegations. The remainder of Paragraph 6 also
25 contains legal conclusions or argument that do not require a response.

26 7. Paragraph 7 contains legal conclusions or argument that do not require a response.
27 To the extent that Paragraph 7 states factual allegations, Respondent lacks knowledge,

28

1 information, or belief sufficient to admit or deny the allegations and, on that basis, denies said
2 allegations.

3 8. Paragraph 8 contains legal conclusions or argument that do not require a response.
4 To the extent that Paragraph 8 states factual allegations, Respondent lacks knowledge,
5 information, or belief sufficient to admit or deny the allegations and, on that basis, denies said
6 allegations.

7 9. In response to Paragraph 9 of the FAP, Respondent admits the Secretary is the chief
8 elections officer in California and is authorized to adopt regulations to ensure the uniform
9 application and administration of state election laws. To the extent Paragraph 9 contains
10 allegations interpreting sections in the Government Code, Election Code case law, the law speaks
11 for itself.

12 10. In response to paragraph 10 of the FAP, Respondent admits he is the County
13 Registrar-Recorder/County Clerk, the elections official for the County, and his office is
14 responsible for administering elections in the County pursuant to law, including the Elections
15 Code. The remainder of Paragraph 10 contains legal argument that do not require a response. To
16 the extent that Paragraph 10 contains allegations in reference to sections in the Elections Code, the
17 law speaks for itself. Except as specifically admitted, all other factual allegations are denied.

18 11. Paragraph 11 contains legal conclusions or argument that do not require a response.
19 To the extent that Paragraph 11 contains factual allegations as to Respondent, they are denied.
20 Respondent disputes Petitioners' citation and interpretation of statutes and/or regulations in
21 Paragraph 11 and disputes that such statutory and/or regulatory provisions would require
22 Respondent to answer Petitioners' specific questions or that writ relief could be granted for on
23 such basis. To the extent paragraph 11 contains allegations interpreting a section in the Elections
24 Code, the law speaks for itself.

25 12. Paragraph 12 contains legal conclusions or argument that do not require a response.
26 To the extent that Paragraph 12 contains allegations in reference to a section in the Code of Civil
27 Procedure, the law speaks for itself.

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1 13. Paragraph 13 contains legal conclusions or argument that do not require a response.
2 To the extent that Paragraph 13 contains allegations in reference to sections in the Code of Civil
3 Procedure, the law speaks for itself.

4 14. Paragraph 14 contains legal conclusions or argument that do not require a response.
5 To the extent that Paragraph 14 contains factual allegations, Respondent lacks knowledge,
6 information, or belief sufficient to admit or deny the allegations and, on that basis, denies said
7 allegations. Insofar as Paragraph 14 contains allegations in reference to case law and the National
8 Voter Registration Act of 1993 ("NVRA"), the law speaks for itself.

9 15. Paragraph 15 contains legal conclusions or argument that do not require a response.
10 To the extent that Paragraph 15 contains factual allegations, Respondent lacks knowledge,
11 information, or belief sufficient to admit or deny the allegations and, on that basis, denies said
12 allegations. Insofar as Paragraph 15 contains allegations in reference to a section in the Elections
13 Code, the law speaks for itself.

14 16. In response to Paragraph 16 of the FAP, Respondent admits the Secretary is the
15 chief elections officer in California and is authorized to adopt regulations to ensure the uniform
16 application and administration of state election laws. Respondent also admits he is the County
17 Registrar-Recorder/County Clerk, the elections official for the County and his office is responsible
18 for administering elections in the County pursuant to law. Except as specifically admitted, all
19 factual allegations as to Respondent are denied. The remainder of Paragraph 16 contains legal
20 conclusions or argument that do not require a response.

21 17. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
22 factual allegations in Paragraph 17 and, on that basis, denies said allegations. The remainder of
23 Paragraph 17 contains legal conclusions or argument that do not require a response.

24 18. In response to Paragraph 18 of the FAP, Respondent admits election results data
25 provided by the County to the Secretary for the Secretary's compilation of the November 2022
26 Statement of Vote is based on ballots tabulated in the County. Respondent lacks knowledge,
27 information, or belief sufficient to admit or deny the remainder of the factual allegations in
28 Paragraph 18 as to any data EIPCa requested and received from the Secretary, and on that basis,

1 denies said allegations. The remainder of Paragraph 18 also contains legal conclusions or
2 argument that do not require a response. To the extent Paragraph 18 contains factual allegations in
3 reference to a section in the Elections Code and the November 2022 Statement of Vote, the law
4 and document speak for themselves. Except as otherwise admitted, Respondent denies all factual
5 allegations as to Respondent in Paragraph 18.

6 19. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
7 factual allegations in Paragraph 19 as to any data EIPCa requested and received from the
8 Secretary, or any alleged audit of the data performed by EIPCa, and on that basis, denies said
9 allegations. Respondent states that he was not involved in the communications between the
10 Secretary and EIPCa regarding EIPCa's request for data and the Secretary's response to EIPCa,
11 and was not made aware of any such communications or requests until after this litigation was
12 filed. Respondent also states he is not in possession of the data the Secretary provided to EIPCa in
13 June 2024 or the EIPCa's alleged audit of the Secretary's data. The remainder of Paragraph 19
14 contains legal conclusions or argument that do not require a response.

15 20. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
16 factual allegations in Paragraph 20 as to any data EIPCa requested and received from the
17 Secretary, or any alleged audit of the data performed by EIPCa and, on that basis, denies said
18 allegations. To the extent Paragraph 20 contains factual allegations as to Respondent, they are
19 denied. Respondent specifically denies any mischaracterization in Paragraph 20's allegations that
20 "[t]he June 2024 Accounting is supposed to provide the data the Secretary relied on to determine
21 the final Statement of Vote (and the underlying November 2022 Voter Participation Statistics)..."
22 Respondent specifically denies Paragraph 20's allegations that it is reasonable for EIPCa to believe
23 "the June 2024 Accounting would match the data used to prepare the November 2022 Voter
24 Participation Statistics...." Respondent states that he was not involved in the communications
25 between the Secretary and EIPCa regarding EIPCa's request for data and the Secretary's response
26 to EIPCa, and was not made aware of any such communications or requests until after this
27 litigation was filed. Respondent also states he is not in possession of the data the Secretary
28 provided to EIPCa in June 2024 or the EIPCa's alleged audit of the Secretary's data. Respondent

1 states that the election results data provided by the County to the Secretary for the Secretary's
2 compilation of the November 2022 Statement of Vote is based on ballots tabulated in the County.
3 Respondent is informed and believes that the alleged June 2024 Accounting provided by the
4 Secretary in response to EIPCa's Voter Registration File Request is an extract of the State's voter
5 registration records data for voters within the entire State stored on VoteCal at the time of its
6 creation (in or around June 2024), per EIPCa's specifications, pursuant to Elections Code section
7 2188. As such, Respondent is informed and believes the alleged June 2024 Accounting contains
8 data different from the data used by the Secretary to certify the November 8, 2022 General
9 Election results and prepare the November 2022 Statement of Vote, including the "Voter
10 Participation Statistics by County" document published by the Secretary and contained in the
11 November 2022 Statement of Vote. Consequently, Respondent states EIPCa's alleged audit of the
12 June 2024 Accounting and resulting findings are based on improper comparison of the June 2024
13 Accounting with the November 2022 Statement of Vote data. Respondent further states the
14 County's voter registration database and VoteCal database are dynamic databases that are updated
15 in the regular course of voter record maintenance, to account for various activities including voter
16 registration, re-registration, voters who become inactive due to lack of activity, voters moving in
17 and out of counties, states and the country, and voters whose registrations are canceled due to
18 death, imprisonment or incapacity or experience other life events impacting their voter status.
19 Respondent further states that data in the County and State's databases synchronize with one
20 another from time to time but are not used or intended to be used for comparison with Statement
21 of Vote data. The remainder of Paragraph 20 contains legal conclusions or argument that do not
22 require a response. To the extent Paragraph 20 contains allegations in reference to the November
23 2022 Statement of Vote, sections in the Elections Code and the Code of Regulations, the
24 document and the law speak for themselves.

25 21. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
26 factual allegations in Paragraph 21 as to any data EIPCa requested and received from the
27 Secretary, or any alleged audit of the data performed by EIPCa and, on that basis, denies said
28 allegations. To the extent that Paragraph 21 contains factual allegations as to Respondent, those

1 allegations are denied. Respondent specifically denies any mischaracterization in Paragraph 21's
2 allegations as to "major discrepancies between the two data sets," any mischaracterization as to the
3 County's voter data and any mischaracterization as to any "shortcomings" in Respondent's
4 performance of ministerial duties with respect to the November 2022 General Election, including
5 the tabulating of ballots. Respondent states that he administered the County's elections, including
6 the November 2022 General Election and the November 2024 General Election, in accordance
7 with law, and complied with his ministerial duties in accordance with law. As to any actions
8 committed to Respondent's discretion, Respondent also states he has exercised that discretion
9 reasonably and appropriately. Respondent also states that the election results data provided by the
10 County to the Secretary for the Secretary's compilation of the November 2022 Statement of Vote
11 is based on ballots tabulated in the County. Respondent is informed and believes that the alleged
12 June 2024 Accounting provided by the Secretary in response to EIPCa's Voter Registration File
13 Request is an extract of the State's voter registration records data for voters within the entire State
14 stored on VoteCal at the time of its creation (in or around June 2024), per EIPCa's specifications,
15 pursuant to Elections Code section 2188. As such, Respondent is informed and believes the
16 alleged June 2024 Accounting contains data different from the data used by the Secretary to
17 certify the November 8, 2022 General Election results and prepare the November 2022 Statement
18 of Vote, including the "Voter Participation Statistics by County" document published by the
19 Secretary and contained in the November 2022 Statement of Vote. Consequently, Respondent
20 states EIPCa's alleged audit of the June 2024 Accounting and resulting findings are based on
21 improper comparison of the June 2024 Accounting with the November 2022 Statement of Vote
22 data. Respondent further states the County's voter registration database and VoteCal database are
23 dynamic databases that are updated in the regular course of voter record maintenance, to account
24 for various activities including voter registration, re-registration, voters who become inactive due
25 to lack of activity, voters moving in and out of counties, states and the country, and voters whose
26 registrations are canceled due to death, imprisonment or incapacity or experience other life events
27 impacting their voter status. Respondent further states that data in the County and State's
28 databases synchronize with one another from time to time but are not used or intended to be used

1 for comparison with Statement of Vote data. Paragraph 21 contains legal conclusions or argument
2 that do not require a response.

3 22. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
4 factual allegations in Paragraph 22 as to any data EIPCa requested and received from the
5 Secretary, or any alleged audit of the data performed by EIPCa and, on that basis, denies said
6 allegations. To the extent that Paragraph 22 contains factual allegations as to Respondent, they are
7 denied. Respondent specifically denies any mischaracterization in Paragraph 22's allegations as
8 to an alleged "discrepancy of 49,777 total ballots between the November 2022 Voter Participation
9 Statistics and the June 2024 Accounting." Respondent states he is not in possession of the data the
10 Secretary provided to EIPCa in June 2024 or the EIPCa's alleged audit of the Secretary's data.
11 Respondent also states that the election results data provided by the County to the Secretary for
12 the Secretary's compilation of the November 2022 Statement of Vote is based on ballots tabulated
13 in the County. Respondent is informed and believes that the alleged June 2024 Accounting
14 provided by the Secretary in response to EIPCa's Voter Registration File Request is an extract of
15 the State's voter registration records data for voters within the entire State stored on VoteCal at the
16 time of its creation (in or around June 2024), per EIPCa's specifications, pursuant to Elections
17 Code section 2188. As such, Respondent is informed and believes the alleged June 2024
18 Accounting contains data different from the data used by the Secretary to certify the November 8,
19 2022 General Election results and prepare the November 2022 Statement of Vote, including the
20 "Voter Participation Statistics by County" document published by the Secretary and contained in
21 the November 2022 Statement of Vote. Consequently, Respondent states EIPCa's alleged audit of
22 the June 2024 Accounting and resulting findings are based on improper comparison of the June
23 2024 Accounting with the November 2022 Statement of Vote data. Respondent further states the
24 County's voter registration database and VoteCal database are dynamic databases that are updated
25 in the regular course of voter record maintenance, to account for various activities including voter
26 registration, re-registration, voters who become inactive due to lack of activity, voters moving in
27 and out of counties, states and the country, and voters whose registrations are canceled due to
28 death, imprisonment or incapacity or experience other life events impacting their voter status.

1 Respondent further states that data in the County and State's databases synchronize with one
2 another from time to time but are not used or intended to be used for comparison with Statement
3 of Vote data. To the extent Paragraph 22 contains allegations in reference to the November 2022
4 Statement of Vote and any voter participation statistics data contained therein, the document
5 speaks for itself.

6 23. Respondent denies all factual allegations as to Respondent in Paragraph 23.
7 Respondent specifically denies any mischaracterization in Paragraph 23's allegations as to the
8 existence of an alleged "discrepancy of 49,777 total ballots between the November 2022 Voter
9 Participation Statistics and the June 2024 Accounting." Respondent also specifically denies any
10 mischaracterization in Paragraph 23's allegations as to "discrepancies" in relation to the County's
11 voter data in the November 2022 General Election. Respondent states he is not in possession of
12 the data the Secretary provided to EIPCa in June 2024 or the EIPCa's alleged audit of the
13 Secretary's data. As such and to the extent Paragraph 23 contains factual allegations as to
14 Respondent, they are denied. Respondent states that the election results data provided by the
15 County to the Secretary for the Secretary's compilation of the November 2022 Statement of Vote
16 is based on ballots tabulated in the County. Respondent is informed and believes that the alleged
17 June 2024 Accounting provided by the Secretary in response to EIPCa's Voter Registration File
18 Request is an extract of the State's voter registration records data for voters within the entire State
19 stored on VoteCal at the time of its creation (in or around June 2024), per EIPCa's specifications,
20 pursuant to Elections Code section 2188. As such, Respondent is informed and believes the
21 alleged June 2024 Accounting contains data different from the data used by the Secretary to
22 certify the November 8, 2022 General Election results and prepare the November 2022 Statement
23 of Vote, including the "Voter Participation Statistics by County" document published by the
24 Secretary and contained in the November 2022 Statement of Vote. Consequently, Respondent
25 states EIPCa's alleged audit of the June 2024 Accounting and resulting findings are based on
26 improper comparison of the June 2024 Accounting with the November 2022 Statement of Vote
27 data. Respondent further states the County's voter registration database and VoteCal database are
28 dynamic databases that are updated in the regular course of voter record maintenance, to account

1 for various activities including voter registration, re-registration, voters who become inactive due
2 to lack of activity, voters moving in and out of counties, states and the country, and voters whose
3 registrations are canceled due to death, imprisonment or incapacity or experience other life events
4 impacting their voter status. Respondent further states that data in the County and State's
5 databases synchronize with one another from time to time but are not used or intended to be used
6 for comparison with Statement of Vote data. Respondent also lacks knowledge, information, or
7 belief sufficient to admit or deny the factual allegations in Paragraph 23 as to any data EIPCa
8 requested and received from the Secretary, or any alleged audit of the data performed by EIPCa
9 and, on that basis, denies said allegations. To the extent Paragraph 23 contains allegations in
10 reference to the November 2022 Statement of Vote and any voter participation statistics data
11 contained therein, the document speaks for itself.

12 24. To the extent Paragraph 24 contains factual allegations as to Respondent, they are
13 denied. Respondent specifically denies any mischaracterization in Paragraph 24's allegations as to
14 the existence of "a substantial number of duplicate ballots" in regards to the County's November
15 2022 General Election. Respondent also lacks knowledge, information, or belief sufficient to
16 admit or deny the factual allegations in Paragraph 24 as to any data EIPCa requested and received
17 from the Secretary, or any alleged audit of the data performed by EIPCa and, on that basis, denies
18 said allegations. Respondent states he is not in possession of the data the Secretary provided to
19 EIPCa in June 2024 or the EIPCa's alleged audit of the Secretary's data.

20 25. Respondent denies all factual allegations as to Respondent in Paragraph 25.
21 Respondent specifically denies any mischaracterization in Paragraph 25's allegations regarding the
22 County having the "highest occurrence of duplicate ballots statewide for the November 2022
23 election" and any mischaracterization as to the existence of "duplicate ballots" in the County's
24 November 2022 General Election. Respondent states that the allegation in Paragraph 25 as to the
25 County having the "highest occurrence of duplicate ballots statewide" is misleading, lacks context
26 and a red herring insofar as the County is the most populated county in the country and state, with
27 the highest number of voters in the state at approximately 5.6 million registered voters. Thus, any
28 data point regarding the County is likely to be higher or the highest comparatively speaking, but

1 such data point is meaningless and misleading without context. Respondent states he is not in
2 possession of the data the Secretary provided to EIPCa in June 2024 or the EIPCa's alleged audit
3 of the Secretary's data. Respondent states that the election results data provided by the County to
4 the Secretary for the Secretary's compilation of the November 2022 Statement of Vote is based on
5 ballots tabulated in the County. Respondent is informed and believes that the alleged June 2024
6 Accounting provided by the Secretary in response to EIPCa's Voter Registration File Request is an
7 extract of the State's voter registration records data for voters within the entire State stored on
8 VoteCal at the time of its creation (in or around June 2024), per EIPCa's specifications, pursuant
9 to Elections Code section 2188. As such, Respondent is informed and believes the alleged June
10 2024 Accounting contains data different from the data used by the Secretary to certify the
11 November 8, 2022 General Election results and prepare the November 2022 Statement of Vote,
12 including the "Voter Participation Statistics by County" document published by the Secretary and
13 contained in the November 2022 Statement of Vote. Consequently, Respondent states EIPCa's
14 alleged audit of the June 2024 Accounting and resulting findings are based on improper
15 comparison of the June 2024 Accounting with the November 2022 Statement of Vote data.
16 Respondent further states the County's voter registration database and VoteCal database are
17 dynamic databases that are updated in the regular course of voter record maintenance, to account
18 for various activities including voter registration, re-registration, voters who become inactive due
19 to lack of activity, voters moving in and out of counties, states and the country, and voters whose
20 registrations are canceled due to death, imprisonment or incapacity or experience other life events
21 impacting their voter status. Respondent further states that data in the County and State's
22 databases synchronize with one another from time to time but are not used or intended to be used
23 for comparison with Statement of Vote data. Respondent also lacks knowledge, information, or
24 belief sufficient to admit or deny the factual allegations in Paragraph 25 as to any data EIPCa
25 requested and received from the Secretary, or any alleged audit of the data performed by EIPCa
26 and, on that basis, denies said allegations. The remainder of Paragraph 25 contains legal
27 conclusions or argument that do not require a response.

28

1 26. Paragraph 26 contains legal conclusions or argument that do not require a response.
2 To the extent that Paragraph 26 contains factual allegations as to Respondent, those allegations are
3 denied. Respondent specifically denies any mischaracterization in Paragraph 26's allegations as to
4 the existence of "duplicate ballots" in regards to the County's November 2022 General Election.
5 Respondent also lacks knowledge, information, or belief sufficient to admit or deny the factual
6 allegations in Paragraph 26 as to any data EIPCa requested and received from the Secretary, or
7 any alleged audit of the data performed by EIPCa and, on that basis, denies said allegations.

8 27. Paragraph 27 contains legal conclusions or argument that do not require a response.
9 To the extent that Paragraph 27 contains factual allegations as to Respondent, those allegations are
10 denied. Respondent also lacks knowledge, information, or belief sufficient to admit or deny the
11 factual allegations in Paragraph 27 as to any data EIPCa requested and received from the
12 Secretary, or any alleged audit of the data performed by EIPCa and, on that basis, denies said
13 allegations.

14 28. Paragraph 28 contains legal conclusions or argument that do not require a response.
15 To the extent that Paragraph 28 contains factual allegations as to Respondent, those allegations are
16 denied. Respondent specifically denies any mischaracterization in Paragraph 28's allegations that
17 "thousands of invalid ballots were counted" in reference to the November 2022 General Election.
18 Respondent also lacks knowledge, information, or belief sufficient to admit or deny the factual
19 allegations in Paragraph 28 and on that basis, denies said allegations. To the extent Paragraph 28
20 contains allegations in reference to the Secretary's Voter's Choice Act Report for the November 8,
21 2022 General Election, the documents speaks for itself.

22 29. Paragraph 29 contains legal conclusions or argument that do not require a response.
23 To the extent that Paragraph 29 contains factual allegations as to the Secretary or a certified letter
24 allegedly sent by EIPCa to the Secretary, Respondent lacks knowledge, information, or belief
25 sufficient to admit or deny the factual allegations in Paragraph 29 and on that basis, denies said
26 allegations. Respondent specifically denies any mischaracterization in Paragraph 29's allegations
27 regarding the existence of alleged "discrepancies" based on EIPCa's alleged audit of the June 2024
28 Accounting and improper comparison of the June 2024 Accounting with the November 2022

1 Statement of Vote data. Respondent states that he was not involved with the communications
2 between the Secretary and EIPCa regarding EIPCa's request for data and the Secretary's response
3 to EIPCa, and was not made aware of any such communications or requests until after this
4 litigation was filed. Respondent disputes Petitioners' citation and interpretation of statutes and/or
5 regulations in Paragraph 29 and disputes that such statutory and/or regulatory provisions would
6 require Respondent to answer Petitioners' specific questions. To the extent Paragraph 29 contains
7 allegations interpreting sections in the Elections Code and the Code of Regulations, the law speaks
8 for itself.

9 30. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
10 factual allegations in Paragraph 30 as to the Secretary or a certified letter allegedly sent by EIPCa
11 to the Secretary and, on that basis, denies said allegations. Respondent states that he was not
12 involved with the communications between the Secretary and EIPCa regarding EIPCa's request for
13 data and the Secretary's response to EIPCa, and was not made aware of any such communications
14 or requests until after this litigation was filed. To the extent that Paragraph 30 contains factual
15 allegations as to Respondent, those allegations are denied. To the extent Paragraph 30 contains
16 allegations regarding the contents of EIPCa's letter to the Secretary on September 6, 2024, the
17 document speaks for itself.

18 31. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
19 factual allegations in Paragraph 31 as to the Secretary or any supplement allegedly sent by EIPCa
20 to the Secretary and, on that basis, denies said allegations. Respondent states that he was not
21 involved with the communications between the Secretary and EIPCa regarding EIPCa's request for
22 data and the Secretary's response to EIPCa, and was not made aware of any such communications
23 or requests until after this litigation was filed. To the extent that Paragraph 31 contains factual
24 allegations as to Respondent, those allegations are denied. To the extent Paragraph 31 contains
25 allegations regarding any supplemental writing sent by EIPCa to the Secretary on September 20,
26 2024, the document speaks for itself.

27 32. In response of Paragraph 32 of the FAP, Respondent admits counsel for Petitioners
28 requested to meet informally with Respondent and provide answers to certain questions verbally

1 (by phone) and in writing after filing this litigation, and that the request is under review.

2 Respondent also states that he was not involved with the communications between the Secretary
3 and EIPCa regarding EIPCa's request for data and the Secretary's response to EIPCa, and was not
4 made aware of any such communications or requests until after this litigation was filed.

5 Respondent further states he is not in possession of the data the Secretary provided to EIPCa in
6 June 2024 or the EIPCa's alleged audit of the Secretary's data. Respondent states that the election
7 results data provided by the County to the Secretary for the Secretary's compilation of the
8 November 2022 Statement of Vote is based on ballots tabulated in the County. Respondent is
9 informed and believes that the alleged June 2024 Accounting provided by the Secretary in
10 response to EIPCa's Voter Registration File Request is an extract of the State's voter registration
11 records data for voters within the entire State stored on VoteCal at the time of its creation (in or
12 around June 2024), per EIPCa's specifications, pursuant to Elections Code section 2188. As such,
13 Respondent is informed and believes the alleged June 2024 Accounting contains data different
14 from the data used by the Secretary to certify the November 8, 2022 General Election results and
15 prepare the November 2022 Statement of Vote, including the "Voter Participation Statistics by
16 County" document published by the Secretary and contained in the November 2022 Statement of
17 Vote. Consequently, Respondent states EIPCa's alleged audit of the June 2024 Accounting and
18 resulting findings are based on improper comparison of the June 2024 Accounting with the
19 November 2022 Statement of Vote data. Respondent further states the County's voter registration
20 database and VoteCal database are dynamic databases that are updated in the regular course of
21 voter record maintenance, to account for various activities including voter registration, re-
22 registration, voters who become inactive due to lack of activity, voters moving in and out of
23 counties, states and the country, and voters whose registrations are canceled due to death,
24 imprisonment or incapacity or experience other life events impacting their voter status.

25 Respondent further states that data in the County and State's databases synchronize with one
26 another from time to time but are not used or intended to be used for comparison with Statement
27 of Vote data. Except as expressly admitted and to the extent there any other factual allegations as
28 to Respondent in Paragraph 32, they are denied. To the extent that Paragraph 32 contains factual

1 allegations as to the Secretary, Respondent lacks knowledge, information, or belief sufficient to
2 admit or deny the factual allegations in Paragraph 32 and on that basis, denies said allegations.

3 33. In response of Paragraph 33 of the FAP, Respondent admits counsel for Petitioners
4 requested to meet informally with Respondent and provide answers to certain questions verbally
5 (by phone) and in writing after filing this litigation, and that the request is under review.

6 Respondent also states that he was not involved with the communications between the Secretary
7 and EIPCa regarding EIPCa's request for data and the Secretary's response to EIPCa, and was not
8 made aware of any such communications or requests until after this litigation was filed.

9 Respondent further states he is not in possession of the data the Secretary provided to EIPCa in
10 June 2024 or the EIPCa's alleged audit of the Secretary's data. Respondent states that the election
11 results data provided by the County to the Secretary for the Secretary's compilation of the
12 November 2022 Statement of Vote is based on ballots tabulated in the County. Respondent is
13 informed and believes that the alleged June 2024 Accounting provided by the Secretary in
14 response to EIPCa's Voter Registration File Request is an extract of the State's voter registration
15 records data for voters within the entire State stored on VoteCal at the time of its creation (in or
16 around June 2024), per EIPCa's specifications, pursuant to Elections Code section 2188. As such,
17 Respondent is informed and believes the alleged June 2024 Accounting contains data different
18 from the data used by the Secretary to certify the November 8, 2022 General Election results and
19 prepare the November 2022 Statement of Vote, including the "Voter Participation Statistics by
20 County" document published by the Secretary and contained in the November 2022 Statement of
21 Vote. Consequently, Respondent states EIPCa's alleged audit of the June 2024 Accounting and
22 resulting findings are based on improper comparison of the June 2024 Accounting with the
23 November 2022 Statement of Vote data. Respondent further states the County's voter registration
24 database and VoteCal database are dynamic databases that are updated in the regular course of
25 voter record maintenance, to account for various activities including voter registration, re-
26 registration, voters who become inactive due to lack of activity, voters moving in and out of
27 counties, states and the country, and voters whose registrations are canceled due to death,
28 imprisonment or incapacity or experience other life events impacting their voter status.

1 Respondent further states that data in the County and State's databases synchronize with one
2 another from time to time but are not used or intended to be used for comparison with Statement
3 of Vote data. Respondent disputes Petitioners' citation and interpretation of statutes and/or
4 regulations in Paragraph 33 and disputes that such statutory and/or regulatory provisions would
5 require Respondent to answer Petitioners' specific questions or that writ relief could be granted for
6 on such basis. Except as expressly admitted and to the extent there any other factual allegations as
7 to Respondent in Paragraph 33, they are denied. To the extent that Paragraph 33 contains factual
8 allegations as to the Secretary, Respondent lacks knowledge, information, or belief sufficient to
9 admit or deny the factual allegations in Paragraph 33 and on that basis, denies said allegations. To
10 the extent Paragraph 33 contains allegations in reference to or interpreting a section in the
11 Elections Code, the law speaks for itself. The remainder of Paragraph 33 contains legal
12 conclusions or arguments that do not require a response.

13 34. Paragraph 34 contains legal conclusions or argument that do not require a response.
14 To the extent Paragraph 34 contains any factual allegations as to Respondent, they are denied. To
15 the extent Paragraph 34 contains allegations in reference to the November 2022 Statement of Vote
16 and allegations interpreting a section in the Elections Code, the document and the law speak for
17 themselves.

18 35. Paragraph 35 contains legal conclusions or argument that do not require a response.
19 Respondent states that Petitioners filed the litigation prior to any communication with Respondent
20 regarding any voter data EIPCa requested and received from the Secretary, or EIPCa's audit of the
21 data received from the Secretary. To the extent Paragraph 35 contains any factual allegations as to
22 Respondent, they are denied.

23 36. Paragraph 36 contains legal conclusions or argument that do not require a response.
24 To the extent Paragraph 36 contains allegations in reference to various sections in the Code of
25 Civil Procedure, the law speaks for itself.

26 37. Respondent denies all factual allegations as to Respondent in Paragraph 37.
27 Respondent specifically denies that Petitioners are entitled to a writ "to require Respondents to
28 fulfill the statutorily required obligations of their offices as they relate to the November 2024

1 election." Respondent states that he has administered the County's elections, including the
2 November 2022 General Election and the November 2024 General Election, in accordance with
3 law, and complied with his ministerial duties in accordance with law. As to any actions
4 committed to Respondent's discretion, Respondent also states he has exercised that discretion
5 reasonably and appropriately. To the extent that Paragraph 37 contains factual allegations as to
6 the Secretary, Respondent lacks knowledge, information, or belief sufficient to admit or deny the
7 factual allegations in Paragraph 36 and on that basis, denies said allegations. To the extent
8 Paragraph 37 contains allegations in reference to sections in the Elections Code, the Government
9 Code and the NVRA, the law speaks for itself. The remainder of Paragraph 37 contains legal
10 conclusions or argument that do not require a response.

11 38. In response to Paragraph 38 of the FAP, Respondent admits he is the elections
12 official for the County and his office is responsible for administering elections in the County
13 pursuant to law. Respondent states that he administered the County's elections, including the
14 November 2022 General Election and the November 2024 General Election, in accordance with
15 law, and complied with his ministerial duties in accordance with law. As to any actions
16 committed to Respondent's discretion, Respondent also states he has exercised that discretion
17 reasonably and appropriately. To the extent Paragraph 38 contains any factual allegations as to
18 Respondent, they are denied. To the extent Paragraph 38 contains allegations in reference to
19 section in the Elections Code and the Code of Regulations, the law speaks for itself. The
20 remainder of Paragraph 38 contains legal conclusions or argument that do not require a response.

21 39. Respondent denies all factual allegations as to Respondent in Paragraph 39.
22 Respondent specifically denies any mischaracterization in Paragraph 39's allegations regarding
23 "failure of the Registrar... to properly and accurately perform one or more of their ministerial
24 duties." Respondent states that he administered the County's elections, including the November
25 2022 General Election and the November 2024 General Election, in accordance with law, and
26 complied with his ministerial duties in accordance with law. As to any actions committed to
27 Respondent's discretion, Respondent also states he has exercised that discretion reasonably and
28 appropriately. To the extent that Paragraph 39 contains factual allegations as to the Secretary,

1 Respondent lacks knowledge, information, or belief sufficient to admit or deny the factual
2 allegations in Paragraph 39 and on that basis, denies said allegations. The remainder of Paragraph
3 39 contains legal conclusions or argument that do not require a response.

4 40. Paragraph 40 contains legal conclusions or argument that do not require a response.
5 To the extent Paragraph 40 contains any factual allegations as to Respondent, they are denied. To
6 the extent Paragraph 40 contains allegations in reference to various sections in the Elections Code,
7 the law speaks for itself.

8 41. Paragraph 41 contains legal conclusions or argument that do not require a response.
9 To the extent Paragraph 41 contains any factual allegations as to Respondent, they are denied. To
10 the extent Paragraph 41 contains allegations in reference to or interpreting sections in the Elections
11 Code and Code of Regulations, the law speaks for itself.

12 42. Paragraph 42 contains legal conclusions or argument that do not require a response.
13 To the extent Paragraph 42 contains any factual allegations as to Respondent, they are denied. To
14 the extent Paragraph 42 contains allegations in reference to or interpreting sections in the Code of
15 Regulations, the law speaks for itself.

16 43. Paragraph 43 contains legal conclusions or argument that do not require a response.
17 To the extent Paragraph 43 contains any factual allegations as to Respondent, they are denied. To
18 the extent Paragraph 43 contains allegations in reference to a section in the Code of Regulations,
19 the law speaks for itself.

20 44. Paragraph 44 contains legal conclusions or argument that do not require a response.
21 To the extent Paragraph 44 contains any factual allegations as to Respondent, they are denied. To
22 the extent Paragraph 44 contains allegations in reference to or interpreting various sections in the
23 Elections Code, the law speaks for itself.

24 45. Paragraph 45 contains legal conclusions or argument that do not require a response.
25 To the extent Paragraph 45 contains any factual allegations as to Respondent, they are denied. To
26 the extent Paragraph 45 contains allegations in reference to or interpreting a section in the
27 Elections Code, the law speaks for itself.

28

1 46. Paragraph 46 contains legal conclusions or argument that do not require a response.
2 To the extent Paragraph 46 contains any factual allegations as to Respondent, they are denied. To
3 the extent Paragraph 46 contains allegations in reference to or interpreting a section in the
4 Elections Code, the law speaks for itself.

5 47. Paragraph 47 contains legal conclusions or argument that do not require a response.
6 To the extent Paragraph 47 contains any factual allegations as to Respondent, they are denied. To
7 the extent Paragraph 47 contains allegations in reference to or interpreting case law, the law
8 speaks for itself.

9 48. Paragraph 48 contains legal conclusions or argument that do not require a response.
10 To the extent Paragraph 48 contains any factual allegations as to Respondent, they are denied. To
11 the extent Paragraph 48 contains allegations in reference to or interpreting various sections in the
12 Elections Code, the law speaks for itself.

13 49. Paragraph 49 contains legal conclusions or argument that do not require a response.
14 To the extent Paragraph 49 contains any factual allegations as to Respondent, they are denied. To
15 the extent Paragraph 49 contains allegations in reference to or interpreting a section in the
16 Elections Code, the law speaks for itself.

17 50. Paragraph 50 contains legal conclusions or argument that do not require a response.
18 To the extent Paragraph 50 contains any factual allegations as to Respondent, they are denied. To
19 the extent Paragraph 50 contains allegations in reference to or interpreting various sections in the
20 Elections Code, the law speaks for itself.

21 51. Paragraph 51 contains legal conclusions or argument that do not require a response.
22 To the extent Paragraph 51 contains any factual allegations as to Respondent, they are denied. To
23 the extent Paragraph 51 contains allegations in reference to or interpreting various sections in the
24 Elections Code, the law speaks for itself.

25 52. Paragraph 52 contains legal conclusions or argument that do not require a response.
26 To the extent Paragraph 52 contains any factual allegations as to Respondent, they are denied. To
27 the extent Paragraph 52 contains allegations in reference to or interpreting a section in the
28 Elections Code, the law speaks for itself.

1 53. Paragraph 53 contains legal conclusions or argument that do not require a response.
2 To the extent Paragraph 53 contains any factual allegations as to Respondent, they are denied. To
3 the extent Paragraph 53 contains allegations in reference to or interpreting sections in the Elections
4 Code, the law speaks for itself.

5 54. Paragraph 54 contains legal conclusions or argument that do not require a response.
6 To the extent Paragraph 54 contains any factual allegations as to Respondent, they are denied. To
7 the extent Paragraph 54 contains allegations in reference to or interpreting a section in the
8 Elections Code, the law speaks for itself.

9 55. Paragraph 55 contains legal conclusions or argument that do not require a response.
10 To the extent Paragraph 55 contains any factual allegations as to Respondent, they are denied. To
11 the extent Paragraph 55 contains allegations in reference to or interpreting sections in the Elections
12 Code, the law speaks for itself.

13 56. Paragraph 56 contains legal conclusions or argument that do not require a response.
14 To the extent Paragraph 56 contains any factual allegations as to Respondent, they are denied. To
15 the extent Paragraph 56 contains allegations in reference to or interpreting a section in the
16 Elections Code, the law speaks for itself.

17 57. Paragraph 57 contains legal conclusions or argument that do not require a response.
18 To the extent Paragraph 57 contains any factual allegations as to Respondent, they are denied. To
19 the extent Paragraph 57 contains allegations in reference to case law, the law speaks for itself.

20 58. Paragraph 58 contains legal conclusions or argument that do not require a response.
21 To the extent Paragraph 58 contains any factual allegations as to Respondent, they are denied. To
22 the extent Paragraph 58 contains allegations in reference to or interpreting a section in the
23 Elections Code, the law speaks for itself.

24 59. Paragraph 59 contains legal conclusions or argument that do not require a response.
25 To the extent Paragraph 59 contains any factual allegations as to Respondent, they are denied. To
26 the extent Paragraph 59 contains allegations in reference to or interpreting sections in the Elections
27 Code, the law speaks for itself.

28

1 60. Paragraph 60 contains legal conclusions or argument that do not require a response.
2 To the extent Paragraph 60 contains any factual allegations as to Respondent, they are denied. To
3 the extent Paragraph 60 contains allegations in reference to or interpreting sections in the Elections
4 Code, the law speaks for itself.

5 61. Paragraph 61 contains legal conclusions or argument that do not require a response.
6 To the extent Paragraph 61 contains any factual allegations as to Respondent, they are denied. To
7 the extent Paragraph 61 contains allegations in reference to or interpreting a section in the
8 Elections Code, the law speaks for itself.

9 62. Paragraph 62 contains legal conclusions or argument that do not require a response.
10 To the extent Paragraph 62 contains any factual allegations as to Respondent, they are denied. To
11 the extent Paragraph 62 contains allegations in reference to or interpreting a section in the
12 Elections Code, the law speaks for itself.

13 63. Paragraph 63 contains legal conclusions or argument that do not require a response.
14 To the extent Paragraph 63 contains any factual allegations, they are denied. To the extent
15 Paragraph 63 contains allegations in reference to or interpreting sections in the Elections Code, the
16 law speaks for itself.

17 64. Paragraph 64 contains legal conclusions or argument that do not require a response.
18 To the extent Paragraph 64 contains any factual allegations, they are denied. To the extent
19 Paragraph 64 contains allegations in reference to or interpreting a section in the Elections Code,
20 the law speaks for itself.

21 65. Paragraph 65 contains legal conclusions or argument that do not require a response.
22 To the extent Paragraph 65 contains any factual allegations, they are denied. To the extent
23 Paragraph 65 contains allegations in reference to or interpreting sections in the Elections Code, the
24 law speaks for itself.

25 66. Paragraph 66 contains legal conclusions or argument that do not require a response.
26 To the extent Paragraph 66 contains any factual allegations, they are denied. To the extent
27 Paragraph 66 contains allegations in reference to or interpreting a section in the Elections Code,
28 the law speaks for itself.

1 67. Paragraph 67 contains legal conclusions or argument that do not require a response.
2 To the extent Paragraph 67 contains any factual allegations, they are denied. To the extent
3 Paragraph 67 contains allegations in reference to or interpreting a section in the Elections Code,
4 the law speaks for itself.

5 68. Paragraph 68 contains legal conclusions or argument that do not require a response.
6 To the extent Paragraph 68 contains any factual allegations, they are denied. To the extent
7 Paragraph 68 contains allegations in reference to a definition in Black's Law Dictionary, the
8 definition speaks for itself.

9 69. Respondent denies all factual allegations in Paragraph 69 as to Respondent.
10 Specifically, Respondent denies any mischaracterization in Paragraph 69's allegations as to
11 "numerous serious discrepancies" in relation to the County's voter database and the counting and
12 reconciliation of ballots in the County's November 2022 General Election. Respondent also
13 denies that he "failed to properly count and reconcile ballots" in any election including the
14 November 2022 General Election, and that he failed to comply with his ministerial duties under
15 law. To the extent that Paragraph 69 contains factual allegations as to the Secretary, Respondent
16 lacks knowledge, information, or belief sufficient to admit or deny the factual allegations in
17 Paragraph 69 and on that basis, denies said allegations. Respondent states that he administered the
18 County's elections, including the November 2022 General Election, in accordance with law, and
19 complied with his ministerial duties in accordance with law. As to any actions committed to
20 Respondent's discretion, Respondent also states he has exercised that discretion reasonably and
21 appropriately. Respondent also states he is not in possession of the data the Secretary provided to
22 EIPCa in June 2024 or the EIPCa's alleged audit of the Secretary's data. Respondent states that the
23 election results data provided by the County to the Secretary for the Secretary's compilation of the
24 November 2022 Statement of Vote is based on ballots tabulated in the County. Respondent is
25 informed and believes that the alleged June 2024 Accounting provided by the Secretary in
26 response to EIPCa's Voter Registration File Request is an extract of the State's voter registration
27 records data for voters within the entire State stored on VoteCal at the time of its creation (in or
28 around June 2024), per EIPCa's specifications, pursuant to Elections Code section 2188. As such,

1 Respondent is informed and believes the alleged June 2024 Accounting contains data different
2 from the data used by the Secretary to certify the November 8, 2022 General Election results and
3 prepare the November 2022 Statement of Vote, including the "Voter Participation Statistics by
4 County" document published by the Secretary and contained in the November 2022 Statement of
5 Vote. Consequently, Respondent states EIPCa's alleged audit of the June 2024 Accounting and
6 resulting findings are based on improper comparison of the June 2024 Accounting with the
7 November 2022 Statement of Vote data. Respondent further states the County's voter registration
8 database and VoteCal database are dynamic databases that are updated in the regular course of
9 voter record maintenance, to account for various activities including voter registration, re-
10 registration, voters who become inactive due to lack of activity, voters moving in and out of
11 counties, states and the country, and voters whose registrations are canceled due to death,
12 imprisonment or incapacity or experience other life events impacting their voter status.
13 Respondent further states that data in the County and State's databases synchronize with one
14 another from time to time but are not used or intended to be used for comparison with Statement
15 of Vote data. To the extent Paragraph 69 contains allegations in reference to or interpreting
16 sections in the Elections Code, the law speaks for itself. The remainder of Paragraph 69 contains
17 legal conclusions or argument that do not require a response.

18 70. Respondent denies all factual allegations as to Respondent in Paragraph 70.
19 Specifically, Respondent denies any and all allegations as to "duplicate ballots," "duplicate
20 voting," or that "Los Angeles County did not have a proper system in place to ferret out the
21 duplicate ballots before uploading the results to the Secretary's database." Respondent states that
22 he administered the County's elections, including the November 2022 General Election, in
23 accordance with law, and complied with his ministerial duties in accordance with law. As to any
24 actions committed to Respondent's discretion, Respondent also states he has exercised that
25 discretion reasonably and appropriately. To the extent that Paragraph 70 contains factual
26 allegations as to the Secretary, Respondent lacks knowledge, information, or belief sufficient to
27 admit or deny the factual allegations in Paragraph 70 and on that basis, denies said allegations.
28 Respondent states he is not in possession of the data the Secretary provided to EIPCa in June 2024

1 or the EIPCa's alleged audit of the Secretary's data. Respondent states that the election results data
2 provided by the County to the Secretary for the Secretary's compilation of the November 2022
3 Statement of Vote is based on ballots tabulated in the County. Respondent is informed and
4 believes that the alleged June 2024 Accounting provided by the Secretary in response to EIPCa's
5 Voter Registration File Request is an extract of the State's voter registration records data for voters
6 within the entire State stored on VoteCal at the time of its creation (in or around June 2024), per
7 EIPCa's specifications, pursuant to Elections Code section 2188. As such, Respondent is informed
8 and believes the alleged June 2024 Accounting contains data different from the data used by the
9 Secretary to certify the November 8, 2022 General Election results and prepare the November
10 2022 Statement of Vote, including the "Voter Participation Statistics by County" document
11 published by the Secretary and contained in the November 2022 Statement of Vote. Consequently,
12 Respondent states EIPCa's alleged audit of the June 2024 Accounting and resulting findings are
13 based on improper comparison of the June 2024 Accounting with the November 2022 Statement
14 of Vote data. Respondent further states the County's voter registration database and VoteCal
15 database are dynamic databases that are updated in the regular course of voter record maintenance,
16 to account for various activities including voter registration, re-registration, voters who become
17 inactive due to lack of activity, voters moving in and out of counties, states and the country, and
18 voters whose registrations are canceled due to death, imprisonment or incapacity or experience
19 other life events impacting their voter status. Respondent further states that data in the County and
20 State's databases synchronize with one another from time to time but are not used or intended to be
21 used for comparison with Statement of Vote data. The remainder of Paragraph 70 contains legal
22 conclusions or argument that do not require a response.

23 71. In response to Paragraph 71, of the FAP. Respondent admits he is the County's
24 elections official and his office is responsible for administering the County's elections pursuant to
25 law. Respondent states that he administered the County's elections, including the November 2022
26 General Election, in accordance with law, and complied with his ministerial duties in accordance
27 with law. Except as specifically admitted, all other factual allegations as to Respondent are
28 denied. To the extent that Paragraph 71 contains factual allegations as to the Secretary,

1 Respondent lacks knowledge, information, or belief sufficient to admit or deny the factual
2 allegations in Paragraph 71 and on that basis, denies said allegations. To the extent Paragraph 71
3 contains allegations in reference to or interpreting sections in the Elections Code, the law speaks
4 for itself. Paragraph 71 contains legal conclusions or argument that do not require a response.

5 72. Paragraph 72 contains legal conclusions or argument that do not require a response.
6 To the extent Paragraph 72 contains any factual allegations as to Respondent, they are denied.
7 Respondent also lacks knowledge, information, or belief sufficient to admit or deny the factual
8 allegations in Paragraph 72 as to the Secretary and on that basis, denies said allegations. To the
9 extent Paragraph 72 contains allegations interpreting a section in the Elections Code, the law
10 speaks for itself.

11 73. Respondent lacks knowledge, information, or belief sufficient to admit or deny the
12 factual allegations in Paragraph 73 as to the Secretary and on that basis, denies said allegations.
13 To the extent Paragraph 73 contains any factual allegations as to Respondent, they are denied.
14 Specifically, Respondent did not make any representation to Petitioners regarding the November
15 2022 election data and is not in possession of the data the Secretary provided to EIPCa in June
16 2024 or EIPCa's alleged audit of the Secretary's data. Respondent states that the election results
17 data provided by the County to the Secretary for the Secretary's compilation of the November
18 2022 Statement of Vote is based on ballots tabulated in the County. Respondent is informed and
19 believes that the alleged June 2024 Accounting provided by the Secretary in response to EIPCa's
20 Voter Registration File Request is an extract of the State's voter registration records data for voters
21 within the entire State stored on VoteCal at the time of its creation (in or around June 2024), per
22 EIPCa's specifications, pursuant to Elections Code section 2188. As such, Respondent is informed
23 and believes the alleged June 2024 Accounting contains data different from the data used by the
24 Secretary to certify the November 8, 2022 General Election results and prepare the November
25 2022 Statement of Vote, including the "Voter Participation Statistics by County" document
26 published by the Secretary and contained in the November 2022 Statement of Vote. Consequently,
27 Respondent states EIPCa's alleged audit of the June 2024 Accounting and resulting findings are
28 based on improper comparison of the June 2024 Accounting with the November 2022 Statement

1 of Vote data. Respondent further states the County's voter registration database and VoteCal
2 database are dynamic databases that are updated in the regular course of voter record maintenance,
3 to account for various activities including voter registration, re-registration, voters who become
4 inactive due to lack of activity, voters moving in and out of counties, states and the country, and
5 voters whose registrations are canceled due to death, imprisonment or incapacity or experience
6 other life events impacting their voter status. Respondent further states that data in the County and
7 State's databases synchronize with one another from time to time but are not used or intended to be
8 used for comparison with Statement of Vote data. To the extent Paragraph 73 contains allegations
9 in reference to a section in the Elections Code, the law speaks for itself. The remainder of
10 Paragraph 73 contains legal conclusions or argument that do not require a response.

11 74. Paragraph 74 contains legal conclusions or argument that do not require a response.
12 To the extent Paragraph 74 contains allegations in reference to or interpreting case law, the law
13 speaks for itself.

14 75. Respondent denies all factual allegations as to Respondent in Paragraph 75.
15 Specifically, Respondent denies that he failed to comply with his ministerial duties in the counting
16 of ballots and certification of results in the County's elections, that voters in the County do not
17 know "if their ballots were counted, lost or diluted," or that "EIPCa will be prejudiced because it
18 will be unable to review election results where the voting data provided to it by the Secretary of
19 State is not properly reconciled with the data listed in the certification." Respondent states that the
20 election results data provided by the County to the Secretary for the Secretary's compilation of the
21 November 2022 Statement of Vote is based on ballots tabulated in the County. To the extent that
22 Paragraph 75 contains factual allegations as to the Secretary, Respondent lacks knowledge,
23 information, or belief sufficient to admit or deny the factual allegations in Paragraph 75 and on
24 that basis, denies said allegations. The remainder of Paragraph 75 contains legal conclusions or
25 argument that do not require a response.

26 76. Respondent denies all factual allegations as to Respondent in Paragraph 76.
27 Respondent specifically denies that Petitioners have suffered an infringement of rights under the
28 California Voter Bill of Rights. Respondent disputes Petitioners' citation and interpretation of

1 statutes and/or regulations in Paragraph 76 and disputes that such statutory and/or regulatory
2 provisions would require Respondent to answer Petitioners' specific questions or that writ relief
3 could be granted for on such basis. Respondent lacks knowledge, information, or belief sufficient
4 to admit or deny the factual allegations in Paragraph 76 as to the Secretary and on that basis,
5 denies said allegations. To the extent Paragraph 76 contains allegations in reference to or
6 interpreting sections in the Elections Code and Code of Regulations, the law speaks for itself. The
7 remainder of Paragraph 76 contains legal conclusions or argument that do not require a response.

8 77. Paragraph 77 contains legal conclusions or argument that do not require a response.
9 To the extent Paragraph 77 contains allegations in reference to case law, the law speaks for itself.

10 78. Except as expressly admitted, Respondent denies the allegations incorporated by
11 reference in Paragraph 78 of the FAP.

12 79. In response to Paragraph 79 of the FAP, Respondent admits he is the County's
13 elections official and has duties with respect to the canvassing of votes in the County's elections.
14 Respondent states that he administered the County's election in accordance with law, and
15 complied with his ministerial duties in accordance with law. As to any actions committed to
16 Respondent's discretion, Respondent also states he has exercised that discretion reasonably and
17 appropriately. Except as specifically admitted, Respondent denies all other factual allegations in
18 Paragraph 79. To the extent Paragraph 79 contains allegations in reference to or interpreting
19 sections in the Elections Code, the law speaks for itself. The remainder of Paragraph 79 contains
20 legal conclusions or argument that do not require a response.

21 80. In response to Paragraph 80 of the FAP, Respondent admits that he is the County's
22 elections official and has duties to prepare certified statements of the results of the County's
23 elections. Respondent states that he administered the County's election in accordance with law,
24 and complied with his ministerial duties in accordance with law. As to any actions committed to
25 Respondent's discretion, Respondent also states he has exercised that discretion reasonably and
26 appropriately. Except as specifically admitted, Respondent denies all other factual allegations in
27 Paragraph 80. To the extent Paragraph 80 contains allegations in reference to or interpreting a
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1 section in the Elections Code, the law speaks for itself. The remainder of Paragraph 80 contains
2 legal conclusions or argument that do not require a response.

3 81. In response to Paragraph 81 of the FAP, Respondent admits that he is the County's
4 elections official and has duties to provide election results and information to the Secretary under
5 law. Respondent states that he administered the County's election in accordance with law, and
6 complied with his ministerial duties in accordance with law. As to any actions committed to
7 Respondent's discretion, Respondent also states he has exercised that discretion reasonably and
8 appropriately. Except as specifically admitted, Respondent denies all other factual allegations in
9 Paragraph 81. To the extent Paragraph 81 contains allegations in reference to or interpreting
10 sections in the Elections Code, the law speaks for itself. The remainder of Paragraph 81 contains
11 legal conclusions or argument that do not require a response.

12 82. In response to Paragraph 82 of the FAP, Respondent admits that he is the County's
13 elections official and has duties to provide information to voters as required by law. Respondent
14 states that he administered the County's election in accordance with law, and complied with his
15 ministerial duties in accordance with law. As to any actions committed to Respondent's
16 discretion, Respondent also states he has exercised that discretion reasonably and appropriately.
17 Respondent disputes Petitioners' citation and interpretation of statutes and/or regulations in
18 Paragraph 82 and disputes that such statutory and/or regulatory provisions would require
19 Respondent to answer Petitioners' specific questions or that writ relief could be granted for on
20 such basis. Except as specifically admitted, Respondent denies all other factual allegations in
21 Paragraph 82. To the extent Paragraph 82 contains allegations in reference to or interpreting
22 sections in the Elections Code, the law speaks for itself. The remainder of Paragraph 82 contains
23 legal conclusions or argument that do not require a response.

24 83. In response to Paragraph 83, Respondent admits he is the County's elections official
25 and has ministerial duties in administering the County's elections, but denies that he has violated
26 any duties "by failing to prevent duplicate ballots from being counted and certified and failed to
27 reconcile the apparent underreporting of total ballots counted in California's November 2022
28 General Election to the [Secretary]." Respondent also denies any mischaracterization in Paragraph

1 83's allegations as to any "inaccuracies caused or contributed to an incorrect ballot count
2 transmitted to the Secretary." Respondent states that he administered the County's election in
3 accordance with law, and complied with his ministerial duties in accordance with law. As to any
4 actions committed to Respondent's discretion, Respondent also states he has exercised that
5 discretion reasonably and appropriately. Respondent also states that the election results data
6 provided by the County to the Secretary for the Secretary's compilation of the November 2022
7 Statement of Vote is based on ballots tabulated in the County. Except as admitted, Respondent
8 denies all other factual allegations as to Respondent in Paragraph 83. To the extent Paragraph 83
9 contains allegations in reference to or interpreting sections in the Code of Civil Procedure, the law
10 speaks for itself. The remainder of Paragraph 83 contains legal conclusions or argument that do
11 not require a response.

12 84. Respondent denies all factual allegations as to Respondent in Paragraph 84.
13 Respondent specifically denies that Respondent is entitled to a written statement with explanation
14 regarding the results of the EIPCa's alleged audit. Respondent states he is not in possession of the
15 data the Secretary provided to EIPCa in June 2024 or the EIPCa's alleged audit of the Secretary's
16 data. Respondent also denies any mischaracterization in Paragraph 84's allegations regarding
17 "42,112 duplicate ballots" and "49,777 ballots reflected in the June 2024 Accounting."
18 Respondent also disputes Petitioners' citation and interpretation of statutes and/or regulations in
19 Paragraph 84 and disputes that such statutory and/or regulatory provisions would require
20 Respondent to answer Petitioners' specific questions or that writ relief could be granted for on
21 such basis. To the extent Paragraph 84 contains allegations in reference to or interpreting sections
22 in the Elections Code, the law speaks for itself. The remainder of Paragraph 84 contains legal
23 conclusions or argument that do not require a response.

24 85. Respondent denies all factual allegations as to Respondent in Paragraph 85.
25 Specifically, Respondent denies that Petitioners are entitled to compel Respondent "to provide
26 EIPCa with an accurate finalized list from the November 2024 election of the voters whose ballots
27 were cast and counted in the election, the methods by which these ballots were cast, the precinct in
28 which the voters resided at the time they voted, to align with the numbers in the November 2022

1 Voter Participation Statistics at the time of certification." Respondent also denies any
2 mischaracterization in Paragraph 85's allegation regarding the accuracy of the County's voter data
3 in the November 2022 General Election and the November 2024 General Election. Respondent
4 states that he administered the County's election in accordance with law, and complied with his
5 ministerial duties in accordance with law. As to any actions committed to Respondent's
6 discretion, Respondent also states he has exercised that discretion reasonably and appropriately.
7 Respondent also states that Paragraph 85's allegations are unintelligible insofar as Petitioners seek
8 to have November 2024 General Election data align with November 2022 voter participation
9 statistics data, which are not used or intended to be used for the same purpose and contain distinct
10 sets of information. To the extent Paragraph 84 contains allegations in reference to or interpreting
11 a section in the Elections Code, the law speaks for itself. The remainder of Paragraph 85 contains
12 legal conclusions or argument that do not require a response.

13 86. Paragraph 86 contains legal conclusions or argument that do not require a response.
14 To the extent Paragraph 86 contains any factual allegations as to Respondent, they are denied.
15 Respondent states that he administered the County's election in accordance with law, and
16 complied with his ministerial duties in accordance with law. As to any actions committed to
17 Respondent's discretion, Respondent also states he has exercised that discretion reasonably and
18 appropriately. To the extent Paragraph 86 contains allegations in reference to or interpreting case
19 law and the Elections Code, the law speaks for itself.

20 87. Except as expressly admitted, Respondent denies the allegations incorporated by
21 reference in Paragraph 87 of the FAP.

22 88. Paragraph 88 contains legal conclusions or argument that do not require a response.
23 To the extent Paragraph 88 contains allegations in reference to or interpreting sections in the
24 Elections Code, the law speaks for itself.

25 89. Paragraph 89 contains legal conclusions or argument that do not require a response.
26 To the extent Paragraph 89 contains any factual allegations as to Respondent, they are denied. To
27 the extent Paragraph 89 contains allegations in reference to or interpreting sections in the Elections
28 Code and a definition in Black's Law Dictionary, the law and definition speak for themselves.

1 90. Paragraph 90 contains legal conclusions or argument that do not require a response.
2 To the extent Paragraph 90 contains any factual allegations as to Respondent, they are denied.
3 Respondent also lacks knowledge, information, or belief sufficient to admit or deny the factual
4 allegations in Paragraph 90 as to the Secretary and on that basis, denies said allegations. To the
5 extent Paragraph 90 contains allegations in reference to or interpreting sections in the Elections
6 Code, the law speaks for itself.

7 91. Paragraph 91 contains legal conclusions or argument that do not require a response.
8 To the extent Paragraph 91 contains allegations in reference to or interpreting a section in the
9 Code of Civil Procedure, the law speaks for itself.

10 92. Paragraph 92 contains legal conclusions or argument that do not require a response.
11 To the extent Paragraph 92 contains any factual allegations as to Respondent, they are denied.
12 Respondent states that the election results data provided by the County to the Secretary for the
13 Secretary's compilation of the November 2022 Statement of Vote is based on ballots tabulated in
14 the County. Respondent is informed and believes that the alleged June 2024 Accounting provided
15 by the Secretary in response to EIPCa's Voter Registration File Request is an extract of the State's
16 voter registration records data for voters within the entire State stored on VoteCal at the time of its
17 creation (in or around June 2024), per EIPCa's specifications, pursuant to Elections Code section
18 2188. As such, Respondent is informed and believes the alleged June 2024 Accounting contains
19 data different from the data used by the Secretary to certify the November 8, 2022 General
20 Election results and prepare the November 2022 Statement of Vote, including the "Voter
21 Participation Statistics by County" document published by the Secretary and contained in the
22 November 2022 Statement of Vote. Consequently, Respondent states EIPCa's alleged audit of the
23 June 2024 Accounting and resulting findings are based on improper comparison of the June 2024
24 Accounting with the November 2022 Statement of Vote data. Respondent further states the
25 County's voter registration database and VoteCal database are dynamic databases that are updated
26 in the regular course of voter record maintenance, to account for various activities including voter
27 registration, re-registration, voters who become inactive due to lack of activity, voters moving in
28 and out of counties, states and the country, and voters whose registrations are canceled due to

1 death, imprisonment or incapacity or experience other life events impacting their voter status.
2 Respondent further states that data in the County and State's databases synchronize with one
3 another from time to time but are not used or intended to be used for comparison with Statement
4 of Vote data. To the extent Paragraph 92 contains allegations in reference to or interpreting
5 sections in the Elections Code and case law, the law speaks for itself.

6 93. Paragraph 93 contains legal conclusions or argument that do not require a response.
7 To the extent Paragraph 93 contains any factual allegations as to Respondent, they are denied.
8 Respondent also states that Paragraph 93's allegations are unintelligible insofar as Petitioners seek
9 to have November 2024 General Election data align with November 2022 voter participation
10 statistics data, which are not used or intended to be used for the same purpose and contain distinct
11 sets of information. To the extent Paragraph 93 contains allegations in reference to or interpreting
12 a section in the Elections Code, the law speaks for itself.

13 94. Paragraph 94 contains legal conclusions or argument that do not require a response.
14 To the extent Paragraph 92 contains allegations in reference to or interpreting sections in the
15 Elections Code and case law, the law speaks for itself.

16 **AFFIRMATIVE DEFENSES**

17 Respondent asserts the following separate and independent affirmative defenses to the
18 Petition and the causes of action attempted to be asserted therein. By labeling these as
19 "Affirmative Defenses," Respondent does not intend to assume, and do not assume, any additional
20 burden of proof or persuasion beyond those assigned to them by applicable law.

21 **FIRST AFFIRMATIVE DEFENSE**

22 **(Failure to State a Claim)**

23 The FAP fails to state facts sufficient to constitute a cause of action upon which relief can
24 be granted.

25 **SECOND AFFIRMATIVE DEFENSE**

26 **(Lack of Standing)**

27 Petitioners lack standing to bring the claims set forth in their FAP.

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THIRD AFFIRMATIVE DEFENSE

(Ripeness)

The Petition was brought prematurely as Petitioner has suffered no appreciable harm, for which the claims in the Petition are not ripe for adjudication.

FOURTH AFFIRMATIVE DEFENSE

(Rational Basis)

Respondent at all times had a rational basis for their conduct.

FIFTH AFFIRMATIVE DEFENSE

(Immunity)

Respondent is not liable to Petitioners as Respondent has sovereign, quasi-judicial, qualified and/or other immunity from the claims set forth in the FAP because public entities are immune from liability for injury, whether caused by the act or omission of the public entity, an employee thereof, or any other person, except as expressly provided by statute.

SIXTH AFFIRMATIVE DEFENSE

(Waiver)

The FAP, and each and every claim contained therein, is barred pursuant to the doctrine of waiver.

SEVENTH AFFIRMATIVE DEFENSE

(Estoppel)

Petitioners are estopped by their own acts or omissions from recovery against Respondent for the claims asserted in the FAP.

EIGHTH AFFIRMATIVE DEFENSE

(Privilege)

Respondent’s purported conduct that is the subject of the FAP was absolutely and/or conditionally legally privileged, and/or justified. Further, all actions by Respondent were in good faith and reasonable.

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NINTH AFFIRMATIVE DEFENSE

(Failure to Exhaust)

The FAP and each claim asserted therein, is barred due to Petitioners' failure to exhaust administrative and/or other mandatory remedies prior to filing suit.

TENTH AFFIRMATIVE DEFENSE

(Mootness)

The FAP and each claim asserted therein, is barred in whole or in part by the doctrine of mootness.

ELEVENTH AFFIRMATIVE DEFENSE

(Failure to State Claim For Attorneys' Fees)

The FAP fails to state a claim supporting an award of attorneys' fees under Code Civ. Proc., § 1021.5 or any other statutory or legal basis.

TWELFTH AFFIRMATIVE DEFENSE

(No Duty)

The FAP, and each cause of action alleged therein, is barred because Respondent did not fail to perform any act that the law specifically requires or enjoins, as a duty resulting from an office, trust or station.

THIRTEENTH AFFIRMATIVE DEFENSE

(No Abuse of Discretion)

The FAP, and each cause of action alleged therein, is barred because Respondent acted at all times in conformity with all applicable laws, regulations, rules and policies, and did not abuse any discretion they exercised.

FOURTEENTH AFFIRMATIVE DEFENSE

(Improper or Impermissible Relief)

The relief sought in the FAP is impermissible because there is no legal basis for writ relief requiring Respondent to answer Petitioners' specific questions or to provide requested information, particularly where information is unavailable or otherwise not disclosable due to any exemptions, protections or privileges applicable under law.

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FIFTEENTH AFFIRMATIVE DEFENSE

(Nonjoinder)

The FAP, and each cause of action alleged therein, is barred because Petitioners failed to name other necessary parties to the action.

(Reservation of Additional Defenses)

Respondent presently has insufficient knowledge or information on which to form a belief as to whether there may be additional, as yet unstated affirmative defenses available, and as such, Respondent reserves the right to assert additional affirmative defenses in the event that investigation, discovery, or analysis indicates that additional affirmative defenses are available.

PRAYER FOR RELIEF

WHEREFORE, Respondent respectfully prays for judgment as follows:

- 1. That the First Amended Petition for Writ of Mandate be denied in its entirety;
- 2. That Petitioners take nothing by reason of their First Amended Petition for Writ of Mandate;
- 3. That judgment be entered in favor of Respondent Dean C. Logan, Los Angeles County Registrar-Recorder/County Clerk;
- 4. That Respondent be awarded his costs of suit herein, including reasonable attorneys' fees, to the extent allowed by law; and,
- 5. For such other and further relief as the Court may deem just and proper.

DATED: March 20, 2025

Respectfully submitted,

DAWYN R. HARRISON
County Counsel

By 
EVA W. CHU
Senior Deputy County Counsel

Attorneys for Respondent Dean C. Logan, in his official capacity as the Los Angeles County Registrar-Recorder/County Clerk

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PROOF OF SERVICE
Case No. 24WM000168

STATE OF CALIFORNIA, County of Los Angeles:

Baron Kishimoto states: I am employed in the County of Los Angeles, State of California, over the age of eighteen years and not a party to the within action. My business address is 648 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012-2713

That on March 20, 2025, I served the attached

RESPONDENT DEAN C. LOGAN'S ANSWER TO VERIFIED FIRST AMENDED PETITION FOR PEREMPTORY WRIT OF MANDATE

as stated on the attached service list:

By electronic service. Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed on the service list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 20, 2025, at Los Angeles, California.

Baron Kishimoto
(NAME OF DECLARANT)

Baron Kishimoto
(SIGNATURE OF DECLARANT)

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SERVICE LIST

<p>John D. Echeverria Malcolm Brudigam Maria Buxton CCAG – Office of the Attorney General john.echeverria@doj.ca.gov Malcolm.brudigam@doj.ca.gov maria.buxton@doj.ca.gov</p>	<p>Attorneys for Shirley Weber California Secretary of State</p>
<p>Robert H. Tyler Julianne Fleischer ADVOCATES FOR FAITH & FREEDOM 25026 Las Brisas Road Murrieta, California 92562 Telephone: (951) 600.2733 btyler@faith-freedom.com jfleischer@faith-freedom.com</p>	<p>Attorneys for Petitioners Election Integrity Project California, Inc., et al.</p>
<p>TYLER LAW, LLP Emma F. Plotnik 25026 Las Brisas Road Murrieta, California 92562 Telephone: (951) 600.2733 eplotnik@tylerlawllp.com</p>	<p>Attorneys for Petitioners Election Integrity Project California, Inc., et al.</p>