

**STATE OF MICHIGAN
IN THE SUPREME COURT**

Appeal from the Court of Appeals
(Boonstra, P.J., and Borrello and Feeney, JJ.)

PHILIP M. O'HALLORAN, M.D., BRADEN
GIACOBAZZI, ROBERT CUSHMAN,
PENNY CRIDER, and KENNETH CRIDER,

Plaintiffs-Appellees,

v

MSC No. 166424
COA No. 363503
Trial Court No. 22-000162-MZ

SECRETARY OF STATE and DIRECTOR
OF THE BUREAU OF ELECTIONS,

Defendants-Appellants.

RICHARD DEVISSER, MICHIGAN
REPUBLICAN PARTY, and REPUBLICAN
NATIONAL COMMITTEE,

Plaintiffs-Appellees,

v

MSC No. 166425
COA No. 363505
Trial Court No. 22-000164-MZ

SECRETARY OF STATE and DIRECTOR
OF THE BUREAU OF ELECTIONS,

Defendants-Appellants.

EXHIBIT TO
SUPPLEMENTAL AMICUS CURIAE BRIEF OF PROMOTE THE VOTE
AND THE AMERICAN CIVIL LIBERTIES UNION OF MICHIGAN

<p>Mark Brewer (P35661) Rowan Conybeare (P86571) Goodman Acker, P.C. 17000 W. Ten Mile Road Southfield, MI 48075 (248) 483-5000 mbrewer@goodmanacker.com</p> <p><i>Attorneys for Promote the Vote</i></p> <p>June 10, 2024</p>	<p>Philip Mayor (P81691) Daniel S. Korobkin (P72842) American Civil Liberties Union Fund of Michigan 2966 Woodward Ave. Detroit, MI 48201 (313) 578-6803 pmayor@aclumich.org</p> <p><i>Attorneys for ACLU of Michigan</i></p>
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Exhibit A
Testimony of Philip Mayor



AMERICAN CIVIL LIBERTIES UNION

Michigan

Senate Oversight Committee

Hearing re: TCF Center Absentee Vote Counting Boards

Testimony of Philip Mayor, Senior Staff Attorney, ACLU of Michigan

December 8, 2020

My name is Philip Mayor, senior staff attorney at the ACLU of Michigan. After widespread reporting about the events at TCF center on November 4th, I and other ACLU attorneys began contacting election challengers and poll workers to obtain an accurate picture of what happened in the TCF center during the days of counting. We independently took affidavits from the individuals we spoke with, compiling 30 mutually corroborating affidavits which I have submitted to the Committee along with a written copy of this testimony. Some of these affiants would have liked to testify here today, but we have advised them not to after members of this committee themselves faced death threats from members of the public after attempting to provide a balanced account of what happened at TCF Center. I would therefore like to briefly summarize for the committee four themes that emerge from these affidavits.

The first theme is that *none* of these 30 affiants saw evidence of any sort of misconduct, fraud, or impropriety by poll workers. Quite the contrary: several affiants witnessed poll workers patiently explaining what they were doing to underinformed and untrained challengers who did not understand the process. Indeed, many affiants provide information that directly rebuts or explains the allegations of misconduct leveled in many of the unsuccessful lawsuits that have been filed around the state.

The second theme is that every single affiant witnessed rude and aggressive conduct by Republican challengers and challengers affiliated with the Election Integrity Fund (EIF). The affiants repeatedly witnessed such challengers asking questions of, and on several occasions actually screaming at, line staff instead of raising concerns with supervisors (as is required), taking photos and video (which is prohibited), violating social distancing rules (also prohibited), and congregating around poll workers despite a rule that only one challenger from each party was allowed at each counting table. Affiant DeRone Buffington's testimony—he was in charge of monitoring the activities of challengers from all sides—is particularly thorough in this regard. Numerous affiants commented on the disturbing racial dynamic of almost all-white challengers acting so disrespectfully towards, and endangering the health of, the majority-Black election workers. Several affiants describe the atmosphere as feeling like a plantation.

The third theme is that every single affiant, throughout the counting process, witnessed *at least* an equal number of Republican challengers as Democratic challengers in the counting room at all times, including during the afternoon of November 4. I would also direct the committee's attention to the affidavit of Emily Harris, a non-partisan challenger who was herself locked out on the afternoon of November 4, who recounts poll workers clearly explaining to the locked-out challengers from all sides

that the reason for the lockout was that the room was at capacity. Affiant Sommer Woods was working at the door as a worker for the City that day and similarly describes the actions staff took.

Fourth, and most distressing, these affidavits establish a theme that Republican and EIF-affiliated challengers systematically sought to disenfranchise Detroit voters without lawful cause. Non-partisan challenger Elizabeth Temkin heard a supervisor for the Republican challengers instruct another challenger to “write down as much stuff as possible, because we need to get as many [ballots] thrown out as we can.” Affiant Brendan Flynn, another non-partisan challenger, witnessed a Republican challenger seek to have all of the ballots from an entire absentee counting board disqualified because one poll worker initially did not have her nametag on. Two affiants, Patricia Dewald and Khalilah Burt Gaston, witnessed Republican challengers threatening to “exercise their second amendment rights” when they became upset about one thing or another.

The vast majority of affiants, including non-partisan challenger Joseph Zimmerman were present on the afternoon of November 4 when the attempt to disenfranchise voters and intimidate poll workers accelerated. The affiants describe how Republican challengers were instructed to (and in fact did) begin challenging every single ballot without a lawful reason. Most of the ballots being challenged in this manner were military ballots. Around the same time, the affiants witnessed Republican and EIF challengers inside and outside of the room conspire to chant “STOP THE COUNT.” Those chanting outside the room were banging on the windows, causing the walls to shake and terrifying people inside who worried that an angry mob might be about to overrun the counting room. Affiant Nicole Rittenour was a poll worker who was told by a supervisor to move her bags out of the aiseways so that the poll workers could flee if necessary.

In sum, these mutually corroborating and independent affidavits show that the process at TCF was orderly and lawful—or at least it would have been but for the deliberate disruptions and antics of aggressive and threatening Republican and EIF challengers. If there is something to investigate about the events at TCF, it is not the conduct of the poll workers who labored selflessly during a pandemic in the face of often vicious and seemingly racist harassment—but, rather, it is the coordinated conduct of the aggressive, underinformed, and lawless challengers who would not let the poll workers do their job.

AFFIDAVIT OF SARAH BENDER

SARAH BENDER, BEING OF FULL AGE, ON HER OATH, DEPOSES AND SAYS:

1. I am over the age of 21 years and if sworn as a witness I am competent to testify about the matters set forth herein based on personal knowledge except where the matter is indicated to be based on information and belief.
2. I am currently a law student at the University of Michigan.
3. I am a registered voter in Ann Arbor, Michigan.
4. At my law school, I am a member of the non-partisan Michigan Voting Project (MVP). On the Monday before the general election, I learned through MVP that there was a need for non-partisan challengers to serve in Detroit observing the Absentee Vote Counting Board (AVCB) at TCF Convention Center. I signed up to work there on Election Day, Tuesday November 3, 2020.
5. I entered TCF around 6:30 a.m. on November 3, as a non-partisan challenger credentialed by the Lawyers Committee for Civil Rights Under Law, and served in that capacity until shortly after 8:00 p.m. when the polls closed.
6. From my observation, there were at least 25% more Republican challengers and Election Integrity Fund challengers (who appeared to be cooperating with Republican challengers) in the room than Democratic challengers. In addition, Republican challengers seemed to come and go throughout the day, even though my understanding is that we were supposed to be required to remain at the AVCB until the polls closed at 8:00 p.m.
7. In addition to the Republican challengers, there were a number of challengers from a non-partisan group called the Election Integrity Fund (EIF). The EIF challengers very combative throughout the day.
8. Both EIF and Republican challengers were extremely lax about wearing their masks. I repeatedly saw such challengers wearing masks below their nose when speaking to people, including election workers, and pulling their masks down while in the main room. In the break room that was shared by all challengers, they routinely took off their masks even when not eating. Throughout the day, I

- also saw these challengers stand too close to election workers and other challengers and refuse to maintain social distancing.
9. I spent several hours observing the proceedings at the adjudication screens in the middle of the room. These screens are where election workers adjudicate how votes have been cast in the case of ballots that the tabulator cannot read, for example because the voter used check marks rather than filling in ovals on the ballot. At each screen there were two election workers adjudicating the results of ballots and challengers from both political parties observing. At one point, an election worker at the screen I was monitoring overheard some of the Republican or EIF challengers (I can't remember which) speculate about whether there were actually Republican election workers at each screen. He turned around and informed the challenger that there was a Republican in each pair.
 10. At one point during the afternoon, I overheard a Republican challenger inform his colleagues that things were actually going pretty smoothly and that he was especially impressed with the software being used on the adjudication screens.
 11. Later in the day, all of the Republican challengers huddled up in a corner of the room. There appeared to be at least 100 of them. I don't know exactly what was discussed, but it seemed like a pep talk designed to rile the challengers up, and as they came out of the huddle, they swarmed across the room, approaching tables in groups, aggressively questioning election workers and other challengers, and failing to observe social distancing. Their tone became even more combative immediately.
 12. At that point, I was near a table where a Republican or EIF challenger was able to observe what election workers processing ballots were doing on their computers by watching a monitor that had been set up for our viewing. An EIF challenger reached out and grabbed the monitor and adjusted it so that he would be standing closer to the election worker while viewing both the monitor and her laptop screen. This prevented other challengers from seeing the monitor. I observed a Democratic challenger tell this man that the challengers were not supposed to be touching equipment and ask him to give some space to the election worker. I came up to the table to observe the conflict. At that point the EIF worker,

apparently mistaking me and another non-partisan challenger for additional Democratic challengers, triumphantly said, "Oh yeah?! I'm not supposed to touch the equipment? Well there isn't supposed to be two of you at the table!" It seemed clear to me that the challenger was attempting to instigate a conflict and rile people up rather than actually monitor in good faith the count happening around us.

- 13. In general, what I observed was a great deal of deference being given by the election staff and security officers to the challengers. Things were explained to challengers, and at one point Daniel Baxter, one of the election workers coordinating the whole room, even came over the loudspeaker to explain the ballot duplication process to everyone and to remind election workers that challengers were allowed to be present and observe duplication. Republican challengers who were aggressive, including verbally threatening and invading the space of others, were repeatedly cautioned and treated with deference rather than being removed, as may have been appropriate for their conduct.

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: Jarah Burden

Affirmed before me this 12 day of Nov, 2020 at 11:32 am

My commission expires on 2/10/2026.

Signature of Officer Administering Oath Julie M. Aust Title Notary Public, Washtenaw County
Julie M. Aust

JULIE MARIE AUST
Notary Public, State of Michigan
County of Washtenaw
My Commission Expires 02-10-2026
Acting in the County of Washtenaw

AFFIDAVIT OF DERONE BUFFINGTON

I, DeRone Buffington, being of full age, on my oath, deposes and says:

1. My name is DeRone Buffington. I am a registered voter and I live in Detroit.
2. I served as the Political Organizations Coordinator for the Absentee Voter Counting Board at the TCF Center for the November 3, 2020 General Election. In that role, I was responsible for overseeing the poll watchers and challengers at TCF and making sure they obeyed the rules.
3. I was physically present at the TCF Center from around 5 am to midnight on Tuesday, November 3, and from about 5:30 am to around midnight or later on Wednesday, November 4. The difference between the atmosphere on those two days and the general conduct of many of the Republican challengers could not have been more stark.
4. On Tuesday, the TCF Center counting floor was pretty quiet during the hours when people were still voting. Anyone who came in as a watcher or challenger had to agree to be sequestered there until after voting ended. I can only think of one person for sure who was there as a watcher during the voting period, a man from Lynchburg, Virginia who was a lawyer for the Republican Party and arrived that morning and signed in as a poll watcher. Because he was from out of state, he could not serve as a challenger. As time went on over that day and the next, it became clear he was in charge or one of the people in charge at TCF for the Republicans. In general, he followed the rules on Tuesday except for one time when I caught him using his phone and had to issue him a warning. He promised he would not use his phone again though and I was able to leave it at that. I even let him sit in the media box until the media came that day.
5. As far as challengers, the day was also pretty uneventful. I did not have to kick anyone out of the facility and only issued a couple of warnings, both to Republican challengers.

One warning was for taking off a face mask and failing to maintain six-feet of distance from the poll workers. The other warning I issued was to a challenger who was repeatedly questioning poll workers even though counting had yet to begin, and I instructed him to ask questions of the team or section leaders instead of the actual poll worker.

6. As I was preparing to leave on Tuesday night, however, I noticed a slew of about 50 people coming to sign in. I came back down and helped sign them in before I left. This group was almost all Republican challengers. Because things had run smoothly during the day, though, I was not concerned.

7. On Wednesday, I was not due to arrive until 7:30 am, but I received a call from my supervisor around 4:30 am or so letting me know that a lot more challengers had just arrived and that I needed to come in. I arrived around 5:30 am to TCF.

8. When I arrived, there were a steady flow of both Republican and Democratic challengers coming in and I helped get them checked in. From that point on, the situation began to get more hectic. During the morning, the police came in and gave us a heads up that there was a call on social media by the Republicans for all hands-on deck, so we should expect a lot more people. Many of the people arriving after this call appeared to have no training and no idea what to do, but claimed to be Republican challengers. Some of them asked me where they were supposed to go, what they were supposed to be doing, and several asked where they were supposed to go to get paid. Later that evening, one of these Republican challengers told me after I had to kick him out for taking photographs after being warned not to that he was being paid a lot of money to be there.

9. As the morning went on and into the afternoon, a lot of Democratic and Republican challengers continued to arrive. While the Democratic challengers had occasional

questions, it appeared as though they were getting training before they came in and generally understood their role. Many of the Republican challengers showing up did not appear to understand their role, and unlike previously, they did not have preprinted name tags but were given blank ones on which to handwrite their names.

10. There was such an influx of challengers after the social media call that when I had a chance to breathe and look around again, I realized the room was packed beyond the capacity of 137 challengers per side we were allowed to have there. We did a count and found there were around 240 Republican challengers and around 260 Democratic challengers. We issued instructions that no new Democratic or Republican challengers were to be allowed in for the time being. At that point, the Republican leader from Virginia told new people coming in to sign in as non-partisan, but it was clear they didn't even know the non-partisan organization they were supposed to be representing. At this point, TCF was concerned about the number of people inside as were the fire marshal, health department, and police department. We had to shut the room down to any new challengers seeking to enter because we were well over capacity. This was at some point in the mid-afternoon on Wednesday.

11. I understand there have been some complaints about the ability to observe the counting process but I cannot understand how anyone has the basis to make them. Throughout the counting process, there were Republican and Democratic challengers at each table, with many more in the room standing by. We treated all sides equally, and once the room was overfull I rejected several Democratic requests to swap in and out observers until the room got back to capacity. I told a Republican challenger who appeared to be one of the leaders the same thing and he agreed this was fair, and then he went right out to the media and lied about what was happening. The only people on any side we were allowing in once we realized we were way

above capacity were people who I recognized had already been inside and had briefly stepped out. And much of the issue was caused by Republican challengers failing to sign out of the room as they were instructed to do.

12. Wednesday was also a huge contrast to Tuesday in terms of the conduct of many of the Republican challengers, and the afternoon was worse than the morning. While some Republican challengers were following the rules and not a problem, many on Wednesday appeared to be there to obstruct, intimidate, and create problems where there were none.

13. To begin, a number of Republican challengers refused to even take copies of the rules I was handing out or were clearly ignoring or not reading them. And while I was explaining the rules, several asked pointed questions in a rude manner, and insisted that if they were with the NAACP, I would be allowing them to do what they wanted. Some argued with the rules regarding mask wearing and that they were supposed to keep six feet of distance unless they were in the process of challenging a ballot.

14. While I did not need to throw anyone out on Tuesday, I had to throw 15-20 people out on Wednesday because of their refusal to follow the rules or harassment of poll workers, even after being warned. These were all either Republican challengers or those who appeared to be working with them, but they were also the only ones repeatedly disregarding the rules and acting inappropriately. Despite this, they still had challengers at every table with more to spare. All of these people were given warnings before I had to reject them.

15. For some, they refused to keep their masks on and were defiant when challenged. I would give a warning, and they would ask "who do you think you are?" For others, they were badgering poll workers, demanding their names, political and religious affiliation, and one challenger even threatened someone with physical violence. Others were literally breathing down

the necks of poll workers, and sometimes they would try to assemble multiple Republican challengers at one table and gang up on the poll workers. Many of these challengers were yelling at and demanding things of poll workers rather than asking them politely and speaking to the supervisors as they were supposed to.

16. It was also clear that many of these later-arrived Republican challengers were just there to obstruct the process and they had no idea of the proper role of a challenger. One of them was starting to challenge things before there were even ballots being counted at one table. Certain of these Republican and affiliated challengers were circling the room, going from table to table, trying to cause problems and delay the count. There was one challenger who took his mask off and was spitting, and several others who deliberately took their masks off and began yelling, causing us to pause the counting. Another woman turned on Facebook Live on her phone and was narrating the events, and then lied to me when I confronted her. None of these challenges seemed to be based on any substance.

17. If I had not been there to prevent this interference, the situation could have gotten worse. There were Republican challengers yelling at poll workers, calling them stupid, and telling them they didn't know what they were doing. Many of these poll workers are older people and were getting scared and/or agitated at this point. I had to step in to allow them to continue to do their jobs.

18. The situation got particularly chaotic when Republican-affiliated people outside the room began banging on the windows and yelling. The commotion was disturbing enough that poll workers in the back of the room heard it and were concerned about whether they were breaking in and whether they had guns. A number of poll workers were starting to grow fearful. There were also people outside taking photos and videos of the poll workers through the window

and some who were giving them the finger and shouting obscenities. This was when some poll workers started putting carboard up on the windows near where they were working, although we did not allow them to put it up all the way around.

19. The conduct I witnessed was disrespectful, disturbing, and designed to obstruct the process and intimidate poll workers. I was evenhanded in how I dealt with the situations, but unfortunately the misconduct was carried out almost exclusively but the Republican challengers and those cooperating with them.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 23, 2020

DeKone Buffington
DeKone Buffington

Sworn to before me before me this 23 day of November, 2020 at 18222 Woodward Ave
DETROIT MI 48203

[Signature]
Notary Public

My Commission expires on: 11/04/2026.

JENNIFER ROBERSON
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires November 04, 2026
Acting in the County of Wayne

AFFIDAVIT OF MARION CHRISTIANSEN

I, Marion Christiansen, being of full age, on my oath, deposes and says:

1. My name is Marion Christiansen. I am a registered voter and I live in White Lake Charter Township. I am a retired educator after working for 31 years and am also a small business owner.

2. I arrived at the TCF Center at approximately 5:30 a.m. on Wednesday, November 4, 2020. I could not sleep and saw on Facebook that they were in need of Democratic challengers. I had never been one before, but I was trained and served as a Democratic credentialed challenger at the Absentee Voter Counting Boards.

3. After training, I entered the counting room around 6:00 a.m. There were plenty of Republican challengers in the room; you could tell them by the long sheets of paper hanging from their lanyards.

4. I was set up at a set of AV tables, located by a large pillar, with the adjudicating screens in the center of the room right behind the tables. From my training and perspective, the most important thing was to ensure that the workers were able to do their jobs and were not interfered with. We were not supposed to talk to workers directly and to stay out of their way. I was personally quite surprised by the behavior of the Republican challengers. There was a Republican challenger at the AV table I was at—a white male, who appeared young (though everyone looks young to me!), wearing a shirt and a tie, he was shorter than I am (I am 5'8"), with a somewhat athletic build. He would get in very close proximity to the workers; within one foot. One of the supervisors told him that the monitor open presented the information related to the ballots, but he continued to loom tightly over the election workers.

5. There was another Republican challenger—a white, younger man, wearing a blue suit—two tables down from where I was stationed. Like the Republican challenger at my table, he was standing far, far too close to the election workers and asking repeated questions of the election workers. I would flag this to one of the Democratic Party attorneys, who brought over an elections supervisor, who was the one to whom they were supposed to be asking questions. I also observed that there were very often more than one Republican challengers at an AV table, which I also understood to be against the rules.

6. I would say that it became quite tense in the room at about 9:30 in the morning. I observed a female Republican challenger—she was very thin, very small, with a pony tail, and wearing a blue blazer—who was behaving in the most obnoxious way I have ever seen in public: screaming at the elections inspectors and at the Democratic challenger at the AV table they were at. She would not put her mask on properly. Throughout the day, my observation was that the Republican challengers were there to make their presence felt by the workers and it appeared to me that their intent was to intimidate. Their behavior became more intense as the day wore on.

7. I also observed a female Republican challenger who was wearing a mask that was so thin that you could see her entire nose and mouth through it. It appeared to me that she was wearing it so that she could say she had a mask on but that she intentionally knew that it would not block the transmission of COVID. She appeared to be organizing the other Republican challengers, as many of them would come up to her and speak with her. She was a smaller woman in a white-ish shirt, with longer, light hair.

8. The AV table I was working went on a lunch break, and so I left at around 1:15-1:30 p.m. When I left there were many, many Republican (and Democratic) challengers still in the counting room. On my way out, there were numerous Republicans coming into the TCF

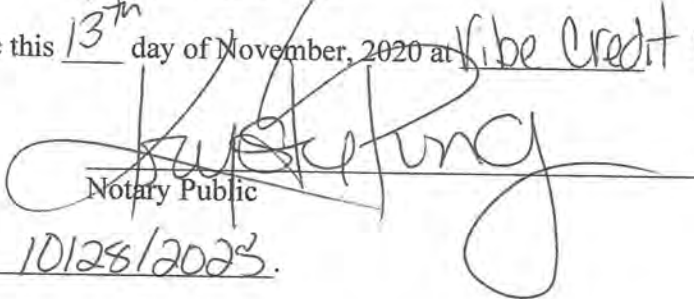
Center. Almost none were wearing face masks. The TCF Security was asking them to please put face masks on. I saw another Republican challenger—white, male, not very tall, with darker hair—getting into an argument with the Security workers. He accused them of not letting Republicans in, but in fact, they were not letting anyone in, regardless of which party they were from, because the room was full.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 13, 2020



Marion Christiansen

Sworn to before me before me this 13th day of November, 2020 at Wibe Credit Union



Notary Public

My Commission expires on: 10/28/2025.

KRYSTIE PUNG
Notary Public, State of Michigan
County of Oakland
My Commission Expires Oct. 28, 2025
Acting in the County of _____

AFFIDAVIT OF RAYMOND CORRELL

RAYMOND CORRELL, BEING OF FULL AGE, ON HIS OATH, DEPOSES
AND SAYS:

1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.
2. I am a registered voter in Waterford Township, Michigan.
3. On November 4, 2020, I received an e-mail from the Michigan Education Association requesting nonpartisan observers at the TCF Center while the remaining absentee votes were counted.
4. I arrived at 11:30 am and was credentialed as a nonpartisan observer for the Lawyers' Committee for Civil Rights Under Law. I was allowed inside with my credentials.
5. I was outraged when I heard that Republicans were claiming that they were not allowed inside the TCF Center, because I observed one Republican and one Democrat at each table. I was asked to sign in as I entered the building. I was asked to sign out when I left. Each party had 134 people that were allowed inside. When the party reached 134, nobody else from that party was allowed inside. When I arrived, both Republicans and Democrats had 134 people present, and therefore, people from both parties were waiting outside. After the building reached capacity, nobody was allowed inside, regardless of political affiliation.
6. People were standing right over the election workers while they processed ballots. And, challengers were able to observe the ballots so closely that one Republican even challenged a ballot by claiming that the postmark on its envelope wasn't valid. The election worker handling the ballot showed the challenger the postmark to satisfy the challenge.
7. I observed one table where a Republican challenger was objecting to every ballot to ask to for its identifying information, which was provided to him each time. He was objecting simply to cause a delay. Many Republican challengers were frivolously challenging every single vote. They were also ignoring social distancing rules.
8. I was at the front of the room when the doors were locked. People outside then started yelling and screaming that they were not allowed to come in. They started pounding on the glass, and people were legitimately concerned that the glass might break from the pounding. The people outside were allowed to protest, but they became very disruptive. The people inside were scared. Because there were ballots being counted right under the windows that were being pounded on, the windows were covered up with cardboard after the protesting became too distracting.
9. I watched another Republican challenger challenge every ballot. As ballots were being duplicated, she stated, "I challenge all of those ballots from this one on." She did not give a basis for her challenge. I replied that I was watching the ballots being counted and that they should all be counted.
10. What was striking about the events at the TCF Center was that the most disruptive people were angry white people attempting to disenfranchise Black voters and intimidate Black election workers. I was impressed by the patience of the election workers, who were visibly affected by the

angry mob outside, but continued to work diligently regardless.

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: [Signature]

Affirmed before me this 17th day of Nov, 2020 at 3806 Island PK Dr, Waterford, Mi

My commission expires on 11-03-2025

Signature of Officer Administering Oath [Signature]

Title _____

JEAN A. LANKFORD
Notary Public, State of Michigan
County of Oakland
My Commission Expires Nov. 03, 2025
Acting in the County of Oakland

RECEIVED BY MSC 6/10/2024 4:20:08 PM

AFFIDAVIT OF ANJANETTE DAVENPORT HATTER

I, Anjanette Davenport Hatter, being of full age, on my oath, deposes and says:

1. My name is Anjanette Davenport Hatter. I am a registered voter and I live in Redford, Michigan, in Wayne County. I was born and raised in the City of Detroit. I worked as a Section Supervisor for the Team B shift of election inspectors at the Detroit Absent Voter Counting Boards at the TCF Center on Election Day, November 3, 2020, and the day after, November 4, 2020.

2. In my role as Section Supervisor, three of us (two Section Supervisors and one Team Lead) were responsible for five counting boards (AV##46-50) each with five election inspectors. We were present to address any questions the election inspectors had with the process or if there was any issue with a given ballot. All of the Supervisors had substantial training over a period of a couple months. As Supervisors, we wore black bottoms with a white shirt that had the emblem for Department of Elections, Central Counting Board, Section Supervisor embroidered on it. Our elections inspectors had consistent instructions to do what they were trained to do, to ensure that all ballots were properly counted. Without a doubt, the only ballots counted were valid, submitted, absentee ballots.

3. Our 25 election inspectors worked like a well-oiled machine. Those workers, the other Section Supervisor and myself, and the Team Lead were all a team, who worked to process and count all of the absentee ballots for our counting boards. Each table had a red flag that would put in the air if they had questions.

4. On November 3, 2020, our team was there for the sequestered 6:00 a.m. to 8:00 p.m. shift, though we arrived quite a bit earlier to ensure we were all in our places once 6:00 a.m. hit and we were able to begin our work. Trained challengers have a right to observe and to pose

their challenges, but they do not have a right to speak to the inspectors. I fully understood the delineation of roles, but never could I have been prepared for what we encountered from the Republican challengers over the course of the counting period.

5. During the sequestered period on Tuesday, there were a number of Republican challengers stood too close to the workers and asked them questions, which they should have been directing to me, my co-Supervisor, or the Team Lead. The behavior of the Republican challengers on Tuesday though, while I felt tension brewing, was nowhere as extreme as what we experienced on Wednesday. We were, of course, mindful that we are in an active pandemic and so wanted the challengers to give the election inspectors adequate space.

6. The duplication process for ballots was completed at the precinct tables. Three election inspectors were present to complete the duplication: one reader, one writer, and one verifier. In our Section, the verifier would sit in between the reader and the writer. The reader would read the ballot selection from the original ballot, and the writer would write that selection onto the duplicate ballot. The verifier would observe both the selection being read off the original ballot, and observe the same being filled in on the duplicated ballot. All three would write their initials on both the original and duplicated ballot, and "original-#" on the original ballot, and "duplicate-#" on the corresponding duplicated ballot. The original would be placed in an envelope marked for originals, and the duplicate would be processed accordingly. This whole process was well observed by challengers in the room. The challengers had access to all processes; both Democratic challengers and Republican challengers had complete access at all of the precincts I was in charge of. I was very particular about supervising the duplication process; for each duplication at our five counting boards where I was present, I did not leave that space while it was ongoing. It was a consistent theme for the Republican challengers to say that they

could not see during this process, so I would be in a position where I could see completely, so I would tell them that if they could not see, that I had a complete view from where I was standing, so that they could come stand in that position they could certainly see. Most of the Republican challengers with this complaint did not take me up on changing their position, so it appeared to me that it was not an actual complaint, but part of an effort to be disruptive. The Democratic and non-partisan challengers observing the same process did not have any complaint about being unable to see. Based on the behavior of the Republican challengers, and their seeming total lack of knowledge of both the absentee counting process and the challenge process it appeared that their strategy was to disrupt.

7. On Wednesday, the Team B hours were 5:30 a.m. to 9:00 p.m., however the counting board went far longer than that because of the sheer volume of absentee ballots, so the City requested that more of us stay in order to do the close out. I stayed until 12:30 a.m., early on the 5th, but needed to leave at that time because my mother was staying at my house with my children and she needed to get home. I had begun to feel the tension brewing on Election Day, so on Wednesday, I brought a container of milk with me concerned about the risk of tear gas.

8. On Wednesday, the Republican challengers were always in the room. In the early part of the shift, there were more Republican challengers than Democratic challengers, but the balanced out. The behavior in the room changed dramatically in the afternoon: the rage in the room from Republican challengers was nothing I had ever experienced in my life. I later learned that it was when the news announced that President-elect Biden took the lead in Michigan matched up to when the behavior changed dramatically. The Republican challengers were always present, but when President-elect Biden took the lead, it became full-throttle disruption. I told my election inspectors, that not only for questions, but if they felt in distress from the

behavior of the Republican challengers to raise the red flag. My goal and the goal of my co-Supervisor and Team Lead was to create an environment of safety for our election inspectors, that I would protect them and take care of them.

9. The majority of the Republican challengers I observed disregarded almost all of the rules. They insisted on speaking directly to the inspectors, and would feign ignorance when corrected (i.e., just say, “oh, I didn’t know” or “oh, I wasn’t aware”) even though we made the rules in our Section very clear at the outset, specifically telling them of the rules of engagement, and the same individuals had already previously been told the same thing. After this repeatedly occurring, I told the Republican challenger that I wanted her to understand that complying with the rules was serious, and that she needed to take the same message back to her colleagues. I asked her if I made myself clear. I needed my 25 election inspectors to hear and see that so they knew that they were protected in our section and their sole focus could be on the job they were here to do.

10. On Wednesday, I had to put my body physically in between a Republican challenger and one of my election inspectors. The Republican challenger—a white woman with long dark hair, wearing denim overalls with a bib—was standing right on top of my election inspector and she was speaking into her smart watch, connected to her phone, which was not permitted at the AV tables. I asked her to back up repeatedly, and she was screaming that she had a right to be there. I could see that my election inspector’s hands were trembling. I told her that she was on her phone, and when you are on the phone you are not permitted to observe, so she needed to back up. That Republican challenger was behaving the same way in multiple sections of the counting room, and she eventually was escorted out.

11. Another Republican challenger—a middle-aged white woman with brown, neck length hair—became bothered that one of the inspectors was typing in a name to electronic poll book. She kept insisting that the election inspector was adding voters who had not been registered into the voter registration database. She was completely mistaken about the process. It was not a voter registration database; it was the list of people who had returned absentee ballots, but it was cut off for the ballots that had been received by Sunday, 11/1. For ballots that were returned on Monday, 11/2, and Tuesday, 11/3, they individuals needed to be put into the electronic poll book in order to be processed. The allegations of wrong doing leveled at the election workers by the Republican challengers stemmed from the challengers being ill-prepared. I do not think they understood what they were observing, and so assumed bad intentions for the people of Detroit.

12. A male Republican challenger—a white gentleman wearing a red sweater—had a number of other Republican challengers walking around with him going around questioning each AV table, and was repeatedly filming on his camera. You could follow him with your eyes walking around the room, and he was behaving the same way in each of the sections, it was not unique to when they were in my section.

13. The counting room was completely open, so you could see and hear everything that was going on. In the mid-afternoon on Wednesday, there was a huge commotion, and you could see this whole crowd pressed up against the windows outside and banging on the glass wall. In addition to this external disruption, the Republican challengers actually inside the room started angrily chanting “Stop the Count” inside the room. This was extremely concerning to me. A few of our elderly election inspectors had lived through racial terror in the earlier twentieth century before; they were asking me “am I safe?”, “are we safe?”. I had fear in my

heart, wondering what would happen if that crowd broke through the doors, or broke the glass wall, but I also knew that the Detroit Police Department was there and I also felt that I needed to be a strong presence for my election inspectors. So I said to them, “do you see DPD?,” and gave them an expression to convey, “we are okay.” I did not know at the time that we were overcapacity and hence additional people had been closed out of the room, but during that entire time there was an overwhelming presence of Republican challengers in the room: still at all of the AV tables, and gathered together chanting. The MIGOP were well over their capacity of 134 challengers in the room, even at the time that the doors were closed to additional challengers. Perhaps the main thing at the front of my mind while I was experiencing this was, “Why are they so full of rage?”

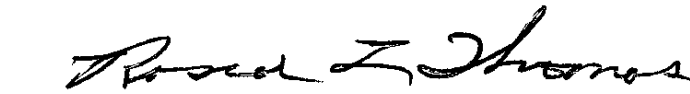
14. The Republican challengers had their own attorneys who were yelling and screaming, not acting in the way I would imagine a professional would behave. One of the Republican attorneys—a short white woman, with her hair in a pony tail, wearing a pink blouse with white lace from the shoulder to the wrist—was screaming at the election inspectors. The election inspector was saying, I need space, please step back, and the attorney did not accede to this ask. One of the election inspectors came and got me to deescalate the situation, and she continued screaming, and she whipped her mask off of her face, and gave me a sadistic snarl. I perceived this as a purposeful effort to direct hate against me, but I also knew that I needed to be strong for the election inspectors relying upon me, so I stayed calm, and simply said, “You need to put your mask back on.” Early on Election Day, a member of the logistics team had told me if there was a problem to let him know. He gave me his number, so when that situation was escalating, I called him, told him I needed him immediately, and gave him the section and precinct number, and he came right away to handle it.

15. Dealing with all of these yelling Republican challengers felt like the lynch mob that you see in history. They were snarling. It was notable that the Republican challengers were almost entirely white, and they had come down to Detroit and treated us in this fashion. They were ill-prepared and ill-informed about the process themselves, but were behaving with the assumption that the people of Detroit do not know what they are doing. I think we kept everyone working as they should and focused on their tasks, even in the face of this behavior. I think that they underestimated us. Quite a few of us in the counting board were with the Divine Nine—the historically Black fraternities and sororities—we are educated people who are committed to the process and making sure the vote of the community is not suppressed.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 15, 2020


Anjanette Davenport Hatter

Sworn to before me before me this 15 day of November, 2020 at 11:11 am


Notary Public

My Commission expires on: 10-29-21

ROSCOE L. THOMAS
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Oct 29, 2021
ACTING IN COUNTY OF

AFFIDAVIT OF PATRICIA DEWALD

I, Patricia Dewald, being of full age, on my oath, deposes and says:

1. My name is Patricia Dewald. I am a registered voter and I live in Royal Oak. I am a fundraising strategist for non-profit clients based in Detroit.

2. On Wednesday, November 4, 2020, I served as a credentialed challenger for the Michigan Democratic Party at the Absentee Voter Counting Boards in Detroit at the TCF Center. I arrived a bit before 8:00 a.m., and left after midnight: around 12:30 a.m. on November 5. I saw a post in the Detroit Women’s Leadership Network calling for volunteers.

3. Right when I arrived, Republican challengers probably outweighed Democratic challengers by about 3:1. As the morning progressed, more Democratic challengers arrived, and so it was roughly even. Democratic challengers had on green stickers, and Republican challengers had long white papers hanging on lanyards.

4. Throughout the morning, a Republican challenger stood right by my side the entire time. His name was Patrick, he was a white man, with blue eyes and dark hair, he was about 5’6” with a slight build. He self-identified as a Republican to me and indicated that he was involved with the Macomb County GOP. He had brought his gun into the TCF Center, but that was not permitted, so he had to go back out and put it in his car. He left to go do that, and I can only assume he actually did leave it in the car. In the early afternoon, a Republican was challenging a vote at a nearby table, and Patrick took out his phone to video record. When he was told that he was not permitted to use cameras in the room, he began screaming and shouting. Security came over and asked him to leave the area of that particular table because of his disruptiveness, but he was not removed from the counting room.

5. In the late afternoon, a Republican challenger next to me said he was challenging a ballot, but would not provide the grounds for his challenge. This Republican challenger was a white man with a bald head, in his late 50s, who was about 6'3" and of medium build. I indicated that he could not challenge a ballot without having grounds for his challenge. He put his hand in my face and pantomimed opening and closing it, in what I would describe as like a "blah blah blah" motion, to dismiss what I had said. I repeated that challenges had to have a basis and could not be lodged for no reason. He replied that he was a lawyer and he was "prepared to exercise both his First and Second Amendment rights." A friend of mine who was stationed nearby ran to get security upon hearing that threat. Security came over and he insisted he misspoke by saying Second Amendment, not just First Amendment, which did not seem credible to me because he had said both of the Amendments, it was not a matter of just misspeaking and saying Second when he actually meant First. He was initially removed from the area, but immediately after security finished talking to him, and he came right back over to the table I was stationed at.

6. I observed two young, white, male Republican challengers taking photographs in the counting room, which was against the rules. One was a skinny guy, with a black shirt with a heart pattern on it, and wearing a baseball hat. He came over when the gentlemen I described in the preceding paragraph began shouting and asked what happened. I said what happened, and he said dismissively, it doesn't sound like you were threatened. He was taking pictures and was asked repeatedly by security to stop. The other of these two challengers I observed taking pictures was wearing a black jacket and a black hat. There was a batch entered with the placeholder date of 1/1/1900, which the guy in the heart pattern shirt took pictures of on the monitor.

I later saw a picture that appeared to be what he had taken photos of on Instagram with the caption, "Somebody needs to be executed."

7. Another young, white, male Republican challenger was holding a print out that was apparently part of his training, that indicated spots 1-5, and he was attempting to challenge what each of the election inspectors was doing as their job. He got in the face of one of the election inspectors, quite close up, demanding to be told what he was doing and what his name was. All of the challengers had been told not to speak with the election inspectors except as to lodge challenges, but to ask questions from the election official supervisors, so this behavior struck me as particularly inappropriate.

8. Everything happening in the room was visible to the challengers. In my observation, if someone indicated that they wanted to challenge something, the workers were sure to let them see and documented it as required in the Electronic Poll Book. The process of the counting of absentee ballots was pretty amazing to observe the diligence of all the election inspectors doing their jobs in order to get the ballots counted. They would do the processing, verify that ballots were eligible, and ready them to send to the tabulators to be counted.

9. I repeatedly observed Republican challengers getting in the faces of the election inspectors, without any valid complaint or challenge. There were multiple times that I observed between 4 to 6 Republican challengers around one AVCB table, when there was only one permitted.

10. There were three young women with clip boards who appeared to be directing the Republican challengers. I thought of them as Republican organizers as opposed to challengers. One of these women, appeared to be Asian and in her early 30s, came up to me and asked me who I was and where my credentials were. I had the identifiable green dot sticker on me, and

even though I felt as though she wasn't entitled to the information, I told her my name and that I was with the Democratic Party and showed her my Democratic Party Challenger credentials. With that, she went over to a small group of Republicans and were chatting and repeatedly looking back at me. I do not know to what end. The other two organizers both appeared to be around 30 and were white females; one with dark hair pulled into a top knot and glasses, and the other with strawberry blonde hair and glasses. They all appeared to be directing the other Republican challengers in what they should do. The woman with strawberry blonde hair kept looking in the problem ballot bin. Very few ballots even ended up in the problem ballot bin, but that is where the workers put ballots that had some problem to the side to be dealt with later.

11. At one point, I walked over to the tabulating area, and happened to walk past a Republican challenger—a middle aged white woman with blonde hair and wearing a plaid jacket—she was loitering closely next to an election inspector—a Black woman, wearing a white blouse with hearts on it—and I heard the inspector say, “I see you.” Right after I passed by, the white woman Republican challenger began screaming and yelling that the woman threatened to kill her.

12. In the mid-afternoon, my husband texted me to see if I was alright and said he heard that challengers were not being let in. However, there were more than enough challengers from both sides in the room at that time, and it would have made sense to me that they were not letting more people in because the room was full. Another friend of mine had been planning on coming back to the AVCB, but she didn't because the Democratic Party contacts told her that she didn't need to come back because the room was full and more people weren't being let in.

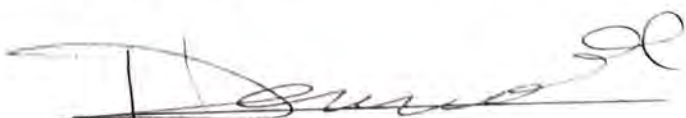
13. In the later afternoon, the crowd outside had grown, and then they began banging on the glass walls / internal windows. This was so loud, and I could physically feel it in my

chest. People were visibly shaken in the room, looking at the exits, concerned that people were going to bust in through the exits. Throughout this whole disruption, election inspectors kept working even the ones who seemed upset or scared.

14. I observed the ballot duplication process. There were always three election inspectors present: one reading the original ballot out loud, one coloring in the circle on the new ballot, and then there was a supervisor watching the process. Every duplication I observed, there was always a Democratic and a Republican challenger, that would look at the ballots comparing them against each other and affirm that they were the same. One time, they had missed a bubble in the middle column on the lower third of the page, and the Republican challengers and I flagged it for them, and they filled it in so the duplicate was an exact match. This Republican challenger was a tall, skinny, blonde, white woman around 50 years old. She was in agreement and good with the process.

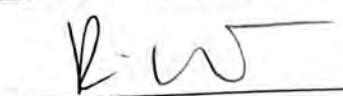
15. Once when they were duplicating a ballot, a whole crowd of people surrounded the election inspectors. And they were told to step back so that there was only one Republican and one Democratic challenger in close proximity to the workers. One of these Republican challengers complained that he could not see, and the election inspector replied, along the lines of, "well, you don't need to see because only one person from each party is allowed per table."

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 12, 2020


Patricia Dewald

Sworn to before me before me this 12th day of November, 2020 at 200 S Main St Royal Oak, MI 48067

BRIANNE VANDETTE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WAYNE
My Comm. Exp. 04/17/27
Acting in the County of Oakland
Date 11/12/2020


Notary Public

My Commission expires on: 04/17/2027.

AFFIDAVIT OF BRENDAN FLYNN

BRENDAN FLYNN, BEING OF FULL AGE, ON HIS OATH, DEPOSES AND SAYS:

1. I am over the age of 21 years and if sworn as a witness I am competent to testify about the matters set forth herein based on personal knowledge except where the matter is indicated to be based on information and belief.
2. I am currently a law student at the University of Michigan.
3. I am a registered voter in Ann Arbor, Michigan.
4. I learned from a law school classmate that there was a need for non-partisan challengers to serve in Detroit observing the Absentee Vote Counting Board (AVCB) at TCF Convention Center, and I signed up for a 14-hour shift for Election Day, Tuesday November 3, 2020.
5. I entered TCF around 6:30 a.m. on November 3, as a non-partisan challenger credentialed by the Lawyers Committee for Civil Rights Under Law, and served in that capacity until shortly after 8:00 p.m. when the polls closed.
6. As a non-partisan challenger, I viewed one of my roles as being to keep an eye on and monitor challengers themselves.
7. During the day I spent at TCF, it was clear to me that there were more Republican challengers than Democratic challengers. I am unaware of any partisan challengers from either party having been turned away while I was at TCF.
8. One of the first things I realized early in the morning is that some of the Republican challengers were underinformed about what they were there to do or about how the process work. One female challenger I was around in the early morning did not even understand that the purpose of the AVCB at TCF was to count *absentee* ballots. This had to be explained to her by an election worker. Another Republican challenger at a table where I was at challenged the AVCB beginning the day with a "zero count," i.e., starting the vote count at zero.
9. Somewhat later in the day, I observed a Republican challenger who was complaining about the tabulation process. When a batch of ballots are run through the tabulator, if one of the ballots is not properly counted, the entire batch

needs to be re-run before the count can be finalized for that batch of ballots. The challenger was accusing election workers of double counting the ballots by re-running them in the required fashion. As I observed the challenger complaining about this, a supervisor came over and explained the process to this challenger. The supervisor was patient, despite presumably having many other duties to attend to, and went out of his way to ask the challenger if he had additional questions. I saw the same supervisor speaking to this same challenger on several other occasions throughout the day.

10. This conduct by the supervisor was entirely typical of what I observed all day, which is that supervisory staff was extremely patient in explaining the process and answering questions, despite the provocative and suspicious tone that was often taken by Republican challengers.
11. On another occasion, I saw a non-partisan challenger affiliated with the Election Integrity Fund raise a challenge because a poll worker did not have a name tag on. Despite working for an organization that purports to care about the integrity of elections, the challenger was demanding that all ballots counted at the table in question be thrown out, which I found shocking. A supervisor came over and explained that discarding the ballots was neither an appropriate nor possible remedy. The supervisor then instructed the worker to put on a name tag. The worker did so and resumed counting.
12. During my 14 hours working at TCF I had ample opportunity to observe the ballot duplication process. Ballots have to be duplicated when they have been damaged or are unreadable so that the newly duplicated ballot can be fed through a tabulator (the damaged ballot is not counted). The process involved different election workers reading the votes from the damaged ballot and filling out a new ballot in its place. I saw this process happening at several tables throughout TCF and in every instance, there were challengers present from both political parties observing the process.
13. One thing that I repeatedly observed throughout the day was that some Republican challengers would continuously approach election workers and remain in spaces less than six feet away from election workers. Supervisors were

- continuously attempting to remind the challengers that this was inappropriate and represented a health risk to the election workers, but it continued to happen.
14. I also observed one particular Republican challenger who kept breaking the rules. Specifically, during the duplication process, it was made clear to challengers that there would be only one challenger present from each party. This particular gentlemen kept coming up behind another Republican challenger and talking to him about what he should be doing. A supervisor told him that he was welcome to take the other challenger's place, but that only one challenger from each party was allowed to observe the duplication process. This did not change his behavior and I saw him have to be reminded of the same thing on other occasions by challengers and by another supervisor.
 15. I also had the opportunity to watch the process of absentee ballots being scanned in. While watching this process, I twice saw a simple problem arise, which is that workers would scan the envelope and it would not match with the ballot that was contained in the envelope. It was explained to me that family members from the same household would sometimes accidentally send their ballots back in each other's envelopes. Every time I saw this happen, the election workers looked up the address associated with both the ballot and the envelope to confirm that they came from the same household, and then made an entry in the computer to reflect what happened.
 16. Indeed, anytime I saw an election worker scan in a ballot that raised any unexpected issues, they made an entry in the computer explaining the issue. This happened, for example, when a ballot was received that was badly torn. And it happened when I saw poll workers open an envelope that contained both a ballot for the primary and the general election (the ballot from the primary was discarded and not counted; the ballot for the general election was processed and put in the pile to be counted).
 17. Around 6:00 p.m. many of the Republican challengers huddled up in one corner of the room. After they came out of their huddle, it was noticeable that they were being more aggressive in making challenges and were taking a more hostile tone

with election workers. Which is saying something, because they hardly started by being polite before 6:00 p.m.

- 18. On the whole, my impression from the time I spent at TCF was of an orderly process. The only disruptions came from Republican challengers, and my observation was that supervisory staff was patient in explaining issues to these challengers, with only one exception where I saw a supervisor get exasperated with a challenger who was repeatedly invading the personal space of an election worker after being told not to several times. But even on that occasion, all the supervisor did was ask the individual (again) to step back to a safe distance in a slightly irritated tone. In response, I heard the challenger mutter, "I have a right to be where I am."

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: *[Signature]*

Affirmed before me this 12 day of Nov, 2020 at 9:24am

My commission expires on 2/10/2026.

Signature of Officer Administering Oath *Julie M. Aust* Title Notary Public, Washtenaw County

JULIE MARIE AUST
Notary Public, State of Michigan
County of Washtenaw
My Commission Expires 02-10-2026
Acting in the County of Washtenaw

AFFIDAVIT OF KHALILAH BURT GASTON

I, Khalilah Burt Gaston, being of full age, on my oath, deposes and says:

1. My name is Khalilah Burt Gaston. I live and am a registered voter in the City of Detroit. I own a consulting company that is also located in Detroit.

2. On Wednesday, November 4, 2020, I went to the TCF Center to be a credentialed challenger for the Michigan Democratic Party at the Absentee Voter Counting Boards (AVCB) in my city. I first heard about the need for challengers at TCF during the counting later on Tuesday night in a post on Facebook, so I called the non-partisan number on the post I saw, but they were full. The next morning, I had received an email from Andy Levin that indicated the Democratic Party also needed challengers, so I responded to that e-mail and got myself down to TCF.

3. At the TCF Center, I had parked on the roof, and then came down to the first level, where I attended a training. After the training, we lined up to enter the counting room, and checked in, showing our ID, signing in, indicating what organization we were with and having a temperature check. It was approximately 9:45 a.m. when I entered the counting room. I had never served as a challenger before, so initially I did not know what all was going on and I had to get my bearings about me. I was assigned to walk up and down the rows between tables, with another Democratic challenger who was my partner for that part of the day. We were in the rows around AV#45. When I began walking in the rows, that is when I began to see Republican challengers. The Democratic challengers had green stickers; the Republicans had lanyards on with a long, white, non-laminated tag, that I think said MIGOP. A lot of the Republican challengers were turning their credentials over or sticking them inside their shirts. It appeared to me that they wanted to hide the content of the credential.

4. After the first 30 minutes or so, I observed a real shift in the energy and dynamic of the room. The Republican challengers started harassing the election inspectors. I observed Republican challengers quite literally inches away from the election inspectors, repeatedly asking questions, asserting that the folks were not doing their jobs correctly. The supervisor election inspector had explained to all of the challengers in the row about the chain of command of the election workers, not to approach individual inspectors, to approach the chief inspector with questions or objections to the process.

5. Between 11:00-11:30 a.m., I observed a group of 4-6 Republican challengers hovering around an election inspector. The challengers were directed to look on the monitor where all of the information about a ballot would be displayed. One of these Republican challengers would not pull his mask up properly even when he was standing right over the elections inspectors. This challenger was a white male with reddish brown hair that was longer and swooped over sort of blocking one eye; he was wearing an NSYNC t-shirt, with a white long sleeve underneath the NSYNC tee, dark blue jeans, and black Chuck Taylor sneakers. The election inspectors needed to do a ballot duplication because one of the ballots was sticky so it would not scan through the tabulator. He was looming directly over her, but she continued to do her work. I asked him to put his mask up, but he refused, so I told the supervisor, who also asked him to put his mask up. He asked other Republican challengers to come over and he was irate. His face was red and his neck was bulging. The other Republican challengers told him that he needed to take a walk and calm down and they replaced him with another challenger at the table: a young white woman, with a long blonde ponytail, Sperry quarter height boots, a three-quarter length Michael Kors coat, and blue jeans. The tone of the male Republican challenger was the tone in the room until probably around 6:00 p.m.

6. I observed another Republican challenger try to reach out and touch a ballot. This was an older, white gentleman with shorter hair, approximately in his 50s-60s, wearing a greenish sweater, blue jeans, work boots, glasses, and had a buff with a hunting print on it for use as his mask.

7. It appeared as though when Republican challengers were corrected for their inappropriate behavior, like those I've just described, they seemed to get even more aggressive and pushier with the election workers and with challengers from other groups. I observed it becoming much more volatile as it progressed into the afternoon.

8. I observed another Republican challenger—an older white woman, perhaps in her 60s, with brown hair a bit longer than a bob, wearing a blue Polo sweater with a black jacket over it, blue jeans, and had glasses that were sometimes up and sometimes hanging from a chain around her neck—she was going up to each individual election inspector and then began screaming at the top of her lungs that she was challenging all of the ballots at the table. I told her not to approach the election inspectors directly, but to go to the supervisor. She continued yelling, so I went and got the chief inspector, who again informed this challenger that she cannot be speaking to the line level inspectors.

9. Repeatedly over the course of the next several hours, I heard Republican challengers questioning the competence and intelligence of the election inspectors directly to them. Election inspectors would flag me down so that I could get a chief inspector to come deal with the way in which the Republican challengers were behaving. I directly observed Republican challengers talking about asserting their “Second Amendment rights.” One of these Republican challengers talking about asserting his “Second Amendment rights” was a very tall guy, 6’3” or 6’4”, white, dark brown hair, glasses, wearing a bright Maize and Blue Michigan

sweatshirt with the big block letter “M” on it, and dark blue jeans. At this, probably around 3 or 4 p.m., I began to report the Republican challengers to the police: for talking about their “Second Amendment” rights to the election inspectors in a manner I found threatening, for not keeping their masks up properly on their faces, and that they could not encircle individual election inspectors with multiple challengers.

10. I was there (around AV#46/47) when they were assigning the military ballots to be processed. Both Democratic and Republican election inspectors were going line by line down the front and back of each of those ballots. When they heard that election inspectors were duplicating a ballot, the Republican challengers seemed to lose it. It appeared to me that they thought the workers were making two ballots to be counted. They did not seem to understand that the workers would “duplicate” a ballot because the first one could not be tabulated, and they were not making two ballots to be counted, but were transcribing the voters’ choices from the ballot that would not scan onto the ballot that would scan. I observed the election inspector supervisor explain this entire process to all of the challengers. It seemed to me as though the Republican challengers were confused by the terminology.

11. When we heard the military ballots were being processed, the elections officials would call precincts up to get their ballots, and 2-3 Republican challengers would follow the election inspectors and verbally accost them on their way back to the precinct table. Because of this, the Democratic challengers started accompanying them as well, so the election inspector was not left alone with the Republican challenger. Because we were then walking with elections inspectors and Republican challengers, I ended up on the opposite side of the room from where I had been earlier. I observed two white, female, Republican challengers, who the inspectors reported to their supervisors has been filming them at the counting table. These Republican

challengers were both in their mid-40s to early 50s and brunette. One was about 5'8" wearing a long sweater; the other was petite, had her hair in a pony tail and wearing a puffer coat. When asked by the supervisor whether they were filming, the challengers said that they were not filming or taking pictures and the light was coming on their phones because that is what happens when they received a phone call. I was skeptical of this, but did not push it. The more petite woman told the other woman to challenge every ballot and that was all she needed to say. It was my understanding that you had to have a specific challenge to a given ballot and that they needed to say why they were challenging someone's ballot. Even before ballots were being picked up and processed, these challengers said they were challenging all the ballots at the table.

12. In the mid to later afternoon, I started getting text messages from family and friends asking me if I was okay; they told me that on the news it was saying there was a crowd outside, so I went toward the entrance to observe, and saw the window starting to shake. I knew some of the folks working the tables at the front and I spoke to Sommer Woods who was visibly shaken and actually had cried. People were trying to push their way into the room, and she was really frustrated with people screaming, hollering, and saying a lot of derogatory things to her and the team. I observed banging on the door, people trying to push the door open; I saw a man climbing up on the windows on the outside. Initially, the police were not engaging with this as all, just the election workers had to deal with it. I observed election inspectors putting up cardboard on the windows because people in the crowd outside were filming into the room. When I had taken a restroom break earlier in the day, Republican challengers filmed me walking to and going into the restroom.

13. While the ruckus was going on, two Republican challengers were doing an interview in the room screaming about how they weren't let in, but they were literally in the

counting room doing the interview. The other Democratic challengers and I did not talk about the scene going on outside very much because we did not want to make the people working throughout the room fearful. The entire time this was going on, there were many challengers in the room and they started a chant, something like, "Stop the Count, Don't Take Our Vote."

14. I think it needs to be stated plainly that there was tension and racial animosity in the room from the Republican inspectors to the people of the City of Detroit, those working and those whose votes were being counted. The election inspectors in the room were probably 90% Black, and the Republican challengers were 90 to 95% white. The overbearing behavior of the Republican challengers were making elections inspectors nervous and fearful, especially because a fair number of the election inspectors were older Black folks. Some election inspectors would ask me and other Democratic challengers to come over to their table because they were really fearful about what was happening and how they were being treated. I observed the Republican challengers behaving with very much a mob mentality.

15. I would say things calmed down in the room around 6:00 p.m., and I left to go home at approximately 7:30 p.m.

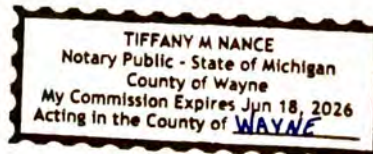
I swear under penalty of perjury that the foregoing is true and correct. Executed on November 18, 2020


Khazilah Burt Gaston

Sworn to before me before me this 18th day of November, 2020 at 9:30 AM


Notary Public

My Commission expires on: June 18 2026



AFFIDAVIT OF MELANIE GRUND

MELANIE GRUND, BEING OF FULL AGE, ON HER OATH, DEPOSES AND SAYS:

1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.
2. I am a registered voter in Berkley, Michigan.
3. In the evening of November 3, 2020, I saw a social media post stating that sixty Democratic challengers were needed at the TCF Center while absentee ballots were being counted, because sixty Republican challengers had arrived. I wasn't available that night.
4. On the morning of November 4, 2020, I saw another social media post seeking more Democratic challengers at TCF Center and instructing people to email Mike at 2020 Victory, which I did around 8:00 a.m. I was told that if I could be there at 9:00 a.m. I could go through the credentialing process.
5. I arrived at 9 a.m. and was trained as a Democratic challenger upon arrival. I went through a COVID screening and then received a packet of instructions about what was not allowed at the tables. I was trained on the packet and then received credentials. Our role was to make sure that

challengers were proper, mitigate any intimidation, and protect the workers. We were instructed not to get involved in the counting unless warranted, not to talk to the people counting, and to make sure that we had grounds for any challenges we may bring. We were instructed to wear masks and stay six feet apart.

6. After I was trained, I was required to sign in with my affiliation and the time of my arrival before entering the counting room.
7. I felt like the Democratic challengers did a good job of staying in our lanes. There were two of us in a row, and we monitored three tables at a time. On the other hand, we were swarmed by groups of Republican challengers multiple times. There were enough of them there to surround us. I felt outnumbered.
8. The tables all had monitors, which were on the same corner at every table. The tables were set up in a square so that anyone could look at any time to see what the person scanning the ballots was doing. Because of this, there was no need for any challenger to get close enough to an election worker to look over their shoulders, but Republican challengers got very close to them and did so multiple times.
9. The Republican challengers were very focused on the problem ballot box. They kept asking how the box was getting the middle of the room and

would comment that they didn't know whether the ballots were being changed by the election workers.

10. Things got really ugly in the room during the day, and the Republican challengers became more and more aggressive. At one point, an election worker at my table picked up a ballot. The election worker had not even opened the envelope the ballot was in, and a Republican challenger said, "I challenge that ballot." I incredulously remarked that the ballot had not even been opened yet. The Republican challenger waited for the ballot to be opened, and then reiterated, "I challenge that ballot." She did not articulate a basis for her challenge, and none of the challenges ever amounted to anything.
11. Around 1 p.m., I watched a Republican challenger supervisor tell a group of challengers to "be super aggressive but professional." If the election workers would lean over to get a personal item from their bag, like a chapstick or something similar, the Republican challengers accused them of taking things out of their bags to somehow tamper with the ballots.
12. By 5:30 p.m., the military ballots were being counted. We had been told that the Republican challengers had been instructed to challenge all of the military ballots on the basis of pending litigation. We were asked to say

“I object to the challenge. There is no basis for a challenge to all of the ballots. I want to see all of the votes counted.”

- 13. I noticed that I did not observe any Republican challengers who were Black, Hispanic, or otherwise people of color. In contrast, the election workers were predominantly Black. I am Caucasian, and I feel that the entire experience was a tangible, illustrative example of my privilege because I did not react the same way to the Republican challengers as the people who were counting the ballots and particularly to the pounding and screaming coming from outside the room. I felt protected but they were afraid. They were exhausted, and half of the people in the room were there for the purpose of making the election inspectors’ jobs difficult. The presence of the Democratic and non-partisan challengers was much more necessary than it should have been.

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

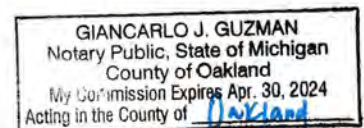
Signature of the person making this affidavit: Melanie Lohman

Affirmed before me this 17 day of November, 2020 at 1:45 pm

My commission expires on April 30, 2024.

Signature of Officer Administering Oath Giancarlo J. Guzman

Title Notary Public, State of Michigan
County of Oakland



AFFIDAVIT OF MARK HALL

I, Mark Hall, being of full age, on my oath, deposes and says:

1. My name is Mark Hall. I am a registered voter and I live in the City Detroit. I work at the Public Lighting Authority of Detroit.

2. I volunteered at the Absent Voter Counting Board at the TCF Center on November 4, 2020. I knew other people from Detroit who were all in that room, and I believe we all felt the same way. I am a resident, I wanted to be part of the process for my city, particularly as people who were not residents were disrupting the process. I voted by absentee ballot in this election, so they were attacking my vote personally.

3. I arrived at TCF at around 11:30 a.m. on Wednesday, November 4. I signed into the counting room at around 12:15 p.m., after having attended a training, and left around 8:30-9:00 p.m. After I entered at 12:15 p.m., I did not exit the counting room, because around 1:00 p.m. the room had reached capacity and I expected that if I left, I would not be permitted back into the room. I came down to TCF because two friends of mine who also live in the Detroit, had posted on Facebook that there were way more Republican challengers—who were trying to disrupt the process—than Democratic challengers at TCF.

4. When I entered the counting room, I walked to the back to the AV tables numbered between 70-100, so I was able to observe the whole room while I was walking through, and there were ample Republican challengers in the room. I was able to identify them by their long, white credentials. I was based as the Democratic challenger at a single AV table, I believe numbered around #77. At one point, the Republican challenger started to break some of the rule, consistently talking to the line workers and not to the supervisor or the team lead as we were supposed to. This happened repeatedly and then eight other Republican challengers came

over and so there were nine Republican challengers around the single AV table I was working, ganging up on me and the poll workers. They kept taking down their masks and trying to talk to the poll workers in close proximity. About 10-20 feet away from this, were multiple clusters of about 5-10 Republican challengers, so there were over 20 Republican challengers in just this small section of the room. Right around the time they were shutting the room to more people entering, I was trying to keep the peace at this one AV because there were far too many Republican challengers at the single table.

5. Any time there were ballots being processed at an AV table, I would observe at least one, but often up to three Republican challengers around the table. I would say to them politely, "hey, you know there is really only supposed to be one challenger from each party at an AV table, so you can decide amongst yourselves which one of you is going to stay." My admonitions were largely ignored, and several time, I had to go get a supervisor. In my observation, the supervisors sometimes had less patience for the rule breaking since they were dealing with the same improper behavior from the Republican challengers all day. The Republican challengers I interacted with were certainly given many opportunities to respond to my polite requests, but they behaved as though they did not have to abide by the rules that were governing everyone in the room. I heard commentary from Republican challengers, that "Detroit doesn't know how to handle its elections," and they appeared to think that they were better than everyone else in the room.

6. I knew three of the poll workers. I did not know that they were going to be there, but I just happened to know them from growing up in the City. One was a year above me in high school. When he was processing ballots, a ton of Republican challengers were yelling at him, and the police had to get involved and push everyone back from him just so he could do his

work. Another poll worker had been a teacher of mine in high school. When I was walking around the room, I saw her and we said hello, and we both observed a guy from the Michigan GOP taking photographs of a posting on the walls that had the poll workers names and tasks. All of the poll workers noticed that he was taking photographs of their identifying information. Another Democratic challenger and I followed him, and got a supervisor. The police ended up getting involved and he was kicked out for breaking the rules of taking photographs in the AVCB.

7. The poll workers were just average Detroiters—teachers, recent graduates, creatives. It was hurtful to me how they were being treated; these are folks that I have known for over a decade. My largest observation might have been that the Republican challengers were not looking at any of the people working the election at a human level.

8. When the room reached capacity in the early afternoon, they stopped letting additional people enter. At no point were only Republicans barred. Even when more people were not being let into the room, at no point did I see an AV table processing ballots that did not have at least one, if not more, Republican challengers. This was true for the Democratic challengers too, there was a very even spread of folks from both parties in the room.

9. People congregated on the outside and were banging on the windows and shouting. At the same time, they were letting some non-partisan challengers in, and the non-partisan challengers who came in with “EIF” were shouting inside the room, with Republican challengers, something like, “Stop the Count, Stop the Vote.” This was shocking to me that such behavior was occurring inside the room where this process needs to happen; where my own vote was being counted. People in the crowd outside seemed like they were trying to get into the room, and they were climbing up on the edges of the windows. At the same time, there were all

of these people out on Washington Boulevard, and so I was really concerned that it was going to turn violent, especially if more people pushed in.

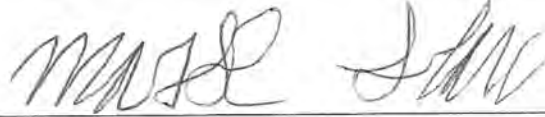
10. A bit later, they were doing the military ballot duplication. I was at, I believe, AV#77, and two tables over, at what I think would have been AV#79, the Republican challenger outburst with yelling and like a huge commotion. I could not imagine why there was a commotion breaking out, it was the same process that had been explained to us and used any time a ballot needed to be duplicated. There was also a female Republican challenger at the AV table with me, and all of the proper numbers of poll workers to do the duplication. There were about 10-12 military ballots at my AV table. We could observe the whole process and then the workers also showed us both the original and the duplicated ballot. Every single duplicated ballot I saw completed, not a single one had an issue of being mis-marked. Everything I observed, the poll workers did everything 100% correct as they were supposed to.

11. The only disruptive outbursts that I saw were from Republican challengers. The only people I saw who were filming or taking photos against the rules were Republican challengers. It seemed to me that they did not actual understand how the process worked and just felt entitled to assert themselves even when they were incorrect. I consistently observed Republican challengers breaking the rules, including, having too many at an AV table, talking directly to the line poll workers, taking their masks off, and taking photos and videos. Later, on Facebook, I saw that someone had posted a photograph of the screens of the monitor of one of

the AVs, which showed voters' names and identifying information.

I swear under penalty of perjury that the foregoing is true and correct. Executed on

November 12, 2020



Mark Hall

Sworn to before me before me this 12th day of November, 2020 at Wayne County



Notary Public

My Commission expires on: 03/08/2025.

AFFIDAVIT OF EMILY HARRIS

I, Emily Harris, being of full age, on my oath, deposes and says:

1. My name is Emily Harris. I am a 3L law student at the University of Michigan Law School. I am a registered voter and I live in Ann Arbor, Michigan.
2. I was a non-partisan challenger at the Detroit Absent Voter Counting Boards (AVCB), located in the TCF Center, on the day after the election when processing and counting ballots was still underway. I had challenger credentials from the Lawyers' Committee for Civil Rights (LCCR).
3. I learned that more non-partisan challengers were needed at the AVCB, via a post from another law student on our law school listserv. There were a group of law students that I knew who were already at the TCF Center, so I headed to Detroit to meet them and join up as a non-partisan challenger.
4. On Wednesday, November 4, 2020, I arrived at the TCF Center at approximately 2:30 p.m. When I arrived, there was a large crowd of people outside, but they were not letting them enter the building. I noticed that people with credentials were going to the front of the group, and asking a person standing there, who seemed to be in charge, if they could enter. I was able to move to the front of the crowd and was allowed in the building (into the vestibule area) because I told them I was with the Lawyer's Committee and showed them my challenger credentials from the LCCR.
5. At that point, once I was in the building, they were not letting anyone into the actual room where ballot counting and processing was occurring. At that point, the crowd was getting a bit upset. I spoke to a man who told me he was from the Michigan Democratic Party, and he explained to me that they were not letting anyone from any of the challenger

organizations (whether Republican, Democratic, or non-partisan) into the room because it was at capacity. He expressed frustration that people were getting upset. He told me that there were other members of the Michigan Democratic Party waiting near the vestibule area.

6. As time passed, people were getting more heated about not being permitted into the room, particularly as press were still being allowed to enter. A woman came out and informed everyone that there were still too many people in to room and that both the Republican and Democratic Party challengers were over their allotment, so they were not letting any partisan challengers into the room, but that they did have room for some non-partisan challengers. People were yelling at her, not letting her finish talking, and in my view, were not being kind or respectful at all.

7. Some of the congregated people got very rowdy and were very upset in response to the woman speaking.

8. After a little time had passed another man, who I believe was overseeing challengers, stated that they were not able to admit any additional people at this time, because they were over capacity. Another individual, who may have been an elections official subsequently came outside and explained that there were people from both parties in the room and that they could not let more people inside.

9. People in the vestibule seemed to become more heated when they were given information from the officials. It appeared that particular people were leading the charge. There was a man who often would not be covering his face properly with his mask, and was goading on the group, leading them in loud recitations of the Pledge of Allegiance and the Hail Mary. He was a middle-aged white man with dark brown hair, wearing a black shirt, glasses, and scruffy-looking facial hair. I noticed people who were very upset and rowdy taking videos,

talking about how this was voter suppression. Although I am not sure which party everyone was affiliated with, it seemed that some Republican challengers were upset that they were not being allowed inside. I said to people in the crowd that I was a non-partisan challenger and was not being let in either. People did not really respond when I said this. In addition, people in the crowd seemed very upset that the press were being let in. One person said that because they were letting press inside, the room could not be at capacity.

10. The middle-age white man wearing the black shirt then left the vestibule area and got other people to go with him, and I think they went to the left of the vestibule.

11. They began to let some non-partisan challengers into the room in groups of 6 people. When two groups of 6 non-partisans had been permitted in the room, the man that had led a group of people away (described above in ¶ 9) came back leading a larger group of people and began the “stop the count” chanting and pounding on the windows. I was in the next group of 6 that were going to be let in so I was quite close to the front when this happened. This all was extremely loud and disruptive, and the glass appeared to be shaking from the outside. Because of this disruption, they paused on letting people in the room in groups of 6. The police had to come out and stood around the windows to prevent the banging from continuing. While I was out in the vestibule, I spoke with multiple people who were also prevented from entering who were also not Republican challengers. For most of the time, I was with three women attorneys who had LLCR credentials.

12. Around or slightly after 5:00 p.m., they began letting people in the room, and I entered the AVCB. While I was in the counting room, I later saw some of the people who engaged in the disruption were now in the counting room as challengers. This included both the

man who was instigating the disruption as well as a white woman, around aged 40, with dark hair, wearing overalls.

13. I was actually in the AVCB room for a little less than two hours. I observed ample Republican, Democratic, and non-partisan challengers. At one of the tables I was at, there was a female Republican challenger at the screen, writing down the numbers for all of the absentee ballots scanned, but was not voicing challenges to them.

14. I left the TCF Center for home with another law school classmate at around 7:00-7:30 p.m.

I swear under penalty of perjury that the foregoing is true and correct. Executed on

November 16, 2020

Emily Harris
Emily Harris

Sworn to before me before me this 16th day of November, 2020 at 6:22 p.m.

Daniel A. Baum
Notary Public

My Commission expires on: 01/07/2024.



AFFIDAVIT OF DIANE HUTCHERSON

I, Diane Hutcherson, being of full age, on my oath, deposes and says:

1. My name is Diane Hutcherson. I am a registered voter and I live in the City of Detroit. I worked as an Election Inspector for the Team A shift at the Absent Voter Counting Boards at the TCF Center on Monday, November 2, 2020, and Election Day, November 3, 2020, through the early morning hours of November 4.

2. I worked at AV#21, in the number three position of five election inspectors. I had to make sure that the voted absentee ballots were in their secrecy sleeve. If anyone on the five-person team had a question or problem, we would raise a red flag that we had at the table to call over one of the supervisors for our section.

3. On Monday, November 2, our shift began at 8:00 a.m., and we were only processing, not yet counting absentee ballots. We were processing the ballots, so that when the Team B shift began their work on Election Day, they could turn initially to counting ballots.

4. All of the Republican challengers seemed to arrive at once on Monday. The Republican challenger at our table on Monday—a middle-aged white man—would sit or stand immediately next to us at the table. He came right up behind myself and the other election inspectors on my team. Consistently, his mask would not be pulled up over his nose; people would say something to correct him, and he would respond pulling it up, but would pull it back below his nose shortly thereafter. I told him once, “you are not supposed to be this close; you need to back away from me.”

5. The Republican challengers also badgered us with a lot of questions, but they were not supposed to be asking us questions about the process. Questions were supposed to be directed to the supervisors or team leaders.


6. On Monday, I observed way more Republican challengers than Democratic challengers. I thought at some point that there were only Republican challengers there on that first day, as almost every person I saw looking on was wearing a tag that said MIGOP.

7. On Tuesday, I arrived into the counting room around 10:00 p.m. Quite often there was more than one Republican challenger at each of our tables, even though the rule was only one from each political party at any particular table. At every table that I could see, there was at least one, if not more, Republican challengers present, observing, and often disrupting. It is a lie if they say that they couldn't view the process.

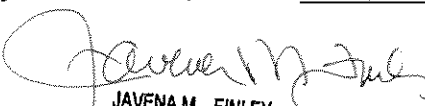
8. The voting process to me is sacred. The majority of the Republican challengers I saw were white, and many older white men. It felt very intrusive to have them pacing around, and the only way I could describe it was that I felt like we were on a plantation with the Republican challengers as overseers; theirs was an atmosphere of attempted intimidation, pacing around, leaning in to us. It felt like, "what were we supposed to do to please them?" All we were doing were our jobs to count votes, and we would have been doing that same thing without them there.

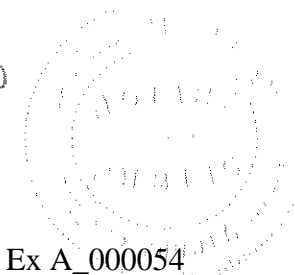
9. This experience solidified my decision to work on the election, and I will continue to be involved in the future. Our vote in the City of Detroit is important, and I am not going to let people from outside our community to try to prevent us from exercising that right.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 13, 2020


Diane Hutcherson

Sworn to before me before me this 23 day of November, 2020 at 12:08 PM


JAVENA M. FINLEY
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Apr 5, 2021
ACTING IN COUNTY OF Wayne



Ex A_000054


Notary Public

My Commission expires on: April 5, 2021

AFFIDAVIT OF WITNESS

I, Jacob Aaron Kahn, age 24, natural born citizen and registered voter, resident of the City of Novi, after having sworn in accordance with the law, do hereby depose and state THAT:

1. On or about 11:00 a.m., November 4th, 2020, at the TCF building in Detroit, I did witness a Republican election challenger contest ballot ending #3251, on the basis that the table for that precinct had not yet received its supplemental roster. The election officials informed the challenger that the ballot would be set aside pending the distribution of the final supplemental rosters. The GOP challenger insisted adamantly that he had, on good authority from other Republicans, specific knowledge that no additional supplemental rosters would be forthcoming.
2. On or about 11:30 a.m., November 4th, 2020, at the TCF building in Detroit, I did witness a Republican election challenger contest ballot #00324 on the basis that the last digit on the ballot did not match the last digit on the precinct list. The ballot was set aside into a tray for problematic ballots.
3. On or about 1:30 p.m., November 4th, 2020, at the TCF building in Detroit, I did witness at ICC #18, AV #18, a crowd of 6 Republican election challengers raising their voices and standing within a foot or two of election workers seated at a table. These Republican challengers were asked repeatedly to step back in light of social distancing, and to lower their voices, and to reduce their number present at the table to 1, in keeping with the rules and to match the 1 single Democratic challenger present. Only after 2 supervisors showed up, and threatened to have the police eject the challengers, did the Republican challengers step back and lower their voices.
4. On or about 2:15 p.m., November 4th, 2020, at the TCF building in Detroit, I did witness at ICC #17, AV #5, a group of Republican challengers contesting a ballot on the basis that election workers were entering supplemental numbers and information into a "general comments" section of the poll book. An election supervisor reviewed the issue and informed the challengers that the worker had acted properly. The Republican challengers continued to stand and protest.
5. On or about 3:00 p.m., November 4th, 2020, at the TCF building in Detroit, I did witness a number of Republican challengers insist to poll workers at multiple tables that each ballot must be set aside as problematic because a lawsuit had been filed. A number of such challengers held themselves out as attorneys. Upon information and belief, I do believe at least one such challenger was offering a false name for himself.
6. On or about 3:40 p.m., November 4th, 2020, at the TCF building in Detroit, I did witness at table 88, a Republican challenger shouting at the table supervisor that she wanted to challenge a ballot. She could not articulate a basis for her challenge, at all. The supervisor said the ballot would not be marked as challenged.
7. On or about 6:40 p.m., November 4th, 2020, at the TCF building in Detroit, I did witness at ICC #16, AV #77, a group of approximately 8 GOP challengers raising their voices and stating that they could not see a ballot. They refused to look at the computer screen provided for them on the edge of the table. Ultimately the police had to come calm them down and enforce the rule of 1 challenger per party per table.

8. General observations: Throughout the day, GOP challengers refused to wear masks, or insisted on placing them only over their mouths but not their nose. Additionally, many GOP challengers wore masks full of holes, or even made of mesh. GOP challengers constantly refused to follow the guideline of 1 challenger per party per table. A number of GOP challengers stated to me that they had witnessed dozens of fraudulent ballots counted. I asked them why they had not challenged the ballots, or brought the issue to the leadership seated on the center dais. They could not answer these inquiries. A number of GOP challengers claimed to be attorneys. I asked each of them to provide me their bar #. All of them refused. Some gave names, which I do not believe to be their actual names, after googling and comparing photos to faces. On countless occasions I witnessed an election worker ask GOP challengers to take a few steps back, rather than standing directly on top of them. On each occasion, the GOP challenger refused, and a supervisor or other authority figure had to intervene. At one point a GOP challenger felt I was standing too close to her, and she walked up and assaulted me by physically body-slaming me out of the way. I witnessed GOP challengers cursing, addressing election workers after repeatedly having been told not to (and to direct complaints to supervisors). I also personally witnessed a number of GOP challengers state to each other that, following the filing of the Trump Campaign lawsuit in Michigan's Court of Claims, that each and every ballot must be challenged on the basis of the denial of meaningful access.

9. Shortly after the lunch break, approximately 3:00 p.m., I witnessed a crowd of several dozen GOP challengers pounding on the glass, screaming for the count to be stopped. The number of the mob greatly outnumbered the police present, and I along with other challengers and election workers feared for our safety. Only after the windows had been papered over did the pounding on the glass settle down, at which point the GOP challengers inside the room began chanting and stomping their feet, as well.

10. Finally, and I believe this to be of the utmost importance and wish for it to be entered into any official record: I personally observed, at the lunch break, that a number of election workers, confined to a wheelchair, were told if they left the room to use the elevator to go out to get food, they would be denied re-entry. I also spoke to a number of election workers who stated that they were prohibited from taking a 2nd box lunch for their disabled coworkers. As well, I witnessed, and was informed by a number of workers using wheelchairs, that the bathrooms in the room were not handicap accessible. To deny disabled election workers the same rights and privileges as others is to create a secondary class of citizens, and to gatekeep them from participating in a fundamental process of our democracy which directly impacts the trajectory of their lives, in direct contravention of the letter and spirit of the ADA, as amended.

FURTHER AFFIANT SAYETH NAUGHT.


Jacob Aaron Kahn

Subscribed and sworn to before me
this 10th day of November, 2020


Elizabeth Craskey, Notary Public
Washtenaw County, MI

My Commission Expires: 11/10/2022



AFFIDAVIT OF LOREN LEE

LOREN LEE, BEING OF FULL AGE, ON HER OATH, DEPOSES AND SAYS:

1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.
2. I am currently a third-year law student at the University of Michigan.
3. I am a registered voter in Ann Arbor, Michigan.
4. On the morning of November 4, 2020, I received multiple notifications stating that volunteers were needed to act as challengers at the TCF because several absentee ballots were still being counted there. I arrived with three of my friends to participate as a non-partisan challenger around 11 a.m.
5. I received training and was credentialed as a non-partisan challenger for the Lawyers Committee for Civil Rights Under Law. During my training, I was informed that our role was to make sure that the poll workers felt safe and that they could execute their duties with as little interference as possible. I was to alert a supervisor any time a poll worker raised a concern about social distancing, ballots being challenged without good cause, or intimidating behavior on behalf of a challenger. I was also to help ensure

that each counting table was being watched by exactly one person per party.

6. When I first arrived at TCF Center, the Republican challengers were wearing lanyards with very long, white credentials which clearly stated "GOP" on them. Democratic challengers were wearing green dots on their shoulders and most also had "election challenger" name tags.
7. At around 1 pm, I saw 4 GOP challengers observing one table. Multiple supervisors came over asking them to disperse because they were violating social distancing rules and because they were violating the "one person per party per table" rule. One woman was yelling at the supervisor about being asked to disperse. They finally did so after approximately eight minutes.
8. At around 2 p.m., I received a notification from CNN that Donald Trump's campaign had filed a lawsuit alleging that Republicans were not able to access the ballots at the TCF center, despite my observation that there were roughly equal numbers of both Republicans and Democrats in the room.
9. Within minutes of my receipt of the notification, I heard a voice through the loudspeaker calling a team meeting for the supervisors of the poll workers. My supervisor, Blaze Kearney, also came over and called a meeting. Blaze suspected that GOP challengers' behavior would escalate

because of the lawsuit. I looked around and saw the GOP challengers talking in a group in the corner.

10. Shortly after this, I heard many people say that the TCF center was “on CNN.” People were outside chanting “Stop the Count.” They were aggressively pounding on the windows. I was in the back of the room, away from the windows, but I was still frightened because the people yelling and pounding on the windows were so loud and angry.
11. Either building security or the police department (I am not sure which) went into the lobby and placed themselves between the glass and the people yelling outside. Eventually, cardboard was placed over the windows.
12. Around 3 p.m., I noticed that some GOP challengers had removed their credentials. Because part of my role was to ensure that there was only one person per party at a table, I had to ask people who had removed their credentials what their affiliation was. They either lied and stated that they were nonpartisan, or they were rude and told me that it was “none of my business.” However, I recognized these people as GOP challengers because I had been at the TCF Center since 11 a.m., and they had all previously been wearing GOP credentials.

13. I remember one GOP challenger in particular. She was a white woman with dark hair and glasses, and she was wearing black leggings, black Ugg boots, and a long-sleeved burgundy shirt with white lace on the sleeves. Whenever there was a challenge, she got involved even if it was not at her table. She was extremely aggressive and even put her hand in my face when I tried to remind her that there was only supposed to be one person per party at each table. She claimed that she was an attorney, and that because of this, she was entitled to be involved in every challenge regardless of whether she was the Republican challenger at the table or not. She refused to provide her name or a P number to confirm this statement.
14. From 3:05 p.m. to 4:12 p.m., GOP challengers challenged every single ballot on the basis of “pending litigation” at the table I was observing. We kept explaining that the lawsuit was not good cause to challenge individual ballots. Eight GOP challengers came over and surrounded the table. Eventually, the lead supervisor came over and said that they would be removed if they did not disperse. They dispersed, but the original challenger at the table wrote down every ballot number from that point forward and said she was challenging all of them, even once she stopped verbally doing so.

- 15. I believe that the lawsuit filed by Donald Trump's campaign escalated the situation at the TCF Center. The behavior of the GOP challengers inside the room became more hostile and aggressive, and the people outside became loud and disruptive almost immediately after it was filed.
- 16. I was present in the counting room from approximately 11 a.m. until 5 p.m. on November 4, 2020.

SIGNATURE FOLLOWS ON THE NEXT PAGE

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: *[Signature]*

Affirmed before me this 17th day of November, 2020 at 11:47 AM

My commission expires on 07-24-2024

Signature of Officer Administering Oath *[Signature]*

Title NOTARY

DENISE D. MADEWELL
Notary Public, State of Michigan
County of Wayne
My Commission Expires Jul, 24, 2024
Acting in the County of <u>WAYNE</u>

AFFIDAVIT OF LESLIE LOTT

LESLIE LOTT, BEING OF FULL AGE, ON HER OATH, DEPOSES AND SAYS:

- 1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.**
- 2. I am a registered voter in Detroit, Michigan.**
- 3. I am an attorney and have volunteered as a Democratic challenger for the last three elections.**
- 4. I served as a Democratic challenger at the TCF center on November 4, 2020. I was there from 9 a.m. until about 7 p.m. My understanding of my role was to ensure that election law was being followed by the challengers in the room and the election workers.**
- 5. The table that I was monitoring seemed to be used as a training table for Republican challengers. It was clear to me that the Republican challengers had not been trained on their roles. One Republican challenger kept trying to talk to the election workers. I reminded her that she needed to talk to a supervisor and that she could not speak to the election workers directly. At one point, she attempted to challenge a**

ballot, but could not articulate what her challenge was. Another Republican challenger came over and tried to coach her. I asked him to step back because of the rule that there could only be one person per party at each table. He responded, "Litigation has been filed." I asked him if that was his formal challenge, and he replied that it was. I then asked him "What election law is being violated with regard to this particular ballot?" He did not answer. A challenge was entered, but I asked for a note from me to be entered as well, stating that he had not articulated a violation of election law, and that there was no legal merit to his challenge.

6. Another Republican challenger was making repeated frivolous challenges, so I asked that she be removed. A supervisor came over and talked to everyone and reminded them of their roles. It turned out that this particular challenger was making challenges based on the fact that she did not understand the process.
7. Republican challengers who were identifying themselves as lawyers kept coming to our table to coach the Republican challengers who were there. I asked them if they represented the challengers in their individual capacities or whether they were replacing the challengers. One of the

Republican lawyers walked away when I asked this question, but not before I heard her say to the challenger, “Challenge every vote.”

8. Republican challengers repeatedly violated the “one person per party at a table” rule. At one point, there were at least three Republican challengers by the table and three more who were from the Election Integrity Fund. They were able to stop counting at the table with frivolous challenges for twenty-five minutes. Someone from the Detroit Department of Elections came to the table and told the election workers that they should begin counting again.
9. Around 4:11 p.m., a Republican challenger made a challenge stating that “there were ballots left in the box after the box came back from the tabulator.” The election worker opened the box to show that no ballots were in it, and denied the challenge. I logged another challenge stating that the Republican challenge had no legal merit and was being used to intimidate the election workers and delay the counting process. After this, the Republican challenger made no more formal challenges, but sat in front of the monitor at the corner of the table writing down every single ballot number for two hours.

SIGNATURE FOLLOWS ON THE NEXT PAGE

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

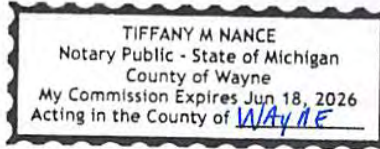
Signature of the person making this affidavit: *Leshi Lott*

Affirmed before me this 17 day of November, 2020 at 11:00AM/EST

My commission expires on June 18, 2026.

Signature of Officer Administering Oath *Tiffany M. Nance*

Title *Notary Public*



AFFIDAVIT OF RACHEL LUTZ

I, Rachel Lutz, being of full age, on my oath, deposes and says:

1. My name is Rachel Lutz. I am a long time Detroit resident and registered voter. I am a fourth-generation small business owner in the City.

2. I volunteered at the Absent Voter Counting Board at the TCF Center in the early morning hours of November 4, 2020 (from 12:15 a.m. to 3:30 a.m.). I was a credentialed challenger from the Lawyers' Committee for Civil Rights Under Law. A friend had called me late on Election Night and said that observers were needed at TCF.

3. When I arrived, I showed my credentials and my ID to be checked into the room. In the room appeared to be Republican challengers and either Democratic or non-partisan challengers, but Republican challengers were definitely in the majority. Most of the non-partisan challengers appeared to have just arrived because we were huddled in the corner training. I could tell who the Republican challengers were because they had long credentials that said MIGOP. And even for folks who were not wearing that specific credential, you could tell who was affiliated with them because they would be clustering together, meeting, and talking. Throughout the progression of the night, I could tell by observing interactions who was from which organization. One of the main things that I observed in these overnight hours, was that there was a buzz in the room in anticipation of a large batch of military ballots that were expected to arrive and that sixty Republican challengers were on their way to TCF, in anticipation of those ballots arriving.

4. I happen to know a lot of people who were working counting ballots because I am Detroit resident and so are they, and many are active in community causes. Numerous individuals I know from around the City spoke to me, and all voiced discomfort with the racial

dynamic and other intimidating factors in the room: probably 95% of the workers were Black and almost all of the Republican challengers were white. One of my friends told me that before the non-partisan challengers arrived, she felt the atmosphere was a “free for all” because the Republican challengers were not following the rules and no one was holding them accountable. Another friend, a Black woman, who was serving as an election inspector, summed up the feeling of multiple folks I heard from by describing it as an “overseer vibe.” I happen to work in the fashion industry, and I noticed a number of the Republican challengers were older white men wearing, what I would call, “plantation style hats.” It is not typical to be wearing a light-colored summer-style hat in November in Michigan. I personally felt uncomfortable with the dynamic, and multiple people I know from the community felt as if the challenges were purposely trying to intimidate them. Altogether, the presence and the attitude given off by the Republican challengers—as if they knew better than the people who were actually trained and working the process—felt insulting to the City of Detroit and its people. When reminded of the rules, many of the Republican challengers argued as if they were entitled to behave how they wanted to behave, independent of the established rules.

5. I consistently observed multiple Republican challengers gathering at one AV table, even though the rule was only one challenger per party at an AV table. Throughout the period I was there, pretty consistent rule breaking I observed from the Republican challengers included: (1) not providing appropriate space, as Michigan is spiking with COVID, and (2) clustering around tables. Once, a Republican challenger—a white man in his 20s wearing a cranberry sweater—was super close, I mean, within inches of an election worker and there was a heated discussion between them. I tried to defuse the situation; I asked the challenger to respect the need for distance and he became extremely heated. He started yelling, “challenge,

challenge,” without specifying what he was challenging. He abruptly left to talk to a group of Republican challengers on the other side of the room and then 6 to 8 of them came to swarm the table.

6. My primary focus was to keep workers protected; if I saw anyone standing within inches of the counters (though, in truth, the only people I saw doing this were Republican challengers), I would say, verbatim, “Just a gentle reminder, please give the workers 6 feet for their protection.” Usually people would step back while I was still standing there, but as I was circulating around the room, when I would come back by minutes later, they would be right back where they had been before they stepped back, and so I would say, “This is your second reminder, please give the workers 6 feet for their protection,” and then “third reminder,” and so on. I would suggest that they go talk to the organization that brought them there to help them understand the process better and learn the rules. If they were not actually challenging a ballot, they should not have been speaking to the workers or stepping in closer. In my view, it appeared that the Republican challengers were poorly trained; they did not seem to understand the rules or how challenges were actually permitted under the law. I respect and appreciate a challenger’s right to be in that room to observe a fair and legal process. I honestly want people from all sides to be there, but we all need to follow the rules. And nearly consistently, Republican challengers appeared to get very agitated when they had to abide by the rules.

7. My observation of the actual counting process was that the workers were very focused on their jobs, very meticulous in each carrying out the step that they were supposed to in the process. That was consistent across all of the AV tables. The supervisors were identifiable in their embroidered shirts and were all very engaged with what was happening at their particular

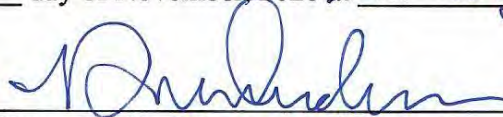
tables. I was pretty amazed by the process as a whole, and impressed that they still had energy going at such a late hour.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 17, 2020



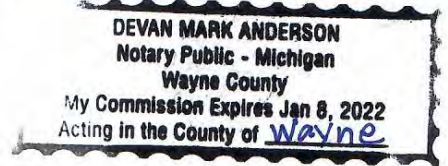
Rachel Lutz

Sworn to before me before me this 17 day of November, 2020 at in Wayne Co.



Notary Public Devan Mark Anderson

My Commission expires on: January 8th 2022



AFFIDAVIT OF DAN MCKERNAN

I, Dan McKernan, being of full age, on my oath, deposes and says:

1. My name is Dan McKernan. I am a registered voter and I live in Grosse Pointe Woods, Michigan. I work for the International Union of Operating Engineers, Local 324.

2. After the AFL-CIO sent out notifications that parties and organizations were looking for poll watchers and challengers for the November 3 General Election, I decided to sign up as a Democratic poll challenger.

3. I served as a Democratic challenger at the TCF Center in the absentee ballot counting area from about 11 am to 5 pm on Wednesday, November 4, 2020.

4. After I arrived at the TCF Center, I underwent a short training with other Democratic challengers, and then went to sign-in. At the time I signed in, they were only letting a certain number of people in at a time to make sure the numbers were manageable.

5. Once inside, I was impressed with the organization and transparency of the counting process. There were dozens of multi-table set-ups. Every table had a large monitor at the corner of the table. It was easy to watch poll workers scan each ballot, see the name of the voter, and watch the whole counting process. The poll workers seemed diligent and focused on their jobs.

6. When I first arrived, the atmosphere seemed pretty calm. Each table allowed and has a Democratic and Republican challenger as well as so-called non-partisan challengers who appeared to be coordinating with the Republican challengers. There was a supervisor circulating, making sure everyone's badge was displayed and that there was not more than one Democrat or Republican at each table at a time. There were more Democratic and Republican observers in the TCF Center than tables, so a number stood back and rotated in periodically.

7. Despite the relative calm in the later morning and early afternoon, there were a few incidents I observed and for which I signed incident reports. These involved Republican challengers being disrespectful to poll workers, leaning over their shoulders, breathing down their necks, shouting about not seeing where ballot came from despite everyone's clear view, and yelling and insulting the poll workers.

8. The atmosphere changed dramatically around 2 PM, which I later learned was when the Republicans had filed a lawsuit to stop the count. This was also around the point in time when an announcement was made that military ballots were going to be counted but that they could not be run through the machine and so they would need to be copied onto other ballots but everyone would be able to view the process. It was around this time that the Republican challengers huddled on one side of the room and appeared to be formulating a new strategy.

9. After the Republican huddle, the observers began to fan out around the room. They seemed suddenly much more aggressive with poll workers and began employing stalling and delay tactics. One Republican challenger took his mask off by the ballot machines and made a scene when he was asked to put it back on and the count paused while he was escorted out. Then another Republican challenger engaged in the same tactic.

10. At this point, Republicans were challenging everything at the two tables I could see. When the ballot envelope was opened, they would say they couldn't see it clearly. When the next envelope was opened, they made the same complaint. They were objecting to every single step down the line for no good reason. At this point, these were all military ballots. When the Republican challenger interfered enough with the process, a poll supervisor would tell the challenger they were obstructing, and the Republicans would rotate someone else into the table.

11. I also observed a woman serving as a Republican challenger reading the names and addresses of voters into her phone. After I raised my hand to flag this for supervisors, they approached her and instructed her to put her phone down.

12. One of the most shocking things I observed was when I was standing next to a group of seven or so Republican poll challengers. They may have believed I was one of them because they were talking loudly enough that it was easy for me to understand what was happened. One of them, who appeared to be the leader of the group—a young, tall, clean-cut man who reminded me of Jared Kushner—instructed the others that they were going to count the military ballots, and they would have to challenge every address because they couldn't let those ballots get counted.

13. During this same period, the lobby began to fill up with people shouting, chanting, and banging on windows. It was obvious the poll workers were becoming uncomfortable with this situation. Some people started covering some of the windows so the poll workers didn't feel as intimidated and could focus on counting. It was obvious the tactic of the crowd outside was to delay the vote counting as much as possible because every table still had a Republican and Democratic challenger so there was no access or observation issue for either party. Although the room was locked by 3:30 pm, this was merely because the room was completely full and there were already observers at every table and more waiting in the wings.

14. Between 3 and 4 pm, there was a large chanting crowd outside the doors, and a door temporarily opened, and a bunch of people charged in demanding to oversee the process even though room already had Republican challengers at every table. There were maybe about 20 of these people that got in and were yelling. The police had to come in to deal with the situation. A few other challengers and me felt like we needed to stand there to physically protect

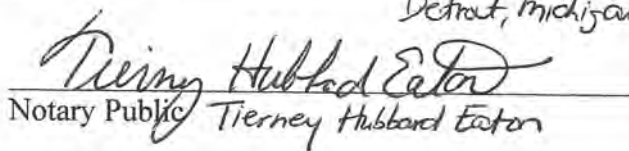
the poll workers. Luckily, after the police came over, these people left and there was never a physical altercation inside the room.

15. The conduct of the Republican challengers was disturbing and seemed designed to shut down the process rather than ensure an accurate count. Any claim that they were not able to observe each step of the process cannot be true given the transparency of the process and their presence at every table.

I swear under penalty of perjury that the foregoing is true and correct. Executed on
November 13, 2020


Dan McKernan

Sworn to before me before me this 13th day of November, 2020 at 12:29pm.
Detroit, Michigan


Notary Public Tierney Hubbard Eaton

My Commission expires on: 1/10/2022.

AFFIDAVIT OF JEN MCKERNAN

I, Jen McKernan, being of full age, on my oath, deposes and says:

1. My name is Jen McKernan. I am a registered voter and I live in Grosse Pointe Woods, Michigan. I work for the Michigan Regional Council of Carpenters & Millwrights.

2. I recently served as a Democratic poll challenger for the November 3, 2020 General Election. During the day on Election Day, I served as a challenger at a polling place in Detroit. Following my shift, I was notified more Democratic challengers were needed at the TCF Center and I decided to go down there.

3. I served as a Democratic challenger at the TCF Center for approximately 5 hours, from about 11 pm on Tuesday, November 3, through 4 am on Wednesday, November 4.

4. After undergoing training along with other Democratic challengers, I signed-in and entered the ballot counting area. While I was there, the area was completely open and I was able to easily observe the entire ballot counting process as were all the other challengers there. The ballots came to the table, the poll workers opened the envelopes, took off the tabs, and counted the ballots. It was all very straightforward and easy to observe, very much like an assembly-line process. Each ballot was also recorded such that the information appeared on an easily observable computer screen on the edge of a table. The counting process was profoundly boring, as it should be.

5. There were other tables of mismarked ballots, often those that were marked with check marks or the like rather than filling in the circles. For these, they were likewise transcribed correctly onto new forms so they could be processed. This process was also open and easy to observe.

6. During the period I was at the TCF Center, there were tons of challengers, including Republican challengers. When I arrived, there were probably more Republican challengers than Democratic challengers. The Republican Challengers were easy to identify because they wore long white lanyards that said "MIGOP" on them had a GOP logo. By 2 am, the TCF Center was full of people. If any challenger claims they were unable to get in on Tuesday night, I cannot believe that is true as they seemed to be letting lots of people in.

7. While not true of all Republican challengers, a number of them that I observed were obstructionist and interfering with the counting process. I observed some strategizing to create problems rather than to preserve an accurate ballot count.

8. One particular example stands out to me. At a table with a poll worker transcribing mismarked ballots onto a new form, a young man serving as a Republican challenger loomed over her, making remarks to her the entire time even though challengers were not supposed to speak directly to the ballot counters, and interrupting her when she tried to respond. No matter how many times he was asked to stand back, he persisted and was clearly upsetting her. She eventually made a mistake, likely because he frazzled her, and she acknowledged the mistake and sought to fix the issue. But he continued to harass her and delay the process before he was eventually asked to move back to a six-foot observation distance. His conduct suggested his intent was to harass and delay.

9. I also observed a number of Republican challengers not practicing social distancing despite the ability to observe each aspect of the ballot being called up on the computer screen at the edge of each table.

10. I also understand some people have made complaints about overhead announcements disputing the process. That was not my experience. I heard maybe two overheard

announcements, which lasted less than a minute, and concerned breaks and snacks upstairs. They were similar to what one might hear in a department store.

I swear under penalty of perjury that the foregoing is true and correct. Executed on
November 13, 2020

Jen McKernan
Jen McKernan

Sworn to before me before me this 13th day of November, 2020 at 12:30pm.
Detroit, Michigan

Tierney Hubbard Eaton
Notary Public Tierney Hubbard Eaton

My Commission expires on: 1/10/2022.

AFFIDAVIT OF HEATHER MOURER

I, Heather Mourer, being of full age, on my oath, deposes and says:

1. My name is Heather Mourer. I am a registered voter and resident of Highland Park. I am a community herbalist serving Detroit, Hamtramck, and Highland Park, and work in Donor Relations at Wayne State University.

2. On November 4, I was a credentialed challenger for the Michigan Democratic Party at the Detroit Absent Voter Counting Board at the TCF Center. I first found out about the need for challengers in a post on the Detroit Women's Leadership Network, and then on Wednesday morning, I saw a lot of friends posting the same on Facebook, so I headed to TCF.

3. I arrived at TCF around 9:30 a.m., and went into the counting room a little before 11:00 a.m. after going through a training. I signed in, showed my ID, showed my credentials, and had a temperature check. When I came into the counting room, there were both Republican challengers and Democratic challengers. Initially, there were more Republican challengers in the room; I observed this because I was looking for an AV table without a Democratic challenger, and I was walking to the back, nearly all of the tables had multiple Republican challengers and one Democratic challenger. The Republican challengers were wearing what looked like big backstage passes for their credentials that said MIGOP. As time passed, more Democratic challengers came because the balance in the room became even. I think I was in one of the last groups of Democratic challengers that came into the room, because we brought it up to equal numbers.

4. In addition to numerous counting tables having more than one Republican challenger, I observed Republican challengers not staying at appropriate distance, touching ballots that were being processed, and putting their hands on workers' shoulders. I saw a number

of Republican challengers pulling their masks down and getting in the face of the poll workers at the table. Once I got to my counting table to observe, for the first ten minutes or so, it was just me and one female Republican challenger, who kept asking the line workers a bunch of questions, but after ten minutes, 6 to 8 other Republican challengers swarmed the table with her, and I could not even see what they were challenging because they were all grouped around the screen. One of the elections supervisors notice and came over to try and dissipate the group. A couple of other Democratic challengers came over to witness the scene, and when the group broke up a different one of the Democratic challengers stayed at that table, and I ended up at a different counting table. Shortly thereafter, the same thing happened again, with 6 to 8 Republican challengers descending on the same table. The election supervisor was a woman this time, and some of the male Republican challengers got really, really close to the supervisor and into her personal space. I did not feel safe trying to intervene. A couple of male Democratic challengers came over, and one of them ended up staying as the challenger at that table instead of me. A few other supervisors came over and helped the original supervisor dissipate the crowd and have them move to other tables.

5. At these first two tables, other than the instances I described, the Republican challengers were going up to every single ballot, badgering the workers with questions, and challenging each vote. It either seemed like they intentionally wanted to slow down the process or that they did not understand what they were supposed to challenge. They kept asking questions to poll workers about the processing, when they were supposed to direct questions to the supervisors. There were explicit instructions not to slow down the count, so it seemed like they didn't know the rules – some were just slowing it, but it also seemed like some were genuinely asking questions. I would say some of the older Republican challengers seemed to be

doing what they were supposed to do and like they had done this before. But I think many other had just come down to create drama, challenge everything, ask questions.

6. At some point in the afternoon, after 1:00 p.m., one of the Democratic challengers who had more experience told us that the military ballots would come soon, and explained the whole process to us: that the votes would be on smaller paper, how the ballots had to be duplicated, and that it would be a bi-partisan process duplicating them with both a Democrat and a Republican election inspector. The more experienced Democratic challenger asked us to find a table to observe and wait for the military ballots to be brought around. There were probably around two hours from the instructions until the ballots were delivered. I was sitting on the floor by my table waiting, and there a group of female Republican challengers, one of the women explained the instructions to the group. She said, and I wrote this down because my father is a veteran, and it just really shocked me: “They’re about to begin counting the military ballots; we want you to challenge all of them; stop every single one.” This was completely shocking to me.

7. In the meantime, once the Democratic challengers started to become aware of the Republican challengers plans for the military ballots, the more experienced challengers to told us that when they challenged the ballot, we should say, “I object.” And since the Republican challengers would not have a basis, the counters will be able to move on from the challenge. They told us to make sure our objection to the challenge also got recorded.

8. In the mid-afternoon, I heard a commotion up front (my table was near the back of the room). My neighbor, a pastor’s wife, was a poll worker, and someone from her church texted her that we weren’t safe here, so she asked me if I could find out what was going on. So I went up the front, and I first noticed that the media cameras were focused on the man who I think was the lawyer for the Republican party. There was so much banging, and it was so loud, you


could hear it in the back of the room. I thought the glass was going to break. Those people who were working close to the windows were all getting nervous for their safety. Throughout the whole time, there were absolutely plenty of Democratic, Republican, and non-partisan challengers in the room.

9. Once the news came that they called Michigan for Biden, some of the Republican challengers started to disperse, including the female Republican challenger who was at my table. This was at AV#107. That precinct only had one military ballot. I was standing there waiting, when an older gentlemen came over and asked me if I was the Democratic challenger, I told him I was, and he told me he was the Republican challenger, and told me, "I just want to let you know I am not going to challenge these ballots." So they, just did the duplication process, showed us both the original and duplicated ballot, it looked good, and that was done.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 17, 2020


Heather Mourer

Sworn to before me before me this 17th day of November, 2020 at OAKLAND COUNTY: MICHIGAN


Notary Public

My Commission expires on: 06-15-2027



AFFIDAVIT OF KEERTHANA NUNNA

I, Keerthana Nunna, being of full age, on my oath, deposes and says:

1. I am Keerthana Nunna, a third-year law student at the University of Michigan Law School. I am a resident and a registered voter in Ann Arbor Michigan.

2. I served as a credentialed non-partisan challenger on behalf of the Lawyers' Committee for Civil Rights (LCCR) at the City of Detroit Absent Voter Counting Boards (AVCB), at the TCF Center, on both Election Day, Tuesday, November 3, 2020, and the day after, Wednesday, November 4, 2020. On Election Day, I served as a non-partisan challenger from 6:00 a.m. through 8 p.m., during the entire sequestration period. On November 4, 2020, I check in as a non-partisan challenger at 11:12 a.m., and checked out at approximately 7:30 p.m. I was credentialed by LCCR on both days.

3. I heard about the need for non-partisan challengers the Absent Voter Counting Boards through another law student, who was regularly sending out updates on volunteer opportunities around the election. I attended two training sessions prior to my work as a non-partisan challenger. I believe both were conducted by the NAACP, another non-partisan organization.

4. On Election Day, I was a challenger in what I would call one "lane" of the tables of absentee counting boards. There was an equal number of Republican Party and Democratic Party challengers in the lane I was in, and fewer non-partisan challengers. The Democratic Party challengers had a green dot sticker on their back and yellow ID tags. Some Republican challengers wore a long white credential, but I observed numerous Republican challengers not wearing their credentials. The LCCR challengers were all wearing a badge that indicated that they were there on behalf of Lawyers' Committee. There were also challengers who I

understood to be from a different non-partisan organization, the Election Integrity Fund, who wore white badges about the size of a business card that said "Election Challenger," but did not say on them the sponsoring organization.

5. When we arrived on Election Day, there were already some ballots in the room from the pre-processing that had happened the day before but which still needed to be counted as counting had not yet begun. Periodically throughout the day, a van would drive into the room, and deliver ballots. The ballots were in trays that were entirely inside cardboard sleeves that covered the ballots. The deliveries would be stacked on a table in the center of the room. The van would then leave the room, and the head election inspector for the counting board would call out the AVCB for each set of ballots. The supervisor from each table would go and get the ballots from this center table and bring them back to the AVCB table to be counted.

6. In the morning on Election Day, I saw the Republican challengers repeatedly talking directly to the poll workers. It was my understanding that challengers (from any organization) were not supposed to do that, so I would let the election official supervisor know that was occurring. The supervisor had informed all of the challengers that if there is a problem or question to come to him directly. I spent a fair amount of time on Tuesday needing to flag down a supervisor because the Republican challengers were talking directly to the poll workers, even after we had been told that we were supposed to bring issues to the supervisor.

7. At each counting table, there was a laptop the poll worker was working on the contents of which would be duplicated on a monitor at the end of each table which could be viewed by challengers, or by anyone in the room. The election inspector would pick up a ballot, input the ballot number, which was read out loud, then the name associated with the ballot was

read aloud. This would all show up on the screen-share monitor as the election inspector worked on the laptop.

8. During the day, if the system flagged that there had been more than one ballot for a voter, the elections workers would stop and check with the clerk's office, who confirmed that the original ballot had been spoiled, which is how the voter came to have a second ballot.

9. I observed three younger, white, male Republican challengers, two of whom I had spoken with a fair amount during the day (they told me they were challengers for the Republican Party and one of them said he had gone to the University of Michigan for undergrad), put on their coats and backpacks and leave early at approximately 4:30 p.m., even though we were not supposed to leave until 8:00 p.m. because we were sequestered. One of those challengers was also the one who kept speaking directly to poll workers even after the supervisor had told him to stop. He was white, with brown hair, in his 20s, approximately 5'4" tall, wearing a grey shirt. He also refused to wear his credential and kept bringing over and speaking with older Republican challengers who were wearing their identifiable credentials on lanyards. When an election worker asked for his credential (since he was not wearing it), I observed him take a piece of white paper out of his pocket, unfold it, and show it to the worker.

10. At around 7:50 p.m., the workers thought they were done, and everyone started standing up and getting their belongings, but a supervisor announced on the PA system that everyone had to stay until 8:00 p.m. Everyone I observed appeared to follow this direction, and sat back down to wait out the rest of the time until the sequestration period had ended.

11. I returned to serve as a non-partisan challenger again the next day, Wednesday, November 4. I arrived into the room at 11:12 a.m. (I had noted the time when I was signing in). There were more Republican challengers on Wednesday, November 4, than there even had been

on Election Day itself. The Republican challengers appeared to be more consistently wearing their credentials on Wednesday than on Tuesday; I saw their long badges with GOP in block lettering. I was also able to recognize some of the challengers based on who had been present the previous day. In general, there were consistently many challengers in the room.

Immediately I observed that Tuesday had been a lot calmer than it was on Wednesday; I think because people could not have their phones on Tuesday.

12. Initially, I was observing at AV#23 and in the lane surrounding that table. There were both Democratic and Republican challengers at the AVCB tables in my field of view. The Republican challenger at AV#23, in the morning, a white woman, was pretty calm (compared to some of the other behavior I observed). She just stood there in the morning and would ask some questions, that the supervisor always answered. A different Republican challenger, a white male, was there in the afternoon; he just stood by the monitor and wrote down every person's name and the time the ballot was entered into the system, and ballot number. He had said that because a lawsuit was filed, they wanted to challenge every ballot, but he did not actually verbally challenge any of the ballots that he was writing down the information about.

13. In the afternoon, I had a friend who had come down to the TCF Center to be a non-partisan challenger and she was stuck outside the room as well because they had stopped letting challengers in because the room was at capacity. There was a growing crowd outside the room, and then the people gathered outside began banging on the windows into the room. Workers were visibly concerned, and I heard election workers talking with each other that they were worried that the crowd was going to break the windows. At some point, I believe the police moved folks away from the windows or calmed them down, because the banging then did stop.


14. Throughout the whole day, including in the afternoon when they were not letting additional challengers into the room, there were many Republican challengers still in the room. Throughout, they stood very close to the tables and had full access to what the poll workers were doing.

15. Shortly after the banging, so tensions were heightened in the room, at the AVCB table I was at, were me, a Republican, and a Democratic challenger. Another challenger wanted to observe as well, but the poll worker said that there could only be one of each type of challenger. Everyone got extremely heated, and an election worker supervisor called over the police (I do not know how the uniforms reflect the rank or office of police officers, but he was wearing a white hat). The police officer with the white hat stayed at the table for about fifteen minutes, and the election worker allowed the additional challenger to observe as well, so there were four challengers at the table. That fourth challenger, once permitted to stay, just stared at the monitor and recorded names and ballot numbers just like the Republican challenger who was already at the table.

16. I observed the duplication of ballots when either something was wrong with the ballot so it could not be scanned by the tabulator or the military and overseas ballots, which all had to be duplicated. I observed one Democratic and one Republican election worker conducting the duplications, and then a Democratic, a Republican, and a nonpartisan challenger were all watching the process. In my observation, the Republican challengers were directly on top of the poll workers during the duplication. When either of the challengers asked to see something, the poll workers would just show it to them. When the military ballots were being duplicated on Wednesday, the election workers described the process to both the Republican and Democratic challengers before that process started.

17. As the crowd who had tried to force their way into the room was apparently still outside, when I left, the police had us go around through the back door to exit. Some gentlemen who were somehow related to the TCF Center walked me and my law school classmate to our cars because the disruptive crowd were still outside.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 12, 2020



Keerthana Nunna

Sworn to before me before me this 12th day of November, 2020 at Ann Arbor.



Notary Public

My Commission expires on: 12/21/2023.



CYNTHIA KERSCHBAUM
NOTARY PUBLIC- STATE OF MICHIGAN
COUNTY OF WASHTENAW
My Commission Expires 12-21-2023
Acting in the County of Washtenaw

AFFIDAVIT OF NICOLE RITTENOUR

NICOLE RITTENOUR, BEING OF FULL AGE, ON HER OATH, DEPOSES AND SAYS:

1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.
2. I am a registered voter in Detroit, Michigan.
3. I am an architect, but I worked as an Election Inspector in the City of Detroit for the 2020 election. I was at the TCF Center on Tuesday, November 3, 2020 from 5:30 a.m. to 9:00 p.m., and from 5:30 a.m. on Wednesday, November 4, 2020 until 12:30 a.m. pm November 5, 2020.
4. Before my shifts, I completed a three-hour training at the TCF Center. There were five election inspectors at each table. I was in position #1 at my table. I was at the computer, and took unopened ballots in stacks of 25. I leafed through them to make sure that they all had the clerk's portion completed. I scanned them into the electronic pollbook one by one. When I scanned them, a name would appear on the computer. I would make sure that the name and ballot numbers were the same on the computer as they were on the envelope. The #2 person would then look at the ballot number and make sure that it matched the pollbook. If the ballot did not match,

the #2 person would write the correct number on the ballot, and then cover it with a piece of white tape. I would make a specific note in the electronic pollbook when this occurred.

5. There were more Republican challengers than any other organization. We would have been diligent about our duties regardless, but I felt nervous because they were watching us so intently, so I took extra care to be diligent about my duties. In my opinion, the Republican challengers did not know the process, so they did not really know what to challenge.
6. I participated in the ballot duplication process. We were told to try to run every ballot through, but if they did not go through, we would duplicate them if applicable. My supervisor was positioned in between the # 2 person and me with a blank ballot. I would give the name and number for the old and new ballots, and then read off each section while the #2 person filled in ovals. The supervisor watched. One challenger from each party watched. We initialed the ballots at the top, and indicated which ballot was a duplicate and which was an original. We would initial the ballots and the put white tape over our initials. We would then step back from the ballots and allow the challengers to take their time examining side by side. I would make a specific note in the electronic pollbook when this occurred.

7. Wednesday is when the Republican challengers started being rude to us. They kept standing right over our shoulders and we had to repeatedly tell them to step back. They spoke directly to us even though they were instructed not to. They were asking questions meant to harass us and delay the process, like asking us where we lived and things of that nature. A lot of them refused to wear masks properly, if at all.
8. I was at working at the third row of tables away from the glass when people were locked out. It was horrible. By the time the doors were locked, there were already so many challengers in there, and everyone was so close to us. The situation got so much more tense when the doors were locked. We started noticing that people were pounding on the glass. People thought that they could just walk in, they did not realize that they had to be trained or actually be a challenger. We were all worried because we didn't know who these people were. My supervisor instructed us to move our bags away from our feet so that we didn't have any obstructions in case we needed to run. The #2 person stood up because she didn't feel comfortable having her back to the glass. It was really scary.
9. I saw a man standing on the window mullion that was three feet off of the ground, separating a top and bottom window. He was pounding on the glass. I saw the glass flexing and I was thinking, "These people are going

to break the glass.” We couldn’t concentrate because we just kept waiting to hear something break. Someone at my table reminded me that there were no metal detectors, and nobody was wanted to get in. Then I started to worry that the people outside or inside might have guns. It felt very unsafe.

- 10. My husband saw what was happening on the news and called me on Wednesday to tell me to have the police walk me to my car, and to remind me not to drive straight home in case I was being followed.

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: [Handwritten Signature]

Affirmed before me this 18 day of November, 2020 at LIVONIA, MI

My commission expires on 8/16/2021.

Signature of Officer Administering Oath [Handwritten Signature]

Title _____

GAYL ANN TREPANIER
NOTARY PUBLIC, WAYNE COUNTY, MI
My Commission Expires 08/16/2021
Acting in WAYNE County

DECLARATION OF BRANDY Y. ROBINSON

Pursuant to 28 U.S.C. § 1746, I, Brandy Y. Robinson, hereby declare as follows:

1. My name is Brandy Robinson. I live and am a registered voter in the City of Detroit. I am a Michigan-barred attorney and I practice law in the City of Detroit.

2. I served as a credentialed challenger for the Michigan Democratic Party at the Absentee Voter Counting Boards (AVCB) in my city on November 4, 2020. The night before, I had seen a social media post saying that there were scores of Republican challengers heading to the TCF Center. I had previously done work on Election Day, and so this report set off alarm bells for me because it really seemed like an outlier experience. I woke up around 5:30 a.m., and asked around in my network and learned about the need for Democratic challengers. I arrived at the TCF Center just before 8:00 a.m. I worked until about 5:10 p.m., with a break to eat a sandwich in the lobby for around 35 minutes.

3. When I entered the room at TCF, there were two tables set up side by side, where workers were checking folks in. I gave them my name, they checked my credential, and gave me the instruction that if I had any questions I should direct them to the supervisors, and not directly to the line level poll workers.

4. I immediately observed many Republican challengers in the counting room. Some were wearing an MIGOP tag around their necks, and others identified themselves as Republican Party challengers when I would just ask who they represented. In the morning, it was my strong impression that there were more Republican than Democratic challengers in the room. This was concerning to me because I thought it had the potential to become hectic when the ratio was so far out of balance. Over the course of the morning, more Democratic

challengers showed up, and the ratio was balanced. Around noon, additional people from both political parties showed up, and it started to become physically crowded in the room.

5. I was present in the counting room when the election officials stopped letting people in. There were many both Republican and Democratic challengers in the room at that time. Some of the Republican challengers in the room were becoming disruptive at this point. There were several who were extremely angry because they seemed to believe that only challengers from their political party were left out of the room, but that was not true. I had friends who were trying to enter the TCF Center as Democratic challengers but they were also kept out of the counting room at that time. At that time, Republican affiliated challengers began to chant "STOP THE COUNT" and caused a commotion from this behavior in the counting room. I could not identify who started the chant, but it made me very concerned. It was completely inappropriate for that kind of disruption to occur in the place where election workers were counting votes. I felt panicked, and specifically started looking for police officers who could help prevent the disruption to counting from re-occurring. Neither the police nor the corporation counsel would step in to address the chanting and commotion in the counting room though. There was more than adequate representation from all of the challenger groups on the floor during this entire time.

6. I observed Republican challengers standing behind the adjudicators' table in the center of the room. They all had sight lines onto the computer monitors and one of the election supervisors even had the workers Zoom in on their screens so that the challengers could see the disputed ballots better. The floor had been marked with tape where people were supposed to stand, and several Republican challengers kept stepping ahead of this line. They were continually speaking directly to the workers who were trying to get through the ballots. It was

quite clear to me that they did not understand the process, and in my view it was inappropriate for the Republican challengers to show up at the Counting Boards uninformed and then disrupt the people who were actually engaging in the process. The constant interruptions of the workers at the adjudication table was making it hard for them to work efficiently, so I told the Republican challengers that they needed to engage with the supervisor if they had questions, as we had been instructed. They did not back off until I had protracted discussions with them. They were slowing down the counting process when they should have come to the Counting Board prepared to know about the process in the first place.

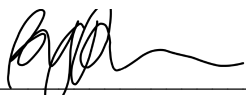
7. Between 4:00 – 5:00 p.m., a Republican challenger began insisting that a particular table processing military ballots was violating the rules. She kept demanding that a Republican-affiliated poll worker be seated at the table. It was not at all clear that the person she wanted to have sit at the table was qualified for that purpose. Her behavior was interrupting the process, and she did not seek out a supervisor who could implement what she was insisting on if it in fact was required. Poll workers were sitting side by side doing the ballot duplication, and this female Republican challenger was extremely disruptive. This was particularly problematic as there was already another Republican challenger, a younger male, observing the processing. She kept yelling that the Republican challenger (again, not her, but this younger male) could not see. Whether he could see or not, all he needed to do was step slightly to the side, as I was, so you could see the ballot being duplicated in front of the election inspectors. She kept insisting, and so I asked her why she did not switch out with him since she appeared to be the one with the concern, and he was not raising such an issue. With this screaming going on right behind her back, one of the election inspectors stood up, and said that it was too stressful for her and she

was going to take a restroom break. This was a clear incidence of the Republican challenger disrupting the counting process.

8. Several election inspectors and Democratic challengers made it clear that there was a male Republican challenger either videotaping or taking photographs of a computer screen. The man had to be escorted out because that was completely against the rules. When an election inspector complained that another female Republican challenger was taking video of the election workers, I confronted her with the complaint and asked her to stop. Breaking the rules in this manner was particularly concerning as the challengers had full access to the process throughout the counting room and the media also had complete access and were filming the entire time.

9. I spoke to numerous Republican challengers who were from communities like Rochester, Royal Oak, and Brighton. I wondered whether any of these folks had genuine concern for the City of Detroit and its electorate. It would never, and has never, occurred to me to show up in someone else's community and presume that their poll workers were fraudulently tabulating votes. In my view, the behavior of the Republican challengers was rooted in notions of racial superiority and the view that Detroit's largely Black poll workers were incompetent and incapable of accurately processing votes. This was demonstrated by the way in which they were insisting that the election workers were not doing their jobs correctly, when in fact, the election inspectors were doing their jobs correctly and the things that the Republican challengers were insisting they do instead were incorrect.

I swear under penalty of perjury that the foregoing is true and correct. Executed on
November 17, 2020



Brandy Y. Robinson

AFFIDAVIT OF SARIDA SCOTT

I, Sarida Scott, being of full age, on my oath, deposes and says:

1. My name is Sarida Scott. I am a registered voter and I live in the City Detroit. I am a Michigan-barred attorney and I work in the City of Detroit.

2. On Wednesday, November 4, 2020, I served as a credentialed challenger for the Michigan Democratic Party at the Absentee Voter Counting Boards (AVCBs) in Detroit at the TCF Center. I had been a volunteer on Election Day doing voter protection with the Michigan One campaign. The next day, I was speaking with my contacts there, and I asked if they needed more help, and they told me to go to TCF if I could.

3. I arrived around 10:30 a.m. and signed into the counting hall, putting in my name, affiliation, sign in time. I showed my credentials and received a temperature check. When I entered the counting hall, I could see that there were many Republican challengers in the room, who I could identify because they had a long white piece of paper around their necks and they were standing around by the people seated processing ballots. I think at that point in the morning, there was approximately a 2:1 ratio of Republican challengers to Democratic challengers.

4. I was personally surprised by the behavior I witnessed from the Republican challengers. They appeared to be very aggressive. They were standing very close to the workers, which was especially galling because COVID-19 is spiking in Michigan right now. There were regularly more than one Republican challenger per AV table, and I was taken aback by the manner in which they were speaking to people. Their tone was both condescending and accusatory to the workers and the residents of Detroit.

5. At one point, a Republican challenger was sitting at one of the worker tables in front of the computer, and she would not get up. I told her that she needed to move, that she was not a worker so she was not allowed to take that place at the table, and reiterated that it was not proper. She did not listen to me, and did not respond to the admonition from the election worker supervisor. Only when a couple of other Republican challengers came over, did she then get up and walk away.

6. Perhaps the most shocking thing I observed, was the chanting of "Stop the Count," and Republican challengers beating on the doors and the glass walls. I knew some of the workers from around the City; people were nervous and were afraid. It was hostile behavior from the Republican challengers; I had never seen anything like it. There were at least three or four incidents after that where Republican challengers had to be removed, for being aggressive or for filming or taking photos. I ran into two other women who I know well who had also volunteered, and we are all Black women. Throughout the course of the day, we all had the experience of poll workers asking us to come and stand at their AV tables to counterbalance the Republican challengers who were looming over them.

7. When they brought the military ballots in to be counted, they first had them at the tables in the middle to be sorted out to the precincts. And all of the Republican challengers lined up in these straight lines around the center sorting area, and it appeared threatening even to me. At this time, I was standing to the side with the two other women I know (mentioned above in ¶ 6), and an elections worker asked the three of us to come stand where the Republican challengers were standing as the workers felt intimidated. I saw myself as trying to be a counter balance. When I would see two challengers at a table, I would say, "okay, who is the Republican here and who is the Democrat?" And if they were both Republicans, one would usually leave. If

there was no Democrat, I would then stay as the challenger at that particular AV. We were there to make sure that every vote is counted; that is what was conveyed to us in our training, and we could provide insight into the process, field some of the questions the Republican challengers were peppering the workers with, and keep things moving.


8. At about 4:55 p.m., at ICC#20, AV#96, the workers were processing the military ballots, where one worker would read off the vote selection, another would enter it on a ballot that could scan, and the supervisor was observing. The Republican challengers were being extremely hostile during this process. One of the workers looked fearful, and later indicated to me that she felt intimidated by the way they were behaving.

9. Also during the processing of the military ballots, at perhaps 5:15 p.m., at ICC#23, AV#11, the Republican challenger was challenging every single military vote. I confirmed with the supervisor, who was named Louise, that both a Republican and a Democratic election inspector were doing the duplication work, so there were no grounds for the challenge. She confirmed that there were, so I was able to note that the Republican challenges were not valid.

10. As an attorney, the experience really made me think about the advocacy we need around changing the process. It was predominantly Black workers, and predominantly white Republican challengers, many – perhaps even the majority – of whom were being hostile and threatening. It was certainly not an environment that was conducive to anyone trying to do work. The supervisors were very well trained, but many of the line poll workers, seemed as though they felt that they had to respond to all the sustained questioning from Republican challengers, instead of being able to ignore them and do their work.

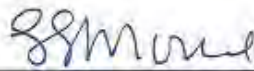
11. A huge observation I had, was that many, if not most, of the Republican challengers seemed not to know the rules. The Republican challengers who were attorneys did seem to somewhat understand the process, but by and large it seemed like the Republican challengers did not even understand the process they were observing. They were constantly asking workers for information about the ballots that was visible on the monitors that were there for that purpose. It seemed like the Republican challengers had been coached to try and slow down the process and came in with the mindset that it was not being done properly. I found the manner in which the Republican challengers spoke to the workers and about the City so offensive as a Detroit.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 18, 2020



Sarida Scott

Sworn to before me before me this 18th day of November, 2020 at 11:38am.



Notary Public

My Commission expires on: 10-24-2024.



AFFIDAVIT OF JEREMY SHUR

I, Jeremy Shur, being of full age, on my oath, deposes and says:

1. My name is Jeremy Shur; I am a resident and a registered voter in Ann Arbor, Michigan. I am a law student at the University of Michigan.

2. On November 3, 2020, I served as a credentialed Democratic challenger at the polling location at Ward 1, Precinct 1, in Lansing, Michigan. On November 4, 2020, I served as a credentialed Democratic challenger at the Absentee Voter Counting Boards (AVCB) in Detroit, Michigan, located at the TCF Center.

3. I arrived at the TCF Center at approximately 9:30 a.m. on November 4, following a post from a fellow law student on LawOpen, an electronic messaging board at the law school, which indicated that additional challengers were needed to observe at the AVCBs in Detroit.

4. After attending a training for credentialed challengers, I signed into the AVCBs at approximately 10:15 a.m. I served as a challenger throughout the day on November 4th, leaving at approximately midnight.

5. Upon entering the room, and throughout the morning and early afternoon, I observed that there was approximately a 1:1 ratio of Republican to Democratic challengers. There were also non-partisan challengers in the room. My understanding was that they were credentialed on behalf of the Lawyers Committee for Civil Rights and on behalf of the Election Integrity Fund. To the best of my observation, the non-partisan groups were similarly represented at a 1:1 ratio. Later in the day, after the news networks had called Michigan for Joe Biden, Republican challengers greatly outnumbered Democratic challengers in the room. I was able to observe the ratio of challengers because the credentials for each group were different.

The Democratic challengers were identifiable by a green sticker; the Republican challengers had credentials around their necks on a lanyard.

6. Throughout the day, at every AVCB table I observed, of which there were 134 in the room, there was always at least a 1:1 ratio of Democratic to Republican challengers. There were no barriers blocking challengers from approaching the tables, and throughout the day, I observed Republican challengers coming well within six feet of the elections workers and not abiding by the distancing rules due to COVID-19. This was not a matter of challengers stepping within six feet in order to do something in particular; keeping distance was consistently disregarded. I was particularly distressed by the racial dynamics in the room. The elections workers were majority Black, and the Republican challengers were majority white, and constantly invading the personal space of the elections workers and speaking to the workers in a rude and disruptive manner. Due to the impact of COVID-19 on the Black community, and the spike currently ongoing in Michigan, the lack of compliance with distancing appeared especially egregious to me.

7. I personally observed unfounded challenges, such as asserting individuals were dead because they had similar names to those on some list the Republican challengers were working from, but did not have other matching identifying information. I also observed the Republican challengers repeatedly making efforts to slow down the process, for example, by repeatedly asking the same questions to elections inspectors. I also observed en masse challenges of the counting process following the crowd banging on the windows, as laid out below.

8. Throughout the day, I made conversation with multiple Republican challengers who readily observed that, from their impression, the process was running smoothly and that they did not observe anything amiss with the absentee vote processing and counting.

Furthermore, throughout the day, I stood right along side multiple Republican challengers who did not levy any challenges at the process.

9. I was planning on stepping out of the room when a crowd started forming outside of the AVCB room, so I decided it was best to stay put at that time. Individuals outside the room started pounding on the glass wall, which was shaking due to their pounding on it. It was my understanding that folks were not being let into the room at that time because it was at capacity. This made sense to me, because on my observation, the room was still very full of people when the crowd gathered outside the room. While this disruption was going on, there was still easily more than one Republican challenger and Democratic challenger per table still inside the room. I know fellow law students, who would have been Democratic credentialed challengers, who were also locked out of the room at that point.

10. Immediately following or concurrent with the crowd gathering and causing a ruckus, the Republican challengers huddled and came out en mass making challenges asserting that they did not have access to the challenge process and so were challenging all ballots being counted on that basis. By my observation, the fact of these challenges demonstrated that they were unfounded because there were sufficient challengers in the room able to make, and in fact making, those challenges. This appeared to be a coordinated effort on behalf of the Republican challengers in the room.

11. I was present in the room when the military ballots arrived to be processed. This occurred at approximately 2:00 p.m. When the military ballots arrived, a large number of Republican challengers congregated around the poll workers conducting this process, so I organized some of the other Democratic challengers to ensure that we were observing the process as well. The military ballots were sorted at the central location in the room and delivered

out to each of the 134 AVCB tables. The poll worker would walk the ballots over to the tables and were accompanied by Republican challengers as they delivered the ballots out to the counting tables. To my knowledge, no other ballots came into the room at that time other than the military ballots.

12. I also personally observed the ballot duplication process, which would occur at an AVCB table. The duplication requires at least three pollworkers: one who read out the vote from the ballot that needed to be duplicated, another worker who filled out the duplicated ballots, and 1 or 2 other workers witnessing the process. Republican, Democratic, and non-partisan challengers were all watching this process closely, and were free and able to make challenges during it. There were always challengers from both parties observing the duplication.

13. I also observed the set up of computers that the elections workers were using. The way the computers were set up in the room, the screens were facing out into the room, and were fully visible to any challengers in the AVCB room. There were also monitors visible at each of the AVCB tables, which faced outward, so were visible to any challengers or anyone else present in the room. I observed numerous Republican challengers sitting facing the monitor at AVCB tables and asserting their challenges from there. Around midday, I observed a Republican challenger sit down directly next to the election inspector working the computer at an AVCB table, and so he was inches away from the computer screens. Throughout my entire time at the TCF Center, I never observed anyone being blocked from observing the computer screens throughout the room.

14. I also observed the tabulation process. Once ballots were fully processed, they would then be taken to be scanned through the tabulator machines. This process was done fully in the open and could be (and was) observed by challengers from all parties. I observed a poll

worker explain to a Republican challenger that ballots were only ever fed through the tabulator twice if the first scan did not work (and indeed, the tabulator could not read the same ballot twice); otherwise, once put in the tabulator, the ballot was deposited into the machine.

15. Ballots were moved throughout the room (to the various steps of processing and counting) in white USPS bins. I never observed ballots being brought into the room in these white USPS bins, despite the fact that I was in the room from 10:15 a.m. through midnight, with only a short break for around noon when I stepped outside to eat a sandwich, and was circulating throughout the room observing various aspects of processing and counting at the AVCBs.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 11, 2020

Jeremy Shur
Jeremy Shur

Sworn to before me before me this 11 day of November, 2020 at 4:30pm.

Julie M. Aust
Notary Public

My Commission expires on: 2/10/2026.

JULIE MARIE AUST
Notary Public, State of Michigan
County of Washtenaw
My Commission Expires 02-10-2026
Acting in the County of Washtenaw

AFFIDAVIT OF EDWARD STAEBLER

I, Edward Staebler, being of full age, on my oath, deposes and says:

1. My name is Edward (Ned) Staebler. I live in and am a registered voter in Ann Arbor. I am an economic developer who works in Detroit, Michigan.

2. On November 4, 2020, I was a credentialed Democratic Party challenger in the Absentee Voter Counting Boards (AVCB) in Detroit at the TCF Center. I served as a challenger from around 9:00 a.m. through midnight. I stepped out a bit after 12:00 p.m. and had a sandwich, and returned to the room, perhaps 30 minutes later.

3. After signing in, when I entered the AVCB room, there were ample numbers of Republican challengers in the room. I would estimate that at the point early in the day there was an approximately 2:1 ratio of Republican to Democratic challengers. Over the course of the next couple of hours, more Democratic challengers arrived, and the ratio between the two parties evened out. A large number of challengers from both parties were in the room the whole day, and I would say the numbers only dropped after around 8:00 p.m.

4. I could identify the challengers by the different things they wore. The Republicans challengers wore lanyards with long paper credentials hanging off of them. The Democratic challengers, myself included, wore bright green stickers. Non-partisans also had different credentials. In the afternoon I observed that individuals credentialed as non-partisan were being directed to certain tables by the same people placing Republican challengers. I asked one of these non-partisan challengers what group he was here with, and he said to me, "I don't know." I questioned that he did not know what group he was here with, and he snapped at me, that "I don't have to tell you." This suggested to me he was not a proper challenger, so I told the

election supervisor that he did not appear to have credentials. She went over and spoke with him, and he pulled a paper out of his pocket and showed it to her.

5. At the start of the day, perhaps between 9:00-10:00 a.m., the Republican challengers were quite aggressive. Patrick Colbeck—I know who he is because he was an elected official before—was directing Republican challengers to go every table and challenge every ballot because there were not enough Republicans. This seemed belied by the number of Republicans in the room at this point. His objections were noted in the electronic poll book, but the workers told him that such an objection did not mean that they would stop counting ballots. He left around 11:00 a.m., and the room mellowed for about an hour or so.

6. At around noon, we heard the Republican challengers being briefed, and their leaders were telling them that they needed to be more aggressive. I had some conversations with Republican challengers who were stationed near me, and they told me that they were told to be more aggressive. I personally observed a female Republican challenger challenging every ballot, even before it was pulled up on the computer screen.

7. At around 2:00 p.m., they stopped letting people in because the room was at capacity. There were still plenty of both Republican and Democratic challengers in the room at that point; still easily a 1:1 ratio of Republicans to Democratic challengers. For some documentation that there were Republican challengers in the room: two female Republican challengers did a stand-up interview in front of the media about the supposed law suit. It was my understanding that only one Republican credentialed challenger was trying to get back in and the other people were Republican poll watchers. I could see out the windows and there was a lot of pushing and shoving among those in the crowd, and the police were not really responding yet when the crowd first formed, and it was an elections official who was telling the crowd we were

at capacity in the room. Not long after that, more Detroit police arrived, and they marked out a three-foot cordon from the door, but not from the windows. It began with dozens, and I would estimate expanded to around 100 Republican challengers or poll watchers who were very agitated, very angry, and chanting “stop the count.” We then observed that the people in the crowd were filming into the room on their smart phones and someone said that they were putting it on Facebook. This scared everyone, as no one wants to be doxed or become the physical victim of irrational people, and so that is when poster board was put up on the windows. I observed a lot of the poll workers discussing this and both workers and other challengers were concerned about the people making the ruckus right outside.

8. After that point, the numerous Republican challengers in the room were saying that they were blanket challenging all of the ballots being counted. I saw the specific phrase they were saying physically written down in Republican challenger’s notes: “I issue a blanket challenge to all of the ballots being processed here on the basis of pending litigation.” I saw Republican challengers distributing this language on slips of paper to the other Republican challengers.

9. I was not stationed at a particular table, but was walking around the floor the whole time to assist as needed, provide information to other Democratic challengers and the like. We viewed our job as observing, not interfering with the process, and making sure that Republican challengers were not interfering with the poll workers. An overarching observation I made the whole time was that the Republican challengers did not respect social distancing. I saw Republican challengers being repeatedly asked to move and not moving. This failure to observe appropriate distancing did not result in their being ejected. One male Republican challenger refused to move back from the poll workers upon being repeatedly asked, and a female

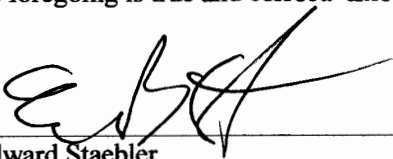
Democratic challenger who is a friend of mine was observing at the same table, and she indicated that they both needed to step back, and he threatened her with his "Second Amendment rights." I believe he was ejected because of making that threat.

10. I observed the ballot duplication process, which to me, appeared to be an arduous process with many checks and balances. Every time that I saw it getting ready to be done, if there wasn't a Republican challenger there already, I would go get one and bring them over so that the workers wouldn't have to wait. One election inspector would read the indication on the individual ballot outloud, one would then confirm what was said and mark the new ballot, and then there was a supervisor present. Each one that I observed had both Republican and Democratic challengers looking on.

11. I also observed the military ballot process which was pretty much the same. I was initially personally confused why they needed to be duplicated, but was told that the ballots could not be scanned so had to be duplicated to be read by the tabulator. The same duplication process occurred. There were at least 3, and sometimes 4 or more challengers from both parties and multiple non-partisan group all observing this process, and every challenge was noted by the workers.

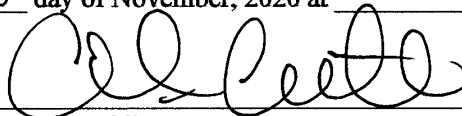
12. My consistent observation is that it was a very ordinary and pain-staking process for the election workers to do their job. The only behavior I viewed as constituting intimidation was on the part of Republican challengers.

I swear under penalty of perjury that the foregoing is true and correct. Executed on
November 12, 2020



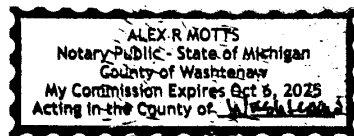
Edward Staebler

Sworn to before me before me this 6th day of November, 2020 at 3:01pm in Ann Arbor, M.



Notary Public

My Commission expires on: 10-06-2025



AFFIDAVIT OF ELIZABETH TEMKIN

I, Elizabeth Temkin, being of full age, on my oath, deposes and says:

1. My name is Elizabeth Temkin. I live in Ann Arbor, Michigan, and am a registered voter there. I am currently a third-year law student at the University of Michigan.
2. On November 4, 2020, I served as a credentialed non-partisan challenger with credentials from the Lawyers' Committee for Civil Rights at the City of Detroit Absent Voter Counting Boards (AVCB), in the TCF Center, 1 Washington Boulevard, Detroit, Michigan, 48226. I served as a non-partisan challenger on November 4th from approximately noon through 7:00 p.m.
3. I heard about the need for non-partisan poll challengers at the Detroit AVCBs from an email sent by Brain Remlinger, another University of Michigan law student, to our student listserv on the morning of November 4th.
4. When I entered the AVCBs around noon, the room was quite full of people, with at least equal numbers of Republican and Democratic challengers. At the first AVCB table I was observing, the Republican and Democratic challengers were both standing immediately behind the election inspector, quite close to the table. There was also a second Republican challenger, standing immediately behind the first one. The election inspectors repeatedly asked the second Republican challenger to move back because they were only permitted one challenger at each of the AVCB tables.
5. At each of the AVCB tables there was a visible computer monitor, that faced outward, that was easy to see. At all tables I observed, the monitor showed a list of the ballots already scanned, and when the election inspector scanned a ballot, the monitor would show the relevant identifying information. The election inspector would read out the number on the ballot.

a number corresponding to the computer system, and the name and address of the voter. You would see this information that was read out loud as it came up on the monitors. If any notes had to be input into the system on any given ballot, those notes would also show up on the monitor. I never observed anyone being told that they were not allowed to see the monitor and I, and the other challengers near me, were fully able to see the monitor at our AVCB table. One issue that I observed was when the ballot numbers did not match, which I did observe occurring periodically. Each time this occurred, there were Republican challengers present who noted it.

6. There were also a row of computers in the middle of the room. From what I saw, there would be an elections official seated at the computer and there would be a Republican and a Democratic challenger either next to them or directly behind them looking at the monitor of those computers as well. I was able to observe this as the Republican challengers were wearing badges that were quite long white strips of paper or cardstock, and the Democratic challengers had on green stickers. I could see people with each of the identifying characteristics at each of the screens with the elections workers.

7. I was at the table marked ICC#4, AV#17 for around three hours, from approximately 1:00 p.m. to 4:00 p.m. The Republican challenger at this table asked the elections official questions that I understood to be inappropriate, because we were not supposed to be talking to the people counting other than to lodge objections, and if there were questions, we were supposed to ask them to one of the elections official supervisors. While at this same table, a man who I took to be a supervisor of the Republican challengers, told the Republican challenger at the table with me to "write as much stuff down as possible, because we need to get as many thrown out as we can." I understood him to be a supervisor of the Republican challengers because I observed when other Republican challengers at AVCB tables had an issue,

they would raise their hand, and he would go over and speak with them. He was wearing the long white badge around his neck that was the credential for the Republican challengers. This man was white, over 6 feet tall, of average build, dressed in a suit, had glasses, and appeared to be in his 40s or 50s. He had paper slips that he was providing to other Republican challengers for them to take notes.

8. Sometime between approximately 2:30–3:00 p.m., word got around that a lawsuit had been filed. At 3:12 p.m., this same man mentioned in the previous paragraph told the Republican challenger at the table I was stationed at that she should be challenging every single ballot because of the allegations in the lawsuit. The Republican challenger at my table communicated that she was challenging every ballot to the election official supervisor. Shortly thereafter, the lawyer who had trained the non-partisan challengers earlier in the day, came around to tell me that I should be objecting to each of the Republican's challenges because they were being made in bad faith in order to delay or obstruct the process, as there was nothing in the challenge particular to each ballot. From that point on, I would say aloud for each ballot, "As a non-partisan challenger, I object to the challenge made to this ballot as I believe it was made in bad faith. I am here to make sure every vote is counted, and there is a Republican challenger present at this table. I believe this challenge is being made to delay, obstruct, or harass the counting process." I informed the election inspectors at my table and the supervisor in our area that I was going to be objecting to each Republican challenge in this way and asked that it please be noted in the records somehow. After informing the workers of this, I then said that same statement aloud for each of the ballots being challenged on these grounds, over and over again.

9. In the mid-afternoon, the room was quite full and indeed there more challengers from each party than there were tables in the room when I understood that additional challengers

were not being let into the room. I had another law school classmate that had arrived to be a non-partisan challenger who was locked out at this time who I was in communication with, as well as a number of other friends, who were not Republican party challengers, who I later learned were also not able to enter the room as credential challengers. Additional challengers were not being permitted into the room unless someone with the same type of credentials left the room. There was a large crowd gathered outside the room and a larger police presence than there previously had been by the door, monitoring who was coming in. It was my understanding that there was a cap on how many people could be in the room. While this was occurring outside the room in the mid- to late-afternoon, nothing had changed within the room in terms of the party challengers; there still remained a 1:1 ratio of Republican to Democratic challengers, with more party challengers than there were tables actually in the room.

10. The crowd outside began banging on the doors and the glass walls, which made people frightened. When this initially began, some of the workers started to scatter from near the doorway, but their supervisor directed them that even though it was upsetting, they must not leave the table and the ballots. You could feel the room shaking while the crowd outside was banging on the glass walls. It seemed like a sizable crowd outside the room, but in the building, and there were rumors inside the room that there was a larger growing crowd outside the building. The table I was observing, had finished a batch, and so took a few minute break at this point. Both workers and other challengers—from what I overheard and observed—and I were afraid that the door was going to be broken down.

11. At multiple points throughout the day, I observed challengers being removed by the police. This occurred when the challenger became belligerent in a way that was impeding

the process or where they challenger refused to wear their mask for COVID-19 precautions properly (or, indeed, at all).

12. I observed the ballot duplication process related to the military and overseas ballots later in the day, approximately shortly after 5:00 p.m. I observed this process at ICC#3, AV#14 and ICC#1, AV#2. For this process, one election official would open the ballot and read out the number of the ballot. The next election official had a blank ballot and would announce the number of the duplicate ballot. There was one Republican challenger and one Democratic challenger standing behind the election officials. The Republican challenger was taking notes on this process per ballot, and when asked the poll workers to show him the ballot, the worker then showed the challengers both the original ballot and the duplicated ballot. This was an extremely open process, and I observed no efforts by any workers to hide anything as related to this process. The elections officials were very much listening to the challengers and repeating ballot numbers whenever asked. There were between 4 and 6 poll workers per table, all confirming that the information was correct. I observed ample confirmation of identity and ballot numbers. There was a lot of care taken making sure everything was accurate.

13. I understood that initially the military and overseas ballots were brought into the center of the room, next to a raised platform. This center area appeared to be the distribution area for the room. Once the elections workers there sorted them, they were brought out to each of the AVCB tables throughout the room. This center are, where ballots were distributed from, was located in full view of the press, where there were cameras recording.

14. At certain points during the day, certain election inspectors were adamant that they wanted more room for COVID-19 precautions. I observed Republican challengers not respecting repeated requests to move back. I would say the challengers were never a full six feet

away from the election inspectors; we were a few feet away, and able to hear. If a challenger ever could not hear and asked for something to be repeated, the elections inspector would repeat the ballot number or the identifying information.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 11, 2020

Elizabeth Temkin
Elizabeth Temkin

Sworn to before me before me this 11 day of November, 2020 at 1:21 pm.

Julie M. Aust
Notary Public

My Commission expires on: 2/10/2026

JULIE MARIE AUST
Notary Public, State of Michigan
County of Washtenaw
My Commission Expires 02-10-2026
Acting in the County of Washtenaw

AFFIDAVIT OF KATIE TENBRINK

KATIE TENBRINK, BEING OF FULL AGE, ON HER OATH, DEPOSES AND SAYS:

1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.
2. I am a registered voter in Grosse Pointe Park, Michigan.
3. On the morning of November 4, 2020, I saw a social media post stating that many Republican challengers had arrived at the TCF Center overnight, and because of this, more Democratic challengers were needed while the remaining absentee ballots were counted there.
4. I arrived at 9 a.m. and was trained as a Democratic challenger upon arrival. We were instructed that we were mostly there to observe and to “run defense” for election workers in cases of interference. If we saw people interfering with the election workers’ ability to do their jobs, we were to get a supervisor. We were taught how to monitor the ballot duplication process.
5. Republican challengers wore lanyards with long white paper credentials attached to them. The credentials had a picture of the State of Michigan

on them and said "MI-GOP." Democratic challengers wore green stickers.

6. I participated in the ballot duplication process because there were a lot of ballots that needed to be duplicated. The supervisor called for a Democratic and Republican challenger. I served as the Democratic challenger. We watched while worker read to another worker, who would mark the ballot accordingly. We could see the ballot from where we were standing, but we were both given the opportunity to inspect them. We were encouraged to take our time and make sure that we felt comfortable with the ballot before it was submitted. Before the final ballot was duplicated, the Republican challenger began to walk away, commenting "I'm comfortable with how they're doing it." I stopped her and told her that I would feel more comfortable if she stayed. As a result, she stayed and we watched the final duplication together.
7. I saw one Republican who seemed to be at the TCF Center solely to create chaos. Many times throughout the day, I watched him run up to a table at random, and within 30 to 60 seconds of his arrival, there would be a problem at that table that required multiple people to resolve. Since he was approaching tables at random, I do not believe that he was there to resolve problems, but rather, to create problems and delay the process.

There was another woman Republican challenger who was wearing a mask made of cheesecloth. I watched her call other challengers on their phones, and then chaos would erupt.

8. One Republican challenger asked for a chair, which she was provided with. She placed the chair near the election workers and asked them questions that appeared to be innocuous small talk, but were distracting because they were trying to do a count. It appeared to me that she was trying to distract the workers. I told her that if she had questions, she should get a supervisor and ask them. She then pretended that she was having problems with her hearing aides and could not hear me.
9. I watched another Republican challenger who wrote down every single ballot number while birthdates were being manually entered. She kept standing over the workers from behind and moving around a lot. She was creating a distraction. It was 10 p.m. and the poll workers were already exhausted. Her behavior was making them take longer than they needed to, and their frustration was visible.
10. I watched another Republican challenger challenge every ballot. As ballots were being duplicated, she stated, "I challenge all of those ballots from this one on." She did not give a basis for her challenge. I replied

that I was watching the ballots being counted and that they should all be counted.

11. I was in the back third of the room when the doors were locked, so I did not see what led up to that occurring. What I do remember is that we suddenly heard a roar of noise, and I could see the glass windows moving and vibrating as they were being pounded on. It was quite scary. I got messages from friends who knew that I was there because they were concerned that I might be injured.
12. I saw one Republican challenger who refused to wear a mask. He was very tall and wearing a maize and blue University of Michigan jacket. He was asked to wear a mask repeatedly and repeatedly refused. He was being combative while he was escorted out.
13. Several Republican challengers had binocular glasses. Some of them had actual binoculars.
14. Absentee ballots were scanned by one person at a laptop using a ballot scanner. Whatever appeared on the laptop was shared onto a larger monitor that was placed at the corner of the table for challengers to observe. When the ballot was scanned, the voter record would come up on both the laptop and the larger monitor. If it did not, there was a paper book that the workers would look in next. If the record did not appear in

the laptop or the paper book, the ballot was put into the box for problem ballots. Any observer or challenger could see what was on the monitor very easily. Usually, there would be a Republican challenger in a chair sitting right in front of the monitor and writing down what they saw.

SIGNATURE FOLLOWS ON THE NEXT PAGE

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: Katey J. [Signature]

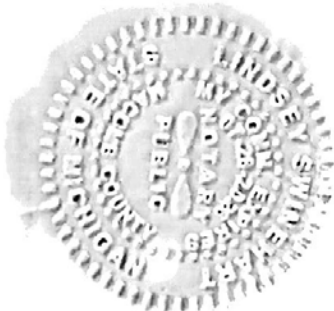
Affirmed before me this 17 day of 11, 2020 at 6:24 PM

My commission expires on 07-28-2026

Signature of Officer Administering Oath [Signature]

Title Notary Public

Lindsey Swinehart
Notary Public, State of Michigan
County of Macomb
Commission Expires 07/28/2026
Acting in the County of Wayne



AFFIDAVIT OF REBECCA WASSERMAN

REBECCA WASSERMAN, BEING OF FULL AGE, ON HER OATH,
DEPOSES AND SAYS:

1. I am over the age of 21 and if sworn as a witness, I am competent to testify about the matters set forth herein, based upon personal knowledge, except where the matter is indicated to be based on information and belief.
2. I am a law student at the University of Michigan, and am a registered voter in Ann Arbor, Michigan.
3. On November 4, 2020, some friends and I volunteered as non-partisan challengers for the Lawyers' Committee for Civil Rights Under Law while absentee ballots were being counted at the TCF Center. I was at the TCF Center from about 11 a.m. to about 5 p.m.
4. When we arrived at the TCF Center, we were trained by Blaze Kearney to be observers. Our role was to take notes on challenges, make sure social distancing was occurring, and get an election official if intimidation was occurring. We were also to help ensure that there was only one challenger from each party at each table.
5. I witnessed at least one Republican challenger and one Democratic challenger at every table that I was at while ballots were being counted.

RW

6. For most of the time that I was at the TCF Center, I was at a table with a Republican challenger who challenged a lot of ballots. She would object to strange things, like the way the ballot was passed around the table among the election workers. One time she tried to challenge a ballot, and an election official asked her what her challenge was based on. She replied, "I don't know what's going on." The election worker told her, "That is not a challenge. You should have been trained." She continued to have objections that were based upon her lack of understanding the process.
7. Once the Donald Trump campaign filed a lawsuit alleging that Republican challengers had no meaningful access to the ballots, the Republican challenger at my table began challenging every ballot, alleging "We don't have access." Each time, someone (either the Democratic challenger at the table, the election official, or myself) asked her what the specific challenge was regarding the ballot that was in front of us, that we were both able to access. She responded, "they told us to challenge it." When the election official seemed alarmed by the response and asked, "Who told you to say that?" she did not provide a clear answer. We later learned that the Republicans were instructed to challenge every ballot.
8. Other Republican challengers hovered over election workers' shoulders. They were asked to step back, but they kept saying they couldn't see.

RW

There was a monitor on the corner of every table that would show the information on the ballot being scanned, so there was no reason to stand over the election workers if a challenger wanted to see what was on the ballot.

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: [Signature]

Affirmed before me this 17th day of November, 2020 at Charlotte, VT

My commission expires on 01/31/2021.

Signature of Officer Administering Oath Sayuri Koerner

Title Assistant Town Clerk/Treasurer Sayuri Koerner

Comm. # 157.0012803



AFFIDAVIT OF SOMMER WOODS

I, Sommer Woods, being of full age, on my oath, deposes and says:

1. My name is Sommer Woods. I am a registered voter and I live in the City Detroit. I am a small business owner and consultant in the City of Detroit.

2. I had originally signed up to be an election inspector for the City, but the guy who was the point of contact for the election inspectors knew that I do logistics in my company, so he reached out to me. The City had to move so many workers into the counting room for processing and counting, and needed to get them in the room in a timely way so that they could have the full statutory amount of time to do the processing and counting of ballots, so he brought me on as a consultant to assist on the planning to get the election inspectors into the room. My biggest responsibility was moving nearly 1,000 election inspectors into the room on a tight time frame. I was also responsible for other people moving into the room and other logistics.

3. I was responsible for exterior logistics at TCF. I was at TCF working on Monday, November 2; Election Day—Tuesday, November 3, and Wednesday, November 4.

4. On Monday, when pre-processing was occurring, we had both Republican and Democratic challengers in the room. On Election Day, during the sequestration period, the Republicans had a higher presence than Democrats, but during that time period, they were not disruptive. The challengers who were there in the room in the 6 a.m. to 8:00 p.m. period, were not disruptive; by and large they understood the rules. There were a couple of instances on Tuesday, where the Republicans were having more than one challenger at an AV table. We had a worker going around to the tables, to make sure the protocol of one Democratic challenger and one Republican challenger were observed. In addition, the Republican side had attorneys who were from out of state, so they had to stay in the observer box the entire time. These attorneys

seemed to serve as a hub for the Republican challengers. Some of the Republican challengers seemed to appoint themselves as a gatekeeper and were asking questions to my staff about who people were. I finally had to tell three women and a man to stop talking to my logistics staff. I told them you could observe at the precinct, but we are not entertaining these conversations that are not part of what they are allowed in the Counting Boards to do. After about 20 minutes, they left the area, and stopped trying to speak to my staff who were working the door.

5. After the polls closed, around 9:00 p.m., we started getting phone calls asking if we had had an influx of Republican challengers. There was apparently a call to action on social media for the Michigan GOP to pull into TCF. There was a post from the Livingston County GOP saying that they were looking for people to help count the ballots. None of these posts explained what the challenger process was, or that folks needed to go through an orientation, or be trained.

6. At between 10:00-11:00 p.m. on Election Night, a significant influx of Republican challengers came to sign in. This became an indicators that Wednesday was going to be a very different experience than during the day on Tuesday. The MIGOP had rented a room on the second level of the TCF Center, where they would have their folks sign in, have refreshments and the like. The Democratic Party did not really have that kind of set up; they had tables in the lobby.

7. On Wednesday morning, around 4:00-4:30 a.m., we already had five or six GOP challengers ready to sign in. People were showing up in droves. One gentleman—an older man, perhaps in his early 50s, kind of heavy set, with darker hair—came up to the entry table and asked if this was where he would, “sign in to get paid.” I indicated I did not know what he was talking about, so he looked at his email, and it was from MIGOP. I directed him up to the

second level. A second man—white, younger, perhaps college-aged—also referenced getting paid to me, so I directed him upstairs as well. Both of those gentlemen apparently went upstairs, and both came back to sign in with their MIGOP credentials.

8. There was then also apparently a call to action on social media on the Democratic side once the Democratic Party had learned that the Republicans had stormed TCF based on social media. The Democratic call asked folks to come down as soon as possible. By around 8:00-9:00 a.m., there was then a constant flow of people from both parties, and from non-partisan challengers.

9. So many people had come in that by around 12:30 p.m., the floor in the counting room was totally full. The administrator from TCF came down, and flagged the crowdedness for the Health Department. We held the door at that point and did not let anyone else come in so we could assess the levels of challengers from each group still in the room. There were simply too many people in the room at that point; we were physically over the limit in the room for the number of people that were permitted for each political party (which was 134 per side). We told people that we could let a few non-partisan challengers come in. All of a sudden, you started to see folks who had indicated they were there as Republican Party challengers come down from the second level carrying a manilla envelope, now with credentials from the Election Integrity Fund. Some of the individuals with the Election Integrity Fund credentials were allowed in along with some individuals from the Lawyers Committee for Civil Rights, who had been waiting to be let in. The Democratic challengers in the room were upset that those individuals were being let in, as they believed they were actually Republican challengers. I understood that they were upset, but since the individuals now had non-partisan credentials, I let them into the room. I overheard individuals with the Election Integrity Fund credentials discussing on the line

to get in their concern whether they would get enough MIGOP folks in. I questioned why they had that concern since they were supposed to be non-partisan challengers. After we allowed entry to some of the non-partisan challengers, the room itself was just physically too full, and we shut down entry for everyone.

10. At this point, the energy became even more volatile. Republican and Election Integrity Fund challengers both inside and outside the room started chanting. These same people were trying to force their way into the door. And the people outside started banging on the windows. They were banging on the glass so much that it felt like the windows would have shattered. I had to tell the Detroit Police Department that they needed to step up and at least prevent these folks from banging on the glass walls. People on the outside started filming in through the windows, recording the workers, and recording the materials in the AVCB, which is not permitted. It was at this point, election workers began to cover the windows to prevent filming. I found all of this behavior to be completely inappropriate.

11. Inside the room, Republican challengers and Election Integrity Fund people were acting as agitators. They were yelling directly in face and screaming that I did not know what I was doing. I repeatedly explained to them that we were over our permitted number in the room. There was a husband and wife team who had been causing a ruckus outside, and then when they came in as Election Integrity Fund challengers, they then started the same on the inside of the room and had to be removed by the police. There was also a younger guy in his mid- to late 20s—he was white, about 5'6" or 5'7", blond hair, glasses—who was taking pictures and filming and was kicked out for breaking the rules. Outside the room, he started making a scene to the crowd about he was unfairly kicked out. I stepped outside, and stated, "no, you were kicked out

because you were taking photographs, which is not allowed.” He later tried to sneak back into the counting room from the second floor through Hall D.

12. When people left, we were trying to let people in, even though both Republican challengers and Democratic challengers were beyond their agreed upon permitted numbers in the room. However, in terms of crowd management, I knew that we could not let this energy continue because it could escalate and cause danger to the election inspectors working and even put the votes of the people of the City of Detroit at physical risk. It was for this reason, that I let additional challengers, in equal numbers from both sides, into the room when folks had come out.

13. On Wednesday, there were more out of state attorneys who could not be credentialed, so were in the observer box: a man—tall, white, thin, blond, about 6’0” or 6’1”; a blonde woman in her early 30s who said that she was the attorney for John James, and a third man, wearing a red bandana for his face covering with blondish hair. Each of them were only permitted to be in the observer box because they were not credentialed. The blond man who was supposed to be in the observer box began tapping on the window to the man mentioned in paragraph 11, who had been kicked out for filming, and they were on the phone with each other. The blond man told the man who had been ejected to follow one of my workers to her car because he was accusing her of taking ballots out of the AVCB. This was absolutely not the case. The workers all worked long shifts, so many of them had either coolers or small rolling suitcases with them in which they brought their food, medicine, snacks, water, extra masks, additional layers of clothing, and the like. I had to send Detroit Police and other staff after them to protect that worker. The man who had been ejected was getting up in her face in the parking area, demanding that she open her stuff and flat out harassing her. I told the blond attorney,

"You know this is intimidation. You do not have the right to do this." He scampered away from me, and said, "We'll see what the Supreme Court has to say about intimidation."

14. At this point, around 9:00 or 10:00 p.m., there were probably only about 20 AV tables that were still actively processing and counting ballots. So there were way more Republican challengers and Democratic challengers than there were precincts that were still working.

15. Anytime that we shut down access to the room, it was because of capacity issues, and it was shut down to both Democrats and Republicans sending additional people into the room.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 17, 2020

Sommer Woods

Sommer Woods

Sworn to before me before me this 17th day of November, 2020 at 4:44pm.

Notary Public D. JEANELLE DRAKE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF WAYNE
My Commission Expires July 27, 2022
Acting in the County of Wayne

My Commission expires on: _____

AFFIDAVIT OF JOSEPH ZIMMERMAN

JOSEPH ZIMMERMAN, BEING OF FULL AGE, ON HIS OATH, DEPOSES AND SAYS:

1. I am over the age of 21 years and if sworn as a witness I am competent to testify about the matters set forth herein based on personal knowledge except where the matter is indicated to be based on information and belief.
2. I am currently a second-year law student at the University of Michigan. Prior to law school, I served in the United States Air Force for four years. I was honorably discharged from the service with the rank of captain. During my four years of service, I was stationed at FE Warren Air Force Base in Cheyenne, Wyoming where my duties included operating nuclear weapons.
3. I am a registered voter in Ann Arbor, Michigan.
4. I volunteered as a poll worker in Ann Arbor on November 3, counting ballots all night until approximately 5:30 a.m. in the morning on November 4. On the morning of November 4, I learned via social media that there was a need for non-partisan challengers at the absentee voting counting board (AVCB) at TCF Center in Detroit because of tensions there overnight. Upon learning of the need, I decided that it was my duty to keep working to ensure a free and fair election, so I headed out to TCF, arriving around 11:00 a.m.
5. I entered TCF as a non-partisan challenger credentialed by the Lawyers Committee for Civil Rights Under Law (LCCRUL), and registered as such when I entered the room.
6. I was present at the TCF Center between approximately 11:00 a.m. and 4:00 p.m. on November 4. During my time there, I was regularly patrolling inside the AVCB counting room in an attempt to provide support to election inspectors and challengers whenever a tense situation arose. Such situations arose often and, in my observations, were exclusively attributable to aggressive and intimidating actions by Republican challengers. As someone who had been a poll worker in Ann Arbor the night before, I was familiar with the process of counting ballots. I witnessed no improper actions by any election inspector. The only improprieties I

saw were from Republican challengers. As a veteran, I was particularly shocked by the fact that Republican challengers attempted to stop the counting of military ballots (more on that below).

7. From the moment I arrived, I observed aggressive and intimidating actions by Republican challengers. On several occasions, I saw five to ten such challengers crowd around a table at once, encroaching on the personal space of election workers (much less than six feet away) and harassing them with repetitive questions. I had been trained that our job as challengers was to observe and, if necessary, challenge particular ballots—not to speak directly to election workers, let alone interrogate or badger them, which is what I was observing.
8. On several occasions, I received a text message from other non-partisan challengers asking me to come to wherever they were in the room because they were the only non-Republican challenger at a table at which several Republican challengers were acting menacingly.
9. I witnessed one Republican challenger be removed from the room for filming the proceedings. I had been trained that filming inside the AVCB was prohibited conduct by a challenger.
10. The dynamic I witnessed was particularly striking when compared to my experience as an election inspector in Ann Arbor, where challengers stood a respectful distance away and allowed me to do my job. By contrast, at TCF, it was difficult not to notice the racial dynamic of aggressive, mostly white, challengers invading the personal space of election workers, who were mostly Black, and repeatedly questioning them and making it difficult for inspectors to continue with their work.
11. Around 1:00 p.m., things slowed down in the AVCB. An election inspector told me that most of the regular absentee ballots had been counted and that they were waiting for the military ballots to arrive and be counted.
12. Meanwhile, between 1:00-2:00 p.m. challengers from both parties (and non-partisan challengers like me) were receiving news on their phones about the progress of the election. Specifically, challengers became aware that Wisconsin

had been called for Joe Biden by news networks and that the networks were predicting that Detroit's ballots might put Joe Biden in the lead in Michigan.

13. The military ballots arrived in the room just before 2:00 p.m.
14. I neither saw nor heard of any other ballots being brought into the room around that time despite the fact that I was circulating throughout the room.
15. Around that time, I headed towards the front of the room to pick up a delivery of additional masks that were being brought for the challengers, and I realized how heated things were becoming outside the counting room. There were approximately 20-30 Republican challengers standing near the door to the counting room yelling at police officers.
16. Around 2:00 p.m., word rapidly circulated through the room via social media that the Trump campaign had filed a lawsuit to stop the count in Detroit, although I later learned that a lawsuit had not yet been filed at that time.
17. Around 2:30 p.m., it was announced that the counting room had hit COVID capacity and that no one else would be allowed in the room. I could not precisely count the number of challengers for each party, but my observation at that time, and throughout my time at TCF, was that the number of Republican challengers seemed roughly proportionate to the number of Democratic challengers. Indeed, as I said above, I repeatedly saw Republican challengers congregating in groups to aggressively question or challenge poll workers in settings where there was no Democratic challenger or only one Democratic or non-partisan challenger.
18. Around the time that the room closed, I witnessed a Republican challenger in his 30s or 40s with short hair and glasses in a tan sweatshirt or sweater standing by the window to the room writing messages to someone on the outside of the room. A short time later, I saw and heard the man with the tan sweatshirt say to another challenger, "We are going to start yelling 'STOP THE COUNT.'" And that is what he did, beginning to yell it loudly inside the AVCB center. The chant did not catch on inside, but it did catch on outside, and the Republican challengers gathered in the lobby outside were chanting and yelling for approximately a half an hour and banging on the all-glass wall that separated the counting room from the lobby.

19. I also witnessed approximately 5–10 Republican challengers standing outside the glass doors filming what was going on inside, which was prohibited. That was when workers inside the counting room began covering the windows, and my understanding was that they were doing so to prevent prohibited filming of the AVCB.
20. As the chanting was going on outside, I heard several Republican challengers inside discussing a plan to begin challenging every single vote on the grounds of “pending litigation.” And that is what they did: repeatedly challenging the counting of military ballots for no reason other than “pending litigation”.
21. Eventually, the Republican challengers stopped challenging every military ballot after several Republican challengers were removed from continuing to make such challenges without a lawful basis. Shortly after it became clear that the military votes would be counted despite the efforts to stop that from happening, I decided that it was time to leave and make room for new observers.
22. I am still processing my emotions from what I witnessed in TCF Center on November 4th. Honestly, the whole thing mostly just made me sad. I do not understand how people can be so tied up in who they want to be elected so much that they would be willing to harass poll workers and seek to stop the counting of votes—military votes, no less—in the way that I witnessed. As someone who served in the military, I was willing to sacrifice my life so that we would all have the right to vote. I thought that that was something we all believe in as Americans. It broke my heart to see that some of my fellow Americans disagree, and that they were willing to try to undermine this sacred right.

AFFIRMATION

I affirm that the contents of this affidavit are true and correct to the best of my knowledge.

Signature of the person making this affidavit: [Signature]

Affirmed before me this ¹⁰~~11~~ day of Nov, 2020 at 3:02 pm

My commission expires on 2/10/2026

Signature of Officer Administering Oath [Signature] Title Notary Public

JULIE MARIE AUST
Notary Public, State of Michigan
County of Washtenaw
My Commission Expires 02-10-2026
Acting in the County of Washtenaw