

# EXHIBIT 1

**STATE OF MICHIGAN  
IN THE SUPREME COURT**

ANGELIC JOHNSON, et al,

Petitioners,

v.

JOCELYN BENSON, in her official  
capacity as the Michigan Secretary of State,  
et al.

Defendants,

DNC Services Corporation/Democratic  
National Committee and Michigan  
Democratic Party,

Proposed Intervenors.

MSC No. 162286

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**[PROPOSED] ANSWER TO PETITION FOR EXTRAORDINARY WRITS &  
DECLARATORY RELIEF**

Proposed Intervenor-Defendants DNC Services Corporation/Democratic National Committee (“DNC”) and Michigan Democratic Party (“MDP,” and together, “Proposed Intervenor”), by and through their attorneys, submit the following Answer to the Petition for Extraordinary Writs & Declaratory Relief (the “Petition”). Proposed Intervenor respond to the allegations in the Complaint as follows:

**INTRODUCTION**

1. Paragraph 1 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenor generally

admit that our constitutional republic should strive to mitigate errors and avoid dishonesty in its elections.

2. Paragraph 2 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors generally admit the allegations.

3. Paragraph 3 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law or suggest a meritorious legal claim, Proposed Intervenors deny the allegations.

4. Paragraph 4 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors admit the allegations.

5. Paragraph 5 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

6. Paragraph 6 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

7. Paragraph 7 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

8. Paragraph 8 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

9. Paragraph 9 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

10. Proposed Intervenors admit that Michigan Secretary of State Jocelyn Benson is a Democrat and that her office, which is non-partisan, sent absentee ballot request forms to all registered voters in advance of the August primary. Proposed Intervenors deny the remaining allegations in Paragraph 10.

11. Proposed Intervenors admit that Michigan Secretary of State Jocelyn Benson permitted voters to request absentee ballots online. Proposed Intervenors deny the remaining allegations in Paragraph 11.

12. Proposed Intervenors deny the allegations in Paragraph 12.

13. Proposed Intervenors deny the allegations in Paragraph 13.

14. Proposed Intervenors deny the allegations in Paragraph 14.

15. Paragraph 15 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

16. Paragraph 16 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

17. Paragraph 17 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

18. Paragraph 18 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

19. Paragraph 19 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

### **JURISDICTION AND VENUE**

20. Paragraph 20 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

21. Paragraph 21 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors admit the allegations.

22. Paragraph 22 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

23. Paragraph 23 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

24. Proposed Intervenors neither admit nor deny the allegations in Paragraph 24 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

25. Paragraph 25 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

26. Proposed Intervenors admit that the Board of State Canvassers certified the 2020 general election results on Monday, November 23, 2020. Paragraph 26 otherwise contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

27. Paragraph 27 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

28. Paragraph 28 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

#### **NECESSITY FOR IMMEDIATE CONSIDERATION**

29. Paragraph 29 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

30. Proposed Intervenors deny the allegation that the presidential electors will convene on December 8, 2020. Paragraph 30 otherwise contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

## PARTIES

31. Proposed Intervenors neither admit nor deny the allegations in Paragraph 31 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

32. Proposed Intervenors neither admit nor deny the allegations in Paragraph 32 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

33. Proposed Intervenors admit that Jocelyn Benson is the Michigan Secretary of State. Paragraph 33 otherwise contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

34. Paragraph 34 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

35. Paragraph 35 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

36. Paragraph 36 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

37. Proposed Intervenors admit that Jeannette Bradshaw is the Chair of the Board of State Canvassers. Paragraph 33 otherwise contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.



38. Proposed Intervenors admit that Gretchen Whitmer is Governor of Michigan. Paragraph 38 otherwise contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

#### **STATEMENT OF FACTS**

39. Proposed Intervenors admit the allegations in Paragraph 39.

40. Proposed Intervenors admit the allegations in Paragraph 40.

41. Proposed Intervenors admit the allegations in Paragraph 41.

42. Proposed Intervenors deny the allegations in Paragraph 42.

43. Proposed Intervenors deny the allegations in Paragraph 43.

44. Proposed Intervenors admit the allegations in Paragraph 44.

45. Proposed Intervenors admit the allegations in Paragraph 45.

46. Proposed Intervenors admit that absentee ballots returned from City of Detroit voters were delivered to and tabulated by Wayne County in the TCF Center.

47. Proposed Intervenors admit that William Hartman is a member of the Wayne County Board of Canvassers. The remaining allegations characterize a document attached to the Complaint, which speaks for itself. To the extent a response is required, Proposed Intervenors deny the remaining allegations in Paragraph 47.

48. Proposed Intervenors admit that Monica Palmer is Chairperson of the Wayne County Board of Canvassers. The remaining allegations characterize a document attached to the Complaint, which speaks for itself. To the extent a response is required, Proposed Intervenors deny the remaining allegations in Paragraph 48.

49. Proposed Intervenors neither admit nor deny the allegations in Paragraph 49 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

50. Proposed Intervenors deny the allegations in Paragraph 50.

51. Proposed Intervenors deny the allegations in Paragraph 51.

52. Proposed Intervenors neither admit nor deny the allegations in Paragraph 52 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

53. Paragraph 53 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

**I. Respondents' Failure to Allow Meaningful Observation Offends the State Statute and the Michigan and Federal Constitutions.**

54. Paragraph 54 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

55. Paragraph 55 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

56. Paragraph 56 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

57. Paragraph 57 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

58. Proposed Intervenors deny the allegations in Paragraph 58.

59. Proposed Intervenors admit the allegations in Paragraph 59.

60. Proposed Intervenors admit the allegations in Paragraph 60.

61. Proposed Intervenors deny the allegations in Paragraph 61.

62. Proposed Intervenors deny the allegations in Paragraph 62.

63. Proposed Intervenors neither admit nor deny the allegations in Paragraph 63 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

64. Proposed Intervenors neither admit nor deny the allegations in Paragraph 64 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

65. Paragraph 65 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

66. Proposed Intervenors neither admit nor deny the allegations in Paragraph 66 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

67. Paragraph 67 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

68. Proposed Intervenors deny the allegations in Paragraph 68.

**II. Summary of Election Malfeasance at the TCF Center Shows Widespread Problems that only this Court can Alleviate in the Short Term.**

69. Proposed Intervenors deny the allegations in Paragraph 69.

70. Proposed Intervenors deny the allegations in Paragraph 70.

71. Proposed Intervenors deny the allegations in Paragraph 71.

72. Proposed Intervenors deny the allegations in Paragraph 72.

73. Proposed Intervenors deny the allegations in Paragraph 73.

74. Proposed Intervenors deny the allegations in Paragraph 74.

75. Proposed Intervenors deny the allegations in Paragraph 75.

76. Proposed Intervenors deny the allegations in Paragraph 76.

77. Proposed Intervenors deny the allegations in Paragraph 77.

78. Proposed Intervenors deny the allegations in Paragraph 78.

79. Proposed Intervenors deny the allegations in Paragraph 79.

80. Proposed Intervenors deny the allegations in Paragraph 80.

81. Proposed Intervenors deny the allegations in Paragraph 81.

82. Paragraph 82 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

83. Proposed Intervenors deny the allegations in Paragraph 83.

**III. Suspicious Funding and Training of Election Workers**

84. Proposed Intervenors neither admit nor deny the allegations in Paragraph 84 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

85. Proposed Intervenors neither admit nor deny the allegations in Paragraph 85 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

86. Proposed Intervenors neither admit nor deny the allegations in Paragraph 86 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

87. Paragraph 87 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors neither admit nor deny the allegations because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

#### **IV. Forging Ballots on the QVF**

88. Proposed Intervenors neither admit nor deny the allegations in Paragraph 88 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

89. The allegations in Paragraph 89 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 89.

#### **V. Changing Dates on Ballots**

90. Paragraph 90 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

91. Paragraph 91 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

92. Proposed Intervenors neither admit nor deny the allegations in Paragraph 92 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

93. The allegations in Paragraph 93 characterize a document attached to the Complaint, which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 93.

#### **VI. Double Voting**

94. The allegations in Paragraph 94 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 94.

95. Proposed Intervenors deny the allegations in Paragraph 95.

96. Paragraph 96 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

97. Paragraph 97 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

#### **VII. First Wave of New Ballots**

98. The allegations in Paragraph 98 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 98.

99. The allegations in Paragraph 99 characterize a document attached to the Complaint, which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 99.

100. The allegations in Paragraph 100 characterize a document attached to the Complaint, which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 100.

101. Paragraph 101 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors neither admit nor deny the allegations because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

### **VIII. Second Wave of New Ballots**

102. Paragraph 102 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

103. Proposed Intervenors neither admit nor deny the allegations in Paragraph 103 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

104. Paragraph 104 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

105. Proposed Intervenors neither admit nor deny the allegations in Paragraph 105 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

106. The allegations in Paragraph 106 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 106.

107. The allegations in Paragraph 107 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 107.

108. Paragraph 108 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

109. The allegations in Paragraph 109 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 109.

110. Proposed Intervenors deny the allegations in Paragraph 110.

111. The allegations in Paragraph 111 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 111.

112. The allegations in Paragraph 112 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 112.

113. Proposed Intervenors neither admit nor deny the allegations in Paragraph 113 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

**IX. Concealing the Malfeasance in Violation of Michigan law.**

114. The allegations in Paragraph 114 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 114.



115. The allegations in Paragraph 115 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 115.

116. Paragraph 116 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

**X. Unsecured QVF Access further Violating MCL 168.765a, et seq.**

117. Proposed Intervenors neither admit nor deny the allegations in Paragraph 117 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

118. Proposed Intervenors neither admit nor deny the allegations in Paragraph 118 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

119. Proposed Intervenors neither admit nor deny the allegations in Paragraph 119 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

120. Proposed Intervenors neither admit nor deny the allegations in Paragraph 120 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

121. Proposed Intervenors neither admit nor deny the allegations in Paragraph 121 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

122. Proposed Intervenors neither admit nor deny the allegations in Paragraph 122 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

123. Paragraph 123 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors neither admit nor deny the allegations because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

124. The allegations in Paragraph 124 characterize a report by the Michigan Auditor General, which is attached to the Complaint and which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 124.

125. Paragraph 125 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

#### **XI. Unsecured Ballots**

126. The allegations in Paragraph 126 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 126.

127. The allegations in Paragraph 127 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 127.

128. The allegations in Paragraph 128 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 128.

129. The allegations in Paragraph 129 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 129.

130. The allegations in Paragraph 130 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 130.

**XII. Breaking the Seal of Secrecy Undermines Constitutional Liberties under Const Art 2, § 4(1)(a).**

131. The allegations in Paragraph 131 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 131.

132. Paragraph 132 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

133. Paragraph 133 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

134. Paragraph 134 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

135. Proposed Intervenors neither admit nor deny the allegations in Paragraph 135 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

**XIII. Statewide Irregularities Over Absentee Ballots Reveal Widespread Mistake or Fraud.**

136. Paragraph 136 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

137. Paragraph 137 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors admit the allegations.

138. Paragraph 138 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

139. The allegations in Paragraph 139 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 139.

140. Paragraph 140 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

141. Paragraph 141 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

142. Paragraph 142 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

143. Paragraph 143 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 143.

144. Proposed Intervenors admit the allegations in Paragraph 144.

145. Paragraph 145 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

146. The allegations in Paragraph 146 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 146.

147. The allegations in Paragraph 147 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 147.

148. Proposed Intervenors deny the allegations in Paragraph 148.

149. The allegations in Paragraph 149 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 149.

150. The allegations in Paragraph 150 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 150.

151. The allegations in Paragraph 151 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 151.

152. The allegations in Paragraph 152 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 152.

153. Paragraph 153 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

154. Proposed Intervenors neither admit nor deny the allegations in Paragraph 154 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

155. Paragraph 155 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors admit the allegations.

156. Paragraph 156 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

157. Paragraph 157 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

158. Paragraph 158 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

159. The allegations in Paragraph 159 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 159.

**XIV. Flooding the Election with Absentee Ballots was Improper.**

160. Paragraph 160 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

161. Paragraph 161 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

162. Proposed Intervenors deny the allegations in Paragraph 162.

163. Proposed Intervenors deny the allegations in Paragraph 163.

164. Proposed Intervenors deny the allegations in Paragraph 164.

165. Proposed Intervenors admit that the quoted statements appeared on the Democratic National Committee's website and in the Associated Press. Proposed Intervenors otherwise deny the allegations in Paragraph 165.

166. Proposed Intervenors admit that the quoted statement appeared on the Secretary of State's website.

167. Paragraph 167 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

168. Proposed Intervenors admit that the Secretary of State sent absentee ballot request forms to every registered voter in Michigan.

169. Proposed Intervenors neither admit nor deny the allegations in Paragraph 169 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

170. Proposed Intervenors admit that the Secretary of State sent absentee ballot request forms to every registered voter in Michigan without requiring the voter to first request an absentee ballot request form be sent to the voter.

**XV. Expert Analysis of these statutory violations reveals widespread inaccuracies and loss of election integrity.**

171. Proposed Intervenors neither admit nor deny the allegations in Paragraph 171 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

172. Proposed Intervenors neither admit nor deny the allegations in Paragraph 172 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

173. The allegations in Paragraph 173 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 173.

174. The allegations in Paragraph 174 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 174.

175. The allegations in Paragraph 175 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 175.



176. The allegations in Paragraph 176 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 176.

177. The allegations in Paragraph 177 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 177.

178. The allegations in Paragraph 178 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 178.

179. Paragraph 179 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 179.

180. The allegations in Paragraph 180 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 180.

181. The allegations in Paragraph 181 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 181.

182. Paragraph 182 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 182.

183. The allegations in Paragraph 183 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 183.

184. The allegations in Paragraph 184 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 184.

185. The allegations in Paragraph 185 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 185.

186. The allegations in Paragraph 186 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 186.

187. The allegations in Paragraph 187 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 187.

188. Paragraph 188 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

189. The allegations in Paragraph 189 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 189.

190. Paragraph 190 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

191. Paragraph 191 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

192. The allegations in Paragraph 192 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 192.

193. Proposed Intervenors neither admit nor deny the allegations in Paragraph 193 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

194. Proposed Intervenors neither admit nor deny the allegations in Paragraph 194 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

195. Proposed Intervenors deny the allegations in Paragraph 195.

196. Proposed Intervenors deny the allegations in Paragraph 196.

197. The allegations in Paragraph 197 characterize documents attached to the Complaint, which speak for themselves. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 197.

198. Paragraph 198 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 198.

199. The allegations in Paragraph 199 characterize a report by the Michigan Auditor General, which is attached to the Complaint and which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 199.

200. The allegations in Paragraph 200 characterize a report by the Michigan Auditor General, which is attached to the Complaint and which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 200.

201. The allegations in Paragraph 201 characterize a report by the Michigan Auditor General, which is attached to the Complaint and which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 201.

202. The allegations in Paragraph 202 characterize a report by the Michigan Auditor General, which is attached to the Complaint and which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 202.

203. The allegations in Paragraph 203 characterize a report by the Michigan Auditor General, which is attached to the Complaint and which speaks for itself. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 203.

204. Paragraph 204 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

205. Paragraph 205 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

206. Paragraph 206 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

207. Paragraph 207 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

**XVI. Flooding the Election with Private Money also Violates Federal Law and Raises the Appearance of Impropriety.**

208. Paragraph 208 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

209. Paragraph 209 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

210. Paragraph 210 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

211. Paragraph 211 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors neither admit nor deny the allegations because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

212. Proposed Intervenors deny the allegations in Paragraph 212.

213. Paragraph 213 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

214. Paragraph 214 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

215. Proposed Intervenors neither admit nor deny the allegations in Paragraph 215 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

216. Paragraph 216 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

217. Paragraph 217 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors neither admit nor deny the allegations because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

218. Proposed Intervenors neither admit nor deny the allegations in Paragraph 218 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

219. Paragraph 219 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

220. Proposed Intervenors neither admit nor deny the allegations in Paragraph 220 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

221. Proposed Intervenors neither admit nor deny the allegations in Paragraph 221 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

222. Proposed Intervenors neither admit nor deny the allegations in Paragraph 222 because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs.

223. Paragraph 223 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

## **XVII. Private Money Improperly Flooded into Democratic Party strongholds**

224. Paragraph 224 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

225. Paragraph 225 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

226. Paragraph 226 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

227. Paragraph 227 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

228. Paragraph 228 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

229. Paragraph 229 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

230. Paragraph 230 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

231. Paragraph 231 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

232. Paragraph 232 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations. Specifically denied that Petitioners are “harmed” if Democratic candidates win election.

#### **XVIII. Irreparable Harm to Petitioners and All Legal Voters**

233. Proposed Intervenors neither admit nor deny that Petitioners voted for Republican Party candidates during the 2020 general election because they are without sufficient information or knowledge to form a belief as to the truth of the allegations and, therefore, leave Petitioners to their proofs. Proposed Intervenors deny the remaining allegations in Paragraph 233.



234. Paragraph 234 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

235. Paragraph 235 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

236. Paragraph 236 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

### **FIRST CLAIM FOR RELIEF**

#### **(Due Process)**

237. Proposed Intervenors incorporate by reference all of their responses in the preceding and ensuing paragraphs as if fully set forth herein.

238. Paragraph 238 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

239. Paragraph 239 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

240. Paragraph 240 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

241. Paragraph 241 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

242. Paragraph 242 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

243. Paragraph 243 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

244. Paragraph 244 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

245. Paragraph 245 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

246. Paragraph 246 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

247. Paragraph 247 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

248. Paragraph 248 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

249. Paragraph 249 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

250. Paragraph 250 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

251. Paragraph 251 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

252. Paragraph 252 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

253. Paragraph 253 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

254. Paragraph 254 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

255. Paragraph 255 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

256. Paragraph 256 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

## **SECOND CLAIM FOR RELIEF**

### **(Equal Protection)**

257. Proposed Intervenors incorporate by reference all of their responses in the preceding and ensuing paragraphs as if fully set forth herein.

258. Paragraph 258 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

259. Paragraph 259 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

260. Paragraph 260 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

261. Paragraph 261 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

262. Paragraph 262 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

263. Paragraph 263 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

### **THIRD CLAIM FOR RELIEF**

#### **(Article II, section 1, clause 2)**

264. Proposed Intervenors incorporate by reference all of their responses in the preceding and ensuing paragraphs as if fully set forth herein.

265. Paragraph 265 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

266. Paragraph 266 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required and Petitioners misstate the law, Proposed Intervenors deny the allegations.

267. Paragraph 267 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

268. Paragraph 268 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

269. Paragraph 269 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

#### **FOURTH CLAIM FOR RELIEF**

##### **(Mandamus and *Quo Warranto*)**

270. Paragraph 270 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

271. Paragraph 271 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

272. Paragraph 272 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

273. Paragraph 273 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

274. Paragraph 274 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

275. Paragraph 275 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations.

### **AFFIRMATIVE DEFENSES**

Proposed Intervenors set forth their affirmative defenses without assuming the burden of proving any fact, issue, or element of a cause of action where such burden properly belongs to Petitioners. Moreover, nothing stated here is intended or shall be construed as an admission that any particular issue or subject matter is relevant to the allegations in the Petition. Proposed Intervenors reserve the right to amend or supplement their affirmative defenses as additional facts concerning defenses become known.

As separate and distinct affirmative defenses, Proposed Intervenors allege as follows:

- (1) This Court lacks subject-matter jurisdiction to adjudicate Petitioners' claims.
- (2) Petitioners' claims are barred by the equitable doctrine of laches.
- (3) Petitioners lack standing to assert their claims.
- (4) Petitioners' claims are moot.
- (5) Petitioners fail to state a claim on which relief can be granted.

### **PRAYER FOR RELIEF**

WHEREFORE, Proposed Intervenors respectfully request that this Court:

- A. Deny that Petitioners are entitled to any relief;
- B. Dismiss the Petition in its entirety, with prejudice; and
- C. Grant such other and further relief as the Court may deem just and proper.

Dated this 30th day of November, 2020.

Respectfully submitted,

/s/ Scott R. Eldridge

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