



JENNINGS & FULTON
LAW FIRM



June 22, 2022

Sent Via U.S. Certified Mail & E-mail:

Craig Newby, Esq.
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Counsel for Nevada Secretary of State Barbara Cegavske

RE: Demand to Not Certify 2022 Primary Election

Individuals Who Have Submitted an Election Integrity Violation Reports and Complaints Regarding the Clark County 2022 Primary Election:

- Wayne [Redacted]
- Janie [Redacted]
- Robbie [Redacted]
- Heidi [Redacted]
- Suzanne [Redacted]
- Sharen [Redacted]
- Susan [Redacted]
- Brian [Redacted]
- Todd [Redacted]
- Tara [Redacted]
- Alexandrea [Redacted]
- John [Redacted]
- Aoife [Redacted]
- Spencer [Redacted]
- Vanessa [Redacted]
- Joseph [Redacted]
- Denise [Redacted]
- Sandra [Redacted]
- Paul [Redacted]
- Shawn [Redacted]
- Kristen [Redacted]

Dear Craig,

Please be advised that my firm represents the above-listed individuals (“Clients”) regarding the 2022 Primary Election. While the parties in *Goldman v. Cegavske, et al.*, Case No. A-22-851189-C (“Observation Matter”) submitted a Stipulation and Order for Dismissal, my Clients

have submitted several Election Integrity Violation Reports (“Reports”) and made additional complaints to the Clark County Registrar of Voters that have neither been cured nor addressed. Additionally, as outlined in further detail below, several issues outside of voter observation have taken place warranting Secretary Cegavske to not certify the Primary Election.

As you are aware, I represent several Washoe County voters who have also sent correspondence to Registrar Spikula and Carmen and to Secretary Cegavske requesting the Primary Election not to be certified. My Washoe County and Clark County Clients request Secretary Cegavske review both correspondence regarding all known issues with the Primary Election to be considered collective given the totality of the circumstances in her decision whether or not to certify the Primary Election.

NRS 293.190 provides that not later than 15 days after the primary election at which candidates are nominated for any public office:

1. The Secretary of State shall certify to each county clerk the name of each person nominated and the title of the office for which he or she is nominated for all candidates required to file declarations, certificates and acceptances of candidacies in the Office of the Secretary of State; and
2. Each county clerk shall certify to the Secretary of State the name of each person nominated and the title of the office for which he or she is nominated for all candidates required to file declarations, certificates and acceptances of candidacies in the office of the county clerk.

As you are aware, the Nevada Department of Motor Vehicles (“DMV”) has confirmed that individuals who completed a DMV driver’s license transaction but did not identify a political party had their voter registration changed to non-partisan and could only cast votes for non-partisan races. This amount totals approximately 44,000 voters warranting Secretary Cegavske to not certify the Primary Election. 44,000 votes are significant. Several primary race results alone based on the unofficial election results could hinge on this issue alone, specifically the GOP Primary for Governor. NRS 293.410(2) provides that an election may be contested upon any of the following grounds if: (1) Illegal or improper votes were cast and counted, (2) Legal and proper votes were not counted; or (3) A combination of the circumstances described in subparagraphs (1) and (2) occurred. Surely this occurred as 44,000 voters were unable to properly vote and have their vote count.

Additionally, as outlined in her Report, Poll Worker/Monitor Kristen Schuler consistently heard the poll pad operators stating the voters party when they checked them in. On election day, Ms. Schuler worked at LVAC North where she was told to put voters on certain machines after they identified their political party without explanation. With 914 voting precincts in Clark County, this instruction was wholly improper.

As outlined and represented in multiple Reports, my Clients and other observers have submitted reports, taken photographs and videos outlining that Registrar Gloria failed to maintain chain of custody of physical ballots and thumb/USB drives. Additionally, my Clients received confirmation that election offices were staffed primarily with single-party employees, including out of state individuals, and often temporary employees. Moreover, with more ballots being received after election day without observation, there is simply no rational basis to certify the Primary Election.

My Clients have witnessed the dismantling of at least one (1) voting machine. Moreover, regarding ballot signature verification, countless precinct employees were rapidly clicking through signature verifications or conducting no verification whatsoever. Additionally, with missing ballots and ballot boxes being taken from and brought into facilities after hours, there is sufficient evidence not to certify the Primary Election. Additionally, there is a significant discrepancy with only 10% of votes reported at approximately 11:30 p.m. on election night, with the remaining being reported throughout the night and early morning on June 15, 2022.

As outlined in further detail below, there are clear voter observation, insufficient signature verification, and chain of ballot custody issues that warrant my Clients request for Secretary Cegavske to not certify the Primary Election. On June 8, 2022, my office sent the enclosed correspondence to Registrar Gloria regarding the Reports and complaints submitted by my Clients (“Observation Correspondence”). On June 10, 2022, Lisa Logsdon, Esq. sent e-mail correspondence confirming receipt of the Observation Correspondence and indicated that she would review them with the election department.

On June 13, 2022, Mr. Fulton sent e-mail correspondence stating, “I am getting reports of election workers kicking my clients out of the Aegilis room while workers are still in there. Can you please talk to your client and confirm that this will not happen again? If there are workers in that room, my clients are allowed to view the work being done per the order and the statute.” Ms. Logsdon responded,

The back of the building was never been part of the County’s observation plan. The County agreed to permit observation during the processing and counting of ballots in accordance with Nevada law and regulations and Clark County’s existing procedure. There is no “processing and/or counting of ballots” that is occurring in the back of the building after hours.

With respect to your other email regarding the Agilis room, I have confirmed there is no processing and/or counting of mail ballots occurring when the observers leave for the day. The machine is not running and mail ballots are not being processed. Your statement about if workers are in that room that observation must be allowed is not consistent with the order or Nevada law regarding observation.

See Enclosed e-mail correspondence. The observation and election grievances outlined in the Reports and Observation Correspondence were not cured. Since the submission of the June 8, 2022 Observation Correspondence, my Clients have submitted the below-referenced following complaints and Reports. For the sake of brevity, my Clients have omitted the Reports and complained outlined in the Observation Correspondence. While below is not an exhaustive summary of each and every Report and complaint, it summarizes key instances warranting the Primary Election to not be certified:

Observer	Complaint(s)/Report(s)
Kristen [REDACTED]	<ul style="list-style-type: none"> • As a Poll Worker/Monitor, Ms. Schuler consistently heard the poll pad operators stating the voters party when they checked them in. On election day, Ms. Schuler worked at LVAC North where she was told to put voters on certain machines after they identified their political party without explanation.
Brian [REDACTED]	<ul style="list-style-type: none"> • Denied access to observing counting in the intake room which ambassador Yanni present. Approximately 1,500 ballots were processed before observers were permitted in the intake room. • Approximately three (3) employees sorting rejected and/or rejected Agilis ballots, Mr. Davis and other observers were not permitted to observe as the sorting took place in the back of the room. • Ballots that appeared to be from a copy machine. • Not permitted to observe red trays of failed ballot scans and manual processing with approximately 2-5 employees manually processing.
Todd [REDACTED]	<ul style="list-style-type: none"> • Witnessed at least four (4) employees in the intake room working after being informed that the intake room was closed and only the counting board room was open. • Despite being let in the lobby at 7:29 a.m., ballots were processed before observation permitted, Mr. Peppard witnessed trays of ballots already processed upon being permitted to observe. • Employees in a room that observers were told was closed for the day on multiple occasions. • Viewed multiple Election Ballot Batch Control Logs with incomplete and/or missing information. • No party affiliation badges being worn and two (2) employees wearing non-election issued t-shirts. • Did not provide sufficient observation in the intake room and tabulation room on multiple occasions. • Party affiliation badges not visible on multiple occasions.

	<ul style="list-style-type: none"> • Employees rapidly approving signatures on Computer 3 in Liberty Room, with no objective basis to approving signatures.¹
Heidi [REDACTED]	<ul style="list-style-type: none"> • Party affiliation badges not visible.
Tara [REDACTED]	<ul style="list-style-type: none"> • Majority of signature verification employees were of the UAF group, with only one (1) republican in the west side signature room on June 15, 2022. • Employees rapidly approving signatures on multiple computers, with no objective basis to approving signatures.
Janie [REDACTED]	<ul style="list-style-type: none"> • Escorted to duplicate ballot processing area where ballots were being process, then Ambassador Monica then escorted Ms. Lopez and observers to the lobby restricting observation.
Alexandrea [REDACTED]	<ul style="list-style-type: none"> • Witnessed rental trucks dropping off boxes and bags of ballots after closing and observers were asked to vacate the property.
John [REDACTED]	<ul style="list-style-type: none"> • Informed at approximately 3:00 p.m. that no more ballots were being processed, observers witnessed ballot boxes brought into the election center located at 965 N. Trade Dr.
Aoife [REDACTED]	<ul style="list-style-type: none"> • Witnessed ballot boxes brought into the election center located at 965 N. Trade Dr. after closing. • Scheduled for evening shift and informed shortly after 5:00 p.m. that counting was completed even though there was a 5-8 p.m. shift.
Spencer [REDACTED]	<ul style="list-style-type: none"> • Majority of observation areas blocked and unobservable, specifically the tray inspection room and tabulation room. • Sandra Portillo requested Mr. Gear and others observers be removed as “loitering”. • Unable to observe where trays of ballots came from, ballots being removed and put into sorting tray. • Ushered out of the facility at 11:30 p.m. on election night while only 10% of the vote reported with more votes being reported throughout the night.
Vanessa [REDACTED]	<ul style="list-style-type: none"> • Witnessed ballot boxes brought into the election center located at 965 N. Trade Dr. after closing.
Joseph [REDACTED]	<ul style="list-style-type: none"> • Informed that “stuff is going on back there” between 4-430 p.m. on June 15, 2022 and not permitted to observe. • Informed no further tabulation would take place, which was false. • Intake room closed at 10:00 a.m., but ballots received in intake room until approximately 7:00 p.m.

¹NRS 293.877 requires at least once each year, each county clerk and all members of his or her staff whose duties include administering an election must complete a training class on forensic signature verification that is approved by the Secretary of State.

	<ul style="list-style-type: none"> • Tabulation room unable to be observed due to view being obstructed.
Susan [REDACTED]	<ul style="list-style-type: none"> • Removed with other observers from intake room before ballot processing completed with at least two (2) racks of yellow trays with ballots. • Informed that over 10,000 ballots did not pass signature verification on the first attempt. • Employees rapidly approving signatures on multiple computers, with no objective basis to approving signatures. • Thumb drive box being taken and placed in front of the tabulation room, a certificate was placed in the box and given to another individual who did not return. Then the box was removed through the back door. • Witnessed ballot boxes being dropped off and additional boxes being placed into a Chrysler Voyager van, License Plate No. JRR-6555. • Multiple employees with large rolling suitcases.
Denise [REDACTED]	<ul style="list-style-type: none"> • Removed with other observers from Agilis room at approximately 3:00 p.m., informed the machine was being reset.
Sandra [REDACTED]	<ul style="list-style-type: none"> • Appeared to either be taking photographs and/or videos of computer screen in the signature verification room • Informed by employee that they did not care about signatures. • Witnessed that ballot boxes were missing and witnessed multiple employees counting the boxes multiple times, as there were missing boxes.
Paul [REDACTED]	<ul style="list-style-type: none"> • Witnessed Team 1 stamping the top of green folders without viewing the ballots, then stamping multiple places on the ballots and filed the envelope without verifying the ballot and signature. After notifying the supervisor, employees then began to actually look at ballots and the screen to verify a match.
Shawn [REDACTED]	<ul style="list-style-type: none"> • Witnessed blank ballots with attached receipts being removed and placed into a separate pile with no indication what would happen to the ballots.

While the aforementioned are representative and not exclusive, it is clear that Registrar Gloria did not comply with the Stipulation and Order nor permitted consistent meaningful voter observation. As addressed in the Observation Correspondence, the dismantling of the voting machine alone warrants to delay and/or continuation to certify the Primary Election. My Clients were also informed that the complained for two (2) days of an ROV employee who had Covid-19 symptoms, the ROV placed the employee with observers and approximately five (5) observers contracted Covid-19. Moreover, given the rapid clicking of signature verifications or no verification whatsoever, it is evident that the signature verification process was flawed during the entire verification process.

Missing ballot boxes, chain of custody issues, and ballots being brought into facilities long after closing further support my Clients request. Moreover, the removal of an entire box of thumb drives through the back of the building entirely abandons the basis for observation. Ushering observers out of the facility at 11:30 p.m. on election night while only 10% of the vote reported with more votes being reported throughout the night also warrants the continuation of certifying the election. Moreover, my Clients witnessed ballot boxes being dropped off and additional boxes being placed into a Chrysler Voyager van, License Plate No. JRR-6555.

While my Clients are aware that the Court found that the Plaintiffs in the Observation Matter did not establish a likelihood of success on the merits at the juncture of the hearing on the Motion for a Temporary Restraining Order², there is surely a justiciable controversy whether meaningful observation took place during the Primary Election and a basis to refile. Additionally, the June 1, 2022 Notice of Entry of Stipulation and Order of Dismissal outlines that,

- 1) The Plaintiffs will be permitted to observe during the processing and counting ballots in accordance with Nevada law and regulations and Clark County's existing procedures, to the same extent as other eligible observers.
- 2) If the County is processing and/or counting ballots, observation will be allowed.
- 3) Clark County will provide an observation area in the two signature verification rooms that will accommodate at least five (5) observers absent any state or federal emergency orders regarding social distancing.

See June 1, 2022 Notice of Entry of Stipulation and Order of Dismissal at 2. Section 1 of the aforementioned was not followed, countless Election Integrity Violations Reports were submitted confirming the same. Moreover, several Report also confirmed that Clark County processed and counted ballots without permitting observation.

NRS 293.394 provides that Secretary Cegavske was required to adopt regulations for conducting a risk-limiting audit of an election. Risk-limiting audit is defined as an audit protocol that makes use of statistical principles and methods and is designed **to limit the risk of certifying an incorrect election outcome**. *Id.* Approximately 50-60% of the Primary Election consists of mail-in ballots, however, my Clients have received confirmation that mail-in ballots are not audited prior to certification. The margin for error is significant with no audit of the mail-in ballots.

²My Clients cite the Order as to form and content only, and do not concede any factual and legal positions disputing the contents of the Order.

As the Registrar of Voters failed to cure any complaints within the Reports, and the additional Reports and complaints since June 8, 2022, my Clients request that the 2022 Primary Election not be certified because of, including, but not limited to, the following issues:

- 1) 44,000 voters unable to vote for partisan elections due to DMV administrative error;
- 2) Observers not being permitted to observe trays being processed and put away/stored;
- 3) Observers not being permitted to observe signature curing until completion;
- 4) Sealed ballots being taken from an administrative office without being processed;
- 5) Observers not being permitting to view all rooms where counting, tabulation, auditing, etc. are taking place;
- 6) Adjudication areas blocked by temporary walls over six (6) feet high;
- 7) Obstructed view of the Liberty Signature room;
- 8) Racks blocking the Intake room and placement of chairs to intentionally obstruct observation;
- 9) Observation areas as far as approximately 50 feet away;
- 10) Observers not permitted to enter facilities upon opening³;
- 11) Ballot processing, counting, and signature verification before observers are permitted in areas to observe;
- 12) Ballots taken from and/or taken to any facility after closing;
- 13) Concerns that third-party machine operators can switch votes at any point in time (My Clients have been informed by third-party machine operator(s) that they have the ability to switch the votes or would switch the votes later indicating that it does not matter how people vote);
- 14) Voting machines being dismantled;⁴
- 15) Rapid clicking of signature verifications or no verification whatsoever;
- 16) Missing ballot boxes;
- 17) Chain of custody issues with ballots and ballot boxes;
- 18) Ballots being brought into facilities long after closing;
- 19) The ROV instructing police officers to inform my Clients they are loitering when they seek to observe whether ballots are taken from and/or brought into facilities after closing;
- 20) Removal of an entire box of thumb drives through the back of the building;

³NRS 293.363 requires the counting procedure to be make public and continue without adjournment until completed. This did not occur.

⁴Voters used the dismantled machines for several days before they were dismantled. No confirmation has been given on what happened to those votes and whether they were accepted or rejected.

- 21) Ushering observers out of the facility at 11:30 p.m. on election night while only 10% of the vote reported with more votes being reported throughout the night;
- 22) Ballot boxes being dropped off and additional boxes being placed into a Chrysler Voyager van, License Plate No. JRR-6555 in broad daylight;
- 23) Ballots that appeared to be copied from a copy machine;
- 24) Due to the amount of ballots that failed signature verification on the first attempt;
- 25) Union workers and temporary workers appeared to be nearly all democrats, with no sign of republicans as a part of the actual vote tabulation and election process within the ROV;
- 26) Registrar Gloria and Secretary Cegavske have received hundreds and hundreds of violations in addition to those outlined above;
- 27) State and county vehicles were dropping off large amounts of workers to work within the ROV, workers appeared to be out of state residents given the circumstances;
- 28) Poll workers observed reviewing ballots, envelopes, and having republicans' votes cast in a separate box from other votes, republicans across the county were instructed to use a certain voting machines;
- 29) CISA report outlining the vulnerabilities of the voting machines used by Clark County, as wifi was also discovered at polling locations; and
- 30) My Clients have gigabytes of videos, photos and hundreds of affidavits confirming the aforementioned.

Given the countless NRS and NAC 293 violations, the Primary Election cannot be certified. Please contact my office with any questions regarding this correspondence. Please confirm by June 24, 2022 that Secretary Cegavske will not certify the 2022 Primary Election at this time.

Sincerely,

/s/ Adam Fulton, Esq.
Adam Fulton, Esq.

Enclosed:
June 8, 2022 Correspondence to Registrar Gloria
E-mail correspondence with Ms. Logsdon

With a copy sent to:

Lisa Logsdon, Esq.
Clark County District Attorney – Civil Division
500 South Grand Central Pkwy.
Las Vegas, Nevada 89155-2215
Lisa.Logsdon@ClarkCountyDA.com
Counsel for Clark County Registrar of Voters

Via E-mail to Clark County Board of County Commissioners:

James B. Gibson – District G
DistrictG@ClarkCountyNV.gov

Justin Jones – District F
DistrictF@ClarkCountyNV.gov

Michael Naft – District A
DistrictA@ClarkCountyNV.gov

Marilyn Kirkpatrick – District B
DistrictB@ClarkCountyNV.gov

Ross Miller – District C
DistrictC@ClarkCountyNV.gov

William McCurdy – District D
DistrictD@ClarkCountyNV.gov

Tick Segerblom – District E
DistrictE@ClarkCountyNV.gov



JENNINGS & FULTON
LAW FIRM



June 8, 2022

Sent Via U.S. Certified Mail & E-mail:

Lisa Logsdon, Esq.
Clark County District Attorney – Civil Division
500 South Grand Central Pkwy.
Las Vegas, Nevada 89155-2215
Lisa.Logsdon@ClarkCountyDA.com
Counsel for Clark County Registrar of Voters

RE: Individuals Who Have Submitted an Election Integrity Violation Reports and Complaints:

Wayne [Redacted]
Janie [Redacted]
Robbie [Redacted]
Heidi [Redacted]
Suzanne [Redacted]
Sharen [Redacted]
Susan [Redacted]

Dear Lisa,

Please be advised that my firm represents the above-listed Clark County, Nevada observers (“Clients”) of the 2022 Primary Election. While the parties in *Goldman v. Cegavske, et al.*, Case No. A-22-851189-C (“Observation Matter”), submitted a Stipulation and Order for Dismissal, my Clients have submitted several Election Integrity Violation Reports (“Reports”) and additional complaints to the Clark County Registrar of Voters that have neither been cured nor addressed.

While my Clients are aware that the Court found that the Plaintiffs in the Observation Matter did not establish a likelihood of success on the merits at the juncture of the hearing on the Motion for a Temporary Restraining Order¹, there are clear concerns that there is not sufficient and consistent observation taking place during the Primary Election. Additionally, the June 1,

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¹My Clients cite the Order as to form and content only, and do not concede any factual and legal positions disputing the contents of the Order.

2022 Notice of Entry of Stipulation and Order of Dismissal outlines that,

- 1) The Plaintiffs will be permitted to observe during the processing and counting ballots in accordance with Nevada law and regulations and Clark County's existing procedures, to the same extent as other eligible observers.
- 2) If the County is processing and/or counting ballots, observation will be allowed.
- 3) Clark County will provide an observation area in the two signature verification rooms that will accommodate at least five (5) observers absent any state or federal emergency orders regarding social distancing.

See June 1, 2022 Notice of Entry of Stipulation and Order of Dismissal at 2. Meaningful Observation is defined as,

[a] person may observe the identification of voters who appear at a polling place to vote, the distribution of a ballot or voting machine card to a voter, the movement of a voter to a voting booth, the return of a ballot or voting machine card by a voter and the exiting of a polling place by a voter.

The term does not include allowing a person to: (1) View the personal information of a voter, a voter's ballot or selections on a voting machine; or (2) Listen to any conversation between election board officers or between a voter and an election board officer. (c) "Vote center" means a polling place established by the county or city clerk, as applicable, pursuant to the provisions of NRS 293.3072 to 293.3075, inclusive, or 293C.3032 to 293C.3035, inclusive, as applicable, where any person entitled to vote by personal appearance in the county or city, as applicable, may do so on the day of the election.

See Adopted Regulation R098-21.² Observations of voting, "must not be located in an area that would allow an observer to infringe on the privacy and confidentiality of the ballot of the voter." *Id.* R098-21 requires observers to "remain in an area designated by the county or city clerk without interfering with the processing and counting of ballots," but the designated area must "allow for meaningful observation" and "must not be located in an area that would allow an observer to infringe on the privacy and confidentiality of the ballot of a voter." *Id.* My Clients have complied with Adopted Regulation R098-21 during their observations and the Stipulation and Order of Dismissal.

However, my Clients have submitted the below-referenced following complaints and Reports. While below is not an exhaustive summary of each and every Report and complaint, it

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²[2022 Regulations \(nvsos.gov\)](https://www.nvsos.gov) (last accessed June 7, 2022).

summarizes key instances where my Clients were denied observation:

Observer	Complaint(s)/Report(s)
Wayne [REDACTED]	<ul style="list-style-type: none"> • Not permitted to: observe the trays being processed nor being put away and not permitted to observe signature curing until completion. • Denied the ability to physically observe the transport and chain of custody of ballots from polling center to the election department by Nevada Highway Patrol (Centennial Voting Site).
Janie [REDACTED]	<ul style="list-style-type: none"> • Informed at 5:20 p.m. that Agiliss was turned off and no additional ballots would be scanned or audited. However, upon exiting the intake sorting room, two men with ballots on a cart in trays waited for everyone, including observers, to exit the room. Ms. Lopez was not permitted to witness whether the additional ballots were scanned or audited.
Robbie [REDACTED]	<ul style="list-style-type: none"> • Witnessed an individual carry an armful of sealed ballots out of an administrative office (965 Trade Dr.) and place into the backseat of his vehicle.
Heidi [REDACTED]	<ul style="list-style-type: none"> • While observing at the Central Counting Board, Ms. Clingen was informed that the facility was understaffed and that observers were not permitted to observe other rooms. • Denied opportunity to use restroom unless every observer was present with Ms. Clingen.
Suzanne [REDACTED]	<ul style="list-style-type: none"> • After a facility closed, with a police officer present, multiple individuals were entering and exiting the west entrance and unloading gray bins onto carts and wheeling into the facility (marked Nellis Landing and early Voting Team 8). Receiving doors 28 and 30 were open there was a ramp to door 30 but not to 28. All the bins were being loaded into door 30. Ms. Danevicius witnessed a police officer at door 30 and two (2) police officers standing in the parking lot by door 30. She asked, "why are people taking out bins from their private vehicles." He replied, "This is government official business and we are not allowed to tell you." Mr. Danevicius further inquired, "what are in the bins?" The officer responded, "there could be banana's in there for all I know." • Mailman delivered mail in ballots and also took mail in ballots in the outgoing mail basket. • Ms. Danevicius escorted out of the lobby for simply asking basic questions to "Dan" and would not address alleged complaints regarding Ms. Danevicius. • While at 965 Trade Dr., unidentified man entered the lobby and informed the clerk, "I have signatures for you", my Client was then escorted to the Central Voting Count.

<p>Sharen [REDACTED]</p>	<ul style="list-style-type: none"> • While present with Ms. Lopez and Ms. Proffitt as outlined herein, after being informed no additional ballots would be scanned or audited, two (2) men with ballots on a cart in trays waited for everyone, including observers, to exit the room. Ms. Lopez, Ms. Mobley, nor Ms. Proffitt were permitted to witness whether the additional ballots were scanned or audited. • Informed that even when the facility opened, observers were required to wait outside and could not come in the building yet (reported at 10:08 a.m.).
<p>Susan [REDACTED]</p>	<ul style="list-style-type: none"> • Witnessed dozens of unattended gray ballot boxes left open on tables in the warehouse areas near the tabulation room. The ballots were visible and able to be identified. • Entire adjudication areas blocked by temporary walls over six feet high. When addressed to Registrar Gloria, he stated, “That won’t happen before November.” • Witnessed four (4) individuals delivering lists of signatures and petitions to the front desk, the office was closed and locked the following morning and observers were forced to wait in the hear for over an hour. • Assistant Registrar Portillo used Las Vegas Metropolitan Police Department (LVMPD) officer to intimidate observers outside of 965 Trade Dr. and observers were confronted by Ms. Portillo with no basis for doing so. • Despite arriving at 9:00 a.m., the time observers are informed that ballot processing, counting, verification would begin, were informed that the counting board started at 8:00 a.m. and that the Agillis machine in the intake room started at 8:30 a.m. • Tabulation room counting after notifying my Ms. Proffitt that it had not begun and being taken to the adjudication room. • Seating observation area more than 50 feet from where work is being done and staff refused to place two (2) chairs for closer observation. • Liberty Signature room unable to be viewing without obstruction for approximately 25% of stations because of taped off area with single row of chairs down the center of the room. Ms. Proffitt nor other observers were permitted to stand or switch chairs to observe other stations in the Liberty Signature room. • Racks blocking the Intake room and refusal to place chairs in reasonable area for observation. • Given conflicting information regarding whether the computers at the back of the Intake room were used to received electronic ballots for military and service members. Ms. Proffitt was informed that the computers are, “No longer used for military ballots” and are used for reports.

	<ul style="list-style-type: none"> • At the ballot bag pick-up tonight S. Valley library, poll workers were completely dismantling all voting machines. One of the workers, Nicole, stated the Registrar called her and instructed, "the wrong voting machines had been delivered the 1st day of early voting & these machines were supposed to be for 'election day' only; everything had to be dismantled & new machines would be delivered tomorrow before 10 a.m." Nicole confirmed that the voting machines were to be used solely on election day during the 2022 General Election.
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While the aforementioned are representative and not exclusive, it is clear that Registrar Gloria is not complying with the Stipulation and Order nor permitting consistent meaningful voter observation. Notably, the dismantling of the voting machine must be addressed.

Please confirm that the Registrar of Voters will cure all complaints within the Reports and provide that:

- 1) Observers be permitted to observe trays being processed and put away/stored;
- 2) Observers be permitted to observe a signature curing until completion;
- 3) No sealed ballots be taken from an administrative office without being processed;
- 4) Observers being permitting to view all rooms where counting, tabulation, auditing, etc. are taking place;
- 5) Removal of the adjudication areas blocked by temporary walls over six (6) feet high;
- 6) An unobstructed view of the Liberty Signature room is provided;
- 7) Removal of racks blocking the Intake room and placement of chairs in reasonable area for observation;
- 8) Observation areas will be provided in all areas within reasonable viewing proximity, opposed to approximately 50 feet away outlined above;
- 9) Observers are permitted to enter facilities upon opening;
- 10) Ballot processing, counting, verifying will not begin until observers are permitted to enter the facility and observe;
- 11) Ballots are not taken from or taken to any facility after closing unless observers are permitted to observe transport;
- 12) Confirmation that third-party machine operators cannot switch votes at any point in time (My Clients have been informed by third-party machine operator(s) that they have the ability to switch the votes or would switch the votes later indicating that it does not matter how people vote); and
- 13) No voting machines are dismantled.

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Please contact my office with any questions regarding this correspondence. My office is open to conducting a walk through to address any of the aforementioned to amicably resolve this matter.

Sincerely,

/s/ Adam Fulton, Esq.
Adam Fulton, Esq.

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Viewing after hours
Date: Monday, June 13, 2022 2:14:34 PM

Hi Adam,

The back of the building was never been part of the County's observation plan. The County agreed to permit observation during the processing and counting of ballots in accordance with Nevada law and regulations and Clark County's existing procedure. There is no "processing and/or counting of ballots" that is occurring in the back of the building after hours.

With respect to your other email regarding the Agilis room, I have confirmed there is no processing and/or counting of mail ballots occurring when the observers leave for the day. The machine is not running and mail ballots are not being processed. Your statement about if workers are in that room that observation must be allowed is not consistent with the order or Nevada law regarding observation.

Thank you,

Lisa Logsdon
County Counsel
Clark County District Attorney – Civil Division
Telephone: (702) 455-4761
Email: Lisa.Logsdon@ClarkCountyDA.com

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From: Adam Fulton [REDACTED]
Sent: Monday, June 13, 2022 11:03 AM
To: Lisa Logsdon <Lisa.Logsdon@clarkcountyyda.com>
Cc: [REDACTED]
Subject: Viewing after hours

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Lisa,

The police are being instructed by your client to direct viewers, who are viewing the docks and back of the building for the drop offs, to leave the property. We agreed previously that my clients could view the back of the building after hours. My clients are not interfering and are being falsely accused of loitering. Please discuss with your client and confirm that the police will be informed that my clients can continue viewing the building after ballot processing stops.

Thank you,

Adam R. Fulton, Esq.
Jennings & Fulton, LTD.

[REDACTED]

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