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STATE OF WISCONSIN
GOVERNMENT ACCOUNTABILITY BOARD

State of Wisconsin
Government Accountability Board

Jennifer Toftness,
on behalf of the Republican Assembly Campaign Committee,
Complainant,

Against

Friends of Kelley Albrecht,
Kelley Albrecht, Candidate
Respondent.

AFFIDAVIT & RESPONSE TO NOMINATION PAPER CHALLENGE
JOEL GRATZ on behalf of KELLEY ALBRECHT

I, Joel Gratz, based on information and belief, hereby state as follows:

1. This affidavit is in response to a challenge filed by Jennifer Toftness, a staff member of the Republican Assembly Campaign Committee (RACC), 148 E. Johnson Street, Madison, WI, as to the sufficiency of nomination papers to place Kelley Albrecht on the ballot for State Assembly in the 63rd Assembly District. The challenge to sufficiency was filed on June 4, 2012.
2. I am a qualified elector in and resident of the State of Wisconsin. I am the Executive Director of the Assembly Democratic Campaign Committee (ADCC), 110 King Street, Suite 203, Madison, WI 53073. I am filing this response on behalf of Ms. Albrecht.
3. Complainant Toftness allegations of insufficient nomination signatures and flaws in the form of the papers circulated approach being frivolous, barely warranting the Board's time and should be dismissed in their entirety given past Board decisions.
4. On or about May 31, 2012, Respondent filed nomination papers with the Government Accountability Board (GAB) to be placed on the November 6, 2012 ballot for State Representative in the 99th Assembly District. The Respondent submitted in excess of 400 signatures and Board staff quickly and easily determined Ms. Albrecht had at least 400 valid signatures on the pages submitted, the maximum number that is counted.
5. Complainant Toftness in paragraph 1 challenges multiple pages in their entirety for failing to provide the correct title of office sought. Nomination papers must be in substantial compliance to be sufficient and valid. Title of office sought is listed as "Assembly" which is interchangeable with and commonly understood to mean the State Assembly and Representative to that body. Furthermore, the nomination paper heading also clearly states "Representative to the State Assembly-63rd

District". No other statement or heading could be construed as being clearer what office is being sought.

6. Complainant Toftness claims in paragraph 2 that multiple pages are invalid, as Respondent failed to check off "him" or "her" on the nomination papers does not invalidate the papers. The district and candidate information and statement being signed are in substantial compliance with the requirements and this challenge should be rejected.
7. Complainant Toftness claims in paragraph 3 that the District Number under "District or Jurisdiction" is illegible on certain pages. A review of the pages clearly shows the district number being "63". Furthermore, if Complainant had any question as to the district sought, allowing their eyes to travel just a bit to the right will reveal the complete jurisdiction and district sought "Representative to the Assembly- 63rd District".
8. Complainant Toftness provides an insignificant and insufficient number of challenges to individual signatures. Given the large volume of valid signatures (400 or likely more), Respondent will not address those trivial challenges, other than to note that several of these continue the pattern of questioning information that in fact appears legible and complete.
9. Complaint fails to sufficiently challenge enough signatures as in valid to disqualify Kelley Albrecht as a candidate for State Assembly, 63th Assembly District and Respondent should be found eligible for placement on the ballot for State Assembly Representative.

I, Joel Gratz, being dually sworn upon oath, state that I personally read the above complaint and that the above listed allegations are true and correct based upon my personal knowledge and my review of the nomination papers and other public records, and as to those allegations stated on my information and belief, I believe them to be true.

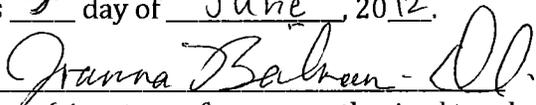
Dated this 5 day of June, 2012.

Respectfully submitted,


Joel Gratz

Subscribed and sworn to before me

this 5th day of June, 2012.


(signature of person authorized to administer oaths)

My commission expires _____ or is permanent
Notary Public , or _____

