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GOVERNMENT ACCOUNTABILITY BOARD

State of Wisconsin
Government Accountability Board

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

Against

Committee to Elect Cindy Moore
Cindy Moore, Candidate
Respondent.

AFFIDAVIT & RESPONSE TO NOMINATION PAPER CHALLENGE
JOEL GRATZ on behalf of CINDY MOORE

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 Cindy Moore on the ballot for State Assembly in the 15th 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 30, 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 15th Assembly District. The Respondent submitted approximately 246 signatures as confirmed by Board staff.
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 District 15." "Assembly" is interchangeable with and commonly understood to mean the State Assembly and Representative to that body.
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

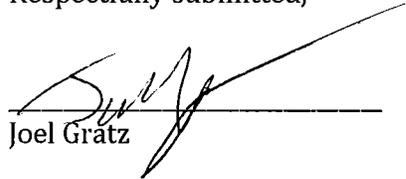
signed are in substantial compliance with the requirements and this challenge should be rejected.

7. Complainant Toftness claims in 3 that the name of the municipality of the candidate in not provided on several pages. Once again the standard of substantial compliance is met as Ms. Moore's mailing municipality, which is listed as New Berlin, is the same as her voting municipality.
8. Complainant Toftness claims in paragraph 4 that the District Number under "District or Jurisdiction" is illegible on certain pages. A review of the pages clearly shows the district number being "15". Furthermore, if Complainant had any question as to the district sought, the nomination paper header clearly in large print provides in two places, one of which was already cited by Complainant Toftness, that the district sought is "Assembly District 15" and "District 15".
9. Complainant Toftness provides just two actual challenges to individual signatures, an insignificant and insufficient number of challenges given the large volume of valid signatures. Thus, Respondent will not address those trivial challenges.
10. Complaint fails to sufficiently challenge enough signatures as in valid to disqualify Cindy Moore as a candidate for State Assembly, 15th 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 and 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 believe, I believe them to be true.

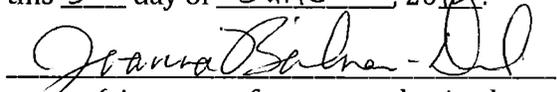
Dated this 5 day of June, 2012.

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 _____

