

State of Wisconsin
Government Accountability Board

Thad Nation

Complainant,

Against

Sara Lee Johann, Candidate 10th Assembly District
Respondent.

AFFIDAVIT & RESPONSE TO NOMINATION PAPER CHALLENGE
SARA LEE JOHANN on behalf of SARA LEE JOHANN

I, Sara Lee Johann, based on information and belief, hereby state and allege as follows:

1. This affidavit is in response to a challenge filed by Thad Nation, campaign treasurer and supporter of Tia Torhorst, one of my Democratic election opponents, 4426 N. Farwell Avenue, Milwaukee, Wisconsin 53211 as to the sufficiency of nomination papers to place Sara Lee Johann on the ballot for State Assembly in the 10th Assembly District. The challenge to sufficiency was filed on June 5, 2014.
2. I am a qualified elector in and resident of the State of Wisconsin. I am the candidate whose nomination papers are being challenged. I reside at 2153 S. Kinnickinnic Avenue, Milwaukee, Wisconsin 53207. I am filing this response on my own behalf.
3. Complaint fails to sufficiently challenge enough signatures as in valid to disqualify Sara Lee Johann as a candidate for State Assembly, 10th Assembly District. To wit:
 - a. On or about June 2, 2014, Respondent filed nomination papers with the Government Accountability Board (GAB) to be placed on the November 4, 2014 ballot for State Representative in the 10th Assembly District. The Respondent's nomination papers contained 271 signatures of which 221 were valid signatures as determined by a review of GAB staff.
 - b. Complainant has challenged 45 signatures and addresses as being outside the 10th Assembly District. Those 45 signature challenges, even if valid, are insufficient to prevent Sara Lee Johann from being placed on the ballot. Three of those 45 signatures are, in fact, valid as being in the 10th Assembly District, as detailed below.

- c. I have personally reviewed the addresses of the challenged signatures and researched the district of those using the Wisconsin Legislature Who Are My Legislators webpage.
 - d. Complainant challenges the signature at page 3 line 9 as being out of district. This address, belonging to a Danielle Shuster, at 2568 N. Fratney St., Milwaukee, is out of the district. However, the Complaint states that it is the signature of Danielle Willis (at 3137 N. Pierce St., Milwaukee, Wisconsin 53212) that is invalid, and that address is in the 10th District and is valid.
 - e. Complainant challenges the signature at page 4, line 8 as being out of district. This address, belonging to David Marx, 3807 N. Oakland, Shorewood, WI 53211 is in the 10th District and is valid.
 - f. Complainant challenges the signature at page 12 line 5 as being out of district. This address, belonging to Cynthia Grunst, 3472 N. Weil Street, Milwaukee, WI 53212 is in the 10th District and is valid.
 - g. Complainant challenges the signature at page 11, line 9, belonging to L. Clark as "address illegible." We have examined that signature and find that the address is legible as 3163 N. Holton, Milwaukee, WI, an address which is in the district and makes perfect sense because that was the neighborhood I was in circulating papers on that day.
 - h. Thus, depending upon whether it is the Shuster or Willis name/address which is under challenge, there is a valid challenge to ONLY 41 or 42 of Johann's total 271 filed signatures, bringing her total valid/unchallenged signatures to 229 or 230. These total valid signatures are a sufficient number for placement on the ballot for State Assembly Representative.
4. As an aside, which does not appear to be very relevant to this challenge as Thad Nation did not challenge any additional signatures, the GAB apparently, at one time or another in their various reviews, found certain additional signatures to be invalid, some of which I believe are, in fact valid. The GAB staff wrote the numbers of signatures they claim are valid at the top of each nomination paper, with the number on the left being the final number AFTER they also added signatures that they believe to have been validly challenged by Torhorst's treasurer, Chad Nation. The GAB found 198 (or possibly 199) to be valid. We argue that, of those additional signatures invalidated by the GAB, the following signatures are, in fact, valid for the reasons given below:
- a. On page 2, line 5, Casondra Smith failed to print her name. The Wisconsin law requiring a printed name is, upon information and belief, invalid as an unconstitutional restriction on voter rights and ballot access.
 - b. On page 7, line 9, the GAB appears to have invalidated the name possibly because of a signature and printed name looking too much alike. We disagree.
 - c. On page 13, the GAB said there are only 7 valid signatures. After discussing this with the GAB attorney, Nathan Judnic, it was agreed that the name

Richard Horowitz on line 9 can be read, bringing the total to 8 valid signatures on that page.

- d. On page 14, four names, Kessenich, Menon, Menon, and Heinrich, were taken out due to writing zip codes rather than dates in the "date of signing column." We would argue that the clear intent of these people was to write the date as they just continued on under the other names of prior signers. In fact, Mr. Menon used ditto marks, clearly referring to the dates above. We believe those signatures should be restored as valid.
 - e. On page 19, the GAB (final number) said only 7 were valid. However, the only signature which is checked as invalid on that page is that of page 19, line 1, Sarah Ferrence at 4941 N. Ardmore Ave., Whitefish Bay. There are 9, not 7 valid signatures on this page.
 - f. On page 20, line 10, the name of Tina Deprez is checked as invalid by the GAB. There is no reason for Tina's name to be invalidated as far as we can discern. She, like many of us, including myself, has printed and signed names that look extremely similar.
 - g. On page 22, 8 signatures were found valid. We argue that there are 9 valid signatures on the page because Niki Karp, page 22, line 8, listed an address which is in the district, namely 4333 N. Sheffield Ave., Shorewood, and put the Shorewood zip code of 53211 which is unique to Shorewood. The intent of this signer must be looked at.
 - h. On page 25, the GAB eliminated one signature only, on line 3, however it wrote on the top of the page that only 7 signatures are valid. The total of valid signatures on this page is at least 9. We would also argue that the signature on line 3, page 25 SHOULD be counted as the signature and printed name are not identical at all and this person lives in the district. That would bring the total valid signatures on this page to 10 rather than 7.
 - i. On page 26, line 5, the signature was apparently eliminated by the GAB possibly because of some similarities between the signed and printed name. The signed and printed names are not identical and this signature should be restored as valid bringing the valid signatures on that page up from 9 to 10. We also argue that the law requiring printed names is unconstitutional.
 - j. On page 28, line 2, the name of Brittany was eliminated but we are not sure why. This person lives at 1912 E. Kensington Blvd., Shorewood, WI 53211, and should be counted as valid, bringing the total valid signatures on that page up to 5 instead of 4.
5. In summation, there appear to be at least 214 or more valid signatures on Sara Lee Johann's nomination papers, which is a total beyond the minimum required signatures of 200, and the GAB must vote to place her name on the ballot as a Democratic candidate for State Assembly in the 10th District at this time.

I, Sara Lee Johann, 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 believe, I believe them to be true.

Dated this 9th day of June, 2014.

Respectfully submitted,

Sara Lee Johann
Sara Lee Johann

Subscribed and sworn to before me

this 9th day of June, 2014

[Signature]
(signature of person authorized to administer oaths)

My commission expires [Signature] or is permanent

Notary Public [Signature] or _____