

Response to Nomination Paper Challenge brought against me by Richard Coelho against me.

Robert Slamka

On the matter of circulator signatures:

Mr. Coelho alleges that the circulator signature was pre-filled on pages 13, 17, 21, 24, 25, 27, 29, 30, 33, 35, 41, 42, 43, 44, 45 of Robert Slamka's nomination papers. (the candidate Robert Slamka was the circulator for those pages) Let it be noted that Mr. Coelho has not presented any proof that any signature of circulator was present prior to circulation of those pages.

Even if a printed signature of circulator was affixed to those pages prior to circulation, Mr. Coelho admits that Mr. Slamka clearly signed pages 13, 17, 21, 24, 25, 27, 29, 30, 33, 35, 41, 43, 44, and 45 with a wet signature. We believe that a wet signature in its own right makes those pages valid. In addition, the presence of a printed signature of circulator prior to circulation would be at most an error, and § EL 2.05 (4) states that "Any information which appears on a nomination paper is entitled to a presumption of validity. Notwithstanding any other provision of this chapter, errors in information contained in a nomination paper, committed by either a signer or a circulator, may be corrected by an affidavit of the circulator, an affidavit of the candidate, or an affidavit of a person who signed the nomination paper." Now, Mr. Coelho might argue that a printed signature of circulation prior to circulation cannot be corrected by such an affidavit because of § EL 2.05 (14) (even though in our opinion, the language in § EL 2.05 (14) is not sufficient to disqualify those signatures because Robert Slamka clearly signed in wet ink). However, § EL 2.05 (15) states that "An individual signature on a nomination paper may not be counted when the date of the signature is missing, unless the date can be determined by reference to the dates of other signatures on the paper." Clearly, an error of the omission of a date can be corrected by such an affidavit, so an error that violates § EL 2.05 (14) must be able to be corrected by such an affidavit as well. Now, it is clear that Mr. Slamka signed such an affidavit as he swore with a written signature on pages 13, 17, 21, 24, 25, 27, 29, 30, 33, 35, 41, 43, 44, and 45 that "I, Robert Slamka, Certify: I reside at 6810 WINSTONE DR, MADISON. I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. § 6.03. I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under Wis. Stat. § 12.13(3)(a)." (See Exhibit A of Mr. Coelho's challenge)

Mr. Coelho also alleges that pages 13, 17, 21, 24, 25, 27, 29, 30, 33, 35, 41, 42, 43, 44, 45 of Robert Slamka's nomination papers violate Wis. Stat. § 8.15(4)(a), but he does not provide any explanation of why they would, and we can find no language in Wis. Stat. § 8.15(4)(a) that would justify his allegation.

On the matter of prior signing for another candidate:

Mr Coelho argues that the electors on line 7 of page 30, line 8 of page 30, line 3 of page 27, line 3 of page 42, line 1 of page 51, line 2 of page 51, line 1 of page 21, and line 2 of page 22 previously signed for another candidate seeking the same office. Note that 6 of those 8 lines are on pages referenced in

the previous section of this response on circulator signatures (line 7 of page 30, line 8 of page 30, line 3 of page 27, line3 of page 42, line1 of page 51, line 2 of page 51, line 1 of page 21, and line 2 of page 22 of Mr. Slamka's nomination papers), and that in his tally Mr. Coelho appears to count those signatures twice. Note also that the pages of Lisa Subeck's nomination papers with signatures corresponding to line 3 of page 27, line3 of page 42, line1 of page 51, line 2 of page 51, line 1 of page 21, and line 2 of page 22 of Mr. Slamka nomination papers that Mr. Coelho provided in his challenge are unnumbered suggesting that either those pages were not submitted to the WEC, or that those pages are not part of Lisa Subeck's official signature tally. We argue that the electors on line 3 of page 27, line 3 of page 42, line 1 of page 51, line 2 of page 51, line 1 of page 21, and line 2 of page 22 of Mr. Slamka's nomination papers did not technically sign for Lisa Subeck for this reason. Note that the signer on line 3 of page 42 of Mr. Slamka's nomination papers is Margaret Kindeg and that the corresponding signer on Lisa Subeck's nomination papers is Margaret F. Wise., and that Mr. Coelho did not prove that those two signers are the same person as he must do. (See Exhibit H of Mr. Coelho's challenge)

On the matter of signature dates:

Mr. Coelho argues that the signatures on line 5 of page 30, line 3 of page 39, and line 3 of page 9 of Robert Slamka's nomination papers are invalid because their date is out of sequence with the adjacent lines. However, the fact that those dates appear to be out of sequence with the signatures adjacent to them is immaterial as the signatures meet all statutory requirement and Mr. Coelho has not shown that there is any legal reason to disqualify a signature because its date is out of sequence. (See Exhibit C of Mr. Coelho's challenge)

Mr. Coelho points out that Lines 2 and 3 on page 48 of Robert Slamka's nomination papers appear to be missing a date. Lines 2 and 3 on page 48 of Robert Slamka's nomination papers do appear to be missing a date. However, those lines were initially accepted by the WEC. We believes that those lines are valid due to § EL 2.05 (15) which states that "An individual signature on a nomination paper may not be counted when the date of the signature is missing, unless the date can be determined by reference to the dates of other signatures on the paper." We believe that the date for those lines can be determined by reference to the dates of other signatures on the paper. (See Exhibit C of Mr. Coelho's challenge)

SIGNATURE AND CERTIFICATION

I, Robert Slamka, being duly sworn under oath, state that I personally have read the above response and that the above is true and correct based upon my personal knowledge and my review of the nomination papers and other public records.

Dated this 8th day of June, 2020.

Respectfully submitted,

Robert Slamka
Robert Slamka

State of Wisconsin

County of Dane

Subscribed and sworn to before me on

this 8th day of June, 2020

Nathan W. Judnic
Signature



Nathan W. Judnic

Name Printed or Typed

Commission is per me.