

EXHIBIT A

IN THE COMMON PLEAS COURT  
FRANKLIN COUNTY, OHIO

OHIOANS FOR RAISING THE WAGE, ET AL :	:	CASE NO. _____
Plaintiffs,	:	
	:	
v.	:	JUDGE _____
	:	
OHIO SECRETARY OF STATE	:	
	:	
Defendant.	:	
	:	

AFFIDAVIT OF CHRISTOPHER GALLAWAY

STATE OF MARYLAND:  
COUNTY OF MONTGOMERY: SS:

Now comes Christopher Gallaway, after first being duly cautioned and sworn, and deposes and declares as follows:

1. I am over 18 years of age and have personal knowledge of the facts stated herein.
2. I am a Member of FieldWorks, LLC (FieldWorks), which assists clients with the management, operations, signature gathering, and qualification for ballot initiative campaigns.
3. I have fourteen years of experience as a professional petition circulation manager and consultant. This experience includes work on six statewide petitions in Ohio.
4. On February 17, 2020 FieldWorks was retained by Ohioans for Raising the Wage to assist with circulating the Raise the Wage Ohio amendment to the Ohio Constitution that would raise the State of Ohio's minimum wage.

5. Ohioans for Raising the Wage has made a significant financial commitment to FieldWorks, including significant payments for services which will be performed over the duration of the 2020 signature gathering process.

6. FieldWorks has recruited, vetted, and trained professional circulators to gather signatures on the Raise the Wage Ohio amendment, secured and organized regional field offices to gather signatures, and tracked data relating to the gathering of signatures.

7. FieldWorks and other petition circulation firms rely on venues which attract a large number of individuals in order to engage with a high volume of potential petition signers. These venues include sporting events, parades, fairs, festivals, concerts, libraries, busy government offices such as courthouses, crowded urban areas outside malls, restaurants, and bars where large number of individuals congregate, and other large social and recreational functions which attract large numbers of individuals.

8. In my experience, and based on the consensus of the professional petition circulation industry, petition circulation strategies which rely on door-to-door circulation or other methods which do not engage with concentrated gatherings of individuals are insufficient to collect large numbers of signatures on a petition.

9. Ohioans for Raising the Wage retained FieldWorks in order to collect enough signatures to place the Raise the Wage Ohio constitutional amendment on the November 3, 2020 general election ballot.

10. In order to qualify for the ballot, petitioners are required to file a petition with the Ohio Secretary of State 125 days before the General Election, which this year falls on July 1, 2020.

11. In order to qualify for the ballot, petitioners must file a petition containing valid signatures of Ohio electors equal to 10% of the number of votes for Governor during the previous General Election, and that number is currently 442,958 valid signatures.

12. Although 442,958 valid signatures are required, petition companies often have to obtain one and a half to two times that amount of signatures to account for signers who may not be qualified to sign the petition and additional deficiencies that are common with petition circulation.

13. In order to qualify for the ballot, petitioners must file a petition containing valid signatures of at least 5% of the electors on a least half of Ohio's 88 counties.

14. Petitioners proposing an amendment to the Ohio Constitution must submit to the Secretary of State an electronic copy of the entire petition (i.e. a scanned copy of every page of every part-petition). Petitioners must also submit a summary of the number of part-petitions submitted by copy and an electronic index of the electronic copy of the entire petition.

15. Proposed constitutional amendments must contain only the signatures of residents of a single county on each separate part-petition, and each part-petition must be labeled and numbered by county and submitted to the Secretary of State accordingly.

16. Based on my experience managing statewide petition campaigns in Ohio, the cumulative effect of the electronic copy and index submission requirement and the requirement to arrange and number each separate part-petition by county, is that petition circulation must end approximately 5-6 days before petitions are filed with the Secretary of State to allow sufficient time to fully comply with these requirements.

17. After a petition proposing a constitutional amendment is submitted to the Secretary of State the petition is sent to the boards of elections for each county whose residents' signatures are on the petition to verify the signatures. The boards of elections certify to the Secretary of State the number

of valid signatures on the petition. After the number of valid signatures have been certified to the Secretary of State, and if the petition does not contain enough valid signatures to qualify for the ballot, the petitioners have an additional ten days to collect additional signatures to submit to the Secretary of State and "cure" the insufficiency. However, petitioners may not begin collecting any additional signatures until the Secretary of State has notified the petitioners of any such insufficiency.

18. I am familiar with the Orders issued by Ohio Governor Mike DeWine and Ohio Director of Health Amy Acton that have been issued since March 9, 2020 and have increasingly added restrictions on mass gatherings and other activities in the State of Ohio.

19. The Health Director's March 12, 2020 order limited "mass gatherings" to no more than 100 people in a single room or space. This was further restricted to no more than 50 people through a March 17, 2020 order, which was announced on March 16.

20. The Health Director's March 22, 2020 prohibited individuals from conducting non-essential activities outside of their homes and ordered the closure of non-essential businesses. This order prohibits gatherings of ten or more persons.

21. The "mass gathering" restrictions and limitations that have been put in place will severely limit any Ohio petitioners' ability to collect the large volume of signatures needed to place an issue on the ballot for the 2020 General Election, which is set to take place on November 3, 2020.

22. Additionally, on March 15, 2020, the Health Director imposed an order which recommended social distancing of six feet or more, which is consistent with what national health experts are recommending.

23. The social distancing recommendations additionally diminish petition circulator's ability to interact with residents at their homes or in public places as most potential petition signers

will be apprehensive to engage in close-proximity conversations and to handle items which the petition circulator has touched, including the petition itself.

24. On March 16, 2020, the Health Director ordered that the polls be closed on the Primary Election Day scheduled for the following day.

25. The closure of the polls removed a significant opportunity to interact with civic-minded registered voters who are traditionally willing to interact with petition circulators about ballot proposals and to sign petitions. Additionally, individuals who appear to vote at their polling location on Election Day are registered to vote at higher proportions than members of the general public.

26. FieldWorks had planned to have 788 shifts of petition circulators collecting signatures at polling locations on March 17. I estimate that FieldWorks would have been able to collect approximately 47,280 signatures through circulating the Raise the Wage Ohio petition outside of polling locations on March 17, 2020.

27. Between February 17 and February 28, FieldWorks expended considerable time and money putting in place the mechanics to conduct a statewide circulation campaign.

28. All circulators supervised by FieldWorks are hired as W-2 employees and must pass background checks. Prior to suspending circulation, FieldWorks had hired and trained 1,087 circulators. FieldWorks planned to hire approximately 5,000 additional circulators before completing circulation. FieldWorks pays petition circulators \$16 per hour. Circulator team leaders, which constitute approximately 25% of field staff, are paid \$18 per hour.

29. FieldWorks employed 3 quality-control managers and 35 quality control office staff for the Raise the Wage Ohio petition drive and operated a quality control office located in Hilliard. FieldWorks also employed 15 field office directors and deputy directors at six field offices in Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo.

30. FieldWorks began circulating the Ohio Raise the Wage petition on February 28, 2020. Between February 28 and March 12, when the first order restricting mass gatherings was issued, FieldWorks collected approximately 73,968 signatures on the petition, an average of over 5,689 signatures per day.

31. On average, trained circulators can collect 45-50 signatures per shift. This is based on 5.5 hours spent in the field per 7.5 hour shift.

32. On March 13 FieldWorks was able to collect 5,655 signatures. On March 14 FieldWorks was able to collect 3,971 signatures. On March 15 FieldWorks was able to collect 4,474 signatures.

33. Based on my experience as a petition circulation manager and consultant, petition circulators improve the number of signatures they are able to collect over time and therefore the number of signatures that can be collected per day by the same number of circulators generally increases over time.

34. On March 15, due to the diminishing returns of signature collection, the announcement of the Health Director's order closing bars and restaurants, and for the protection of the public and FieldWorks employees, FieldWorks suspended circulation of the petition.

35. Based on feedback from petition circulators in the field and my personal experience as a petition circulator manager, FieldWorks' ability to obtain petition signatures for the Raise the Wage Ohio petition has been severely impacted by the COVID-19 public health crisis.

36. In my experience as a professional petition circulation manager and consultant, prior to March 12 and the subsequent orders from the Ohio Department of Health limiting mass gatherings and ordering Ohio residents to stay at home, Ohioans for Raising the Wage was on track to collect a

sufficient number of signatures to submit the Raise the Wage Ohio petition to the Secretary of State on July 1, 2020 to qualify for the 2020 general election ballot.

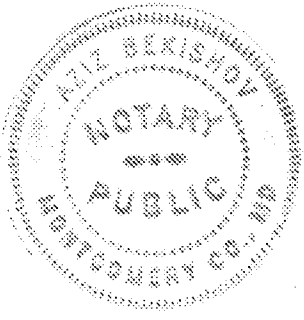
37. I have read the complaint which has been filed with the Court. In my opinion as a professional petition circulation manager and consultant, the proposed relief which the plaintiffs have requested from the court would make it possible for Raise the Wage Ohio constitutional amendment to qualify to be placed on the 2020 General Election ballot.

Further affiant sayeth naught.

  
CHRISTOPHER GALLAWAY

Sworn to before me and subscribed in my presence this 29th day of March, 2020.

  
NOTARY PUBLIC



AZIZ BEKISHOV  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires February 28, 2022