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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Arizona Green Party; Dr. Jill Stein;) Case No.: _____
Angel Torres; and Linda Macias,)
)
Plaintiffs,)
)
v.) **COMPLAINT FOR DECLARATORY**
) **AND INJUNCTIVE RELIEF**
Michele Reagan, in her official capacity)
as Secretary of State of Arizona,)
) **No Jury Trial Demanded**
Defendant.)
)
)
)
)

INTRODUCTION

PARTIES

1. Plaintiff Arizona Green Party is a political party headquartered in Arizona. The Arizona Green Party seeks the Arizona Secretary of State to accept its presidential elector nomination papers and place its presidential candidate, vice presidential candidate, and presidential electors on the general election ballot, so that its electors may cast electoral votes for the Green Party candidate for President of the United States if that person receive the most votes for President in the Arizona general election. The Arizona Green Party's presidential and vice presidential candidates and electors will not, according to the Secretary of State, appear on the Arizona general election ballot absent court action.

2. Plaintiff Dr. Jill Stein is a resident of Massachusetts, a supporter of the Green Party, and the presumptive nominee of the Green Party for President of the United States, pending the party's August 6, 2016 official nomination at the national convention, but who will not, according to the Secretary of State, appear on the Arizona general election ballot absent court action.

3. Plaintiff Angel Torres is a resident of Arizona, a supporter of the Arizona Green Party, the state co-chair of the Arizona Green Party, and an elector whose nomination paper was submitted to the Arizona Secretary of State, but who will not, according to the Secretary of State, appear on the Arizona general election ballot absent court action.

4. Plaintiff Linda Macias is a resident of Arizona, a supporter of the Arizona Green Party, a member of the Arizona Green Party state committee, and an elector whose

nomination paper was submitted to the Arizona Secretary of State, but who will not, according to the Secretary of State, appear on the Arizona general election ballot absent court action.

5. Defendant Michele Reagan is the Secretary of State of Arizona, and is sued in her official capacity. The Secretary of State oversees the State's electoral processes including but not limited to managing the submission process for presidential electors' nomination papers and affidavits of qualification and reviewing and accepting the papers filed by political parties.

JURISDICTION AND VENUE

6. This is a civil action seeking declaratory, injunctive, and other legal and equitable relief, and the court has jurisdiction of the subject matter of this action pursuant to 28 U.S.C. §§ 1331, 1343(a), 1367, and 2201. The federal law causes of action are based on 42 U.S.C. § 1983. The state law causes of action are based on Ariz. Rev. Stat. ("A.R.S.") § 16-344 and A.R.S. Rules of Procedure for Special Actions, rules 3 and 4.

7. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2), on the ground that a substantial part of the events or omissions giving rise to the claims herein occurred in the District of Arizona.

GENERAL ALLEGATIONS

8. A.R.S. § 16-344 sets forth a procedure by which political parties can designate their electors for presidential and vice presidential elections. In particular, it states that nominating papers and affidavits of the electors should be filed between 90 and

120 days before the primary election date. This year, the 90-day deadline before the August 30, 2016 primary election falls on June 1, 2016, which is a distant 160 days before the November 8, 2016 general election. The statute provides no remedy for a late filing nor any restrictions on accepting papers filed after the deadline.

9. Arizona is one of only two states that require political parties to submit the names of their presidential elector candidates before the primary for Congress and partisan state office. They are also one of only two states that require political parties to submit these names prior to August 1 of the presidential election year. Arizona has no statutory deadline for a party to certify the names of its presidential and vice-presidential nominees to the state.

10. Arizona does not place the names of presidential and vice presidential candidates on its regular primary election ballot. Instead, it holds a presidential preference primary. This year, the presidential preference primary occurred on March 22, 2016, and the Arizona Green Party participated. Although the presidential preference primary occurs before the regular primary election, ballots for the general election stating the presidential candidates are not printed until after the regular primary election because candidates for other positions besides president appear on the primary ballot.

11. The Arizona Green Party is a recognized political party in Arizona.

12. On June 1, 2016, state co-chair for the Arizona Green Party, Angel Torres, received a telephone message from the Arizona Secretary of State informing him that the deadline to file the Arizona Green Party's eleven presidential electors' nomination papers and affidavits of qualification (the "Papers") was June 1, 2016, at 5:00 p.m. This was the first time the Arizona Secretary of State informed the Arizona Green Party of the

deadline to file the Papers. Yet, even at that late date, the Arizona Secretary of State's Elections Office had not sent the Arizona Green Party the correct and updated nomination papers forms to complete to meet the June 1, 2016, deadline, and the updated forms could not be located on the Arizona Secretary of State's website.

13. After learning for the first time that the Papers were due on June 1, 2016, at 5:00 p.m., Angel Torres contacted members of the Arizona Green Party, including the eleven electors, in order to get the Papers signed and submitted as soon as possible. The Green Party used the 2012 form because it did not receive the 2016 form until June 9, 2016. Maricopa County, where the Secretary of State's office is located, is a very large county geographically, and travel time was a factor in submitting the Papers.

14. Mr. Torres hand-delivered the Papers with a cover letter to the Arizona Secretary of State's office on June 9, 2016. The office issued a receipt for the Papers and took possession of them, but elections officials said that the deadline to file them had passed. They also said that the Arizona Green Party would need to go to court to require the Secretary of State to accept the Papers.

15. True and correct copies of the cover letter and the Papers, with personal contact information redacted, are attached hereto as Exhibit 1. A true and correct copy of the receipt issued to Mr. Torres by the Arizona Secretary of State's office regarding the Papers, with personal contact information redacted, is attached hereto as Exhibit 2.

16. Throughout several exchanges of e-mail correspondence with Mr. Torres and a meeting in person, representatives of the Secretary of State's office have never suggested that the "late" filing of the nomination papers in any way caused any prejudice to the Secretary of State's office.

17. The Arizona Green Party had not received any notice or reminder from the Arizona Secretary of State regarding the June 1, 2016 deadline or regarding Arizona's process for nominating presidential elector candidates for the general election ballot in general, as it had for previous presidential election cycles.

18. In the past, the Arizona Secretary of State had sent numerous notices and reminders to the Green Party well in advance of election filing deadlines. This occurred for the 2012 presidential elector nomination process, among other instances.

19. The Green Party will hold its national convention on August 4–7, 2016. Other political parties' conventions are held shortly before those dates.

COUNT ONE:

The Secretary's Decision Violates the First and Fourteenth Amendment Rights to Free Speech, Free Association, and Voting Rights of the Arizona Green Party

(By Plaintiffs Arizona Green Party, Dr. Jill Stein, Angel Torres, and Linda Macias
against Defendant Michele Reagan, in her official capacity as Secretary of State of
Arizona)

19. Plaintiffs incorporate the allegations set forth in the preceding paragraphs of this complaint as though fully set forth herein.

20. The Defendants' actions, acting under color of state law, deprived and severely burdens the political speech and political association rights of the Arizona Green Party and its members in direct violation of the First and Fourteenth Amendments to the United States Constitution, as remedial by 42 U.S.C. § 1983.

21. Ballot access restrictions, such as those limiting the ability of electors to cast votes if nominations for the electors are not received far in advance of the general election, diminish the statewide and national viability of the organization whose ballot presence is denied, thereby diminishing the value of votes cast by the harmed parties.

22. Under A.R.S. § 16-344, Arizona is one of only two states which prescribe that individual electors be named before the national party convention takes place. Such a process constitutes bad public policy since it mandates that electors be chosen before the identity of the national party's nominee is known. This increases the possibility that electors will not vote for the nominee of the party in the electoral college and therefore runs counter to the obligation of electors to vote for their party's candidate.

23. A.R.S. § 16-344's statement that the nominating papers and affidavits be filed more than 90 days in advance of the primary election (which, in 2016, means 160 days before the general election) is unreasonably early and raises the possibility that a minor technical violation of the filing date which causes no actual or theoretical prejudice to the secretary of state's office, the rest of the government, or citizens in general could result in the electorate being denied the opportunity to vote for the presidential and vice presidential nominees of an established political party is unconstitutional.

24. Defendant, acting under color of state law, has deprived Plaintiffs of the rights, privileges and immunities secured to them under the First and Fourteenth Amendments to the United States Constitution and section 1983 of title 42 of the United States Code to participate in the democratic process—through which the party members engage one another and through which the party engages in the public at large—free from unreasonable impediments, undue restraints on core political speech, discriminatory

ballot access restrictions, and unjust limitations on associational and expressive rights afforded them by law.

25. Plaintiffs have no adequate remedy at law for such deprivation of their rights, privileges and immunities.

26. If A.R.S. § 16-344 is construed to allow the Secretary of State to have no discretion, then the statute violates the First and Fourteenth Amendments of the United States Constitution.

COUNT TWO:

**The Secretary's Decision Violates The Equal Protection Clause of The Fourteenth
Amendment to The United States Constitution**

(By Plaintiffs Arizona Green Party, Dr. Jill Stein, Angel Torres, and Linda Macias
against Defendant Michele Reagan, in her official capacity as Secretary of State of
Arizona)

27. Incorporating all facts stated elsewhere herein, the Secretary's actions, acting under color of state law, deprived Plaintiffs of the rights, privileges, and immunities secured to them under the equal protection clause of the Fourteenth Amendment to the United States Constitution and section 1983 of title 42 of the United States Code to participate in the democratic process free from discriminatory action, both in intent and deliberate effect, by enforcing A.R.S. § 16-344—the arbitrary restrictions that the Secretary has relied on in her decision to reject the Arizona Green Party's Papers despite the fact that the general election is still almost four months away.

28. Arizona law does not require independent presidential candidates to submit

their list of elector candidates until 60 days before the general election, which in 2016 is September 9. (A.R.S. § 16-341.) Further, nationwide the Democratic Party or the Republican Party have sometimes failed to strictly adhere to statutory deadlines for submitting presidential elector names or presidential and vice-presidential nominee names. When this has happened, states have always printed the Democratic and Republican Party's presidential candidates on the November ballot anyway. States have never required strict adherence to these deadlines when the two major parties have missed the deadlines.

29. Further, for years the Arizona Secretary of State had given multiple types of notice to political parties well in advance of critical deadlines in the election process. This year, however, the Secretary of State gave no notice whatsoever to the Arizona Green Party prior to the afternoon of the actual deadline day for presidential electors' nomination forms. Receiving these notices helps third parties, like the Arizona Green Party, who do not have the resources to constantly monitor deadlines that change every year.

30. Plaintiffs have no adequate remedy at law for such deprivation of their rights, privileges, and immunities.

COUNT THREE:

Arizona Special Action, A.R.S. Special Actions, Rules of Proc., Rules 3, 4

(By Plaintiffs Arizona Green Party, Dr. Jill Stein, Angel Torres, and Linda Macias
against Defendant Michele Reagan, in her official capacity as Secretary of State of
Arizona)

31. Plaintiffs incorporate the allegations set forth in the preceding paragraphs of this complaint as though fully set forth herein.

32. The Secretary of State has interpreted A.R.S. § 16-344 as eliminating all discretion on her part regarding whether or not to place candidates on the ballot for president or vice president regardless of whether any actual or theoretical prejudice has been suffered by the Secretary of State's office.

33. A.R.S. § 16-344 does not mandate that presidential and vice presidential candidates be kept off the ballot simply because of ministerial failure to file by the date stated therein. In particular, the statute fails to address the situation where no actual or theoretical prejudice has been suffered because of the "late" filing.

34. The Secretary of State does have discretion to allow presidential and vice presidential candidates of continuing political parties to be placed on the ballot where no prejudice has been suffered as a result of a "late" filing.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully ask this Court:

A. To grant an order requiring the Secretary of State to take all actions necessary to place the names of Dr. Jill Stein, as presidential candidate of the Green Party, the vice presidential candidate of the Libertarian Party, and the Green Party electors on all election ballots in all counties of the State of Arizona for the November 8, 2016, general election as the presidential and vice presidential nominees and electors of the Green Party.

B. Alternatively, to grant permanent injunctive relief enjoining and restraining Defendant, her servants, agents, employees, and all other persons in active concert and participation with her from denying the Arizona Green Party the ability to put its candidate on the ballot for the upcoming presidential election, in particular:

(1) A permanent injunction pursuant to A.R.S. Special Actions, Rules of Proc., restraining the Secretary of State from: (i) refusing to place the names of Dr. Jill Stein, as presidential candidate of the Green Party, the vice presidential candidate of the Libertarian Party, and the Green Party electors on the November 8, 2016 general election ballot.

(2) A permanent injunction ordering the Secretary of State to take all actions necessary to place the names of Dr. Jill Stein, as presidential candidate of the Green Party, the vice presidential candidate of the Libertarian Party, and the Green Party electors on all election ballots in all counties of the State of Arizona for the November 8, 2016, general election as the presidential and vice presidential nominees and electors of the Green Party.

C. To enter a judgment declaring that the Secretary of State cannot reject the elector nominating papers of a qualified political party merely because that party filed their nominating papers six business days after a deadline set 160 days before the general election, in conformity with the Free Speech, Free Expression, and Free Association clauses of the First Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution, each enforced against such state action through the Fourteenth Amendment of the United States Constitution;

D. To award Plaintiffs costs and disbursements associated with the filing and maintenance of this action, including an award of reasonable attorneys' fees pursuant to 42 U.S.C. § 1988; and

E. To award such other equitable and further relief as the Court deems just and proper.

DATED: June 22, 2016

Respectfully submitted,
BARNES LAW

/s/ Robert E. Barnes
Robert E. Barnes, Esq.
Attorney for Plaintiffs

EXHIBIT 1



Arizona Green Party (AZGP); P.O. Box 60173, Phoenix AZ 85082; (602)417-0213; info@azgp.org;
<http://www.azgp.org>; Facebook: Green Party of Arizona; Twitter: @AZGreenParty; YouTube: Arizona Green Party

June 9, 2016

VIA HAND DELIVERY

The Honorable Michele Reagan
Arizona Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

Re: Presidential Electors for the Arizona Green Party (AZGP)


Dear Secretary Reagan,

As chairperson of the Arizona Green Party (AZGP), I have appointed and submit the following names as
Presidential Electors for the Arizona Green Party:

1. Celeste Castorena
2. Angela Dixon
3. Betty Dixon
4. Theresa Gallagher
5. Antonio Macias
6. Linda Macias
7. Betty McMurrin
8. Elisa Olea
9. Richard Scott
10. Angel Torres
11. Geneva Warner

The original copies of their Presidential Electors Nomination Paper are enclosed for filing. Please date stamp these
forms. Thank you.

Respectfully,


Angel Torres

Arizona Green Party (AZGP) state chairperson




STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 20 16.

I will have been a citizen of the United States for 51 years next preceding my election and will have been a citizen of Arizona for 41 years next preceding my election and will meet the age requirement for the office I seek and have resided in _____ County for 41 years and in precinct Maricopa 391 for 13 years before my election. MARICOPA

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Castorena
LAST NAME

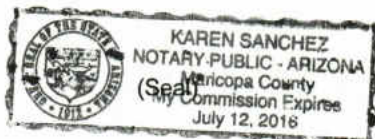
Celeste M.
FIRST NAME

Celeste M. Castorena
CANDIDATE SIGNATURE

State of Arizona

County of Maricopa

Subscribed and sworn to (or affirmed) before me this 09 day of June, 20 16.
(Date)



Notary Public

My Commission Expires July 12, 2016

Office Revision 01/20/12



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 2016.

I will have been a citizen of the United States for 39 years next preceding my election and will have been a citizen of Arizona for 39 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 39 years and in precinct Guerrero for 2 1/2 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

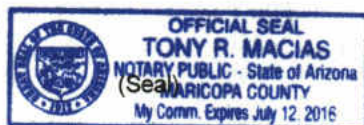
Dixon
LAST NAME

Angela
FIRST NAME

Angela Dixon
CANDIDATE SIGNATURE

State of Arizona
County of Maricopa

Subscribed and sworn to (or affirmed) before me this 8 day of June, 2016.
(Date)



Tony R. Macias
Notary Public

My Commission Expires: 7-12-16



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 20 16.

I will have been a citizen of the United States for 66 years next preceding my election and will have been a citizen of Arizona for 30 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 21 years and in precinct Guerrero for 2 1/2 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Dixon

LAST NAME

Betty

FIRST NAME

CANDIDATE SIGNATURE

State of Arizona

County of Maricopa

Subscribed and sworn to (or affirmed) before me this 8 day of June, 20 16.
 (Date)



Notary Public

My Commission Expires: 7-12-16



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of Nov, 20 16.

I will have been a citizen of the United States for 55 years next preceding my election and will have been a citizen of Arizona for 16 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 16 years and in precinct Woodglen for 6 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Gallagher
LAST NAME

Theresa
FIRST NAME

Theresa Gallagher
CANDIDATE SIGNATURE

State of Arizona

County of Maricopa

Subscribed and sworn to (or affirmed) before me this 8 day of June, 20 16.
(Date)



Tony R. Macias
Notary Public

My Commission Expires: July 12, 2016



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 2016.

I will have been a citizen of the United States for 73 years next preceding my election and will have been a citizen of Arizona for 45 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 45 years and in precinct WaterWorks for 4 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Macias

LAST NAME

Antonio

FIRST NAME

Antonio Macias
 CANDIDATE SIGNATURE

State of ARIZONA

County of MARICOPA

Subscribed and sworn to (or affirmed) before me this 9 day of June, 2016.
 (Date)



Sharon I. Sanchez
 Notary Public

My Commission Expires: July 6, 2016



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 20 16.

I will have been a citizen of the United States for 69 years next preceding my election and will have been a citizen of Arizona for 45 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 45 years and in precinct WaterWorks for 4 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Macias

LAST NAME

Linda

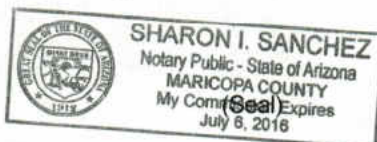
FIRST NAME

Linda Macias
CANDIDATE SIGNATURE

State of Arizona

County of Maricopa

Subscribed and sworn to (or affirmed) before me this 9 day of June, 20 16.
(Date)



Sharon Sanchez
Notary Public

My Commission Expires: July 6, 2016



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the GREEN party, am a candidate for the office of PRESIDENTIAL ELECTOR subject to the Arizona General Election to be held on the 8TH day of NOVEMBER, 2016.

I will have been a citizen of the United States for 80 years next preceding my election and will have been a citizen of Arizona for 41 years next preceding my election and will meet the age requirement for the office I seek and have resided in MARICOPA County for 41 years and in precinct VARNEY PARK for 5 years before my election. 667

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

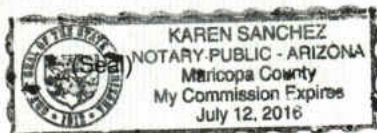
McMURRIN
LAST NAME

BETTY J.
FIRST NAME

State of ARIZONA

County of MARICOPA

Subscribed and sworn to (or affirmed) before me this 09 day of JULY, 2016.
(Date)



Betty J. McMurrin
CANDIDATE SIGNATURE

Notary Public

My Commission Expires: JULY 12, 2016



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 20 16.

I will have been a citizen of the United States for 45 years next preceding my election and will have been a citizen of Arizona for 45 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 45 years and in precinct DESERT OASIS for 179 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Olea
LAST NAME

ELISA MARIA
FIRST NAME

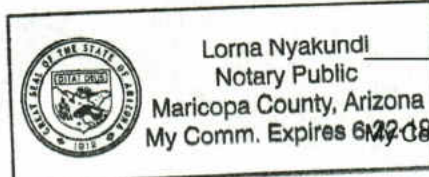
State of ARIZONA
County of MARICOPA

[Signature]
CANDIDATE SIGNATURE

Subscribed and sworn to (or affirmed) before me this 9th day of June, 20 16.

(Date)

(Seal)



[Signature]
Notary Public

My Comm. Expires 6/22/19 Commission Expires: 06-22-2019



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the GREEN party, am a candidate for the office of PRESIDENTIAL ELECTOR subject to the Arizona General Election to be held on the 8th day of NOV., 20 16.

I will have been a citizen of the United States for 73 years next preceding my election and will have been a citizen of Arizona for 46 years next preceding my election and will meet the age requirement for the office I seek and have resided in MAR County for 45 years and in precinct SCOTTSDALE for 35 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address

(city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

SCOTT
LAST NAME

RICHARD
FIRST NAME

Richard Scott
CANDIDATE SIGNATURE

State of AZ
County of MARICOPA

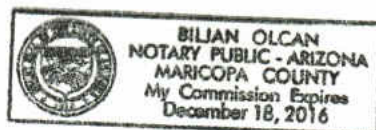
Subscribed and sworn to (or affirmed) before me this 9th day of JUNE, 20 16.

B. J. Olan
(Date)

Notary Public

My Commission Expires: Dec 18, 2016

(Seal)



Office Revision 01/20/12



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
NOMINATION PAPER
AFFIDAVIT OF QUALIFICATION
[A.R.S. §§ 16-311, 16-344]

FOR OFFICE USE ONLY

You are hereby notified that I, the undersigned, a qualified elector of the Arizona Green Party party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 20 16.

I will have been a citizen of the United States for 53 years next preceding my election and will have been a citizen of Arizona for 53 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 48 years and in precinct Dobbins Ranch for 1 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

TORRES
LAST NAME

ANGEL
FIRST NAME

Angel Torres
CANDIDATE SIGNATURE

State of Arizona
County of Maricopa

Subscribed and sworn to (or affirmed) before me this 9 day of June, 20 16.



SHELISA GOATES
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires
September 30, 2019

Shelisa Goates
Notary Public

My Commission Expires: Sept 30, 2019



STATE OF ARIZONA
PRESIDENTIAL ELECTOR
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[A.R.S. §§ 16-311, 16-344]

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You are hereby notified that I, the undersigned, a qualified elector of the Green party, am a candidate for the office of Presidential Elector subject to the Arizona General Election to be held on the 8th day of November, 20 16.

I will have been a citizen of the United States for 28 years next preceding my election and will have been a citizen of Arizona for 28 years next preceding my election and will meet the age requirement for the office I seek and have resided in Maricopa County for 28 years and in precinct Reed Park 517 for 28 years before my election.

I do solemnly swear (or affirm) that as to these and all other qualifications, I am qualified at the time of filing to hold the office that I seek, having fulfilled the constitutional and statutory requirements for holding said office.

Actual residence address or description of place of residence (city or town) (zip)

Post office address (city or town) (zip)

Print or type your name on the following line in the exact manner you wish it to appear on the ballot, last name first. A.R.S. § 16-311(G).

Warner

LAST NAME

Geneva

FIRST NAME

State of Arizona

County of Maricopa

Subscribed and sworn to (or affirmed) before me this 8 day of 8, 20 16.
 (Date)



Geneva Warner
 CANDIDATE SIGNATURE

Tony R. Macias
 Notary Public

My Commission Expires: 7-12-16

EXHIBIT 2

OFFICE OF THE SECRETARY OF STATE
STATE OF ARIZONA
RECEIPT - FILING OF PRESIDENTIAL ELECTORS NOMINATION PAPER FOR RECOGNIZED POLITICAL PARTIES

NAME OF FILER: Torres Angel
(Last) (First)

RESIDENCE ADDRESS: [REDACTED]

MAILING ADDRESS: [REDACTED]

PHONE NUMBER: [REDACTED] E-MAIL ADDRESS: [REDACTED]

☐ DEMOCRATIC ☒ GREEN ☐ LIBERTARIAN ☐ REPUBLICAN

The forms submitted to the Secretary of State for nomination at the General Election to be held on **November 8, 2016** have been returned to the filer or party representative on the 9 day of June, 2016 as the filing period closed June 1, 2016.

Candidate or Representative: Angel D Torres

Office of the Secretary of State: [Signature]

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Arizona Green Party, Dr. Jill Stein, Angel Torres, and Linda Macias

(b) County of Residence of First Listed Plaintiff Maricopa County

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Robert Barnes, Barnes Law

601 South Figueroa Street, Suite 4050

Los Angeles, CA 90017

DEFENDANTS

Michele Reagan, in her official capacity as Secretary of State of Arizona

County of Residence of First Listed Defendant Maricopa County

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Office of the Arizona Attorney General

1275 W Washington Street

Phoenix, AZ 85007-2926

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input checked="" type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983

Brief description of cause:

Defendant's decision not to place plaintiffs on the general election ballot violates their free speech and voting rights.**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.**DEMAND \$**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

06/22/2016

SIGNATURE OF ATTORNEY OF RECORD

/s/ Robert E. Barnes

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____