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11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 **CALIFORNIA JUSTICE**
 16 **COMMITTEE, et al.,**

17 Plaintiffs,

18 v.

19 **DEBRA BOWEN, California**
 20 **Secretary of State, in her official**
capacity

21 Defendant.

CV 12-3956 PA (AGR_x)

**THE SECRETARY OF STATE'S
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN OPPOSITION
 TO PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Date: May 21, 2012
 Time: 1:30 p.m.
 Courtroom: 15
 Judge: The Honorable Percy
 Anderson

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INTRODUCTION

1
2 Plaintiffs, the California Justice Committee and the California Constitution
3 Party, along with members of those entities, seek to enjoin the California Secretary
4 of State from enforcing Elections Code section 5100, which governs how political
5 bodies can qualify as political parties in order to appear on the ballot. Both the
6 California Constitution Party and the California Justice Committee (which supports
7 the California Justice Party) have evinced a desire to form political parties, but each
8 failed to submit the requisite number of voter registrations by January 23, 2012.
9 Prospective parties must submit the affidavits of 103,004 voters who would join
10 their respective parties. Plaintiffs submitted fewer than 250. Now, a full four
11 months after the Secretary of State notified plaintiffs that they had failed to qualify
12 as political parties, they seek judicial relief from the January 23 deadline.

13 The Court should deny plaintiffs’ effort to enjoin the Secretary of State from
14 enforcing the January 23 deadline for four reasons. First, plaintiffs have not
15 demonstrated that there is a severe burden on their First or Fourteenth Amendment
16 rights that is more than mere speculation. Plaintiffs have registered less than 0.2
17 percent of the voters required to be recognized as a political party, and have given
18 no indication that they will meet the threshold no matter what date is set. Moreover,
19 given the number of minor parties in California, it is evident that California’s
20 registration deadline does not act as a barrier to minor parties. Thus, plaintiffs have
21 failed to show that the early deadline posed a “clear and present danger” of
22 infringing their rights that is not merely conjectural. *California Democratic Party v.*
23 *Jones*, 530 U.S. 567, 578 (2000). Second, in the absence of a severe burden on
24 plaintiffs’ constitutional rights, the state only needs important regulatory interests to
25 justify its qualification deadline. California’s justification is grounded in its interest
26 in protecting the integrity and fairness of the election process and avoiding voter
27 confusion by setting deadlines far enough in advance of an election to allow time to
28

1 verify signatures, and to prepare and print a ballot. Plaintiffs have not shown that
2 they will prevail on the merits and provisional relief should be denied.

3 Third, plaintiffs have failed to demonstrate any harm that is actual and not
4 theoretical, much less irreparable. The minute number of registered voters for the
5 two political bodies does not come close to meeting the 103,004 threshold needed
6 to qualify as political parties. Thus, any injury asserted by plaintiffs is merely
7 speculative, at best. Additionally, it is difficult for plaintiffs to argue that they need
8 immediate relief from harm given that they waited several months to bring this
9 action.

10 Fourth, the balance of hardships and public interest tip in favor of denying a
11 preliminary injunction because the Secretary of State must have a date certain by
12 which political parties have qualified for the ballot. Plaintiffs seek an ill-defined
13 preliminary injunction under which they (and any other political body) could
14 continue to seek qualification for their groups indefinitely. This is unworkable
15 because it would not allow the Secretary of State or county registrars to prepare and
16 print ballots in advance of the November 2012 election.

17 The law, the balance of equities, and the public interest all dictate that
18 plaintiffs' preliminary injunction motion be denied.

19 RELEVANT LAW AND FACTS

20 I. RECOGNITION AND TREATMENT OF POLITICAL PARTIES UNDER 21 CALIFORNIA ELECTION LAW

22 The California Secretary of State is the state's chief elections officer. Cal.
23 Gov't Code § 12172.5. She is responsible for ensuring that state elections are
24 conducted efficiently and that the election laws are enforced. *Id.*

25 The California Elections Code defines the term "political body" to include a
26 "group of electors desir[ing] to qualify a new political party meeting the
27 requirements of Section 5100." Cal. Elec. Code § 5001. A group may qualify as a
28 political body by electing temporary officers at a caucus or convention, selecting a

1 party name, and filing a formal notice with the Secretary of State. *Id.* A committee,
2 on the other hand, is a person or group of persons who receive contributions or
3 make expenditures for the purpose of influencing voters in the nomination or
4 election of one or more candidates. Cal. Elec. Code § 309.

5 The term “party” means “a political party or organization that has qualified for
6 participation in any primary election.” Cal. Elec. Code § 338. A party becomes
7 qualified to participate in a primary election by meeting one of three statutory tests:
8 (1) polling sufficient votes (at least 2 percent of the entire vote of the state);
9 (2) having voters numbering at least 1 percent of the entire vote of the state at the
10 last preceding gubernatorial election declare their intention to affiliate with that
11 party at least 135 days before any primary election; or (3) having a petition signed
12 by voters numbering at least 10 percent of the entire vote of the state at the last
13 preceding gubernatorial election stating that they wish the Secretary of State to
14 recognize the political party at least 135 days before any primary election. Cal.
15 Elec. Code § 5100.

16 Presently there are seven qualified political parties in California: American
17 Independent, Americans Elect, Democratic, Green, Libertarian, Peace and Freedom,
18 and Republican. (Declaration of Jana M. Lean (Lean Decl.), ¶ 7.) As of May 8,
19 2012, there were 3 political bodies attempting to qualify as political parties
20 (including the Constitution Party) for the June 3, 2014 primary election. *See* [http://](http://www.sos.ca.gov/elections/elections_f_non.htm)
21 www.sos.ca.gov/elections/elections_f_non.htm. Only political parties are entitled
22 to place their nominees for President and Vice President on the ballot for the
23 general election with their party affiliations. Cal. Elec. Code §§ 6901, 13105.

24 Neither the Constitution Party nor the Justice Party have come close to
25 registering a sufficient number of voters to satisfy the requirements of section 5100
26 of the Election Code. As of January 3, 2012, the Constitution Party had 121
27 registered voter affidavits. (Lean Decl., ¶ 3.) The Justice Party had 183. (*Id.* ¶ 4.)
28 As of April 6, 2012, the Constitution Party had 234 registered voter affidavits. (*Id.*,

1 ¶ 5.) There was no data on April 6, 2012 for the Justice Party because the Secretary
2 of State has not been able to determine whether the renewed drive to qualify has
3 been received from a legitimate Justice Party representative. (*Id.*, ¶ 6.) There are
4 two entities claiming to be the Justice Party, but neither group claiming to be the
5 Justice Party of California has presented a definitive claim. (*Id.*)

6 **II. RELEVANT FACTUAL ALLEGATIONS**

7 Plaintiff California Justice Committee (“Justice Committee”) is a “general
8 purpose committee under the laws of California.” Complaint for Declaratory and
9 Injunctive Relief (“Compl.”) at ¶11. “It was formed to support the efforts of the
10 Justice Party to qualify as a recognized political party in California.” *Id.* “The
11 Justice Party is a political body under the laws of California and desires to place
12 candidates for President and Vice President” in November 2012 and “subsequent
13 Presidential elections.” Compl. at ¶¶ 11, 22.¹ Plaintiffs Jeff Norman and John
14 Gabree are members of the Justice Party and officers of the Justice Committee. *Id.*
15 at ¶¶ 13-14.

16 Plaintiff Constitution Party of California is a “political body under the laws of
17 California and desires to place candidates for President and Vice President on the
18 ballot in November 2012 and in subsequent Presidential elections.” Compl. at
19 ¶¶ 12, 22. Plaintiff Charles Michel Deemer is a member and officer of the
20 Constitution Party of California. Compl. at ¶ 15. While neither group desires to
21 participate in the 2012 primary, they would like to participate in the general
22 election taking place on November 6, 2012. Compl. at ¶ 22. Both groups wish to
23 qualify as recognized political parties by accumulating 103,004 voter registration
24 affidavits. Compl. ¶¶ 22, 24, 35, 41.

25 ¹ The Complaint distinguishes the Justice Committee from the Justice Party,
26 but inexplicably only the Justice Committee appears as a plaintiff. Compl. at ¶ 11.
27 This distinction seems to disappear later in the complaint, and plaintiffs only refer
28 to the Justice Party. (See, e.g., Compl. at ¶¶ 25, 35). This raises serious issues
regarding the Justice Committee’s standing to assert this challenge, and the
Secretary reserves her right to raise the issue of standing at the appropriate time.

1 **ARGUMENT**

2 **I. LEGAL STANDARD**

3 In order to prevail on a preliminary injunction motion, “a plaintiff must show
4 (1) a strong likelihood of success on the merits, (2) the possibility of irreparable
5 injury to plaintiff if preliminary relief is not granted, (3) a balance of hardships
6 favoring the plaintiff, and (4) that an injunction is in the public interest.” *Winter v.*
7 *Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). “A preliminary injunction
8 is an extraordinary remedy never awarded as a matter of right. In each case, courts
9 must balance the competing claims of injury and must consider the effect on each
10 party of the granting or withholding of the requested relief. In exercising their
11 sound discretion, courts of equity should pay particular regard for the public
12 consequences in employing the extraordinary remedy of injunction.” *Id.* at 24
13 (internal quotations and citations omitted); *see also DISH Network Corp. v. FCC*,
14 653 F.3d 771, 776–77 (9th Cir. 2011). Because a preliminary injunction is an
15 extraordinary remedy, the moving party must establish the elements necessary to
16 obtain injunctive relief by a “clear showing.” *Winter*, 555 U.S. at 22. In this case,
17 plaintiffs cannot meet their burden, and provisional relief should be denied.

18 **II. PLAINTIFFS HAVE FAILED TO DEMONSTRATE A LIKELIHOOD OF**
19 **SUCCESS ON THE MERITS**

20 It is undisputed that states may regulate the elections process: “Common
21 sense, as well as constitutional law, compels the conclusion that government must
22 play an active role in structuring elections; ‘as a practical matter, there must be a
23 substantial regulation of elections if they are to be fair and honest and if some sort
24 of order, rather than chaos, is to accompany the democratic processes.” *Burdick v.*
25 *Takushi* 504 U.S. 428, 433 (1992) (internal quotations omitted); accord *Timmons v.*
26 *Twin Cities Area New Party*, 520 U.S. 351, 358 (1997) (“States may, and inevitably
27 must, enact reasonable regulations of parties, elections, and ballots to reduce
28 election- and campaign-related disorder.”).

1 As such, review of voting regulations under the United States Constitution
2 does not automatically require strict scrutiny, but instead follows a flexible
3 balancing standard:

4 A court considering a challenge to a state election law must weigh ‘the
5 character and magnitude of the asserted injury to the rights protected by
6 the First and Fourteenth Amendments that the plaintiff seeks to vindicate’
7 against ‘the precise interests put forward by the State as justifications for
8 the burden imposed by its rule,’ taking into consideration ‘the extent to
9 which those interests make it necessary to burden the plaintiff’s rights.’

10 *Burdick*, 504 U.S. at 434, quoting *Anderson v. Celebreeze*, 460 U.S. 780, 788
11 (1983). The required analysis differentiates between regulations that impose
12 “severe” restrictions and those that impose only “reasonable, nondiscriminatory”
13 restrictions on voters’ rights. *Id.*

14 “[W]hen a state election law provision imposes only ‘reasonable,
15 nondiscriminatory restrictions’ upon the First and Fourteenth Amendment rights of
16 voters, ‘the State’s important regulatory interests are generally sufficient to justify’
17 the restrictions.” *Burdick*, 504 U.S. at 434, quoting *Anderson*, 460 U.S. at 788. It
18 is only when those rights are subjected to ‘severe’ restrictions, that the regulation
19 must be “narrowly drawn to advance a state interest of compelling importance.”
20 *Burdick*, 504 U.S. at 434, quoting *Norman v. Reed* 502 U.S. 279, 289 (1992); *see*
21 *also Weber v. Shelley*, 347 F.3d 1101, 1106 (9th Cir. 2003). “No bright line
22 separates permissible election-related regulation from unconstitutional
23 infringements on First Amendment freedoms.” *Timmons*, 520 U.S. at 359. But
24 “[b]ecause ‘the State’s important regulatory interests are generally sufficient to
25 justify reasonable, nondiscriminatory restrictions,’ . . . a party challenging such a
26 regulation bears a ‘heavy constitutional burden.’” *Rubin v. City of Santa Monica*,
27 308 F.3d 1008, 1017 (9th Cir. 2002).
28

1 **A. California’s Requirements to Qualify a Political Party Have Not**
2 **Severely Burdened Plaintiffs’ First Amendment Rights**

3 Plaintiffs have failed to demonstrate that there is a severe burden on their
4 constitutional rights that is more than mere speculation. To establish the proper
5 standard of review of a state election statute, a court must look at the “character and
6 magnitude of the asserted injury” to plaintiffs’ constitutional rights. *Anderson*, 460
7 U.S. at 789; *Libertarian Party of Ohio v. Blackwell*, 462 F.3d 579, 585 (6th Cir.
8 2006). In doing so, the court must first determine the exact nature of the burden
9 placed upon “minor political parties and their voter-supporters.” *Blackwell*, 462
10 F.3d at 586. Moreover, there must be a “clear and present danger” that a minor
11 party’s First Amendment rights will be violated; mere speculation is insufficient.
12 *Id.* at 589, quoting *Jones*, 530 U.S. at 578. In order to qualify as a political party,
13 the challenged statute requires that a political body do one of the following: (1) poll
14 sufficient votes (at least 2 percent of the entire vote of the state); (2) have at least 1
15 percent of the entire vote of the state at the preceding gubernatorial election declare
16 their intention to affiliate with that party at least 135 days before any primary
17 election; or (3) have at least 10 percent of the entire vote of the state at the
18 preceding gubernatorial election declare that they represent a proposed party in a
19 petition filed with the Secretary of State at least 135 days before any primary
20 election. Cal. Elec. Code § 5100.

21 **1. The Number of “Minor Parties” In California Shows that**
22 **California’s Qualification Requirements Do Not Impose a**
23 **Severe Burden.**

24 California law does not impose a severe burden on plaintiffs or minor parties
25 generally. As a threshold matter, as plaintiffs tacitly concede, these statutes have
26 not in fact prevented minor parties from qualifying for California’s ballot.² See,

27 ² Notably, plaintiffs cite no instance in which any party ever has been denied
28 access to the California ballot, or otherwise has been disadvantaged, because of the
deadline they assail, a deadline that has been in effect for almost sixty years. (Br. at
p. 4.).

1 e.g., *Burdick*, 504 U.S. at 436 (finding election laws at issue not burdensome in part
2 because of the success of nonpartisan candidates in obtaining slots on the ballot in
3 past years); *Jenness v. Fortson*, 403 U.S. 431, 433 (1971) (finding corroboration for
4 its conclusion that election laws at issue were not burdensome because several non-
5 party candidates in the past had gained ballot access through signature petitions).

6 California has a strong record of qualifying parties for the ballot beyond the
7 Republican and Democrat parties. Indeed, in one of the cases on which plaintiffs
8 rely, *Blackwell*, the Sixth Circuit favorably compared California’s requirements to
9 Ohio’s, citing to the same expert plaintiffs have retained here. “California is the
10 only other state with a filing deadline more than a year before the general election.³
11 however, its qualification requirements are much lower than Ohio’s, and the state
12 had seven political parties automatically qualify for the ballot in 2004. *See*
13 Declaration of Richard Winger. . .” *Blackwell*, 462 F.3d at 589. Indeed, a new
14 political party—the Americans Elect Party—qualified for the November ballot on
15 December 19, 2011. (Lean Decl., ¶ 7.) Experience thus demonstrates that it is not
16 impossible or improbable for political bodies to qualify for the ballot in California
17 as long as they have more than the sprinkling of support seen in the Justice Party
18 and Constitution Party of California. In sum, there is no evidence that “elections
19 have . . . been monopolized by two parties.” *Id.*, quoting *Jones*, 530 U.S. at 578.

20 **2. Plaintiffs Have Not Shown that There is a Clear and**
21 **Present Danger that Their First Amendment Rights Will**
22 **Be Infringed.**

23 Moreover, because plaintiffs have shown no realistic probability of qualifying
24 as a party for the November ballot, they have failed to demonstrate that the
25 challenged qualification deadline poses a “clear and present danger” of infringing
26 their rights that is not merely the product of speculation. *California Democratic*
27 *Party*, 530 U.S. at 578; *see also Blackwell*, 462 F.3d at 589. Plaintiffs argue that

28 ³ This statutory deadline has been shortened since *Blackwell* was decided.

1 the early qualification deadline prevents their groups from organizing, recruiting
2 and retaining volunteers because the general election is remote, prevents political
3 bodies from responding to developments late in the election cycle, and dampens
4 their ability to gain attention and galvanize support. Brief at pp. 13-14. However,
5 there is no evidence that plaintiffs are remotely close to qualifying their groups as
6 political parties. Neither party has had over 250 registered voters in the time they
7 have been trying to qualify – they need 103,004 registered voters to qualify. It is
8 merely speculation that these two groups could ever register enough voters to
9 qualify as a political party even if their deadline were extended to election day.

10 To underscore the unripe nature of this dispute, the cases cited by plaintiffs all
11 involve situations in which a minor party would have qualified for the ballot but for
12 a state’s requirements for forming a minor party and are not dispositive in this case.
13 In *Blackwell*, the court struck down Ohio regulations that combined to pose a
14 severe burden on minor political parties by requiring the parties to nominate their
15 candidates by primary election and to file a petition with the Secretary of State a
16 full year in advance of the presidential election. *Blackwell*, 462 F.3d at 582, 593.
17 The plaintiff in that case was the Libertarian Party of Ohio (LPO), which had
18 submitted the requisite number of signatures before Ohio’s deadline but failed to
19 comply with a recent change to that state’s election falsification notice. *Id.* at 583.
20 Because of the requirement that minor parties submit signatures a year in advance,
21 the LPO was unable to rectify the problem. Unlike Elections Code section 5100,
22 the Ohio law operated to deny LPO’s access to the ballot even though LPO had
23 sufficient statewide support under Ohio law. As such, the Ohio law presented a
24 clear and present danger of violating LPO’s First Amendment rights.

25 In addition, as noted in *Blackwell*, Ohio’s restrictions were much more
26 onerous than California’s. *Blackwell*, 462 F.3d at 589-91. “Of the eight most
27 populous states, Ohio has by far the fewest minor political parties on its general
28 election ballot. From 1992-2002, the other states in this group averaged four minor

1 political parties on the ballot each year. In contrast, Ohio averaged one per year.”
2 *Id.* at 589 (citations omitted). Unlike Ohio, California currently has five qualified
3 parties along with the Democrats and Republicans. The *Blackwell* court noted that
4 while not conclusive, “a historical record of parties and candidates being unable to
5 meet the state’s ballot-access requirements is a helpful guide in determining their
6 constitutionality.” *Blackwell*, 462 F.3d at 590 (citing *Storer v. Brown*, 415 U.S.
7 724, 742 (1974) and *Jones*, 530 U.S. at 578).

8 Other cases in which courts have invalidated laws governing the qualification
9 of minor parties or individuals likewise involved parties or individuals that had a
10 significant level of support and would likely have qualified but for the statutory
11 deadline for submitting signatures. In *Anderson*, for instance, it was not in dispute
12 that the independent candidate for president had submitted 14,500 signatures and a
13 statement of candidacy to the Ohio Secretary of State on May 16, 1980. These
14 documents would have entitled Anderson to a place on the ballot if they had been
15 filed on or before March 20, 1980. *Anderson*, 460 U.S. at 782, 783 n.1 (requiring
16 5,000 and no more than 15,000 signatures for independent candidates to be placed
17 on the ballot). Similarly, in *Nader v. Brewer*, 531 F.3d 1028 (9th Cir. 2008), a
18 candidate submitted the required 14,694 signatures on the filing date, June 9, 2004,
19 but the signatures were challenged and Nader conceded that he did not meet the
20 signature requirements. *Id.* at 1031-32 (requiring 3 percent of the registered voters
21 in the political subdivision for which the candidate is nominated, who are not
22 members of recognized political parties, in order for a person who is not a member
23 of a recognized political party to gain a place on the ballot). In both cases, the
24 candidates for independent office had close to or above the required amount of
25 signatures at the time of filing. Here, in stark contrast, the facts show that the
26 Justice Party and the Constitution Party have an extremely slim chance of
27 registering the required 103,004 voters even with an extended deadline.

28

1 **3. Plaintiffs Fail to Recognize the Distinction Between**
2 **Qualifying a Candidate for Office and Qualifying a**
3 **Political Party.**

4 Whatever the rules governing the qualification of individual candidates for the
5 ballot, they do not control the qualification of political parties, which have a much
6 different role in elections. Plaintiffs argue that the burden here is more onerous
7 than in *Anderson* because the registration requirements are greater and the deadline
8 is 80 days earlier. Brief at p. 15:2-14. The qualification of a political party,
9 however, raises different issues than the qualification of an individual candidate for
10 office. *See Jenness*, 403 U.S. at 441 (noting that the claims of a political body raise
11 different issues than those of a potential candidate for public office). In California,
12 there are specific statutory rules governing the operation of political parties. Cal.
13 Elec. Code § 7100 *et seq.* (Democratic Party); § 7250 *et seq.* (Republican Party);
14 § 7500 *et seq.* (American Independent Party); § 7700 *et seq.* (Peace and Freedom
15 Party). New parties, such as the recently-formed Americans Elect Party, must
16 designate the rules governing an existing party until such time as the Legislature
17 can enact legislation governing the operation of the new party. Cal. Elec. Code. §
18 5005 (“Until otherwise provided for by statute, a political party newly qualified
19 pursuant to Section 5100 shall carry on its activities in accordance with the
20 procedures applicable to any other political party that has detailed statutory
21 provisions application to its operation as shall be designated by the newly qualified
22 party.”) Moreover, while there are strict limits on the amount of money candidates
23 for office can raise, California law allows political parties to raise a virtually
24 unlimited amounts of funds. *Compare* Cal. Gov’t. Code § 85301 *with* § 85303.
25 *See also* Federal Election Commission, *Contribution Limits for 2011-2012*,
26 *available at* <http://www.fec.gov/info/contriblimits1112.pdf> (last visited May 14,
27 2012). In addition, a 200-word statement of purpose is printed in the state Voter
28 Information Guide for every qualified political party that submits its statement of
 purpose at least 110 days before the election. Nov. 6, 2012 General Election

1 Calendar, p. 2; *see* Cal. Elec. Code § 9084(e). Every qualified political party may
2 submit to the county elections official a list of all candidates for voter-nominated
3 office who will appear on any ballot in the county in question, and who have been
4 endorsed by the party. The county elections official must print the list in the sample
5 ballot if it is received at least 83 days before the general election. *Id.* § 13302(b).

6 Courts have also recognized that a state can impose “different routes to the
7 printed ballot” for new and smaller political organizations than it does for
8 established political parties. *Jenness*, 403 U.S. at 442. Moreover, “[t]here is surely
9 an important state interest in requiring some preliminary showing of a significant
10 modicum of support before printing the name of a political organization’s candidate
11 on the ballot.” *Id.* Doing so prevents the confusion that would surely arise from
12 the inclusion of numerous parties on the ballot, none of which, like plaintiffs here,
13 have a realistic chance of electing their candidate to office. *Anderson*, which
14 governs the qualification of independent candidates rather than political parties,
15 does not apply.

16 Plaintiffs’ argument that there is a severe burden on their constitutional rights
17 is premised on conjecture and speculation. There is no evidence that they have
18 even a remote chance of qualifying as a political party prior to November 2012,
19 regardless of the deadline. And there is no evidence that they have at any time
20 made more than cursory efforts to solicit registrations. Accordingly, the question
21 before this Court is whether California’s election laws are justified by important
22 regulatory interests. Quite simply, they are.

23 **B. California Has Important Regulatory Interests that Justify the**
24 **Restrictions Regarding Political Party Qualification**

25 Because there is no severe burden on plaintiffs’ First Amendment rights,
26 California’s important regulatory interests are sufficient to justify the challenged
27 deadline. *Timmons*, 520 U.S. at 358-59. The state has a significant interest in
28 protecting the integrity and fairness of the election process and avoiding voter

1 confusion by ensuring that minor parties given access to the ballot have established
2 bona fide support. See *Timmons*, 520 U.S. at 363-64. This interest is sufficient to
3 justify a reasonable restriction on plaintiffs’ rights. *Id.* The state also has a
4 legitimate interest in maintaining the distinction between qualified political parties
5 and non-qualified political organizations. See *Libertarian Party v. Eu*, 28 Cal.3d
6 535, 546 (1980) (“the maintenance of the integrity of the distinction between
7 qualified and nonqualified parties serves a compelling state interest.”).⁴ California
8 must have a process by which political groups are recognized as a qualified party in
9 order to limit access to the ballot in a meaningful way and to promote order and
10 prevent chaos. See *Burdick*, 504 U.S. at 433. The deadline for political party
11 qualification falls 135 days before the primary, but it is a reasonable regulation of
12 the process by which new parties and their candidates are added to an election
13 ballot. *Id.* at 436 (finding election laws at issue not burdensome in part because of
14 the success of nonpartisan candidates in obtaining slots on the ballot in past years).

15 California’s interest in ensuring that only legitimate political parties are part of
16 the ballot is directly implicated by the two plaintiffs in this case. Plaintiffs argue
17 that the two groups are “*bona fide* political parties nationally.” (Declaration of
18 Richard Winger in Support of Plaintiffs Motion for Preliminary Injunction and *Ex*
19 *Parte* Application for Order Shortening Time at ¶ 23; Compl. at pp. 16-17).

20 Plaintiffs further assert that there is a need to be on the California ballot in order to
21 be a viable candidate for president and vice president. Brief at 18:13-17. To the
22 contrary, however, there is no indication that the groups have obtained bona fide

23 ⁴ The recent case of *Field v. Bowen*, 199 Cal.App.4th 346 (2011) confirms
24 that the distinctions between qualified and unqualified parties remain viable after
25 Proposition 14. See *id.* at 359-360 (“Plaintiffs argue that *Libertarian Party* cannot
26 be applied here because the case was based on a qualified party system that
27 Proposition 14 and SB 6 ‘dismantled’ by doing away with partisan primaries. This
28 contention is persuasively refuted in interveners’ appellate brief, which identifies
many rights that continue to be reserved for qualified parties under the Proposition
14 and SB 6 open primary system. . . . Consequently, we do not agree with
plaintiffs that Proposition 14 and SB 6 eliminated the distinction between qualified
and nonqualified parties that was pivotal to the decision in *Libertarian Party*.”)

1 status in California based on their small registration numbers. As noted above, the
2 Constitution Party has only 121 registrants in California. And in the case of the
3 Justice Party, the Secretary of State cannot even determine how many registrants
4 there are because there are dueling factions that are both claiming control of the
5 party. Neither of these are bona fide national parties, and the inclusion of them and
6 parties like them on California's ballot would only confuse voters.

7 Plaintiffs also argue that the state's ability to add Democratic and Republican
8 candidates for president and vice president, whose identities are not known until
9 August or September, demonstrates that there is no compelling administrative need
10 to require other parties to qualify as early as January 2012 for the general election.
11 Brief at p. 20. As an initial matter, this argument ignores the fact that the Democrat
12 and Republican parties have already qualified for the ballot; the Secretary need only
13 receive the names of their nominees and communicate those to the counties. For a
14 political party, however, the Secretary of State must verify that the political body
15 has submitted sufficient affidavits or signatures to qualify in the first instance.
16 Moreover, as a practical matter, the Secretary of State informs counties earlier in
17 the process how many parties will be included on the ballot so the counties can
18 determine the length of the ballot and the names of the candidates of those qualified
19 parties can be filled in later. (Lean Decl., ¶ 11.) Moreover, as discussed above,
20 qualifying an independent candidate for office has different implications and
21 ramifications than qualifying a political party.

22 California has sufficiently important regulatory interests to justify the deadline
23 it employs to qualify political parties for the ballot. *Timmons*, 520 U.S. at 358 ("it
24 is also clear that States may, and inevitably must, enact reasonable regulations of
25 parties, elections, and ballots to reduce election- and campaign-related disorder.").
26 The state's interests in protecting the integrity and fairness of the election process
27 and avoiding voter confusion by making sure that minor parties given access to the
28

1 ballot have established bona fide support by a date certain are reasonable and justify
2 the minor restrictions on plaintiffs.

3 **III. PLAINTIFFS HAVE FAILED TO DEMONSTRATE IRREPARABLE INJURY**

4 Even if plaintiffs were able to show a likelihood of success on the merits, they
5 must also make a “clear showing” of irreparable injury, which they are unable to
6 do. To warrant a preliminary injunction, plaintiffs’ showing of harm must be actual
7 and not theoretical. *See Connecticut v. Massachusetts*, 282 U.S. 660, 673 (1931)
8 (“Injunction issues to prevent existing or presently threatened injuries. One will not
9 be granted against something merely feared as liable to occur at some indefinite
10 time in the future.”). Plaintiffs argue that if a preliminary injunction is denied, they
11 will suffer irreparable harm in several respects: “Plaintiffs will not be able to
12 continue to accrue voter registrations in order to place their candidates on the ballot
13 for the 2012 Presidential Election; Plaintiffs’ ability to raise funds and garner
14 further support will be stifled; and voters will not be able to cast their votes
15 effectively because they will not be able to vote for the duly nominated candidates
16 of the political bodies that reflect voters views.” Brief at pp. 20-21. However,
17 plaintiffs are nowhere close to gathering 103,004 voter registrations. Rather, each
18 has only collected approximately 0.2 percent of the total registrations needed to
19 place candidates on the general election ballot for November 2012.⁵

20 The fact that Plaintiffs will not be able to continue to accrue voter registrations
21 in order to place their candidates on the ballot for the 2012 general election is not
22 an ‘injury’ that results from California’s registration deadline. There is a
23 vanishingly small chance that either group would be able to muster the remaining
24 98.8 percent of the number of registered voters needed prior to the 2012 general
25 election – even if the date were extended to the day before the general election. As

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27 ⁵ This is rounding up for plaintiffs and assuming that both groups, the Justice
28 Party and the Constitution Party, collected 250 registered voter affidavits. Neither
party has yet to hit that mark.

1 plaintiffs themselves admit, they lack the financial resources necessary to collect
2 that many affidavits from voters in time for the November election. Thus, plaintiffs
3 have failed to demonstrate any harm, much less irreparable harm.

4 Additionally, the argument that the Justice Party and the Constitution Party are
5 unable to engage with voters on equal terms as the established parties during the
6 heart of the election cycle when voters are most engaged and when the positions of
7 established parties and their candidates are developing (Brief at p. 21:2-9) may be
8 true, but there is no evidence that this lack of political clout has anything to do with
9 the requirements of California's Elections Code, as opposed to the fact that the
10 groups have less than 250 registered voters in the state of California. Similarly, the
11 claim that California's actions will harm the "national interest by inhibiting robust
12 debate on issues of national importance" (Brief at p. 21:9-10) is raw conjecture.
13 There is no evidence that the plaintiff groups have any impact on the national
14 debate. And any harm to the parties is not even theoretically related to the early
15 deadline that plaintiffs want to enjoin.

16 Further weighing against plaintiffs' claims of injury (and the issuance of an
17 injunction) is the delay in bringing this suit. *Miller v. California Pac. Med. Ctr.*,
18 991 F.2d 536, 544 (9th Cir. 1993). Plaintiffs should have known about California's
19 requirements for forming a political party long ago,⁶ at the very least when they
20 filed their notice of intent with the Secretary of State indicating that they would
21 seek to qualify as an official party.⁷ Any doubt they had, however unjustified, that
22 the Secretary of State would not enforce California's election laws was put to rest
23 on January 31, 2012 when she announced that both plaintiffs had failed to qualify

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25 ⁶ See *Atkins v. Parker*, 472 U.S. 115, 130 (1985) ("All citizens are
presumptively charged with knowledge of the law.").

26 ⁷ This information is available on the Secretary of State's website. California
27 Secretary of State, *Political Party Qualification*, available at
28 <http://www.sos.ca.gov/elections/political-party-qualification.htm> (last visited May
11, 2012).

1 as a political party. Yet both waited over four months before instituting this suit. If
2 the injury to plaintiffs is as severe and irreparable as suggested in their brief, surely
3 counsel would have pursued injunctive relief much earlier. “Plaintiff’s long delay
4 before seeking a preliminary injunction implies a lack of urgency and irreparable
5 harm.” *Oakland Tribune, Inc. v. Chronicle Pub. Co.*, 762 F.2d 1374, 1377 (9th Cir.
6 1985).

7 Plaintiffs have failed to demonstrate that denying injunctive relief would
8 impose any actual harm on plaintiffs, much less irreparable harm. Thus, this
9 preliminary injunction motion should be denied.

10 **IV. THE BALANCE OF HARDSHIPS AND PUBLIC INTEREST TIP IN FAVOR OF**
11 **DENYING RELIEF**

12 “[W]hen a district court balances the hardships of the public interest against a
13 private interest, the public interest should receive greater weight.” *Federal Trade*
14 *Comm’n v. Affordable Media, LLC*, 179 F.3d 1228, 1236 (9th Cir. 1999) (citations
15 omitted). In the elections context, the Court should act with particular caution
16 because “[c]ourt orders affecting elections, especially conflicting orders, can
17 themselves result in voter confusion and consequent incentive to remain away from
18 the polls.” *Purcell v. Gonzalez*, 549 U.S. 1, 4-5 (2006). For these reasons, the
19 Supreme Court has counseled caution in granting injunctive relief in cases affecting
20 elections:

21 In awarding or withholding immediate relief, a court is entitled to and
22 should consider the proximity of a forthcoming election and the
23 mechanics and complexities of state election laws, and should act and
24 rely upon general equitable principles. With respect to the timing of
25 relief, a court can reasonably endeavor to avoid a disruption of the
26 election process, which might result from requiring precipitate changes
27 that could make unreasonable or embarrassing demands on a State in
28 adjusting to the requirements of the court’s decree.

27 *Reynolds v. Sims*, 377 U.S. 533, 585 (1964).

1 Here, the balance of hardships and the public interest dictate denying
2 injunctive relief. As shown above, plaintiffs have not established that they have
3 suffered a cognizable injury, let alone one that is irreparable. In contrast to any
4 purported harm the qualification deadline may have caused plaintiffs, the harm
5 caused by forcing state and local elections officials to wait until the last moment to
6 determine the contents of the ballot would be considerable and create a chaotic
7 election.

8 **V. PLAINTIFFS’ PROPOSED INJUNCTION WOULD ENJOIN ELEMENTS OF**
9 **CALIFORNIA’S ELECTION LAW THAT ARE NOT CHALLENGED AND IS**
10 **OVERLY BROAD**

11 Although plaintiffs have failed to meet their burden to show entitlement to
12 injunctive relief, if the Court were inclined to grant some form of interim relief, the
13 scope of plaintiffs’ proposed injunction is much too broad. An injunction should be
14 “tailored to eliminate only the specific harm alleged.” *E. & J. Gallo Winery v.*
15 *Gallo Cattle Co.*, 967 F.2d 1280, 1297 (9th Cir. 1992). “Courts should not enjoin
16 conduct that has not been found to violate any law.” *Skydive Arizona, Inc. v.*
17 *Quattrocchi*, 673 F.3d 1105, 1116 (9th Cir. 2012).

18 Plaintiffs’ proposed injunction barring the Secretary of State from enforcing
19 subdivisions (b) and (c) of Elections Code section 5100 in their entirety would
20 eliminate *any* requirements for a minor party to qualify. In their preliminary
21 injunction motion, however, plaintiffs have not challenged the requirement that one
22 percent of the voters from the last gubernatorial election declare their intent to
23 affiliate with plaintiffs by signing voter registration affidavits, or that they collect
24 the signatures of voters supporting the recognition of the party equal to ten percent
25 of the vote in the last gubernatorial election. Rather, plaintiffs simply challenge the
26 date by which those signatures or statements of intent must be filed with the
27 Secretary of State. Accordingly, the injunction should not prohibit the Secretary of
28

1 State from enforcing those requirements, which are vital to demonstrating that a
2 political body has sufficient support to be considered a political party.

3 Further, even if this Court concludes that plaintiffs are likely to succeed in
4 their argument that the statutory deadline in section 5100 is unconstitutional, there
5 must be *some* deadline by which minor parties must submit the requisite number of
6 affidavits or petition signatures. As explained in the declaration of Jana Lean,
7 Chief of the Elections Division, the Secretary of State must have adequate time to
8 determine whether a political body has submitted sufficient materials to qualify as a
9 political party. Moreover, the Secretary of State must give counties sufficient
10 notice of how many parties have qualified for the ballot so that they can prepare the
11 layout of the sample ballot that will be mailed to voters. Because plaintiffs have
12 not shown that they are likely to succeed on the merits, and cannot show that they
13 will be harmed by application of the challenged qualification deadline, the Court
14 should simply deny plaintiff's motion. But, if the Court is inclined to grant
15 provisional relief, it should provide the Secretary of State sufficient time to comply
16 with her other statutory obligations and to ensure a fair election for California.

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CONCLUSION

For the reasons set forth above, the Secretary of State respectfully requests that the Court deny plaintiffs’ motion for preliminary injunction.

Dated: May 14, 2012

Respectfully submitted,

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Supervising Deputy Attorney General
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Deputy Attorney General

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11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 **CALIFORNIA JUSTICE**
 16 **COMMITTEE, et al.,**

17 Plaintiffs,

18 v.

19 **DEBRA BOWEN, California**
 20 **Secretary of State, in her official**
capacity

21 Defendant.

CV 12-3956 PA (AGRx)

**DECLARATION OF JANA M.
 LEAN IN SUPPORT OF THE
 SECRETARY OF STATE'S
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN OPPOSITION
 TO PLAINTIFFS' MOTION FOR
 PRELIMINARY INJUNCTION**

Date: May 21, 2012
 Time: 1:30 p.m.
 Courtroom: 15
 Judge: The Honorable Percy
 Anderson

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DECLARATION OF JANA M. LEAN

I, Jana M. Lean, declare as follows:

1. I am the Chief of the Elections Division, employed in the office of the California Secretary of State. I have served in that capacity since May 2010. Prior to assuming my current position, I served in various roles in the Elections Division for more than 12 years, and am familiar with all aspects of the Division’s work.
2. As of the February 10, 2011, Odd-Numbered Year Report of Registration, the Constitution Party of California had 157 registrants in the State of California. Attached hereto, marked as “Exhibit A,” is a true and correct copy of the February 10, 2011, Report of Registration pertaining to Political Bodies Attempting to Qualify. This information may be accessed on the Secretary of State’s website at <http://www.sos.ca.gov/elections/ror/ror-pages/ror-odd-year-11/nonqual.pdf>.
3. As of the January 3, 2012, Report of Registration (154 days before the close of registration for the June 5, 2012, Presidential Primary Election), the Constitution Party of California had 121 registrants in the State of California. Attached hereto, marked as “Exhibit B,” is a true and correct copy of the January 3, 2012, Report of Registration pertaining to Political Bodies Attempting to Qualify. This information may be accessed on the Secretary of State’s website at <http://www.sos.ca.gov/elections/ror/ror-pages/154day-presprim-12/nonqual.pdf>.
4. As of the January 3, 2012, Report of Registration (154 days before the close of registration for the June 5, 2012, Presidential Primary Election), the Justice Party

1 had 183 registrants in the State of California. Attached hereto, marked as “Exhibit
2 C,” is a true and correct copy of the January 3, 2012, Report of Registration
3 pertaining to Political Bodies Attempting to Qualify. This information may be
4 accessed on the Secretary of State’s website at
5 <http://www.sos.ca.gov/elections/ror/ror-pages/154day-presprim-12/nonqual.pdf>.
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8 5. As of the April 6, 2012, Report of Registration (60 days before the close of
9 registration for the June 5, 2012, Presidential Primary Election), the Constitution
10 Party of California had 234 registrants in the State of California. Attached hereto,
11 marked as “Exhibit D,” is a true and correct copy of the April 6, 2012, Report of
12 Registration pertaining to Political Bodies Attempting to Qualify. This information
13 may be accessed on the Secretary of State’s website at
14 <http://www.sos.ca.gov/elections/ror/ror-pages/60day-presprim-12/nonqual1.pdf>.
15

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17 6. As of the April 6, 2012, Report of Registration (60 days before the close of
18 registration for the June 5, 2012, Presidential Primary Election), the Justice Party
19 did not have any reported registrants in the State of California. The Secretary of
20 State did not request registration data for the Justice Party in the April 6, 2012,
21 Report of Registration because two factions have claimed to be representatives of
22 the Justice Party, and the legitimate contact person(s) has/have not been
23 determined.
24

25
26 7. There are seven political parties qualified to participate in the June 5, 2012,
27 Presidential Primary Election – American Independent Party, Americans Elect
28

1 Party, Democratic Party, Green Party, Libertarian Party, Peace and Freedom Party,
2 and Republican Party. The Americans Elect Party qualified as a political party on
3
4 December 19, 2011.

5 8. There are no provisions in the California Elections Code that provide for a
6 newly qualified political party to qualify for and participate in a general election.
7
8 However, should a political body be allowed by this Court to qualify as a political
9 party before the November 6, 2012, Presidential Election, the Secretary of State's
10 office and each of California's 58 counties would need sufficient time to gather
11 registration data and prepare ballots and election materials to reflect the new
12 political party.
13

14 9. California Elections Code section 8148 requires the Secretary of State to
15 deliver the certified list of candidates by August 30, 2012, the 68th day before the
16 November 6, 2012, Presidential Election. The certified list contains the names and
17 political party preferences of every candidate who will be placed on the general
18 election ballot.
19

20 10. Candidates using the independent nomination process to be qualified for the
21 ballot must deliver their nomination papers no later than August 10, 2012, the 88th
22 day before the November 6, 2012, Presidential Election.
23

24 11. At the close of the independent nomination process, counties know which
25 names will be placed on the ballot, and begin finalizing their sample ballots and
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1 official ballots. A newly qualified political party, on the other hand, would require
2 the counties to find and/or create space for an additional party's candidate(s).

3
4 12. In order to provide counties sufficient time to prepare their ballots, the
5 Secretary of State would need to announce whether a political party has qualified
6 for the ballot 98 days prior to the election. To enable the Secretary of State to make
7 that determination, each county would need to report the registration totals of
8 political bodies attempting to qualify to the Secretary of State no later than July 19,
9 2012. Counties would in turn require additional time to collect and verify the
10 information provided to them.
11

12
13 13. I have personal knowledge of these facts and would competently testify to
14 them if called as a witness to these proceedings.
15

16
17 Executed under penalty of perjury under the laws of the State of California this 14th
18 day of May, 2012.
19

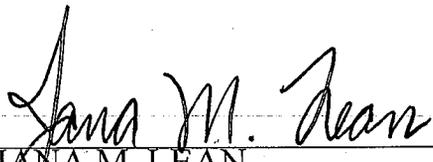
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22 JANA M. LEAN
23 Chief of the Elections Division
24 California Secretary of State
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EXHIBIT A

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	Total	American Third Position Party	Christian Party	Conservative Party
Alameda	426	0	1	0
Alpine	2	0	0	0
Amador	41	0	1	3
Butte	86	0	0	0
Calaveras	40	0	1	3
Colusa	1	0	0	0
Contra Costa	590	3	0	0
Del Norte	54	0	0	0
El Dorado	142	0	2	0
Fresno	261	0	2	0
Glenn	5	0	0	0
Humboldt	87	0	0	0
Imperial	26	0	0	0
Inyo	4	0	0	0
Kern	289	0	0	0
Kings	37	0	0	0
Lake	43	0	0	0
Lassen	27	0	0	0
Los Angeles	5255	0	51	119
Madera	37	0	0	0
Marin	279	0	0	4
Mariposa	0	0	0	0
Mendocino	106	0	0	2
Merced	65	0	0	0
Modoc	1	0	0	0
Mono	0	0	0	0
Monterey	141	0	0	1
Napa	65	0	0	0
Nevada	125	0	0	3
Orange	2686	1	1	48
Placer	230	0	0	1
Plumas	0	0	0	0
Riverside	2278	0	3	0
Sacramento	650	0	1	0
San Benito	27	0	0	0
San Bernardino	1043	0	10	0
San Diego	3067	0	31	91
San Francisco	315	0	0	0
San Joaquin	129	0	0	0
San Luis Obispo	184	0	0	11
San Mateo	1484	0	0	14

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	Constitution Party of California	Federalist Party	New Revolution Party	Open Party
Alameda	0	2	1	2
Alpine	0	0	0	0
Amador	8	1	0	0
Butte	0	0	0	0
Calaveras	0	0	0	0
Colusa	0	0	0	0
Contra Costa	0	0	0	0
Del Norte	0	0	0	0
El Dorado	0	0	0	0
Fresno	0	0	0	0
Glenn	0	0	0	0
Humboldt	0	2	0	0
Imperial	0	0	0	0
Inyo	0	0	0	0
Kern	0	0	0	0
Kings	0	0	0	0
Lake	0	0	0	0
Lassen	0	0	0	0
Los Angeles	0	20	0	52
Madera	0	0	0	0
Marin	0	0	0	0
Mariposa	0	0	0	0
Mendocino	0	0	0	0
Merced	0	0	0	0
Modoc	0	0	0	0
Mono	0	0	0	0
Monterey	0	0	0	0
Napa	0	0	0	0
Nevada	0	0	0	0
Orange	39	1	0	0
Placer	7	0	0	0
Plumas	0	0	0	0
Riverside	2	1	3	2
Sacramento	1	0	0	1
San Benito	0	0	0	0
San Bernardino	0	0	6	2
San Diego	38	0	0	0
San Francisco	0	0	0	0
San Joaquin	0	0	0	0
San Luis Obispo	0	0	0	0
San Mateo	5	0	0	0

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	Reform Party	Twelve Visions Party of California	Utopia Manifesto Political Party	We Like Women Party
Alameda	411	3	0	0
Alpine	1	0	0	0
Amador	27	0	0	0
Butte	86	0	0	0
Calaveras	36	0	0	0
Colusa	1	0	0	0
Contra Costa	586	0	0	0
Del Norte	54	0	0	0
El Dorado	140	0	0	0
Fresno	258	0	0	0
Glenn	5	0	0	0
Humboldt	84	0	0	0
Imperial	26	0	0	0
Inyo	3	0	0	0
Kern	288	0	0	0
Kings	37	0	0	0
Lake	43	0	0	0
Lassen	27	0	0	0
Los Angeles	4,984	0	0	0
Madera	37	0	0	0
Marin	275	0	0	0
Mariposa	0	0	0	0
Mendocino	104	0	0	0
Merced	65	0	0	0
Modoc	1	0	0	0
Mono	0	0	0	0
Monterey	139	0	0	0
Napa	65	0	0	0
Nevada	122	0	0	0
Orange	2,384	0	0	196
Placer	220	2	0	0
Plumas	0	0	0	0
Riverside	2,245	1	2	5
Sacramento	642	1	1	0
San Benito	27	0	0	0
San Bernardino	1,012	4	0	0
San Diego	2,905	0	0	2
San Francisco	314	1	0	0
San Joaquin	129	0	0	0
San Luis Obispo	172	0	0	0
San Mateo	1,451	0	0	0

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	WHIG Party	Working Families Party of California
Alameda	6	0
Alpine	1	0
Amador	1	0
Butte	0	0
Calaveras	0	0
Colusa	0	0
Contra Costa	1	0
Del Norte	0	0
El Dorado	0	0
Fresno	1	0
Glenn	0	0
Humboldt	1	0
Imperial	0	0
Inyo	1	0
Kern	1	0
Kings	0	0
Lake	0	0
Lassen	0	0
Los Angeles	29	0
Madera	0	0
Marin	0	0
Mariposa	0	0
Mendocino	0	0
Merced	0	0
Modoc	0	0
Mono	0	0
Monterey	1	0
Napa	0	0
Nevada	0	0
Orange	16	0
Placer	0	0
Plumas	0	0
Riverside	14	0
Sacramento	3	0
San Benito	0	0
San Bernardino	9	0
San Diego	0	0
San Francisco	0	0
San Joaquin	0	0
San Luis Obispo	1	0
San Mateo	14	0

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	Total	American Third Position Party	Christian Party	Conservative Party
Santa Barbara	294	0	0	0
Santa Clara	1020	0	1	15
Santa Cruz	553	0	0	0
Shasta	112	0	3	22
Sierra	4	0	0	0
Siskiyou	17	0	0	0
Solano	261	0	0	5
Sonoma	386	0	0	0
Stanislaus	355	0	1	36
Sutter	23	0	0	0
Tehama	21	0	2	0
Trinity	0	0	0	0
Tulare	20	2	1	8
Tuolumne	58	0	0	0
Ventura	624	0	0	16
Yolo	97	0	0	5
Yuba	13	0	0	0
State Total	24,186	6	112	407

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	Constitution Party of California	Federalist Party	New Revolution Party	Open Party
Santa Barbara	3	0	0	0
Santa Clara	27	0	0	0
Santa Cruz	0	0	0	0
Shasta	6	0	0	2
Sierra	0	0	0	0
Siskiyou	2	0	0	0
Solano	1	0	0	0
Sonoma	0	0	0	0
Stanislaus	7	0	0	0
Sutter	0	0	0	0
Tehama	1	0	0	0
Trinity	0	0	0	0
Tulare	2	1	0	1
Tuolumne	0	0	0	0
Ventura	1	0	10	0
Yolo	6	0	0	0
Yuba	1	0	0	0
State Total	157	28	20	62

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	Reform Party	Twelve Visions Party of California	Utopia Manifesto Political Party	We Like Women Party
Santa Barbara	289	2	0	0
Santa Clara	944	0	0	0
Santa Cruz	547	0	0	0
Shasta	79	0	0	0
Sierra	4	0	0	0
Siskiyou	14	1	0	0
Solano	254	0	0	0
Sonoma	383	0	0	0
Stanislaus	308	2	0	0
Sutter	23	0	0	0
Tehama	17	0	1	0
Trinity	0	0	0	0
Tulare	1	0	0	0
Tuolumne	58	0	0	0
Ventura	589	5	0	0
Yolo	85	0	0	0
Yuba	12	0	0	0
State Total	23,013	22	4	203

**Report of Registration as of February 10, 2011
Political Bodies Attempting to Qualify**

County	WHIG Party	Working Families Party of California
Santa Barbara	0	0
Santa Clara	33	0
Santa Cruz	6	0
Shasta	0	0
Sierra	0	0
Siskiyou	0	0
Solano	1	0
Sonoma	3	0
Stanislaus	1	0
Sutter	0	0
Tehama	0	0
Trinity	0	0
Tulare	3	1
Tuolumne	0	0
Ventura	3	0
Yolo	1	0
Yuba	0	0
State Total	151	1

EXHIBIT B

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Total	American Concerned Party	American Third Position Party	California Moderate Party	Christian Party	Conservative Party
Alameda	451	0	0	0	2	0
Alpine	2	0	0	0	0	0
Amador	36	0	0	0	1	3
Butte	146	0	0	0	0	13
Calaveras	44	0	0	0	1	5
Colusa	1	0	0	0	0	0
Contra Costa	590	0	0	0	0	2
Del Norte	15	0	0	0	0	0
El Dorado	136	0	0	0	2	0
Fresno	257	0	0	0	1	1
Glenn	6	0	0	0	0	0
Humboldt	92	0	0	0	0	3
Imperial	24	0	0	0	0	0
Inyo	4	0	0	0	0	0
Kern	282	0	0	0	1	2
Kings	40	0	0	0	0	0
Lake	47	0	0	1	2	1
Lassen	23	0	0	0	0	0
Los Angeles	5,287	0	0	0	50	122
Madera	30	0	0	0	0	2
Marin	271	0	0	0	0	7
Mariposa	0	0	0	0	0	0
Mendocino	114	0	0	0	0	5
Merced	60	0	0	0	0	0
Modoc	1	0	0	0	0	0
Mono	0	0	0	0	0	0
Monterey	158	0	0	0	0	4
Napa	63	0	0	0	0	0
Nevada	131	0	0	0	0	6
Orange	2,779	0	0	0	2	61
Placer	219	0	0	0	0	4
Plumas	0	0	0	0	0	0
Riverside	964	0	0	0	4	0
Sacramento	630	0	0	1	1	1
San Benito	104	0	0	0	0	0
San Bernardino	1,025	0	0	0	13	8
San Diego	2,938	0	0	0	28	96
San Francisco	350	0	0	0	0	6
San Joaquin	267	0	0	0	0	5
San Luis Obispo	185	0	0	0	0	11
San Mateo	1,494	0	0	1	0	14
Santa Barbara	286	0	0	0	0	0
Santa Clara	1,002	0	0	0	1	17
Santa Cruz	271	0	0	0	0	0
Shasta	110	0	0	0	3	25
Sierra	4	0	0	0	0	0
Siskiyou	16	0	0	0	0	0
Solano	257	0	0	0	0	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Constitution Party of California	Dharma Party	Federalist Party	Justice Party	La Raza Unida Party	New Revolution Party
Alameda	1	0	2	28	10	2
Alpine	0	0	0	0	0	0
Amador	8	0	1	0	0	0
Butte	7	0	0	33	0	0
Calaveras	0	0	0	2	0	0
Colusa	0	0	0	0	0	0
Contra Costa	0	0	0	4	0	0
Del Norte	0	0	0	1	0	0
El Dorado	0	0	0	3	0	0
Fresno	0	0	0	0	0	0
Glenn	0	0	0	0	0	0
Humboldt	0	0	2	8	0	0
Imperial	0	0	0	0	0	0
Inyo	1	0	0	0	0	0
Kern	1	0	0	0	0	0
Kings	0	0	0	0	0	0
Lake	2	0	0	1	0	0
Lassen	0	0	0	0	0	0
Los Angeles	0	0	21	0	285	0
Madera	0	0	0	0	0	0
Marin	0	0	0	0	0	0
Mariposa	0	0	0	0	0	0
Mendocino	2	0	0	1	0	0
Merced	0	0	0	0	0	0
Modoc	0	0	0	0	0	0
Mono	0	0	0	0	0	0
Monterey	0	0	0	1	20	0
Napa	0	0	0	0	0	0
Nevada	0	0	0	6	0	0
Orange	1	0	1	16	14	0
Placer	5	0	0	1	0	0
Plumas	0	0	0	0	0	0
Riverside	3	0	1	2	0	2
Sacramento	2	0	0	0	0	0
San Benito	0	0	0	0	1	0
San Bernardino	4	0	0	0	10	6
San Diego	38	0	0	10	40	0
San Francisco	2	0	0	16	0	0
San Joaquin	0	0	0	1	0	0
San Luis Obispo	0	0	0	3	4	0
San Mateo	5	0	1	12	0	0
Santa Barbara	1	0	0	3	0	0
Santa Clara	0	0	0	2	26	0
Santa Cruz	0	0	0	15	0	0
Shasta	6	0	0	0	0	0
Sierra	0	0	0	0	0	0
Siskiyou	2	0	0	0	0	0
Solano	0	0	0	0	3	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Open Party	Reform Party	The Humane Party of California	The Middle Class Party	The People's Party of California
Alameda	2	395	0	0	0
Alpine	0	1	0	0	0
Amador	0	22	0	0	0
Butte	0	85	3	0	0
Calaveras	0	36	0	0	0
Colusa	0	1	0	0	0
Contra Costa	0	566	0	0	0
Del Norte	0	14	0	0	0
El Dorado	0	131	0	0	0
Fresno	2	252	0	0	0
Glenn	0	6	0	0	0
Humboldt	0	78	0	0	0
Imperial	0	24	0	0	0
Inyo	0	2	0	0	0
Kern	0	277	0	0	0
Kings	0	40	0	0	0
Lake	0	39	0	0	0
Lassen	0	23	0	0	0
Los Angeles	51	4,680	42	0	0
Madera	0	28	0	0	0
Marin	0	264	0	0	0
Mariposa	0	0	0	0	0
Mendocino	1	102	1	0	0
Merced	0	60	0	0	0
Modoc	0	1	0	0	0
Mono	0	0	0	0	0
Monterey	0	133	0	0	0
Napa	0	63	0	0	0
Nevada	0	119	0	0	0
Orange	0	2,314	0	6	0
Placer	0	207	0	0	0
Plumas	0	0	0	0	0
Riverside	1	926	1	0	0
Sacramento	1	616	2	0	1
San Benito	0	103	0	0	0
San Bernardino	1	949	4	0	0
San Diego	3	2,713	4	0	3
San Francisco	0	307	0	5	0
San Joaquin	0	261	0	0	0
San Luis Obispo	0	165	0	1	0
San Mateo	0	1,445	1	0	0
Santa Barbara	0	279	1	0	0
Santa Clara	0	922	0	0	0
Santa Cruz	0	249	0	0	0
Shasta	2	74	0	0	0
Sierra	0	4	0	0	0
Siskiyou	0	13	0	0	0
Solano	0	253	0	0	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Twelve Visions Party of California	Utopia Manifesto Political Party	We Like Women Party	WHIG Party	Working Families Party of California
Alameda	3	0	0	6	0
Alpine	0	0	0	1	0
Amador	0	0	0	1	0
Butte	0	0	0	5	0
Calaveras	0	0	0	0	0
Colusa	0	0	0	0	0
Contra Costa	17	0	0	1	0
Del Norte	0	0	0	0	0
El Dorado	0	0	0	0	0
Fresno	0	0	0	1	0
Glenn	0	0	0	0	0
Humboldt	0	0	0	1	0
Imperial	0	0	0	0	0
Inyo	0	0	0	1	0
Kern	0	0	0	1	0
Kings	0	0	0	0	0
Lake	0	0	0	1	0
Lassen	0	0	0	0	0
Los Angeles	1	0	0	33	2
Madera	0	0	0	0	0
Marin	0	0	0	0	0
Mariposa	0	0	0	0	0
Mendocino	2	0	0	0	0
Merced	0	0	0	0	0
Modoc	0	0	0	0	0
Mono	0	0	0	0	0
Monterey	0	0	0	0	0
Napa	0	0	0	0	0
Nevada	0	0	0	0	0
Orange	1	0	343	20	0
Placer	2	0	0	0	0
Plumas	0	0	0	0	0
Riverside	0	1	12	10	1
Sacramento	1	1	0	3	0
San Benito	0	0	0	0	0
San Bernardino	6	0	14	10	0
San Diego	1	0	2	0	0
San Francisco	0	0	11	3	0
San Joaquin	0	0	0	0	0
San Luis Obispo	0	0	0	1	0
San Mateo	0	0	0	15	0
Santa Barbara	2	0	0	0	0
Santa Clara	0	0	0	34	0
Santa Cruz	0	0	0	6	1
Shasta	0	0	0	0	0
Sierra	0	0	0	0	0
Siskiyou	1	0	0	0	0
Solano	0	0	0	1	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Total	American Concerned Party	American Third Position Party	California Moderate Party	Christian Party	Conservative Party
Sonoma	383	0	0	0	0	2
Stanislaus	336	0	0	0	1	36
Sutter	57	0	0	0	0	0
Tehama	20	0	0	0	2	1
Trinity	0	0	0	0	0	0
Tulare	118	0	2	3	1	9
Tuolumne	56	0	0	0	0	0
Ventura	611	0	0	10	1	16
Yolo	98	0	0	0	0	5
Yuba	14	0	0	0	0	1
State Total	22,905	0	2	16	117	494

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Constitution Party of California	Dharma Party	Federalist Party	Justice Party	La Raza Unida Party	New Revolution Party
Sonoma	3	0	0	9	0	0
Stanislaus	10	0	0	3	0	0
Sutter	0	0	0	0	0	0
Tehama	1	0	0	0	0	0
Trinity	0	0	0	0	0	0
Tulare	8	0	1	0	1	0
Tuolumne	1	0	0	0	0	0
Ventura	1	0	0	2	45	1
Yolo	5	0	0	0	2	0
Yuba	1	0	0	0	0	0
State Total	121	0	30	183	461	11

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Open Party	Reform Party	The Humane Party of California	The Middle Class Party	The People's Party of California
Sonoma	0	362	4	0	0
Stanislaus	0	282	1	0	0
Sutter	0	57	0	0	0
Tehama	0	15	0	0	0
Trinity	0	0	0	0	0
Tulare	1	88	0	0	0
Tuolumne	0	55	0	0	0
Ventura	2	525	2	0	0
Yolo	0	84	0	1	0
Yuba	0	12	0	0	0
State Total	67	20,722	66	13	4

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Twelve Visions Party of California	Utopia Manifesto Political Party	We Like Women Party	WHIG Party	Working Families Party of California
Sonoma	0	0	0	3	0
Stanislaus	2	0	0	1	0
Sutter	0	0	0	0	0
Tehama	0	1	0	0	0
Trinity	0	0	0	0	0
Tulare	0	0	0	3	1
Tuolumne	0	0	0	0	0
Ventura	2	0	0	4	0
Yolo	0	0	0	1	0
Yuba	0	0	0	0	0
State Total	41	3	382	167	5

EXHIBIT C

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Total	American Concerned Party	American Third Position Party	California Moderate Party	Christian Party	Conservative Party
Alameda	451	0	0	0	2	0
Alpine	2	0	0	0	0	0
Amador	36	0	0	0	1	3
Butte	146	0	0	0	0	13
Calaveras	44	0	0	0	1	5
Colusa	1	0	0	0	0	0
Contra Costa	590	0	0	0	0	2
Del Norte	15	0	0	0	0	0
El Dorado	136	0	0	0	2	0
Fresno	257	0	0	0	1	1
Glenn	6	0	0	0	0	0
Humboldt	92	0	0	0	0	3
Imperial	24	0	0	0	0	0
Inyo	4	0	0	0	0	0
Kern	282	0	0	0	1	2
Kings	40	0	0	0	0	0
Lake	47	0	0	1	2	1
Lassen	23	0	0	0	0	0
Los Angeles	5,287	0	0	0	50	122
Madera	30	0	0	0	0	2
Marin	271	0	0	0	0	7
Mariposa	0	0	0	0	0	0
Mendocino	114	0	0	0	0	5
Merced	60	0	0	0	0	0
Modoc	1	0	0	0	0	0
Mono	0	0	0	0	0	0
Monterey	158	0	0	0	0	4
Napa	63	0	0	0	0	0
Nevada	131	0	0	0	0	6
Orange	2,779	0	0	0	2	61
Placer	219	0	0	0	0	4
Plumas	0	0	0	0	0	0
Riverside	964	0	0	0	4	0
Sacramento	630	0	0	1	1	1
San Benito	104	0	0	0	0	0
San Bernardino	1,025	0	0	0	13	8
San Diego	2,938	0	0	0	28	96
San Francisco	350	0	0	0	0	6
San Joaquin	267	0	0	0	0	5
San Luis Obispo	185	0	0	0	0	11
San Mateo	1,494	0	0	1	0	14
Santa Barbara	286	0	0	0	0	0
Santa Clara	1,002	0	0	0	1	17
Santa Cruz	271	0	0	0	0	0
Shasta	110	0	0	0	3	25
Sierra	4	0	0	0	0	0
Siskiyou	16	0	0	0	0	0
Solano	257	0	0	0	0	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Constitution Party of California	Dharma Party	Federalist Party	Justice Party	La Raza Unida Party	New Revolution Party
Alameda	1	0	2	28	10	2
Alpine	0	0	0	0	0	0
Amador	8	0	1	0	0	0
Butte	7	0	0	33	0	0
Calaveras	0	0	0	2	0	0
Colusa	0	0	0	0	0	0
Contra Costa	0	0	0	4	0	0
Del Norte	0	0	0	1	0	0
El Dorado	0	0	0	3	0	0
Fresno	0	0	0	0	0	0
Glenn	0	0	0	0	0	0
Humboldt	0	0	2	8	0	0
Imperial	0	0	0	0	0	0
Inyo	1	0	0	0	0	0
Kern	1	0	0	0	0	0
Kings	0	0	0	0	0	0
Lake	2	0	0	1	0	0
Lassen	0	0	0	0	0	0
Los Angeles	0	0	21	0	285	0
Madera	0	0	0	0	0	0
Marin	0	0	0	0	0	0
Mariposa	0	0	0	0	0	0
Mendocino	2	0	0	1	0	0
Merced	0	0	0	0	0	0
Modoc	0	0	0	0	0	0
Mono	0	0	0	0	0	0
Monterey	0	0	0	1	20	0
Napa	0	0	0	0	0	0
Nevada	0	0	0	6	0	0
Orange	1	0	1	16	14	0
Placer	5	0	0	1	0	0
Plumas	0	0	0	0	0	0
Riverside	3	0	1	2	0	2
Sacramento	2	0	0	0	0	0
San Benito	0	0	0	0	1	0
San Bernardino	4	0	0	0	10	6
San Diego	38	0	0	10	40	0
San Francisco	2	0	0	16	0	0
San Joaquin	0	0	0	1	0	0
San Luis Obispo	0	0	0	3	4	0
San Mateo	5	0	1	12	0	0
Santa Barbara	1	0	0	3	0	0
Santa Clara	0	0	0	2	26	0
Santa Cruz	0	0	0	15	0	0
Shasta	6	0	0	0	0	0
Sierra	0	0	0	0	0	0
Siskiyou	2	0	0	0	0	0
Solano	0	0	0	0	3	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Open Party	Reform Party	The Humane Party of California	The Middle Class Party	The People's Party of California
Alameda	2	395	0	0	0
Alpine	0	1	0	0	0
Amador	0	22	0	0	0
Butte	0	85	3	0	0
Calaveras	0	36	0	0	0
Colusa	0	1	0	0	0
Contra Costa	0	566	0	0	0
Del Norte	0	14	0	0	0
El Dorado	0	131	0	0	0
Fresno	2	252	0	0	0
Glenn	0	6	0	0	0
Humboldt	0	78	0	0	0
Imperial	0	24	0	0	0
Inyo	0	2	0	0	0
Kern	0	277	0	0	0
Kings	0	40	0	0	0
Lake	0	39	0	0	0
Lassen	0	23	0	0	0
Los Angeles	51	4,680	42	0	0
Madera	0	28	0	0	0
Marin	0	264	0	0	0
Mariposa	0	0	0	0	0
Mendocino	1	102	1	0	0
Merced	0	60	0	0	0
Modoc	0	1	0	0	0
Mono	0	0	0	0	0
Monterey	0	133	0	0	0
Napa	0	63	0	0	0
Nevada	0	119	0	0	0
Orange	0	2,314	0	6	0
Placer	0	207	0	0	0
Plumas	0	0	0	0	0
Riverside	1	926	1	0	0
Sacramento	1	616	2	0	1
San Benito	0	103	0	0	0
San Bernardino	1	949	4	0	0
San Diego	3	2,713	4	0	3
San Francisco	0	307	0	5	0
San Joaquin	0	261	0	0	0
San Luis Obispo	0	165	0	1	0
San Mateo	0	1,445	1	0	0
Santa Barbara	0	279	1	0	0
Santa Clara	0	922	0	0	0
Santa Cruz	0	249	0	0	0
Shasta	2	74	0	0	0
Sierra	0	4	0	0	0
Siskiyou	0	13	0	0	0
Solano	0	253	0	0	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Twelve Visions Party of California	Utopia Manifesto Political Party	We Like Women Party	WHIG Party	Working Families Party of California
Alameda	3	0	0	6	0
Alpine	0	0	0	1	0
Amador	0	0	0	1	0
Butte	0	0	0	5	0
Calaveras	0	0	0	0	0
Colusa	0	0	0	0	0
Contra Costa	17	0	0	1	0
Del Norte	0	0	0	0	0
El Dorado	0	0	0	0	0
Fresno	0	0	0	1	0
Glenn	0	0	0	0	0
Humboldt	0	0	0	1	0
Imperial	0	0	0	0	0
Inyo	0	0	0	1	0
Kern	0	0	0	1	0
Kings	0	0	0	0	0
Lake	0	0	0	1	0
Lassen	0	0	0	0	0
Los Angeles	1	0	0	33	2
Madera	0	0	0	0	0
Marin	0	0	0	0	0
Mariposa	0	0	0	0	0
Mendocino	2	0	0	0	0
Merced	0	0	0	0	0
Modoc	0	0	0	0	0
Mono	0	0	0	0	0
Monterey	0	0	0	0	0
Napa	0	0	0	0	0
Nevada	0	0	0	0	0
Orange	1	0	343	20	0
Placer	2	0	0	0	0
Plumas	0	0	0	0	0
Riverside	0	1	12	10	1
Sacramento	1	1	0	3	0
San Benito	0	0	0	0	0
San Bernardino	6	0	14	10	0
San Diego	1	0	2	0	0
San Francisco	0	0	11	3	0
San Joaquin	0	0	0	0	0
San Luis Obispo	0	0	0	1	0
San Mateo	0	0	0	15	0
Santa Barbara	2	0	0	0	0
Santa Clara	0	0	0	34	0
Santa Cruz	0	0	0	6	1
Shasta	0	0	0	0	0
Sierra	0	0	0	0	0
Siskiyou	1	0	0	0	0
Solano	0	0	0	1	0

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Total	American Concerned Party	American Third Position Party	California Moderate Party	Christian Party	Conservative Party
Sonoma	383	0	0	0	0	2
Stanislaus	336	0	0	0	1	36
Sutter	57	0	0	0	0	0
Tehama	20	0	0	0	2	1
Trinity	0	0	0	0	0	0
Tulare	118	0	2	3	1	9
Tuolumne	56	0	0	0	0	0
Ventura	611	0	0	10	1	16
Yolo	98	0	0	0	0	5
Yuba	14	0	0	0	0	1
State Total	22,905	0	2	16	117	494

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Constitution Party of California	Dharma Party	Federalist Party	Justice Party	La Raza Unida Party	New Revolution Party
Sonoma	3	0	0	9	0	0
Stanislaus	10	0	0	3	0	0
Sutter	0	0	0	0	0	0
Tehama	1	0	0	0	0	0
Trinity	0	0	0	0	0	0
Tulare	8	0	1	0	1	0
Tuolumne	1	0	0	0	0	0
Ventura	1	0	0	2	45	1
Yolo	5	0	0	0	2	0
Yuba	1	0	0	0	0	0
State Total	121	0	30	183	461	11

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Open Party	Reform Party	The Humane Party of California	The Middle Class Party	The People's Party of California
Sonoma	0	362	4	0	0
Stanislaus	0	282	1	0	0
Sutter	0	57	0	0	0
Tehama	0	15	0	0	0
Trinity	0	0	0	0	0
Tulare	1	88	0	0	0
Tuolumne	0	55	0	0	0
Ventura	2	525	2	0	0
Yolo	0	84	0	1	0
Yuba	0	12	0	0	0
State Total	67	20,722	66	13	4

**Report of Registration as of January 3, 2012
Political Bodies Attempting to Qualify**

County	Twelve Visions Party of California	Utopia Manifesto Political Party	We Like Women Party	WHIG Party	Working Families Party of California
Sonoma	0	0	0	3	0
Stanislaus	2	0	0	1	0
Sutter	0	0	0	0	0
Tehama	0	1	0	0	0
Trinity	0	0	0	0	0
Tulare	0	0	0	3	1
Tuolumne	0	0	0	0	0
Ventura	2	0	0	4	0
Yolo	0	0	0	1	0
Yuba	0	0	0	0	0
State Total	41	3	382	167	5

EXHIBIT D

**Report of Registration as of April 6, 2012
Political Bodies Attempting to Qualify**

County	Total	Constitution Party	Moderate Party
Alameda	14	13	1
Alpine	0	0	0
Amador	6	6	0
Butte	11	7	4
Calaveras	2	2	0
Colusa	1	1	0
Contra Costa	15	15	0
Del Norte	0	0	0
El Dorado	7	7	0
Fresno	0	0	0
Glenn	0	0	0
Humboldt	0	0	0
Imperial	0	0	0
Inyo	0	0	0
Kern	0	0	0
Kings	0	0	0
Lake	3	2	1
Lassen	0	0	0
Los Angeles	107	38	69
Madera	0	0	0
Marin	0	0	0
Mariposa	0	0	0
Mendocino	3	3	0
Merced	0	0	0
Modoc	0	0	0
Mono	0	0	0
Monterey	0	0	0
Napa	0	0	0
Nevada	0	0	0
Orange	43	43	0
Placer	5	5	0
Plumas	0	0	0
Riverside	3	3	0
Sacramento	4	2	2
San Benito	0	0	0
San Bernardino	3	3	0
San Diego	37	37	0
San Francisco	1	1	0
San Joaquin	3	1	2
San Luis Obispo	2	2	0
San Mateo	7	6	1

**Report of Registration as of April 6, 2012
Political Bodies Attempting to Qualify**

County	Total	Constitution Party	Moderate Party
Santa Barbara	1	1	0
Santa Clara	0	0	0
Santa Cruz	0	0	0
Shasta	2	1	1
Sierra	0	0	0
Siskiyou	2	2	0
Solano	2	0	2
Sonoma	3	3	0
Stanislaus	10	10	0
Sutter	0	0	0
Tehama	1	1	0
Trinity	0	0	0
Tulare	16	13	3
Tuolumne	0	0	0
Ventura	12	1	11
Yolo	4	4	0
Yuba	1	1	0
State Total	331	234	97