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6 Attorneys for Plaintiffs
7 *California Justice Committee, the*
Constitution Party of California,
8 *Jeff Norman, Charles Michel Deemer,*
and John Gabree

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10 **IN THE UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 CALIFORNIA JUSTICE COMMITTEE; et) Case No. CV12-3956 PA (AGR_x)
13 al.,)
14 Plaintiffs,) The Honorable Percy Anderson
15 vs.) **JOINT STIPULATED FACTS**
16 DEBRA BOWEN, California Secretary of) Trial Date: October 16, 2012
17 State, in her official capacity,) Time: 9:00 a.m.
18 Defendant.) Courtroom: 15
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1 Plaintiffs California Justice Committee, Constitution Party of California, Jeff Norman,
2 Charles Michel Deemer, and John Gabree and Defendant Debra Bowen, as California
3 Secretary of State, agree that there is no dispute regarding the following facts and
4 stipulate that the Court can rely upon the facts listed below in adjudicating Plaintiffs'
5 claim for permanent injunctive and declaratory relief:

6 (1) As of January 23, 2012, insufficient voters had affiliated with plaintiff
7 Constitution Party of California to enable it to qualify as a political party under
8 Elections Code section 5100, subdivision (b).

9 (2) As of January 23, 2012, insufficient voters had affiliated with the
10 California Justice Party to enable it to qualify as a political party under Elections Code
11 section 5100, subdivision (b).

12 (3) As of January 23, 2012, if a political body sought to qualify as a political
13 party under Elections Code section 5100, subdivision (b), a minimum of 103,004
14 voters needed to have declared their intention to affiliate with that party.

15 (4) Seven political parties qualified to participate in the June 5, 2012 primary
16 election: American Independent, Americans Elect, Democratic, Green, Libertarian,
17 Peace and Freedom, and Republican.

18 (5) The Americans Elect Party qualified as a political party on December 19,
19 2011.

20 (6) Since 1953, when California set the party-qualification deadline 135 days
21 before the primary election, seven new political parties have attained formal
22 recognition under California's party-qualification scheme.

23 (7) Since 1995, one new political body, the Americans Elect Party in 2011,
24 has qualified as a recognized political party.

25 (8) Since 2000, 61 groups that have registered with the Secretary of State as
26 political bodies have failed to qualify as recognized political parties in California, with
27 11 of these having registered and failed to qualify more than once.

28 (9) In the 2012 election cycle, 21 groups that registered with the Secretary of

1 State as political bodies failed to qualify as recognized political parties, and one
2 political body succeeded.

3 (10) In order to provide counties with sufficient time to prepare ballots, the
4 California Secretary of State would need to announce whether a political body has
5 qualified for the ballot at least 98 days before the election.

6 (11) To enable the California Secretary of State to have made the
7 determination as to whether a political party had qualified prior to this year's
8 presidential election, each county would have needed to report the registration totals
9 for each political body by no later than July 19, 2012, and the counties in turn would
10 have required additional time to collect and verify information provided to them.

11 (12) California counties require no more than 19 days to collect and verify
12 voter affidavits for submission to the Secretary of State.

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14 Dated: August 20, 2012

Respectfully Submitted,

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MARK D. ROSENBAUM
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ACLU Foundation of Southern California

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By: /s/ David B. Sapp
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Party of California, Jeff Norman, Charles
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23 Dated: August 20, 2012

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