



Shenna Bellows
Secretary of State

Department of the Secretary of State
Bureau of Corporations, Elections and
Commissions

Julie L. Flynn
Deputy Secretary of State

August 9, 2024

By Email and U.S. Mail

Ceyanna Dent
Cornel West for President
17242 Citron
Irvine, CA 92612
ceyanna@cornelwest2024.com

Daniel W. Walker, Esq.
PretiFlaherty
45 Memorial Circle
Augusta, ME 04330
dwalker@preti.com

David M. Kallin, Esq.
Drummond Woodsum
84 Marginal Way, Suite 600
Portland, ME 04101-2480
dkallin@dwmlaw.com

NOTICE OF HEARING

*In re: Challenge to Petition to Nominate Slate of Presidential Electors to Support Dr.
Cornel West*

Dear Ms. Dent and Attorneys Kallin and Walker:

The Secretary of State's Office received on August 8, 2024, two written challenges to the petition filed by Dr. Cornel West to nominate a slate of candidates for the office of presidential elector. One challenge is from Nathan Berger of Portland, Maine, represented by Attorney David Kallin (the "Berger Challenge"). The second challenge is from Anne Gass of Gray and Sandra Marquis of Lewiston, both represented by Attorney Daniel Walker (the "Gass Challenge"). The challenge was timely filed under 21-A M.R.S. § 356(2)(A). Notice is being provided to Ceyanna Dent as the West campaign's contact person.

A consolidated public hearing on the challenges will be held beginning at 1:00 pm on Wednesday, August 14, 2024, in Room 228 of the Maine State House, Augusta, Maine. The hearing will be conducted in accordance with 21-A M.R.S. § 356 and the Maine Administrative Procedure Act, 5 M.R.S. §§ 9051 *et seq.* Secretary of State Shenna Bellows will serve as the Presiding Officer at the Hearing, and Assistant Attorney General Jonathan Bolton will assist the Secretary as legal counsel. Evidence will be heard relating to the allegations set forth in the written challenges, both of which are attached.

The public hearing may be extended to Thursday, August 15, 2024, if additional time is needed.

In summary, the Berger Challenge alleges:

- (1) The petition contains 5,983 signatures, exceeding the 5,000-signature maximum specified in 21-A M.R.S.A. § 354(5)(A);
- (2) The petition contains instances in which circulators printed their name or wrote their initials rather than signing their name;
- (3) The petition contains instances in which notary signatures were missing;
- (4) The petition contains instances in which the notary initialed rather than signed the petition forms;
- (5) The petition contains instances in which the notary did not print the full expiration date of their commission;
- (6) The petition contains instances in which the notary's stamp is missing;
- (7) The petition contains deficient signature dates;
- (8) The petition contains signatures from individuals who are not registered Maine voters;
- (9) The petition contains signatures with address information that does not match voter registration records or is illegible;
- (10) The petition contains signatures in which voters printed their name or wrote their initials rather than signing their name;
- (11) The petition contains signatures in which the voter signed a different name than their printed name;
- (12) The petition contains signatures that use identical handwriting across multiple rows;
- (13) The petition contains signatures that were crossed out;
- (14) The petition contains signatures in which the signature does not match the one in the voter file;
- (15) The petition contains signatures in which the signer's name is illegible;
- (16) The petition contains duplicate signatures.

In summary, the Gass Challenge alleges:

- (1) The petition as a whole is invalid as a result of fraud or knowingly false statements by the circulator; more specifically, that one more circulators deceived voters as to the nature of the petition;

- (2) The petition contains signatures by individuals who are not registered Maine voters;
- (3) The petition contains signatures that are illegible;
- (4) The petition contains signatures that only include the signers' first or last name;
- (5) The petition contains improper uses of ditto marks;
- (6) The petition omits addresses and contains addresses that are incomplete or not residence addresses;
- (7) The petition contains signatures with inaccurate dates;
- (8) The petition contains mistaken certifications by municipal officers;
- (9) The petition contains petition forms that do not include or accurately state the name of the municipality;
- (10) The petition contains crossed out signatures;
- (11) The petition contains duplicate entries;
- (12) The petition contains signatures predating January 1, 2024.

Please refer to the attached written challenges and exhibit for a complete description of the challengers' allegations. You can download a complete scanned copy of the petition by using the hyperlink included in the cover email attaching this Notice.

The challengers have the burden of providing sufficient evidence to invalidate the petition. 21-A M.R.S. § 356(2)(B). At the hearing there will be an opportunity for both the challengers and the candidate to present oral testimony of witnesses as well as additional documentary evidence, and to make oral argument pertaining to the challenge in light of that evidence. Written affidavits from witnesses will not be accepted as evidence in this matter unless those witnesses are available for cross-examination, pursuant to 5 M.R.S. § 9057(5). Witnesses will be permitted to appear by videoconference if they are not otherwise available to attend the hearing.

The parties shall exchange and file by email with the Secretary of State's Office lists of expected exhibits and witnesses as well as copies of listed exhibits, no later than **Monday, August 12, 2024**. Witness lists should specify if a proposed witness wishes to testify by videoconference and provide an email address to which the videoconference invitation should be sent. The parties are also encouraged to exchange information in advance of the hearing. All filings should be emailed to SOS.Office@maine.gov and jonathan.bolton@maine.gov, and should be copied to all parties.

If you wish to request this office to issue a subpoena for the attendance of any witness pursuant to 5 M.R.S. § 9060(1), or if you do not plan to attend the hearing, please notify us as soon as possible. Please also let us know if you will need copies of any public records within the custody of the Elections Division for the hearing.

Any person seeking to intervene in this matter shall file a written request with the Secretary of State, copying the parties, no later than **4:00 p.m. on Tuesday, August 13, 2024**.

Pursuant to 5 M.R.S. § 9053(3), a party's failure to take action required by this letter may be grounds for disposition of this proceeding by default.

Finally, under 5 M.R.S. § 9055, any communications to me, my staff, or AAG Bolton concerning any issue of fact, law or procedure in this proceeding must be in writing, copied to all parties, or following notice and opportunity for all parties to participate.

Sincerely,

A handwritten signature in blue ink that reads "Shenna Bellows". The signature is written in a cursive, flowing style.

Shenna Bellows
Secretary of State

cc: Jonathan Bolton, Assistant Attorney General