



Kathy Sullivan, Chair

September 7, 2004

BLC
2004-10

RECEIVED

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**NEW HAMPSHIRE
SECRETARY OF STATE**

William M. Gardner
New Hampshire Secretary of State
State House Room 2004
Concord, NH 03301

Dear Secretary Gardner:

I am enclosing an Objection to Ralph Nader for President Nominating Petitions and a Motion To Obtain Signatures on Voter Registration Cards.

In the interest of assuring that all necessary discovery is completed before the September 24, 2004 hearing date on objections to nominating petitions, I am filing the enclosed Objection in advance of the September 13, 2004 deadline. By filing this Objection today, I do not waive my right to file a more extensive objection on September 13, 2004.

I would appreciate it if you please would transmit the enclosed pleadings to the Ballot Law Commission as soon as possible.

Thank you for your anticipated cooperation.

Very truly yours,

Kathleen Sullivan, Esquire

enclosures

cc: Kristin Spath, Esq., Office of the Attorney General
Orville B. Fitch, Esq., Office of the Attorney General
Aaron Rizzio
Nader for President 2004 General Election Committee

State of New Hampshire Ballot Law Commission

Kathleen N. Sullivan and The New Hampshire Democratic State Committee

Motion To Obtain Signatures from Voter Registration Cards

NOW COMES Kathleen N. Sullivan, Petitioner in Sullivan and New Hampshire Democratic State Committee v. Nader, and hereby requests that the Ballot Law Commission issue an order allowing petitioner Sullivan access to the signatures on certain voter registration cards maintained by local town election officials.

1. Petitioner Kathleen N. Sullivan today filed an Objection to Ralph Nader for President Nominating Petitions pursuant to RSA 655:44.

2. On information and belief, a number of signatures on nominating petitions filed by the Ralph Nader for President Campaign are forgeries. See copies of the affidavits of Paul Szoc and Ana Tavaréz and the nominating petitions the Nader campaign claimed each signed, which are attached to the Objection.

3. In order for Petitioner Sullivan to obtain and provide evidence that certain signatures on nominating petitions are forgeries, she needs to be able to compare the signature on the nominating petition with the signature on a voter registration card.

4. Petitioner Sullivan has attempted to obtain access to signature cards directly from city and town election officials, but her requests have been denied under the authority of N.H. RSA 654:31-a. Accordingly, Petitioner Sullivan needs an order from the Ballot Law Commission under its authority to obtain access to signatures on voter registration cards.

WHEREFORE, Petitioner Kathleen Sullivan respectfully requests that the Ballot Law Commission:

A. Issue an Order allowing Petitioner Sullivan access to the signatures on the voter registration cards of voters listed in Exhibit A, attached hereto;

B. Require Petitioner Sullivan and any persons assisting her to sign a confidentiality agreement or, in the alternative, limit Petitioner Sullivan's access to the name, address and signature of the voter, or otherwise provide protection to confidential information such as social security numbers contained on individual voter registration cards.

C. Require Petitioner Sullivan to pay the reasonable copying charges incurred by local or state offices in complying with the Commission's order.

D. Order such further relief as is just and proper.

Respectfully submitted,



Kathleen N. Sullivan

Dated: Sept. 7, 2004

I hereby certify that a copy of this Motion has been forwarded to Aaron Rizzio, New Hampshire representative for the Nader for President Campaign, and to Nader for President 2004 General Election Committee.



Kathleen N. Sullivan

Dated: Sept. 7, 2004

Voter Registration Card Signatures Request List

Dover

Randolph Godwin, 106 Varney Road
Nicki Godwin, 106 Varney Road
Frank Toland, 40 4th Street

Durham

Joe Harding, 2 Emerson Road
Laura Harding, 2 Emerson Road

Exeter

Barbara Carleton, 7 Ashbrook Road
Wade Carleton, 7 Ashbrook Road
Joan Henson, 55 High Street
John Henson, 55 High Street
Pam Klink, 19 Little Pine Lane
Glenn Klinck, 19 Little Pine Lane
Evelyn Loring, 277 Water Street
Harris Loring, 277 Water Street
Karen Marcantonio, 9 Hunter Place
Oliver Marcantonio, 9 Hunter Place
Patricia Qualter, 36 Oakland Road
William Qualter, 36 Oakland Road

Keene

Felicia Adam, 69 Hilltop Drive
Kermit Baker, 21 Vine
Michael Beaulac, 22 Wilford Street
William Beauregar, 7 Kenworth Ave
Gregory Berudt, 108 Gilsum Street
Judith Bielecki, 71 Congress Street
Vincent A. Bradley III, 12 Liberty Street
Betty Brown, 40 Central Square #3
John Byrnis, 7 Blossom Street
Maria Callahan, 3 Stevens Street
Caitlin Campbell, 19 Colorado Street
Carrie Clough, 164 Spruce Street
Erzia Collins, 8 Armory Street
Penny Curran, 16 Prescott Street
Benjamin Dencare, 50 Marlboro Street Apt 7
John DiBernado, 15 Cobb Street
Ruth Drew, 114 Roxbury Road
Samuel Exel, 43 George Street
Brian Farias, 13 Dickinson Road
Stephen Felder, 259 Court Street
Joshua Freeman, 100 Emerald
William Graham, 7 Cubb Street

Voter Registration Card Signature Request List
Page 2

Timothy Gurczak, 23 West Street
David Harvey, 34 Paro
Brooks Henningsen, 4 Mystic Place
Bridget Hogan, 24 Richardson Court
Ryan Hoskisen, 195 Key Road
Todd Howland, 38 Edgewood Ave
Jennifer James
Beth Martin, 33 Pine Street or 22 Windsor Court
Monica Mayer, 163 Pearl Street, #B
James Maynard, 40 Needle Street
Eleanor McCreary, 21 Roxbury Plaza
Andrew McGrail, 26 Taylor Street
Diane Milliker, 391 Court Street
Donna Morin, 36 Sesame Street
Matthew Morrison, 631 West Street
Regis Neaves, 21 Allen Court
Cynthia Nelson, 72 River Street
Dan Netto, 47 Main Street #10
Kelly Norland, 314 Park Ave, Apt. A
David Ouellette, 47 Adams Street
Carol Pacilio, 77 Adams Street
Jennifer Perry, 18 Lee Street, Apt. 14
Jessica Plimpton, 58 Driver Street, Apt. 1
Taylor Quimbs, 248 Court Street
Chrystal Royea, 20 Oriole Ave
Chris Raymond, 549 West
Paul Repasky, 10 Meetinghouse Lane
Virginia Reynolds, 110 Arch Street, No 12
Sharon Ricks, 12 Mountain View Court
Thomas Ricks, 12 Mountain View Court
Bonnie Rill, 215 Gunn Road
Nicholas Sansone, 17 Evans Circle
Stephanie Slegal, 149 Lincoln Street
Peter Smith, 59 South Street
Lynn Spendley, 8 Orchid Street
Adam Sterling, 1 Wilcox Terrace
John Sweeny, 33 Starling Street
David A. Town, Jr.
Bruce Walker, 67 Cross Street
Brian Warner, 21 Colby Street
Jennifer Wickers, 17 Westview Ave
Susan Woltheum, 13 Westview Ave
Lisa Woods, 4 Chestnut

Nashua

Tammy Caron, 25 Elm Street
Jerrie LaJeunesse, 173 Ridge Road
James LaJeunesse, 173 Ridge Road

State of New Hampshire Ballot Law Commission

Kathleen N. Sullivan and The New Hampshire Democratic State Committee

Petition in Objection to Ralph Nader for President Nominating Petitions

NOW COMES Kathleen N. Sullivan, of 95 Market Street, Manchester, New Hampshire, a registered voter in the City of Manchester and chair of the New Hampshire Democratic State Committee, and hereby objects pursuant to N.H. RSA 655:44 to the nominating petitions filed by representatives of the Ralph Nader for President Campaign with the New Hampshire Secretary of State on September 3, 2004.

1. On or about June 9, 2004, representatives of Ralph Nader filed a declaration of intent to be a candidate for president with the New Hampshire Secretary of State pursuant to N.H. RSA 655:17-b.

2. On September 3, 2004 representatives of the Ralph Nader for President campaign filed with the Secretary of State approximately 1,784 nominating petitions purportedly signed by duly registered voters in New Hampshire's Congressional District 2 and approximately 2,042 nominating petitions purportedly signed by duly registered voters in New Hampshire's Congressional District 1.

3. Under RSA 655:42, a candidate for president through the nominating petition process must submit valid nomination papers from 1,500 duly registered voters in each of New Hampshire's two congressional districts.

4. On information and belief, more than 284 nominating petitions filed by the Nader campaign with the Secretary of State that are purportedly from duly registered voters in Congressional District 2 are invalid. Attached are two examples of the problems that have been

discovered to date. See copies of the affidavits of Paul Szoc and Ana Tavarez and the nominating petitions the Nader campaign claimed each signed (Exhibits A and B).

5. Pursuant to RSA 655:44, objections to nominating petitions can be filed with the Secretary of State through Monday, September 13, 2004.

6. Petitioner Kathleen Sullivan reserves the right to amend this Objection through September 13, 2004.

WHEREFORE, Petitioner Kathleen N. Sullivan respectfully requests that the Ballot Law Commission:

- A. Hold a hearing on this Objection on September 24, 2004 pursuant to RSA 665:5.
- B. Find that more than 284 nominating petitions filed by the Ralph Nader for President Campaign purportedly from duly registered voters in Congressional District 2 are invalid and cannot be counted toward the 1,500 per Congressional District needed to qualify Nader for the ballot; and/or
- C. Find that the Nader nominating petition circulation process is so tainted with misrepresentation, falsity, forgery, misconduct, and deceit that all nominating petitions filed by the Ralph Nader for President Campaign are invalid.

Respectfully submitted,



Kathleen N. Sullivan

Dated: Sept. 7, 2004

I hereby certify that a copy of this Petition has been forwarded to Aaron Rizzio, New Hampshire representative for the Nader for President Campaign, and to Nader for President 2004 General Election Committee.

Dated: Sept. 7, 2004



Kathleen N. Sullivan

My name is Paul Szoc I live at
7 River St. Beere

I have reviewed the attached nominating petition that appears to have my signature on it.

I did not sign this petition and this is not my signature.

I declare under penalty of perjury that the above is true and correct.

Date signed: 9-3-04

Name: Paul Szoc
Paul Szoc

Signature: Paul Szoc

Witness

Name: Andrew B. Smith

Signature: Andrew B. Smith



STATE OF NEW HAMPSHIRE

Nomination Paper
(For State General Election)

RSA 655:40 - 45)

The subscriber, a registered voter in the State of New Hampshire, hereby makes the following nomination to be voted for at the state general election to be held on November 2, 2004, and requests that the name of said candidate be placed upon the official ballot to be used in said election as a candidate of the Independent Party.

Candidate's Name Ralph Nader

Candidate's Domicile 53 Hillside Ave. Winsted, CT 06098

For the Office of President of the United States

District No.

RSA 655:45

No person shall falsely make or file or knowingly deface or destroy any nomination paper, or any part thereof, or sign any nomination paper contrary to the provisions of law knowing the same, or any part thereof, to be falsely made or suppress any nomination paper, or any part thereof, which has been duly filed. Whoever knowingly violates any of the provisions of this section shall be guilty of a misdemeanor if a natural person or be guilty of a felony if any other person.

Voter's Signature [Signature]

Print Name Ralph Nader

Voter's Domicile 7 River St
(street address)

KEED
(town or city)

4
(ward)

Voter's Mailing Address _____
(street address)

(town or city)

(zip code)

CERTIFICATE OF SUPERVISORS OF THE CHECKLIST

The undersigned, a majority of the Supervisors of the Checklist (or Registrars of Voters), hereby certify that the voter signing this nomination paper is a registered voter in the town/ward of _____

Patricia A. Little

Date signed 8-19-04

RSA 655:41, II. The city clerk may certify that the signer is a registered voter, if in a city.

Filing Deadlines:
August 11, 2004 - Last day to submit signed nomination papers to Supervisors of the Checklist in each town or city
September 1, 2004 5:00 p.m. - Supervisors must have nomination papers certified for candidates and organizations.
September 8, 2004 5:00 p.m. - Last day to file certified nomination papers with Secretary of State's Office

Mail to: Ralph Nader, c/o Aaron Rizzio, PO Box 145, West Peterborough, NH 03468

My name is Ana TAVAREZ I live at
5 Beech #8 Nashua NH 03060

I have reviewed the attached nominating petition that appears to have my signature on it.

I did not sign this petition and this is not my signature.

~~A~~

I declare under penalty of perjury that the above is true and correct.

Date signed: 8/31/04

Name: Ana TAVAREZ

Signature: Ana Tavaréz

Witness
Name: Quentin Palfrey

Signature: Quentin Palfrey



STATE OF NEW HAMPSHIRE

Nomination Paper
(For State General Election)

RSA 655:40 - 45)

The subscriber, a registered voter in the State of New Hampshire, hereby makes the following nomination to be voted for at the state general election to be held on November 2, 2004, and requests that the name of said candidate be placed upon the official ballot to be used in said election as a candidate of the

Independent Party.

Candidate's Name Ralph Nader

Candidate's Domicile 53 Hillside Ave. Winsted, CT 06098

For the Office of President of the United States

District No.

Canvassed 8/31
6:25pm
No mailbox or
name on door
N/H

RSA 655:45

No person shall falsely make or file or knowingly deface or destroy any nomination paper, or any part thereof, or sign any nomination paper contrary to the provisions of law knowing the same, or any part thereof, to be falsely made or suppress any nomination paper, or any part thereof, which has been duly filed. Whoever knowingly violates any of the provisions of this section shall be guilty of a misdemeanor if a natural person or be guilty of a felony if any other person.

Voter's Signature Ana Tavaraz Print Name Ana Tavaraz
Voter's Domicile 5 Beach St. Nashua 03010 4
(street address) (town or city) (ward)
Voter's Mailing Address _____
(street address) (town or city) (zip code)

CERTIFICATE OF SUPERVISORS OF THE CHECKLIST

The undersigned, a majority of the *Supervisors of the Checklist* (or Registrars of Voters), hereby certify that the voter signing this nomination paper is a registered voter in the town/ward of Nashua

Paul R. Bergeron

Date signed 8/24/04

RSA 655:41, II. The city clerk may certify that the signer is a registered voter, if in a city.

Filing Deadlines:
August 11, 2004 - Last day to submit signed nomination papers to Supervisors of the Checklist in each town or city
September 1, 2004 5:00 p.m. - Supervisors must have nomination papers certified for candidates and organizations
September 8, 2004 5:00 p.m. - Last day to file certified nomination papers with Secretary of State's Office