

EXHIBIT 1

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12 *Attorneys for Proposed Intervenor-Defendants*
13 *DCCC and California Democratic Party*

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA
16

17 REPUBLICAN NATIONAL COMMITTEE;
18 NATIONAL REPUBLICAN
CONGRESSIONAL COMMITTEE; and
19 CALIFORNIA REPUBLICAN PARTY,

20 Plaintiffs,

21 v.

22 GAVIN NEWSOM, in his official capacity as
23 Governor of California; and ALEX PADILLA,
in his official capacity as California Secretary
24 of State,

25 Defendants,

26 and

27 DCCC and CALIFORNIA DEMOCRATIC
28

Case No.: 2:20-cv-01055-MCE-CKD

**[PROPOSED] ANSWER TO
COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF**

1 PARTY,

2 Proposed
3 Intervenor-
4 Defendants

5 Proposed Intervenor-Defendants DCCC and California State Democratic Party, by and
6 through their attorneys, submit the following Answer to Plaintiffs' Complaint for Declaratory and
7 Injunctive Relief ("Complaint"). Proposed Intervenor-Defendants respond to the allegations in the Complaint
8 as follows:

9 1. Paragraph 1 contains mere characterizations, legal contentions, and conclusions to
10 which no response is required.

11 2. Proposed Intervenor-Defendants admit that Governor Newsom issued Executive Order N-64-
12 20. The remaining allegations in Paragraph 2 are mere characterizations, legal contentions, and
13 conclusions to which no response is required. To the extent a response is required, Proposed
14 Intervenor-Defendants deny the allegations.

15 3. Paragraph 3 contains mere characterizations, legal contentions, and conclusions to
16 which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the
17 allegations.

18 4. Paragraph 4 contains mere characterizations, legal contentions, and conclusions to
19 which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the
20 allegations.

21 5. Paragraph 5 contains mere characterizations, legal contentions, and conclusions to
22 which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the
23 allegations.

24 **JURISDICTION AND VENUE**

25 6. Paragraph 6 contains mere characterizations, legal contentions, and conclusions to
26 which no response is required.

27 7. Paragraph 7 contains mere characterizations, legal contentions, and conclusions to

1 which no response is required.

2 **PARTIES**

3 8. Proposed Intervenors admit the allegations in Paragraph 8.

4 9. Proposed Intervenors admit the allegations in Paragraph 9.

5 10. Proposed Intervenors are without sufficient information or knowledge with which
6 to form a belief as to the truth or falsity of the allegations in Paragraph 10.

7 11. Proposed Intervenors admit that the RNC works to elect Republican candidates,
8 and that the language quoted appeared on the Cook Political Report website, but Proposed
9 Intervenors are without sufficient information or knowledge with which to form a belief as to the
10 truth or falsity of the remaining allegations in Paragraph 11.

11 12. Paragraph 12 contains mere characterizations, legal contentions, and conclusions
12 to which no response is required.

13 13. Paragraph 13 contains mere characterizations, legal contentions, and conclusions
14 to which no response is required. To the extent a response is required, Proposed Intervenors deny
15 the allegations.

16 14. Proposed Intervenors admit the allegations in Paragraph 14.

17 15. Proposed Intervenors are without sufficient information or knowledge with which
18 to form a belief as to the truth or falsity of the allegations in Paragraph 15.

19 16. Paragraph 16 contains mere characterizations, legal contentions, and conclusions
20 to which no response is required.

21 17. Proposed Intervenors admit that the California Republican Party is a political party
22 with its principal place of business in Sacramento, California, but Proposed Intervenors are without
23 sufficient information or knowledge with which to form a belief as to the truth or falsity of the
24 remaining allegations in Paragraph 17.

25 18. Proposed Intervenors are without sufficient information or knowledge with which
26 to form a belief as to the truth or falsity of the allegations in Paragraph 18.

27 19. Paragraph 19 contains mere characterizations, legal contentions, and conclusions
28

1 to which no response is required.

2 20. Proposed Intervenors admit the allegations in Paragraph 20.

3 21. Proposed Intervenors admit the allegations in Paragraph 21.

4 **BACKGROUND**

5 22. Paragraph 22 contains mere characterizations, legal contentions, and conclusions
6 to which no response is required. To the extent a response is required, Proposed Intervenors deny
7 the allegations.

8 23. Proposed Intervenors admit that the language quoted appeared in the report of the
9 Commission on Federal Election Reform, Michael T. Morley’s *Election Emergency Redlines*
10 (“*Redlines*”), and the Seventh Circuit’s opinion in *Griffin v. Roupas*, but Proposed Intervenors are
11 without sufficient information or knowledge with which to form a belief as to the truth or falsity
12 of the remaining allegations in Paragraph 23.

13 24. Proposed Intervenors admit that the language quoted in the first seven sentences
14 appeared in the report of the Commission on Federal Election Reform, but Proposed Intervenors
15 are without sufficient information or knowledge with which to form a belief as to the truth or
16 falsity of the remaining allegations in Paragraph 24.

17 25. Proposed Intervenors admit that the language quoted appeared in *Redlines*, but
18 Proposed Intervenors are without sufficient information or knowledge with which to form a belief
19 as to the truth or falsity of the remaining allegations in Paragraph 25.

20 26. Proposed Intervenors admit that the language quoted appeared in a 2012 study by
21 the Pew Center on the States, but Proposed Intervenors are without sufficient information or
22 knowledge with which to form a belief as to the truth or falsity of the remaining allegations in
23 Paragraph 26.

24 27. Proposed Intervenors admit that the language quoted appeared in a 2010 study by
25 the Caltech/MIT Voting Technology Project, but Proposed Intervenors are without sufficient
26 information or knowledge with which to form a belief as to the truth or falsity of the remaining
27 allegations in Paragraph 27.

1 28. Proposed Intervenors deny the allegations in Paragraph 28.

2 29. Proposed Intervenors admit that the language quoted appeared in *Redlines*, but
3 Proposed Intervenors deny the remaining allegations in Paragraph 29.

4 30. Proposed Intervenors deny the allegations in Paragraph 30.

5 31. Proposed Intervenors admit that third parties assist voters with returning their
6 absentee ballots in states where it is lawful, but Proposed Intervenors are without sufficient
7 information or knowledge with which to form a belief as to the truth or falsity of the remaining
8 allegations in Paragraph 31.

9 32. Proposed Intervenors admit that the language quoted appeared in *Redlines*, but
10 Proposed Intervenors deny the remaining allegations in Paragraph 32.

11 33. Proposed Intervenors admit that the language quoted appeared in *Redlines*, but
12 Proposed Intervenors deny the remaining allegations in Paragraph 33.

13 34. Paragraph 34 contains mere characterizations, legal contentions, and conclusions
14 to which no response is required. To the extent a response is required, Proposed Intervenors deny
15 the allegations.

16 35. Paragraph 35 contains mere characterizations, legal contentions, and conclusions
17 to which no response is required. To the extent a response is required, Proposed Intervenors deny
18 the allegations.

19 36. Paragraph 36 contains mere characterizations, legal contentions, and conclusions
20 to which no response is required. To the extent a response is required, Proposed Intervenors deny
21 the allegations.

22 37. Paragraph 37 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. To the extent a response is required, Proposed Intervenors deny
24 the allegations.

25 38. Proposed Intervenors admit the allegations in Paragraph 38.

26 39. Proposed Intervenors admit that organizations affiliated with the Democratic Party
27 have advocated that voting should be easy and accessible to all persons eligible to vote, and that
28

1 unconstitutional barriers to the right to vote should be eliminated, but Proposed Intervenors deny
2 the remaining allegations in Paragraph 39.

3 40. Proposed Intervenors admit that the language quoted appeared in *Redlines*, but
4 Proposed Intervenors deny the remaining allegations in Paragraph 40.

5 41. Proposed Intervenors deny the allegations in Paragraph 41.

6 42. Proposed Intervenors admit that the language quoted appeared in the *Las Vegas*
7 *Review-Journal*, but Proposed Intervenors are without sufficient information or knowledge with
8 which to form a belief as to the truth or falsity of the remaining allegations in Paragraph 42.

9 43. Proposed Intervenors admit that the language quoted appeared in the *Las Vegas*
10 *Review-Journal*, but Proposed Intervenors are without sufficient information or knowledge with
11 which to form a belief as to the truth or falsity of the remaining allegations in Paragraph 43.

12 44. Proposed Intervenors admit that the language quoted appeared in the *Las Vegas*
13 *Review-Journal*, but Proposed Intervenors are without sufficient information or knowledge with
14 which to form a belief as to the truth or falsity of the remaining allegations in Paragraph 44.

15 45. Proposed Intervenors are without sufficient information or knowledge with which
16 to form a belief as to the truth or falsity of the allegations in Paragraph 45.

17 46. Proposed Intervenors admit that the language quoted appeared in the *Las Vegas*
18 *Review-Journal*, but Proposed Intervenors are without sufficient information or knowledge with
19 which to form a belief as to the truth or falsity of the remaining allegations in Paragraph 46.

20 47. Proposed Intervenors admit that the language quoted appeared in *InsiderNJ*, but
21 Proposed Intervenors are without sufficient information or knowledge with which to form a belief
22 as to the truth or falsity of the remaining allegations in Paragraph 47.

23 48. Proposed Intervenors are without sufficient information or knowledge with which
24 to form a belief as to the truth or falsity of the allegations in Paragraph 48.

25 49. Proposed Intervenors are without sufficient information or knowledge with which
26 to form a belief as to the truth or falsity of the allegations in Paragraph 49.

27 50. Proposed Intervenors are without sufficient information or knowledge with which
28

1 to form a belief as to the truth or falsity of the allegations in Paragraph 50.

2 51. Proposed Intervenors admit that the language quoted appeared in the *New Jersey*
3 *Globe*, but Proposed Intervenors are without sufficient information or knowledge with which to
4 form a belief as to the truth or falsity of the remaining allegations in Paragraph 51.

5 52. Proposed Intervenors admit that the language quoted appeared in *InsiderNJ*, but
6 Proposed Intervenors are without sufficient information or knowledge with which to form a belief
7 as to the truth or falsity of the remaining allegations in Paragraph 52.

8 53. Proposed Intervenors deny the allegations in Paragraph 53.

9 54. Proposed Intervenors admit that in 2019, California election officials settled a 2017
10 lawsuit filed by Judicial Watch in which Judicial Watch alleged that Los Angeles County and the
11 State of California were failing to meet federal requirements and ensure that inactive registrations
12 were removed from records, but Proposed Intervenors deny the remaining allegations in Paragraph
13 54.

14 55. Proposed Intervenors are without sufficient information or knowledge with which
15 to form a belief as to the truth or falsity of the allegations in Paragraph 55.

16 56. Paragraph 56 contains mere characterizations, legal contentions, and conclusions
17 to which no response is required. To the extent a response is required, Proposed Intervenors deny
18 the allegations.

19 57. Proposed Intervenors are without sufficient information or knowledge with which
20 to form a belief as to the truth or falsity of the allegations in Paragraph 57.

21 58. Proposed Intervenors are without sufficient information or knowledge with which
22 to form a belief as to the truth or falsity of the allegations in Paragraph 58.

23 59. Proposed Intervenors are without sufficient information or knowledge with which
24 to form a belief as to the truth or falsity of the allegations in Paragraph 59.

25 60. Proposed Intervenors are without sufficient information or knowledge with which
26 to form a belief as to the truth or falsity of the allegations in Paragraph 60.

27 61. Proposed Intervenors are without sufficient information or knowledge with which
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1 to form a belief as to the truth or falsity of the allegations in Paragraph 61.

2 62. Proposed Intervenors are without sufficient information or knowledge with which
3 to form a belief as to the truth or falsity of the allegations in Paragraph 62.

4 63. Paragraph 63 contains mere characterizations, legal contentions, and conclusions
5 to which no response is required. To the extent a response is required, Proposed Intervenors deny
6 the allegations.

7 64. Proposed Intervenors deny the allegations in Paragraph 64.

8 65. Proposed Intervenors admit that the language quoted appeared in a press release
9 issued on the date stated by the Los Angeles County District Attorney's Office, but Proposed
10 Intervenors are without sufficient information or knowledge with which to form a belief as to the
11 truth or falsity of the remaining allegations in Paragraph 65.

12 66. Proposed Intervenors are without sufficient information or knowledge with which
13 to form a belief as to the truth or falsity of the allegations in Paragraph 66.

14 67. Paragraph 67 contains mere characterizations, legal contentions, and conclusions
15 to which no response is required. To the extent a response is required, Proposed Intervenors deny
16 the allegations.

17 68. Paragraph 68 contains mere characterizations, legal contentions, and conclusions
18 to which no response is required. To the extent a response is required, Proposed Intervenors deny
19 the allegations.

20 69. Paragraph 69 contains mere characterizations, legal contentions, and conclusions
21 to which no response is required. To the extent a response is required, Proposed Intervenors deny
22 the allegations.

23 70. Paragraph 70 contains mere characterizations, legal contentions, and conclusions
24 to which no response is required. To the extent a response is required, Proposed Intervenors deny
25 the allegations.

26 71. Paragraph 71 contains mere characterizations, legal contentions, and conclusions
27 to which no response is required. To the extent a response is required, Proposed Intervenors deny
28

1 the allegations.

2 72. Paragraph 72 contains mere characterizations, legal contentions, and conclusions
3 to which no response is required. To the extent a response is required, Proposed Intervenor deny
4 the allegations.

5 73. Paragraph 73 contains mere characterizations, legal contentions, and conclusions
6 to which no response is required. To the extent a response is required, Proposed Intervenor deny
7 the allegations.

8 74. Paragraph 74 contains mere characterizations, legal contentions, and conclusions
9 to which no response is required. To the extent a response is required, Proposed Intervenor deny
10 the allegations.

11 75. Paragraph 75 contains mere characterizations, legal contentions, and conclusions
12 to which no response is required.

13 76. Paragraph 76 contains mere characterizations, legal contentions, and conclusions
14 to which no response is required.

15 77. Paragraph 77 contains mere characterizations, legal contentions, and conclusions
16 to which no response is required. To the extent a response is required, Proposed Intervenor deny
17 the allegations.

18 78. Paragraph 78 contains mere characterizations, legal contentions, and conclusions
19 to which no response is required. To the extent a response is required, Proposed Intervenor deny
20 the allegations.

21 79. Proposed Intervenor admit the allegations in Paragraph 79.

22 80. Paragraph 80 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. Governor Newsom’s Executive Order N-33-20, better known as
24 the “Stay-at-Home Order,” is the best source of the full content and context of the Governor’s
25 Executive Order. To the extent Paragraph 80 does not contain the full content and context of the
26 Stay-at Home Order, Proposed Intervenor deny the allegations.

27 81. Paragraph 81 contains mere characterizations, legal contentions, and conclusions

1 to which no response is required. Governor Newsom’s April 14, 2020 “Roadmap to Modify the
2 Stay-at Home Order” (the “Roadmap”) is the best source of the full content and context of
3 California’s Roadmap. To the extent Paragraph 81 does not contain the full content and context of
4 the Roadmap, Proposed Intervenor deny the allegations.

5 82. Paragraph 82 contains mere characterizations, legal contentions, and conclusions
6 to which no response is required. Governor Newsom’s April 28, 2020 “Update on California’s
7 Pandemic Roadmap” (the “April 28 Update”) is the best source of the full content and context of
8 California’s updates to the Roadmap. To the extent Paragraph 82 does not contain the full content
9 and context of the April 28 Update, Proposed Intervenor deny the allegations.

10 83. Paragraph 83 contains mere characterizations, legal contentions, and conclusions
11 to which no response is required. The April 28 Update is the best source of the full content and
12 context of California’s updates to the Roadmap. To the extent Paragraph 83 does not contain the
13 full content and context of the April 28 Update, Proposed Intervenor deny the allegations.

14 84. Paragraph 84 contains mere characterizations, legal contentions, and conclusions
15 to which no response is required. The April 28 Update is the best source of the full content and
16 context of California’s updates to the Roadmap. To the extent Paragraph 84 does not contain the
17 full content and context of the April 28 Update, Proposed Intervenor deny the allegations.

18 85. Paragraph 85 contains mere characterizations, legal contentions, and conclusions
19 to which no response is required. The April 28 Update is the best source of the full content and
20 context of California’s updates to the Roadmap. To the extent Paragraph 85 does not contain the
21 full content and context of the April 28 Update, Proposed Intervenor deny the allegations.

22 86. Paragraph 86 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. Governor Newsom’s May 4, 2020 “Update on California’s
24 Pandemic Roadmap” (the “May 4 Update”) is the best source of the full content and context of
25 California’s updates to the Roadmap. To the extent Paragraph 85 does not contain the full content
26 and context of the May 4 Update, Proposed Intervenor deny the allegations.

27 87. Proposed Intervenor admit the allegations in Paragraph 87.

1 88. Proposed Intervenors are without sufficient information or knowledge with which
2 to form a belief as to the truth or falsity of the remaining allegations in Paragraph 88.

3 89. Proposed Intervenors admit that on May 8, 2020, Governor Newsom stated, “Phase
4 3 is not a year away. It’s not 6 months away. It’s not even three months away. It may not even be
5 more than a month away.”

6 90. Paragraph 90 contains mere characterizations, legal contentions, and conclusions
7 to which no response is required. Executive Order (“EO”) N-64-20 is the best source of the full
8 content and context of Governor Newsom’s Executive Order. To the extent Paragraph 90 does not
9 contain the full content and context of EO N-64-20, Proposed Intervenors deny the allegations.

10 91. Paragraph 91 contains mere characterizations, legal contentions, and conclusions
11 to which no response is required. EO N-64-20 is the best source of the full content and context of
12 Governor Newsom’s Executive Order. To the extent Paragraph 91 does not contain the full content
13 and context of EO N-64-20, Proposed Intervenors deny the allegations.

14 92. Paragraph 92 contains mere characterizations, legal contentions, and conclusions
15 to which no response is required. EO N-64-20 is the best source of the full content and context of
16 Governor Newsom’s Executive Order. To the extent Paragraph 92 does not contain the full content
17 and context of EO N-64-20, Proposed Intervenors deny the allegations.

18 93. Paragraph 93 contains mere characterizations, legal contentions, and conclusions
19 to which no response is required. EO N-64-20 is the best source of the full content and context of
20 Governor Newsom’s Executive Order. To the extent Paragraph 93 does not contain the full content
21 and context of EO N-64-20, Proposed Intervenors deny the allegations.

22 94. Paragraph 94 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. EO N-64-20 is the best source of the full content and context of
24 Governor Newsom’s Executive Order. To the extent Paragraph 94 does not contain the full content
25 and context of EO N-64-20, Proposed Intervenors deny the allegations.

26 95. Proposed Intervenors admit that on May 18, 2020, Governor Newsom gave a news
27 conference where he stated that professional sports, hair salons, and churches in California may
28

1 open as early as the first week of June. The remaining allegations in Paragraph 95 are mere
2 characterizations, legal contentions, and conclusions to which no response is required. To the
3 extent a response is required, Proposed Intervenors deny the allegations.

4 96. Proposed Intervenors deny the allegations in Paragraph 96.

5 97. Paragraph 97 contains mere characterizations, legal contentions, and conclusions
6 to which no response is required.

7 98. Paragraph 98 contains mere characterizations, legal contentions, and conclusions
8 to which no response is required. To the extent a response is required, Proposed Intervenors deny
9 the allegations.

10 99. Paragraph 99 contains mere characterizations, legal contentions, and conclusions
11 to which no response is required. To the extent a response is required, Proposed Intervenors deny
12 the allegations.

13 100. Paragraph 100 contains mere characterizations, legal contentions, and conclusions
14 to which no response is required. To the extent a response is required, Proposed Intervenors deny
15 the allegations.

16 101. Paragraph 101 contains mere characterizations, legal contentions, and conclusions
17 to which no response is required. To the extent a response is required, Proposed Intervenors deny
18 the allegations.

19 102. Paragraph 102 contains mere characterizations, legal contentions, and conclusions
20 to which no response is required. To the extent a response is required, Proposed Intervenors deny
21 the allegations.

22 103. Paragraph 103 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. To the extent a response is required, Proposed Intervenors deny
24 the allegations.

25 104. Paragraph 104 contains mere characterizations, legal contentions, and conclusions
26 to which no response is required.

27 105. Paragraph 105 contains mere characterizations, legal contentions, and conclusions
28

1 to which no response is required. To the extent a response is required, Proposed Intervenor deny
2 the allegations.

3 106. Paragraph 106 contains mere characterizations, legal contentions, and conclusions
4 to which no response is required. To the extent a response is required, Proposed Intervenor deny
5 the allegations.

6 107. Paragraph 107 contains mere characterizations, legal contentions, and conclusions
7 to which no response is required. To the extent a response is required, Proposed Intervenor deny
8 the allegations.

9 108. Paragraph 108 contains mere characterizations, legal contentions, and conclusions
10 to which no response is required. To the extent a response is required, Proposed Intervenor deny
11 the allegations.

12 109. Paragraph 109 contains mere characterizations, legal contentions, and conclusions
13 to which no response is required. To the extent a response is required, Proposed Intervenor deny
14 the allegations.

15 110. Paragraph 110 contains mere characterizations, legal contentions, and conclusions
16 to which no response is required. To the extent a response is required, Proposed Intervenor deny
17 the allegations.

18 111. Paragraph 111 contains mere characterizations, legal contentions, and conclusions
19 to which no response is required. To the extent a response is required, Proposed Intervenor deny
20 the allegations.

21 112. Paragraph 112 contains mere characterizations, legal contentions, and conclusions
22 to which no response is required. To the extent a response is required, Proposed Intervenor deny
23 the allegations.

24 113. Paragraph 113 contains mere characterizations, legal contentions, and conclusions
25 to which no response is required. To the extent a response is required, Proposed Intervenor deny
26 the allegations.

27 114. Paragraph 114 contains mere characterizations, legal contentions, and conclusions
28

1 to which no response is required. To the extent a response is required, Proposed Intervenor deny
2 the allegations.

3 115. Paragraph 115 contains mere characterizations, legal contentions, and conclusions
4 to which no response is required. To the extent a response is required, Proposed Intervenor deny
5 the allegations.

6 116. Paragraph 116 contains mere characterizations, legal contentions, and conclusions
7 to which no response is required. To the extent a response is required, Proposed Intervenor deny
8 the allegations.

9 117. Paragraph 117 contains mere characterizations, legal contentions, and conclusions
10 to which no response is required. To the extent a response is required, Proposed Intervenor deny
11 the allegations.

12 118. Paragraph 118 contains mere characterizations, legal contentions, and conclusions
13 to which no response is required. To the extent a response is required, Proposed Intervenor deny
14 the allegations.

15 119. Paragraph 119 contains mere characterizations, legal contentions, and conclusions
16 to which no response is required. To the extent a response is required, Proposed Intervenor deny
17 the allegations.

18 120. Paragraph 120 contains mere characterizations, legal contentions, and conclusions
19 to which no response is required. To the extent a response is required, Proposed Intervenor deny
20 the allegations.

21 121. Paragraph 121 contains mere characterizations, legal contentions, and conclusions
22 to which no response is required. To the extent a response is required, Proposed Intervenor deny
23 the allegations.

24 122. Paragraph 122 contains mere characterizations, legal contentions, and conclusions
25 to which no response is required. To the extent a response is required, Proposed Intervenor deny
26 the allegations.

27 123. Proposed Intervenor admit that Wisconsin held in-person voting during the
28

1 pandemic, but Proposed Intervenors deny the remaining allegations in Paragraph 123.

2 124. Paragraph 124 contains mere characterizations, legal contentions, and conclusions
3 to which no response is required. To the extent a response is required, Proposed Intervenors deny
4 the allegations.

5 125. Paragraph 125 contains mere characterizations, legal contentions, and conclusions
6 to which no response is required. To the extent a response is required, Proposed Intervenors deny
7 the allegations.

8 126. Paragraph 126 contains mere characterizations, legal contentions, and conclusions
9 to which no response is required. To the extent a response is required, Proposed Intervenors deny
10 the allegations.

11 127. Paragraph 127 contains mere characterizations, legal contentions, and conclusions
12 to which no response is required. To the extent a response is required, Proposed Intervenors deny
13 the allegations.

14 128. Paragraph 128 contains mere characterizations, legal contentions, and conclusions
15 to which no response is required. To the extent a response is required, Proposed Intervenors deny
16 the allegations.

17 129. Paragraph 129 contains mere characterizations, legal contentions, and conclusions
18 to which no response is required.

19 130. Paragraph 130 contains mere characterizations, legal contentions, and conclusions
20 to which no response is required.

21 131. Paragraph 131 contains mere characterizations, legal contentions, and conclusions
22 to which no response is required.

23 132. Paragraph 132 contains mere characterizations, legal contentions, and conclusions
24 to which no response is required. To the extent a response is required, Proposed Intervenors deny
25 the allegations.

26 133. Paragraph 133 contains mere characterizations, legal contentions, and conclusions
27 to which no response is required. To the extent a response is required, Proposed Intervenors deny
28

1 the allegations.

2 134. Paragraph 134 contains mere characterizations and conclusions to which no
3 response is required. To the extent a response is required, Proposed Intervenors deny the
4 allegations.

5 135. Paragraph 135 contains mere characterizations and conclusions to which no
6 response is required. To the extent a response is required, Proposed Intervenors deny the
7 allegations.

8 136. Paragraph 136 contains mere characterizations, legal contentions, and conclusions
9 to which no response is required. To the extent a response is required, Proposed Intervenors deny
10 the allegations.

11 137. Paragraph 137 contains mere characterizations, legal contentions, and conclusions
12 to which no response is required.

13 138. Paragraph 138 contains mere characterizations, legal contentions, and conclusions
14 to which no response is required. To the extent a response is required, Proposed Intervenors deny
15 the allegations.

16 139. Paragraph 139 contains mere characterizations, legal contentions, and conclusions
17 to which no response is required. To the extent a response is required, Proposed Intervenors deny
18 the allegations.

19 140. Paragraph 140 contains mere characterizations, legal contentions, and conclusions
20 to which no response is required. To the extent a response is required, Proposed Intervenors deny
21 the allegations.

22 141. Paragraph 141 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. To the extent a response is required, Proposed Intervenors deny
24 the allegations.

25 142. Proposed Intervenors admit that the Los Angeles County Registrar opened a new
26 voting center during the special election held in California's 25th District earlier this month, but
27 Proposed Intervenors deny the remaining allegations in Paragraph 142.

COUNT I

1
2 143. Proposed Intervenors incorporate by reference all of their responses in the
3 preceding and ensuing paragraphs as if fully set forth herein.

4 144. Paragraph 144 contains mere characterizations, legal contentions, and conclusions
5 to which no response is required.

6 145. Paragraph 145 contains mere characterizations, legal contentions, and conclusions
7 to which no response is required.

8 146. Paragraph 146 contains mere characterizations, legal contentions, and conclusions
9 to which no response is required. To the extent a response is required, Proposed Intervenors deny
10 the allegations.

11 147. Paragraph 147 contains mere characterizations, legal contentions, and conclusions
12 to which no response is required. To the extent a response is required, Proposed Intervenors deny
13 the allegations.

14 148. Paragraph 148 contains mere characterizations, legal contentions, and conclusions
15 to which no response is required. To the extent a response is required, Proposed Intervenors deny
16 the allegations.

17 149. Paragraph 149 contains mere characterizations, legal contentions, and conclusions
18 to which no response is required. To the extent a response is required, Proposed Intervenors deny
19 the allegations.

20 150. Paragraph 150 contains mere characterizations, legal contentions, and conclusions
21 to which no response is required. To the extent a response is required, Proposed Intervenors deny
22 the allegations.

COUNT II

23
24 151. Proposed Intervenors incorporate by reference all of their responses in the
25 preceding and ensuing paragraphs as if fully set forth herein.

26 152. Paragraph 152 contains mere characterizations, legal contentions, and conclusions
27 to which no response is required. To the extent a response is required, Proposed Intervenors deny
28

1 the allegations.

2 153. Paragraph 153 contains mere characterizations, legal contentions, and conclusions
3 to which no response is required.

4 154. Paragraph 154 contains mere characterizations, legal contentions, and conclusions
5 to which no response is required. To the extent a response is required, Proposed Intervenor deny
6 the allegations.

7 155. Paragraph 155 contains mere characterizations, legal contentions, and conclusions
8 to which no response is required. To the extent a response is required, Proposed Intervenor deny
9 the allegations.

10 156. Paragraph 156 contains mere characterizations, legal contentions, and conclusions
11 to which no response is required. To the extent a response is required, Proposed Intervenor deny
12 the allegations.

13 157. Paragraph 157 contains mere characterizations, legal contentions, and conclusions
14 to which no response is required. To the extent a response is required, Proposed Intervenor deny
15 the allegations.

16 158. Paragraph 158 contains mere characterizations, legal contentions, and conclusions
17 to which no response is required. To the extent a response is required, Proposed Intervenor deny
18 the allegations.

19 **COUNT III**

20 159. Proposed Intervenor incorporate by reference all of their responses in the
21 preceding and ensuing paragraphs as if fully set forth herein.

22 160. Paragraph 160 contains mere characterizations, legal contentions, and conclusions
23 to which no response is required. To the extent a response is required, Proposed Intervenor deny
24 the allegations.

25 161. Paragraph 161 contains mere characterizations, legal contentions, and conclusions
26 to which no response is required. To the extent a response is required, Proposed Intervenor deny
27 the allegations.

1 **AFFIRMATIVE DEFENSES**

2 Proposed Intervenors set forth their affirmative defenses without assuming the burden of
3 proving any fact, issue, or element of a cause of action where such burden properly belongs to
4 Plaintiffs. Moreover, nothing stated here is intended or shall be construed as an admission that any
5 particular issue or subject matter is relevant to the allegations in the Complaint. Proposed
6 Intervenors reserve the right to amend or supplement their affirmative defenses as additional facts
7 concerning defenses become known.

8 As separate and distinct affirmative defenses, Proposed Intervenors allege as follows:

9 Plaintiffs' claims are barred by the Eleventh Amendment sovereign immunity.

10 Plaintiffs fail to state a claim on which relief can be granted.

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Proposed Intervenors respectfully requests that this Court:

- 13 A. Deny that Plaintiffs are entitled to any relief;
14 B. Dismiss the complaint in its entirety, with prejudice; and
15 C. Grant such other and further relief as the Court may deem just and proper
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1 DATED this 3rd day of June, 2020

2
3 By: s/Jonathan P. Hawley

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16 *DCCC and California Democratic Party*

17 *Pro hac vice applications forthcoming