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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

JENNIFER CLARK, an individual;
SHANNON JOANNE GRAEFF, an
individual; JULIE BATT, an individual; and
GREG BLACKIE, an individual,

Plaintiffs,

v.

ADRIAN FONTES, in his capacity as the
Secretary of State of Arizona,

Defendant,

and

PROTECT EDUCATION,
ACCOUNTABILITY NOW, a political
committee,

Real Party in Interest.

No. CV2026-029802

**AMENDED VERIFIED
COMPLAINT**

**(Challenge to Legal Sufficiency of
Circulator Registrations and Petition
Signatures Pursuant to A.R.S. §§ 19-
118(F), 19-122(C))**

(Assigned to the Hon. David McDowell)

Plaintiffs Jennifer Clark, Shannon Joanne Graeff, Julie Batt, and Greg Blackie
hereby amend the Verified Complaint pursuant to Arizona Rule of Civil Procedure

15(a)(1)(A). Plaintiffs bring this action pursuant to A.R.S. §§ 19-118(F) and 19-122(C), and hereby allege as follows:

SUMMARY OF THE CASE

1. This action challenges the legal sufficiency of the statewide initiative petition bearing the serial number I-09-2026 (the “Initiative Petition”). The Initiative Petition seeks to qualify for placement on the statewide ballot in the November 3, 2026 general election an initiative measure that would largely dismantle Arizona’s groundbreaking Empowerment Scholarship Account program, which offers parents choice and independence to secure the best educational experience for their child’s unique needs (the “Act”).

2. Signatures collected by certain circulators of the Initiative Petition who were required to have been, but were not, properly registered with the Secretary of State are void as a matter of law. Specifically, these individuals either:

- a. Failed to register with the Secretary of State prior to collecting signatures in support of the Initiative Petition, and hence did not strictly comply with A.R.S. § 19-118(A);
- b. Misrepresented or otherwise failed to provide on their registration submissions to the Secretary of State one or more required items of contact information, and hence did not strictly comply with A.R.S. § 19-118(B)(1); or
- c. Failed to provide on their registration submissions to the Secretary of State the full and complete statutorily required address for service of process, and hence did not strictly comply with A.R.S. § 19-118(B)(4);

3. In addition, certain registered circulators have, upon information and belief, been either (a) convicted of a criminal offense involving fraud, forgery, or identity theft, (b) convicted of a non-fraud-based felony offense and have not been restored to all civil rights under the laws of the convicting jurisdiction, or (c) adjudicated an incapacitated person. These individuals accordingly were not eligible to circulate the Initiative Petition, and the

1 signatures they collected are invalid as a matter of law. *See* A.R.S. §§ 19-114(A), 16-
2 101(A), 19-118(D).

3 4. Petition signatures obtained by individuals who failed to strictly comply with
4 one or more provisions of applicable law are legally insufficient.

5 5. Additional petition sheets and signatures likewise are invalid because they
6 lack complete and accurate items of information or content required by law, or otherwise
7 do not strictly comply with all applicable constitutional and statutory provisions.

8 6. A spreadsheet itemizing Plaintiffs' objections to specific petition sheets and
9 signatures is attached hereto as Exhibit A.

10 7. Injunctive remedies are necessary to prevent irreparable injury to the
11 Plaintiffs and to ensure that the Defendant fully and effectively discharges the duties
12 imposed upon him by state law.

13 **JURISDICTION**

14 8. This Court has jurisdiction over this action pursuant to Article 6, § 14 of the
15 Arizona Constitution, and A.R.S. §§ 12-1801, 19-118(F), and 19-122(C).

16 9. Venue for this action lies in Maricopa County pursuant to A.R.S. § 12-401(7)
17 and (16) because the Defendant resides and/or holds office in that county; and pursuant to
18 A.R.S. § 19-118(F) because circulators of the Initiative Petition are registered in that
19 county; and pursuant to A.R.S. § 19-122(D).

20 **PARTIES**

21 10. Plaintiff Jennifer Clark is a citizen of the United States, and a resident and
22 qualified elector of the State of Arizona and of Maricopa County. Ms. Clark is the parent
23 of a child who is enrolled in the Empowerment Scholarship Account program.

24 11. Plaintiff Shannon Joanne Graeff is a citizen of the United States, and a
25 resident and qualified elector of the State of Arizona and of Maricopa County.

26 12. Plaintiff Julie Batt is a citizen of the United States, and a resident and qualified
27 elector of the State of Arizona and of Maricopa County. Ms. Batt is the parent of a child
28 who is enrolled in the Empowerment Scholarship Account program.

13. Plaintiff Greg Blackie is a citizen of the United States, and a resident and qualified elector of the State of Arizona and of Pinal County.

14. Defendant Adrian Fontes is the Secretary of State of Arizona and is named in this action in his official capacity only. The Secretary of State is the public officer responsible for processing and maintaining circulator registrations, disqualifying petition sheets and signatures that are not strictly compliant with certain applicable laws, and certifying the ultimate legal sufficiency or insufficiency of statewide initiative and referendum petitions. *See* A.R.S. §§ 19-118, -121.01(A), -121.04.

15. Real Party in Interest Protect Education, Accountability Now (the “Committee”) is an Arizona political committee that was organized to support the qualification of the Act for the November 3, 2026 general election ballot.

GENERAL ALLEGATIONS

16. On or around March 11, 2026 the Committee filed with the Secretary of State an Application for Serial Number to commence a petition drive to qualify the Act for the November 3, 2026 statewide election ballot. The Secretary of State issued the serial number I-09-2026 to the Committee on the same date.

17. On or around July 2, 2026 the Committee filed with the Secretary of State the Initiative Petition, which contains 415,438 signatures.

18. After completing the review of the Initiative Petition required by A.R.S. § 19-121.01 and invalidating petition sheets and signatures containing certain facial defects, the Secretary will issue a preliminary receipt indicating the number of signatures eligible for verification by the county recorders. The Secretary will then generate a random sample consisting of 5% of those signatures for further review by the respective county recorders, pursuant to A.R.S. § 19-121.02. The Secretary will thereupon discount the signatures deemed eligible for verification (as adjusted to subtract signatures disqualified by the county recorders) by the invalidity rate computed by the county recorders to project the total number of valid signatures contained in the Initiative Petition. *See id.* § 19-121.04.

19. The Initiative Petition must contain at least 255,949 valid signatures of qualified electors to qualify the Act for placement on the statewide election ballot. *See* Ariz. Const. art. IV, pt. 1, § 1(2), (7).

20. Arizona law mandates that “[f]or statewide initiative and referendum measures only, all circulators who are not residents of this state and all paid circulators must register as circulators with the secretary of state before circulating petitions pursuant to this title.” A.R.S. § 19-118(A). The Secretary of State is responsible for promulgating a registration form and procedures for completing and submitting registrations. *See id.*; Ariz. Sec’y of State, 2025 ELECTIONS PROCEDURES MANUAL [hereafter, “EPM”] at pp. 133–35.

21. Section 19-118(F) of the Arizona Revised Statutes provides that “[a]ny person may challenge the lawful registration of circulators” in this Court.

22. More generally, the Legislature has directed that “[c]onstitutional and statutory requirements for statewide initiative measures must be strictly construed and persons using the initiative process must strictly comply with those constitutional and statutory requirements.” A.R.S. § 19-102.01(A).

23. Section 19-122(C) of the Arizona Revised Statutes provides that “[a]ny person may contest the validity of an initiative or referendum” and “may seek to enjoin the secretary of state or other officer from certifying or printing the official ballot for the election that will include the proposed initiative or referendum measure.”

24. Numerous sheets and signature lines in the Initiative Petition are invalid because (1) the circulators were required to but failed to properly register with the Secretary of State, (2) the circulators were not legally eligible to solicit and obtain signatures for a statewide initiative petition, (3) the affidavit on the petition sheet includes a knowingly false statement, (4) the signatures were collected by a circulator who was compensated based on the number of signatures he or she collected or who made a knowingly false statement to a prospective signer to induce the affixation of his or her signature, or (5) the sheet or signature line fails to accurately and fully disclose an item of information or content required by statute.

25. If these signatures are disqualified, the Initiative Petition contains fewer than 255,949 valid signatures of qualified electors.

OBJECTIONS RELATING TO CIRCULATOR REGISTRATIONS & ELIGIBILITY

Objection No. 1: Failure to Timely Register with the Secretary of State

26. Ballot measure circulators who are required to register with the Secretary of State must do so before collecting any signatures. *See* A.R.S. § 19-118(A).

27. Certain signatures on the Initiative Petition were obtained by individuals who were paid or non-resident circulators of the Initiative Petition but who either:

(a) did not register with the Secretary of State as a circulator of the Initiative Petition, or

(b) collected one or more signatures for the Initiative Petition prior to submitting a full and complete registration to the Secretary of State. *See* Ex. A.

28. These signatures are invalid and must be disqualified. *See* A.R.S. §§ 19-118(A), -121.01(A)(1)(h).

Objection No. 2: Circulator Registration Contains Inaccurate or False Information

29. A legally sufficient circulator registration must disclose, *inter alia*, the circulator's (i) actual physical place of permanent residence, (ii) telephone number, and (iii) email address. *See* A.R.S. § 19-118(B)(1).

30. Circulator registrations include a sworn affidavit affirming that all "information provided is correct to the best of [the circulator's] knowledge." A.R.S. § 19-118(B)(5).

31. Certain signatures on the Initiative Petition were collected by individuals who provided on a registration form:

(a) A purported permanent residential address that, upon information and belief, actually is the location of a hotel, motel, or similar temporary lodging, or otherwise is not the situs of a residential structure;

- (b) A purported residential address that is different from the “residence address” elsewhere claimed by the circulator (*e.g.*, on some or all of the petition sheets she or he ostensibly circulated) and thus, upon information and belief, is not the circulator’s actual permanent residence location;
- (c) A telephone number that is inoperative or not the circulator’s actual telephone number; or, in the case of circulator Matthew Berkes, an email address that is inoperative or not the circulator’s actual email address; or
- (d) a false identity. When contacted, the purported circulator confirmed that she or he is the individual identified on the registration, but denied ever collecting signatures for the Initiative Petition, thus implying that the registration was falsified.

See Ex. A.

32. Because they did not provide complete and accurate required information on their registration forms, these circulators were not “properly registered” with the Secretary of State. Accordingly, all signatures on the Initiative Petition that they collected are invalid and must be disqualified. *See* A.R.S. §§ 19-118(A)–(B), -121.01(A)(1)(h).

Objection No. 3: Circulator Registration Designates Insufficient Service of Process Address

33. Irrespective of where they physically reside, all paid and out-of-state circulators of statewide ballot measure petitions must provide on their registration “[t]he address of the committee in this state for which the circulator is gathering signatures and at which the circulator will accept service of process related to disputes concerning circulation of that circulator’s petitions.” A.R.S. § 19-118(B)(4).

34. Upon information and belief, at all times relevant, the Committee’s address has been 6625 South Rural Road, Suite 111, Tempe, Arizona 85283.

35. Certain circulators of the Initiative Petition disclosed on their registration submissions to the Secretary of State a service of process address that is either:

- (a) Partial or incomplete; or

(b) Not the Committee’s address.

See Ex. A.

36. Because they did not provide on their registrations a complete and statutorily required service of process address, these circulators did not strictly comply with A.R.S. § 19-118(B)(4) and hence were not “properly registered” with the Secretary of State. Accordingly, all signatures on the Initiative Petition that they collected are invalid and must be disqualified. *See* A.R.S. §§ 19-118(B)(4), -121.01(A)(1)(h); *Mussi v. Hobbs*, 255 Ariz. 395, 398–99 ¶ 16 (2023).

Objection No. 4: Ineligible to Circulate Statewide Initiative Petitions

37. To lawfully solicit and obtain signatures on a statewide initiative petition, an individual need not reside in Arizona, but she or he otherwise must be “qualified to register to vote” in this State. A.R.S. § 19-114(A); *see also id.* § 19-112(D).

38. Individuals who have been convicted of a felony offense and not restored to all civil rights under the laws of the convicting jurisdiction, or who have been adjudicated incapacitated, are not eligible to register to vote. A.R.S. § 16-101(A)(5)–(6); *Parker v. City of Tucson*, 233 Ariz. 422 (App. 2013).

39. In addition, Arizona law prohibits individuals who have been convicted of any “criminal offense involving fraud, forgery, or identity theft” from registering as a circulator, irrespective of whether their civil rights have been reinstated. A.R.S. § 19-118(D)(3).

40. Certain circulators of the Initiative Petition were not legally eligible to collect signatures because they were either:

- (a) convicted of a felony offense and not restored to all civil rights under the laws of the convicting state,
- (b) convicted of a “criminal offense involving fraud, forgery, or identity theft,” or
- (c) adjudicated an incapacitated person.

See Ex. A.

1 41. Upon information and belief, the following circulators have been convicted
2 of one or more felony offenses and, as of the time they were soliciting signatures for the
3 Initiative Petition, had not been restored to all civil rights under the laws of the convicting
4 state:

- 5 (a) Upon information and belief, Dwight Perkins, Jr. was convicted of (i)
6 aggravated assault, a Class 6 felony offense, in Maricopa County Arizona;
7 and (ii) manufacture or delivery of 1–15 grams of cocaine or a cocaine
8 analogue, a felony offense, in Cook County, Illinois;
- 9 (b) Upon information and belief, Aaron Soto was convicted the United States
10 District Court for the District of Arizona of transportation of illegal aliens for
11 profit, a felony offense under federal law;
- 12 (c) Upon information and belief, Freddie Wilkerson, Jr. was convicted in
13 Maricopa County, Arizona of conspiracy to commit sale or transportation of
14 marijuana, a Class 2 felony offense;
- 15 (d) Upon information and belief, Alvin Harrison, Jr. was convicted in Clark
16 County, Nevada of involuntary manslaughter, a felony offense;
- 17 (e) Upon information and belief, Mark A. Trusiak, Sr. was convicted in Maricopa
18 County, Arizona of a Class 6 felony relating to drug paraphernalia;
- 19 (f) Upon information and belief, Jose Roberto Toscano was convicted in the
20 United States District Court for the District of Arizona of transportation of
21 illegal aliens for profit, a felony offense under federal law;
- 22 (g) Upon information and belief, Jesse Redhorse, Jr. was convicted in the United
23 States District Court for the District of Arizona of sexual abuse of a minor, a
24 Class C felony offense under federal law;
- 25 (h) Upon information and belief, Adam Lopez Milligan was convicted in Yuma
26 County, Arizona of felony offenses including assault, kidnapping, and
27 misconduct involving weapons;
- 28

- 1 (i) Upon information and belief, Kisha Antoinetta Christian was convicted in the
2 United States District Court of the District of Arizona of importation of
3 methamphetamines, a felony offense under federal law;
- 4 (j) Upon information and belief, Trevor Tatsuya Murphy was convicted in
5 Orange County, California of felony offenses including assault with a deadly
6 weapon, unlawful taking of a vehicle, and trafficking stolen property;
- 7 (k) Upon information and belief, Melvin Alston was convicted in Bronx County,
8 New York of attempted manslaughter, a felony offense;
- 9 (l) Upon information and belief, Robert Smith, Jr. was convicted in Fresno
10 County, California of multiple felony offenses, including attempted murder,
11 arson, stalking, criminal threats, and drug-related charges;
- 12 (m) Upon information and belief, Scott Simpson was convicted in
13 Maricopa County, Arizona of felony drug offenses; and
- 14 (n) Upon information and belief, Jennifer Smith was convicted in San Bernadino
15 County, California, of possession of dangerous drugs, a felony offense.
- 16 42. Upon information and belief, the following circulators have been convicted
17 of criminal offenses involving fraud, forgery, or identity theft:
- 18 (a) Upon information and belief, Vivian Valenzuela Lastra was convicted in
19 Maricopa County, Arizona of possession of a forgery device;
- 20 (b) Upon information and belief, Nicholas Green was convicted in the Huachuca
21 City Municipal Court in Huachuca City, Arizona of offenses relating to the
22 knowing display of a fictitious license plate and/or alteration or forgery of a
23 permanently disability placard;
- 24 (c) Upon information and belief, Aron Jade Arviso was convicted in the Tucson
25 City Court in Tucson, Arizona of making a false report to law enforcement;
- 26 (d) Upon information and belief, Cedrick Hamilton was convicted in Los Angeles
27 County, California, of credit card forgery;
- 28

(e) Upon information and belief, Kenneth Arnold Coleman was convicted in Pima County, Arizona of making a false report to law enforcement, as well as felony DUI and drug possession offenses;

(f) Upon information and belief, Mona Nygozi Odima was convicted in Sacramento County, California of welfare fraud and perjury; and

(g) Upon information and belief, Alex Tafoya was convicted in the Gila County Superior Court of criminal simulation (a fraud-based offense) and a felony offense of burglary, and in the Coconino County Superior Court of felony offenses of resisting arrest and drug paraphernalia.

43. Upon information and belief, Olujimi Alamu was adjudicated an incapacitated person by the courts of the State of Arizona.

44. Upon information and belief, Keyandia Valetta Campbell was adjudicated an incapacitated person by the courts of the State of Arizona.

45. Because the foregoing individuals are ineligible to circulate statewide initiative petitions in Arizona, all signatures they collected are invalid and must be disqualified. A.R.S. §§ 16-101(A)(5)–(6), 19-118(D)(2)–(3).

OBJECTIONS RELATING TO THE LEGAL SUFFICIENCY OF SHEETS AND SIGNATURES

Objection No. 5: Missing or Incorrect Circulator Registration Number

46. Upon the processing and acceptance of a circulator's registration form by the Secretary of State, he is issued a unique identification number, which must be printed on the front and back sides of every petition sheet he circulates. *See* A.R.S. §§ 19-118(C), -121(A)(2), -121.01(A)(1)(c).

47. Certain circulators of the Initiative Petition failed to strictly comply with this requirement by either:

(a) providing an identification number that is different from the identification number assigned to that circulator by the Secretary of State,

(b) not writing his or her identification number on both the front and back of the petition sheet, or

(c) writing an illegible identification number on the petition sheet.

See Ex. A.

48. All signatures contained on such petition sheets are invalid and must be disqualified. *See* A.R.S. §§ 19-118(C), -121(A)(2), -121.01(A)(1)(c).

Objection No. 6: Failure to Accurately Disclose Paid or Volunteer Status

49. Every petition circulator must “state whether he is a paid circulator or volunteer by checking the appropriate line on the petition form before circulating the petition for signatures.” A.R.S. § 19-102(D). All signatures collected on a sheet that did not disclose the circulator’s paid or volunteer status at the time of circulation “are void and shall not be counted in determining the legal sufficiency of the petition.” *Id.* § 19-102(E).

50. Certain petition sheets in the Initiative Petition do not disclose the circulator’s paid or volunteer status. Specifically, the circulator of these sheets either:

- (a) Marked both the “Paid” and the “Volunteer” field;
- (b) Marked neither the “Paid” nor the “Volunteer” field;
- (c) Did not mark either the “Paid” or the “Volunteer” field in a legible manner, such that it is not possible to discern the circulator’s paid or volunteer status; or
- (d) Marked the “Volunteer” field after having previously registered with the Secretary of State as a paid circulator, thus establishing that the representation on the petition sheet is false.

See Ex. A.

51. The signatures contained on these sheets are invalid as a matter of law. *See* A.R.S. §§ 19-102(D)-(E).

Objection No. 7: Circulator Paid Based on Number of Signatures

52. It is unlawful to “pay or receive money or any other thing of value based on the number of signatures collected on a statewide initiative or referendum petition. Signatures that are obtained by a paid circulator who violates this section are void and shall not be counted in determining the legal sufficiency of the petition.” A.R.S. § 19-118.01.

53. Victory Forward Solutions provided signature collection services to the Committee, either directly or as a subcontractor of one of the Committee's vendors.

54. Upon information and belief, Victory Forward Solutions included in its compensation package to circulators of the Initiative Petition a guaranteed bonus payment of \$2 per signature upon the conclusion of any litigation regarding the Initiative Petition.

55. Because the compensation terms for Victory Forward Solutions' circulators were at least in part based on the number of signatures they collected, all signatures obtained by these circulators are invalid as a matter of law. *See* A.R.S. § 19-118.01.

Objection No. 8: Incomplete or Deficient Circulator Affidavits

56. Every petition sheet must contain a notarized affidavit of the circulator, which must contain various averments and items of information, including the (i) circulator's name, (ii) the circulator's signature, (iii) the Arizona county in which the circulator is eligible to register to vote (excepting considerations of residency), and (iv) the circulator's full "residence address." A.R.S. § 19-112(D).

57. Arizona law provides that "[a]ny petition that contains a partially completed affidavit . . . is invalid," and the Secretary of State must disqualify "[t]hose sheets containing a circulator's affidavit that is not completed or signed." A.R.S. §§ 19-112(F), 19-121.01(A)(1)(d).

58. Certain petition sheets in the Initiative Petition contain circulator affidavits that do not strictly comply with these requirements because they:

- (a) Are not signed by the circulator;
- (b) Omit the circulator's name or the circulator's name is illegible, such that it is not possible to discern the circulator's identity;
- (c) Are missing the circulator's full residence address; or
- (d) Do not identify an Arizona county in which the circulator would be eligible to register to vote. *See* Ex. A.

59. The signatures accompanying these affidavits are invalid as a matter of law. *See* A.R.S. §§ 19-112(D), (F).

Objection No. 9: Incomplete or Deficient Notarization

60. Every petition sheet must contain a notarized affidavit of the circulator, which “shall” be in the form prescribed by statute and include various averments and items of information, including, *inter alia*, (i) the notary’s signature, (ii) the date of the notarization, (iii) the notary’s official stamp or seal, and (iv) the county in Arizona in which the circulator affidavit was notarized. *See* A.R.S. § 19-112(D); *see also id.* § 41-264.

61. Arizona law provides that “[a]ny petition that contains a partially completed affidavit . . . is invalid,” and the Secretary of State is required to disqualify “[t]hose sheets on which the affidavit of the circulator is not notarized.” A.R.S. §§ 19-112(F), - 121.01(A)(1)(e).

62. The notarizations on certain circulator affidavits in the Initiative Petition fail to strictly comply with these requirements because they:

- (a) Are not signed by the notary public;
- (b) Do not contain the notary public’s stamp, or the stamp is not legible;
- (c) Fail to identify the county in which the notarization was performed or the county of notarization is not legible; or
- (d) Omit the date of notarization, or contain an incomplete, illegible, or facially implausible date.

See Ex. A.

63. The signatures accompanying these affidavits are invalid as a matter of law. *See* A.R.S. §§ 19-112(F), 19-121.01(A)(1)(e).

Objection No. 10: False Affidavits (Handwriting Irregularities)

64. Arizona law requires all signers of a ballot measure petition to **personally** write their full name, full residential address, and full date of signing on the petition sheet. *See* A.R.S. § 19-112(A).

65. In addition, the circulator must affirm under oath in the accompanying affidavit that “each individual [signer] printed the individual’s own name and address and signed this sheet of the foregoing petition in my presence.” A.R.S. § 19-112(D).

66. When someone other than the signer inscribes the signer’s signature, printed name and/or address, “the circulator’s affidavit was necessarily false [because] [i]t was apparent from the signature sheets that the elector did not print his or her own [information]—a fact the circulator must have known” *Parker v. City of Tucson*, 233 Ariz. 422, 438, ¶ 48 (App. 2013).

67. Certain signature lines in the Initiative Petition:

(a) include items of information that were written in the hand of an individual other than the signer, thus rendering the accompanying circulator affidavit knowingly false; and

(b) are on the same sheet as information printed by someone other than the signer, and because they are not supported by a truthful circulator affidavit, they thus are invalid as a matter of law.

See Ex. A.

68. These signatures are invalid. *See* A.R.S. § 19-112(A), (D); *Parker*, 233 Ariz. at 438, ¶ 48.

Objection No. 11: Fraudulent Misrepresentation to Prospective Signers

69. Arizona courts possess inherent authority to “protect the [petition] process from fraud and falsehood,” which may include disqualifying signatures that are infected by fraud or deliberate material misrepresentations. *Brousseau v. Fitzgerald*, 138 Ariz. 453, 456 (1984); *see also Parker v. City of Tucson*, 233 Ariz. 422, 438 ¶ 47 (App. 2013).

70. Tyrone Crispell, Jr., a circulator of the Initiative Petition, falsely stated to at least one prospective signer of the Initiative Petition when attempting to induce her to sign the Initiative Petition, “I do work for the Secretary of State of Arizona.”

71. Upon information and belief, Crispell did not “work for the Secretary of State of Arizona” when circulating the petition, subjectively knew that his statement to the contrary was false, and made the misrepresentation to induce signatures for the Initiative Petition.

72. It is a criminal offense to impersonate a public servant, *see* A.R.S. § 13-2406, and more generally, it is unlawful to “[u]se[] any fraudulent means, method, trick, device or artifice to obtain signatures on a petition,” A.R.S. § 19-119.01(A)(2).

73. When a circulator has engaged in knowingly false or fraudulent conduct and courts cannot reliably identify which specific signatures were affected by the fraud or falsity, they may apply “the rule of falsus in uno, falsus in omnibus,” and invalidate all signatures associated with the circulator. *Whitman v. Moore*, 59 Ariz. 211, 231 (1946); *see also Brousseau*, 138 Ariz. at 456.

74. All signatures purportedly collected by Tyrone Crispell, Jr., accordingly are invalid.

Objection No. 12: Missing Legible Petition Serial Number

75. The serial number issued by the Secretary of State (*i.e.*, I-09-2026) must be disclosed to signers by printing it on the front and reverse sides of every petition sheet prior to circulation. *See* A.R.S. §§ 19-101(A), -102(A), -121(A)(2), -121.01(A)(1)(c).

76. Certain sheets of the Initiative Petition do not contain a legible petition serial number on both sides of the sheet. *See* Ex. A.

77. The signatures on these sheets are invalid as a matter of law. *See* A.R.S. §§ 19-101(A), -102(A), -121(A)(2), -121.01(A)(1)(c).

Objection No. 13: Not a Registered Voter

78. To be eligible to sign the Initiative Petition, an individual must have been on the date of signing a qualified elector of the county in which a majority of signers of that petition sheet reside. *See* Ariz. Const. art. IV, pt. 1, § 1(3), (9); A.R.S. §§ 19-101(A), -102(A), -112(C), -115(B), -121.02(A)(5).

79. To be a “qualified elector,” an individual must, *inter alia*, be “properly registered to vote.” *See* A.R.S. § 16-121(A).

80. Upon information and belief, certain signers of the Initiative Petition were not registered to vote on the date they purportedly signed the Initiative Petition, and thus were not “qualified electors.” *See* Ex. A. For each signature itemized in Exhibit A:

(a) the Plaintiffs either (i) were unable to locate any voter registration record corresponding to the name of the signer, or (ii) located a voter registration record for an individual who shares the signer’s name but who resides at an address different from the address provided by the signer on the petition, and therefore, upon information and belief, is not the same individual as the signer;

(b) The signer registered to vote only after signing the Initiative Petition;

(c) The signer’s voter registration had been canceled prior to the date s/he signed the Initiative Petition; or

(d) The signer is registered as a “federal only” voter and hence is not eligible to sign initiative or referendum petitions.

See Ex. A.

81. These signatures are invalid. *See* Ariz. Const. art. IV, pt. 1, § 1(3), (9); A.R.S. §§ 19-101(A), -102(A), -112(C), -115(B), -121.02(A)(5); 16-138, -166(F).

Objection No. 14: Signer Is Outside the Majority County

82. The caption on the front of each petition sheet must identify the county in which the signers of the sheet are qualified electors. *See* A.R.S. §§ 19-101(A), -102(A).

83. Signatures affixed by individuals who reside in counties other than the county in which a majority of the sheet’s signers are registered to vote are invalid. *See* A.R.S. § 19-112(C).

84. Certain signers of the Initiative Petition are not qualified electors of the county in which a majority of the sheet’s signers purportedly reside. *See Ex. A.*

85. These signatures are invalid as a matter of law. *See* A.R.S. §§ 19-101(A), -102(A), -112(C).

Objection No. 15: Missing Signer’s Signature

86. Every signer of the Initiative Petition must “sign his first and last names.” A.R.S. § 19-112(A); *see also id.* §§ 19-101(A), -102(A).

87. Certain signers of the Initiative Petition did not provide an actual signature.
See Ex. A.

88. These signature lines are invalid as a matter of law. *See* A.R.S. §§ 19-112(A), -101(A), -102(A).

Objection No. 16: Missing Signer's Printed Name

89. Every signer of the Initiative Petition must **both** “sign his first and last names” **and** “print his first and last names.” A.R.S. § 19-112(A); *see also id.* §§ 19-101(A), -102(A).

90. Certain signers of the Initiative Petition did not provide the printed form of their name. *See* Ex. A.

91. These signatures are invalid as a matter of law. *See* A.R.S. §§ 19-112(A), -101(A), -102(A).

Objection No. 17: Missing Signer's Residential Address

92. Every signer of the Initiative Petition must provide his or her “residence address, giving street name and number, and if he has no street address, a description of residence location.” A.R.S. § 19-112(A); *see also* Ariz. Const. art. IV, pt. 1, § 1(9); A.R.S. §§ 19-101(A), -102(A), -121.01(A)(3)(b).

93. A valid “residence address” consists of the street name and number (or, if not applicable, its equivalent), city/town, and state of the signer’s residence.

94. Certain signatures on the Initiative Petition are not accompanied by an accurate and valid residential address because:

(a) No numbered street address (or equivalent) is provided; or

(b) The address field contains only post office box information.

See Ex. A.

95. These signatures are invalid as a matter of law. *See* A.R.S. §§ 19-101(A), -102(A), -112(A), -121.01(A)(3)(b).

Objection No. 18: Missing, Incomplete, or Inaccurate Signature Date

96. Every signer of the Initiative Petition must provide the date on which he or she affixed his or her signature. *See* Ariz. Const. art. IV, pt. 1, § 1(9); A.R.S. §§ 19-101(A), -102(A), -112(A), -121.01(A)(3)(c).

97. A valid “date” consists of the month, day and year of the signature. *See McKenna v. Soto*, 250 Ariz. 469, 472 ¶ 14 (2021).

98. Certain signatures on the Initiative Petition are not accompanied by a legally sufficient date of signing because:

- (a) The “date” field is blank;
- (b) The “date” field contains characters that are illegible;
- (c) The “date” field contains characters that are not a cognizable date;
- (d) The date is incomplete (*e.g.*, missing a year); or
- (e) The date is facially implausible (*e.g.*, it pre-dates the commencement of the Initiative Petition effort or post-dates the Initiative Petition’s filing).

See Ex. A.

99. These signatures are invalid as a matter of law. *See* A.R.S. §§ 19-101(A), -112(A), -121(D), -121.01(A)(3)(c).

Objection No. 19: Signature Post-Dates Circulator Affidavit

100. Every signer of the Initiative Petition must provide the date on which he or she affixed his or her signature. *See* Ariz. Const. art. IV, pt. 1, § 1(9); A.R.S. §§ 19-101(A), -102(A), -112(A), -121.01(A)(3)(c).

101. Signatures cannot be affixed to a petition sheet after the circulator affidavit on the back of the sheet has been executed and notarized. *See* A.R.S. § 19-121.01(A)(3)(c).

102. Certain signatures on the Initiative Petition are accompanied by a date that is subsequent to the date on which the corresponding circulator affidavit was executed and notarized, thus indicating that the purported signature date is either inaccurate or invalid *per se*. *See* Ex. A.

103. These signatures are invalid as a matter of law. *See* A.R.S. §§ 19-101(A), -102(A), -112(A), -121.01(A)(3)(c).

Objection No. 20: Duplicate Signatures

104. A qualified elector may not sign the Initiative Petition more than once. In the event of duplicate signatures that are otherwise valid, all but one of the signatures must be disqualified. *See* A.R.S. §§ 19-115(B); 19-121.02(A)(8).

105. Certain signatures on the Initiative Petition are duplicates of signatures contained elsewhere in the Initiative Petition. *See* Ex. A.

106. Accordingly, all but one valid signature in each set of duplicate signatures must be disqualified. *See* A.R.S. §§ 19-115(B), -121.02(A)(8).

COUNT I

**Unregistered or Improperly Registered Circulators
(A.R.S. §§ 19-118, -121.01(A)(1)(h))**

107. Plaintiffs incorporate by reference the allegations contained in the foregoing paragraphs as if fully set forth herein.

108. All circulators of the Initiative Petition who either reside outside the State of Arizona or who were paid for their signature collection efforts must have been “properly registered” with the Secretary of State before circulating the Initiative Petition. *See* A.R.S. §§ 19-118(A), -121.01(A)(1)(h).

109. A proper and complete registration must include, *inter alia*, (i) the circulator’s full and accurate permanent residential address, (ii) the circulator’s actual telephone number, (iii) the circulator’s actual email address, (iv) the Committee’s full and complete address as the designated address for service of process, and (v) a verification of all information in the registration for I-09-2026 that is executed by the circulator under penalty of perjury. *See* A.R.S. § 19-118(A), (B).

110. A circulator who has not strictly complied with all attributes of a complete, accurate and timely registration is not validly or properly registered.

111. The Secretary of State must disqualify all signatures by individuals who were required to register but were “not properly registered at the time the petitions were circulated.” A.R.S. § 19-121.01(A)(1)(h).

112. “Any person” has legal standing to challenge in this Court the registration of ballot measure petition circulators. *See* A.R.S. § 19-118(F).

113. The inclusion of legally deficient petition sheets and signatures in the Secretary of State’s certification will irreparably injure the Plaintiffs and all qualified electors of the State of Arizona.

114. The balance of equities and considerations of public policy support the entry of injunctive relief.

115. Accordingly, Plaintiffs are entitled to an injunction providing for the disqualification of all signatures collected by circulators who were required to be, but were not, “properly registered” with the Secretary of State at the time the signature was affixed.

COUNT II
Ineligible Circulators
(A.R.S. §§ 19-114(A), 19-118(D), 16-101(A))

116. Plaintiffs incorporate by reference the allegations contained in the foregoing paragraphs as if fully set forth herein.

117. Pursuant to A.R.S. § 19-122(C), “[a]ny person may contest the validity of an initiative or referendum . . . [and] may seek to enjoin the secretary of state or other officer from certifying or printing the official ballot for the election that will include the proposed initiative or referendum and to enjoin the certification or printing of the ballot.”

118. No person may lawfully register as a circulator of a statewide initiative petition if he or she has been (a) convicted of a felony offense and not restored to all civil rights under the laws of the convicting state, (b) convicted of any criminal offense involving fraud, forgery, or identity theft, or (c) adjudicated incapacitated. *See* A.R.S. §§ 19-114(A), 16-101(A)(5)–(6), 19-118(D)(2)–(3).

119. Certain circulators of the Initiative Petition have a disqualifying criminal conviction or judgment of incapacity. *See* Ex. A. The signatures they collected hence are invalid.

120. The inclusion of legally deficient petition sheets and signatures in the Secretary of State's certification will irreparably injure the Plaintiffs and all qualified electors of the State of Arizona.

121. The balance of equities and considerations of public policy support the entry of injunctive relief.

122. Accordingly, Plaintiffs are entitled to an injunction providing for the disqualification of all signatures collected by circulators who, by virtue of a disqualifying criminal conviction or an adjudication of incapacity, were not legally eligible to solicit and obtain signatures for the Initiative Petition.

COUNT III

Disqualification of Legally Insufficient Sheets and Signatures (A.R.S. §§ 19-118, 19-121, 19-121.01, 19-122(C))

123. Plaintiffs incorporate by reference the allegations contained in the foregoing paragraphs as if fully set forth herein.

124. Pursuant to A.R.S. § 19-122(C), "[a]ny person may contest the validity of an initiative or referendum . . . [and] may seek to enjoin the secretary of state or other officer from certifying or printing the official ballot for the election that will include the proposed initiative or referendum and to enjoin the certification or printing of the ballot."

125. Pursuant to A.R.S. § 19-102.01(A), "[c]onstitutional and statutory requirements for statewide initiative measures must be strictly construed and persons using the initiative process must strictly comply with those constitutional and statutory requirements."

126. The Initiative Petition contains numerous signatures that are not strictly compliant with governing laws on the grounds that (1) the petition sheet or signature line is missing one or more full, complete, accurate, and legible items of required content or

information, (2) the affidavit executed by the circulator on the back of the sheet contains a knowingly false statement or the circulator made an intentionally false statement to prospective signers to induce the affixation of their signature, (3) the circulator was illegally compensated based on the number of signatures collected, (4) the signature is a duplicate of another signature elsewhere in the Initiative Petition, or (5) the signer was not a qualified elector on the date of signing.

127. The inclusion of legally deficient petition sheets and signatures in the Secretary of State's certification will irreparably injure the Plaintiffs and all qualified electors of the State of Arizona.

128. The balance of equities and considerations of public policy support the entry of injunctive relief.

129. Accordingly, the Plaintiffs are entitled to an injunction providing for the disqualification of all petition sheets and signatures that do not strictly comply with one or more applicable provisions of law.

DEMAND FOR RELIEF

WHEREFORE, the Plaintiffs demand relief in the following forms:

- A. Injunctive or mandamus remedies requiring the Defendant to disqualify and exclude all signatures on the Initiative Petition that were collected by individuals who were required to be, but were not, properly registered with the Secretary of State at the time the signatures were affixed.
- B. Injunctive or mandamus remedies requiring the Defendant to disqualify and exclude all signatures on the Initiative Petition that were collected by individuals who were not legally eligible to circulate statewide initiative petitions in Arizona;
- C. Injunctive or mandamus remedies requiring the Defendant to disqualify and exclude all sheets and signatures on the Initiative Petition that are not strictly compliant with one or more provisions of

governing law, including but not limited to (1) petition sheets or signature lines that are missing one or more full, complete, accurate, and legible items of required content or information; (2) signatures that are accompanied by a knowingly false circulator affidavit or that were collected by a circulator who made an intentionally false statement to induce the affixation of signatures; (3) signatures collected by circulators who were compensated based on the number of signatures they collected; (4) signatures that are duplicates of other signatures elsewhere in the Initiative Petition; and (5) signatures affixed by individuals who were not qualified electors on the date of signing.

- D. Injunctive or mandamus remedies prohibiting the Defendant from certifying the legal sufficiency of the Initiative Petition pursuant to A.R.S. § 19-121.04, from certifying initiative measure I-09-2026 for placement on the election ballot, or from approving or printing any election ballot that includes initiative measure I-09-2026.
- E. An award of reasonable attorneys' fees and costs pursuant to A.R.S. § 19-118(F), the private attorney general doctrine, and other applicable law.
- F. Such other relief as the Court deems necessary, equitable, proper, or just.

DATED this 21st day of July, 2026.

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Executed under penalty of perjury this 21st day of July, 2026.

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1 **ORIGINAL** of the foregoing filed electronically via TurboCourt on the 21st day of July, 2026
2 with:

3 MARICOPA COUNTY SUPERIOR COURT
4 201 West Jefferson Street
5 Phoenix, Arizona 85003

6 **COPY** served electronically this same date on:

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