

IN THE SUPREME COURT OF OHIO

The Ohio Manufacturers' Association, et al.,	:	
	:	
Relators,	:	Case No. 2016-0313
	:	
v.	:	Original Action Under Article II,
	:	Section 1g of the Ohio Constitution
Ohioans for Drug Price Relief Act, et al.,	:	
	:	
Respondents.	:	

**RELATORS' EVIDENCE -
APPENDIX 2 TO
MERIT BRIEF OF RELATORS**

Kurtis A. Tunnell (0038569)
Counsel of Record
Anne Marie Sferra (0030855)
Nelson M. Reid (0068434)
James P. Schuck (0072356)
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215
(614) 227-2300 (Telephone)
(614) 227-2390 (Facsimile)
ktunnell@bricker.com
asferra@bricker.com
nreid@bricker.com
jschuck@bricker.com

Counsel for Relators

MICHAEL DeWINE (0009181)
Ohio Attorney General

Steven T. Voigt (0092879)
Senior Assistant Attorney General
Brodi J. Conover (0092082)
Assistant Attorney General
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
(614) 466-2872 (Telephone)
(614) 728-7592 (Facsimile)
steven.voigt@ohioattorneygeneral.gov
brodi.conover@ohioattorneygeneral.gov

Counsel for Respondent Secretary Jon Husted

Donald J. McTigue (0022849)
J. Corey Colombo (0072398)
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, Ohio 43215
(614) 263-7000 (Telephone)
(614) 263-7078 (Facsimile)
dmctigue@electionlawgroup.com
ccolombo@electionlawgroup.com
dclinger@electionlawgroup.com

*Counsel for Respondents William S. Booth,
Daniel L. Darland, Tracy L. Jones, and
Latonya D. Thurman*

Exhibit No.

Part 1 - Deposition Transcript of Angelo Paparella (with Exhibits 1-4)B

Respectfully submitted,

/s/ Anne Marie Sferra
Kurtis A. Tunnell (0038569)
Counsel of Record
Anne Marie Sferra (0030855)
Nelson M. Reid (0068434)
James P. Schuck (0072356)
BRICKER & ECKLER LLP
100 South Third Street
Columbus, Ohio 43215
(614) 227-2300 (Telephone)
(614) 227-2390 (Facsimile)
ktunnell@bricker.com
asferra@bricker.com
nreid@bricker.com
jschuck@bricker.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served via electronic mail on

June 8, 2016 upon:

MICHAEL DeWINE
Ohio Attorney General

Steven T. Voigt
Senior Assistant Attorney General
Brodi J. Conover
Assistant Attorney General
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, Ohio 43215
(614) 466-2872 (Telephone)
(614) 728-7592 (Facsimile)
steven.voigt@ohioattorneygeneral.gov
brodi.conover@ohioattorneygeneral.gov

Counsel for Respondent Secretary Jon Husted

Donald J. McTigue
J. Corey Colombo
Derek S. Clinger
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, Ohio 43215
dmctigue@electionlawgroup.com
ccolombo@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Respondents William S. Booth, Daniel L. Darland, Tracy L. Jones, and Latonya D. Thurman

/s/ Anne Marie Sferra
Anne Marie Sferra (0030855)

EXHIBIT B (Part 1)

(Deposition of Angelo Paparella – with Exhibits 1-4)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUPREME COURT OF OHIO

THE OHIO MANUFACTURERS')
ASSOCIATION; THE OHIO CHAMBER)
OF COMMERCE; PHARMACEUTICAL)
RESEARCH AND MANUFACTURERS)
OF AMERICA; KEITH A. LAKE;)
RYAN R. AUGSBURGER,)

Relators,)

vs.)

Case No. 2016-0313

OHIOANS FOR DRUG PRICE RELIEF)
ACT, by and through its)
Committee; WILLIAM S. BOOTH;)
DANIEL L. DARLAND; TRACY L.)
JONES; LATONYA D. THURMAN;)
HON. JON HUSTED, in his)
official capacity as Ohio)
Secretary of State,)

Respondents.)
_____)

Deposition of PERSON MOST KNOWLEDGEABLE OF PCI
CONSULTANTS, INC., ANGELO PAPARELLA, taken on behalf
of Relators, at 725 South Figueroa Street, 31st
Floor, Los Angeles, California, commencing at 11:03
a.m., on June 6, 2016, before J'nel Erskine, CSR No.
11746.

1 APPEARANCES OF COUNSEL:

2 For Relators:

3 BRICKER & ECKLER
4 BY: QUINTIN F. LINDSMITH, ESQ.
5 ANNE MARIE SFERRA, ESQ.
6 100 South Third Street
7 Columbus, Ohio 43215
8 (614) 227-8802

9 For The Deponent:

10 THE RUPPERT CO., LLC
11 BY: JEFFREY A. RUPPERT, ESQ. (Telephonically)
12 35 East Gay Street
13 Suite 403
14 Columbus, Ohio 43215
15 (614) 423-9461

16 For Respondent Secretary Jon Husted:

17 OHIO ATTORNEY GENERAL
18 BY: BRODI J. CONOVER, ESQ. (Telephonically)
19 30 East Broad Street
20 16th Floor
21 Columbus, Ohio 43215
22 (614) 466-2872

23 For Respondents William S. Booth, Daniel L. Darland,
24 Tracy L. Jones, and Latonya D. Thurman:

25 McTIGUE & COLOMBO LLC
BY: DEREK S. CLINGER, ESQ. (Telephonically)
545 East Town Street
Columbus, Ohio 43215
(614) 263-7000

1	I N D E X		
2	DEPONENT	EXAMINED BY	PAGE
3	ANGELO PAPARELLA	MR. LINDSMITH	4
4			
5	(Testimony on page 5 is marked "Confidential" and bound under separate cover.)		
6			
7	EXHIBITS FOR IDENTIFICATION:		
8	1	Printout from PCI Consultants' Web site; 24 pages	7
9			
10	2	Exhibit G Affidavit of Angelo Paparella; 3 pages	16
11	3	2/4/2016 letter from Jon Husted, Ohio Secretary of State; 7 pages	17
12			
13	4	Compilation of part-petitions circulated from Direct Democracy; 41 pages	33
14	5	Part-petitions circulated by Ballot Access; 518 pages	39
15			
16	6	Document entitled "Part Petition Signature Count, Listed vs. Actual"; 1 page	44
17	7	Documents produced by Mr. Wefel; 83 pages	69
18	8	Form 15s; 18 pages	77
19	9	Financial documents produced by Mr. Paparella; 20 pages	78
20			
21	10	5/6/2016 letter from Mr. Ruppert and PCI's Response and Objections to the third-party subpoena; 22 pages	80
22			
23	QUESTIONS WITH AN INSTRUCTION NOT TO ANSWER:		
24	(None)		
25			

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

LOS ANGELES, CALIFORNIA
JUNE 6, 2016; 11:03 A.M.

ANGELO PAPARELLA,
having been first duly administered the oath,
was examined and testified as follows:

EXAMINATION

BY MR. LINDSMITH:

Q Would you please state your name and
address, please.

A Angelo Paparella, 26500 West Agoura Road,
No. 102-146, Calabasas, California 91302.

Q And that address, is that your personal or
business address?

A Business.

Q What is your personal address?

A Why is that necessary? You can reach me at
my business any time you need to.

Q Are you refusing to answer the question?

A Why you need my personal address?

Q Every witness is required to give their
personal address.

(THE FOLLOWING TESTIMONY IS CONFIDENTIAL AND
BOUND UNDER SEPARATE COVER.)

1 (THE NON-CONFIDENTIAL TESTIMONY RESUMES.)

2 BY MR. LINDSMITH:

3 Q And for whom are you employed,
4 Mr. Paparella?

5 A PCI Consultants, Inc.

6 Q And are you the owner of PCI Consultants?

7 A Yes.

8 Q And what is the business of PCI Consultant?

9 A Probably under the general heading of
10 political consulting primarily concentrating on
11 signature gathering for initiatives and referendum.

12 Q If you could please give me, basically, your
13 career path since high school.

14 A Well, I worked when I was in college, worked
15 at the arena that housed basketball games, hockey
16 games, that kind of thing on campus.

17 Q I mean career-type jobs, not every
18 miscellaneous job.

19 A Okay. So after college, then?

20 Q Yeah. That's fine.

21 A I worked for nonprofit organizations in
22 Massachusetts and California and nationally. They
23 were associated with Ralph Nader. Most of that time
24 was with the Public Interest Research Groups, which
25 was a Nader campus consumer environmental advocacy

1 organization. I worked with an organization called
2 Access to Justice. That was another nonprofit group
3 and also associated with Ralph Nader. And in 19- --
4 1992 I started my own firm. It was called
5 Progressive Campaigns, Inc.

6 Q Is that a predecessor company to PCI?

7 A Yes.

8 Q Is that -- was it just a matter of a name
9 change?

10 A It was two things. It was a name change and
11 then also I changed the way I was running the
12 company. Primarily I used to pay signature gatherers
13 directly and I changed to outsource that to other
14 companies. So I made the change.

15 Q When was that change made when you began
16 outsourcing signature collections?

17 A I probably started doing that in 2004, maybe
18 2003. I'm not sure.

19 Q Okay.

20 (RELATORS' EXHIBIT 1 WAS MARKED
21 FOR IDENTIFICATION AND ATTACHED HEREWITH.)

22 BY MR. LINDSMITH:

23 Q Mr. Paparella, I've handed you what has been
24 marked Deposition Exhibit No. 1. And for counsels'
25 benefit, it is -- well, I'll ask the witness if he

1 can identify what this is.

2 A It looks like pages from our Web site.

3 Q When you say "our Web site," you mean PCI?

4 A I'm sorry. PCI Consultants' Web page.

5 Q And if you can turn to, please, the last --
6 the third from the last page of Exhibit 1.

7 A Ohio?

8 Q No. Where it says "Services."

9 A Oh.

10 Q We're talking about services, door-to-door
11 canvasses. It's third from the end.

12 A Field team?

13 Q No. This (indicating) page.

14 A Field the best team?

15 Q Yes, that's it.

16 A Okay. I'm here.

17 Q There's a -- below where it says "Field the
18 best team for your initiative," there's another
19 heading with a box checked called "Services:
20 Door-to-Door Canvassers," and it says, "Officers in
21 our firm have decades worth of experience that
22 reaches back to the epic consumer rights battles for
23 insurance reform. In 1988 and subsequent years, our
24 efforts in California achieved the landmark passage
25 and defense of Proposition 103.

1 "Over the years we have built organizing
2 models that have been constantly tested and refined.
3 More than 5,000 canvassers have learned the basic
4 skills of precinct organizing in our offices or on
5 our campaign projects. We've developed strategies to
6 get doors opened and messages delivered. We're
7 constantly pursuing perfection."

8 Do you see where I've been reading?

9 A Yes.

10 Q Does that accurately describe your company?

11 A No. It describes a one specific service
12 that we offer of door-to-door canvassing separate
13 from the signature gathering and it's basically
14 moribund. We haven't done it in years.

15 Q Where there's a reference to officers in our
16 firm, what is the structure of your firm?

17 What is your office within PCI?

18 A President.

19 Q Are there other officers besides president?

20 A No. Well, president. I'm also secretary,
21 treasurer.

22 Q Okay. Is there a board of directors?

23 A Me.

24 Q Okay. And you're the sole owner?

25 A Correct.

1 Q So where it talks about officers, I take it
2 that means something other than corporate officer.
3 What does that refer to?

4 A I'm looking at this page off of our Web site
5 for the first time in years. So I don't remember
6 what I was thinking when I wrote it. It was from
7 years ago. Probably just meant employees.

8 Q Have you ever had officers besides you?

9 A No.

10 Q On the next page, now, this is for
11 "Services: Qualifying your Ballot Initiative or
12 Referendum." Do you see that?

13 A I do.

14 Q And here it begins by saying, "Our expert
15 strategists are ready now to assess your resources,
16 needs, and goals. Our state of the art custom
17 petition management software system is designed to
18 assure that your goals are met with the fastest
19 possible time frame and at the lowest possible cost.
20 We have multilayered safety checkpoints - both human
21 and technological - that eliminate the dangers of
22 guesswork. We will walk you through the process
23 providing peace of mind today and valuable experience
24 for the future. Our program is so well-proven that
25 we actually guarantee," and then there are four

1 things checkmarked, "Regulation compliance, State of
2 the art validity checks and high validity rates,
3 Systemic [sic] organizational oversight, On time
4 processing and delivery."

5 I'm going to stop there. Do you see where
6 I've been reading?

7 A Yes.

8 Q What is it that your company does in terms
9 of regulation compliance when it comes to ballot
10 initiative or referendum services?

11 A Primarily working with whatever local
12 counsel, this is -- you know, outside California to
13 find out what the rules and regulations are or
14 whether they've changed since we last worked in that
15 municipality or state and make sure that the firms
16 that we hire out are aware of what the regulations
17 are.

18 Q Where it says in the third checked point
19 "Systematic" -- I think I said "systemic" --
20 "Systematic organizational oversight," what is the
21 organizational oversight being referenced there?

22 A It's really me working with managers that
23 I've hired to make sure they're meeting their goals.

24 Q Okay. I don't think I asked you this
25 question. What I've read on this page so far, is all

1 of that accurate?

2 A Yeah, yes.

3 Q All right. And then it goes on to say,
4 "Your success is spelled out clearly in our contract
5 with guarantees" -- "which guarantees a validity rate
6 on every paid signature."

7 Do you see where I've been reading?

8 A Yes. With great difficulty, by the way.
9 This is really small print.

10 Q It is small print. I apologize for that. I
11 struggle with it too.

12 You do know that in this matter we're here
13 concerning the Ohio Drug Price Relief Act proposed
14 initiated statute?

15 A Yes.

16 Q And is there a short-term name you use for
17 this initiative? Fair Drug Pricing?

18 A Yes.

19 Q Okay. On the Fair Drug Pricing engagement,
20 was there a contract that your company had with the
21 committee supporting the initiative?

22 A I could not find a written contract signed.
23 It was just an oral agreement.

24 Q Did the oral agreement include a guarantee
25 of a validity rate?

1 A In effect, yes. It wasn't specified in
2 terms of the number, but it was specified in terms of
3 the number of signatures we would gather, making sure
4 that it met the requisite number valid per county.

5 Q But in terms of validity rate, I've seen
6 documents -- and we will get into them in a little
7 bit -- that speaks to, like, a 75 percent validity
8 rate, something like that.

9 Did you have any guarantee in this case?

10 A No. There was no number. There was a
11 guarantee that when we gathered, off the top of my
12 head I think it was, 170,000 signatures, that that
13 would be more than enough to qualify on both the
14 state and county requirements.

15 Q Okay. Is it normal for you not to have a
16 written contract with the committee or entity that is
17 supporting the initiative petition or referendum?

18 A Normal, no. But also it frequently happens
19 with clients I've worked with in the past.

20 Q According to the Secretary of State, your
21 firm was paid \$743,473 concerning the Fair Drug
22 initiative in Ohio. And that was all without a
23 written contract?

24 A Yes.

25 Q I'm going to pick up where I left off

1 reading. It goes on to say -- we're still in the
2 same paragraph. I had read the first sentence. The
3 second sentence continuing on says, "It is our
4 promise to you. We will absorb any cost - even pay
5 for additional signatures - to ensure the campaign
6 gets the number of valid signatures required by law
7 for qualification. If we fall below the promised
8 rate, we will cover the cost of attaining it. This
9 means your petition qualifies - on budget - and your
10 campaign saves money. Guaranteed."

11 Do you see where I've been reading?

12 A I couldn't follow it, but that sounds right.

13 Q And, again, there was no promised rate, no
14 validity rate here in this case?

15 A You're asking about a number.

16 Q Yes.

17 A So what you'd have to do is just do the
18 math. Whatever the requirement is for Ohio
19 statewide, and it obviously varies because of the 44
20 county requirement, but whatever that number was
21 statewide that was required, we guaranteed that the
22 170,000 signatures would meet that threshold. Based
23 on that example and that sentence you just read, if
24 that were not true, I would have gathered "X" number
25 of signatures, say, 10,000 more without charging the

1 client to make sure that they qualified. So not a
2 spoken validity rate, but, in essence, a guaranteed
3 validity rate.

4 Q Okay. Of the subcontractors that PCI used,
5 did it hold them to a standard of a certain validity
6 rate?

7 A Yes. It would have either been 70 or 75
8 percent overall and it would vary county by county.

9 Q Why would it vary county by county?

10 A Just a simple demographics of getting
11 signatures in rural areas versus urban areas. You
12 hold people to a different reasonable standard.

13 Q So is it expected to have a higher validity
14 rate in more densely populated counties or lower?

15 A The other way around.

16 Q So lower validity rate for the densely
17 populated counties and a higher validity rate for the
18 more sparsely populated counties?

19 A That's correct.

20 Q Okay. It then goes on to talk about --
21 there's a heading Regulation Compliance and it says,
22 "Last minute disqualification due to failure to
23 comply with current state regulation can spell
24 disaster for your campaign. We've seen firsthand how
25 laws can change unexpectedly. We stay current with

1 all requirements and research extensively to
2 guarantee compliance with regulations in each state."

3 Do you see where I've been reading?

4 A I do.

5 Q In this case, what was the extensive
6 research you did concerning compliance with Ohio law?

7 A Consulting with Don McTigue.

8 Q Is that it?

9 A Yes.

10 Q Okay. I'll come back to this exhibit a
11 little bit later, but let me for the record get
12 another exhibit marked here. For counsel on the
13 phone, the exhibit being marked is Mr. Paparella's
14 affidavit that was signed May 23, 2016, and had been
15 marked as an Exhibit G, I believe, in some filing.

16 (RELATORS' EXHIBIT 2 WAS MARKED
17 FOR IDENTIFICATION AND ATTACHED HEREWITH.)

18 BY MR. LINDSMITH:

19 Q Mr. Paparella, do you recognize your
20 affidavit?

21 A Yes.

22 Q And just for the record, what you stated in
23 this affidavit was truthful?

24 A Yes.

25 Q All right.

1 A Are we done with this one?

2 Q Yes.

3 (RELATORS' EXHIBIT 3 WAS MARKED

4 FOR IDENTIFICATION AND ATTACHED HEREWITH.)

5 BY MR. LINDSMITH:

6 Q You've been handed what's been marked

7 Deposition Exhibit 3, which is, for the record and

8 for counsels' benefit, a letter from Ohio Secretary

9 of State Jon Husted dated February 4, 2016, and it's

10 addressed to, I'm going to generally say, to the Ohio

11 General Assembly, that is the senior leadership of

12 the Ohio General Assembly, and the subject is "Ohio

13 Drug Price Relief Act Proposed Initiated Statute."

14 Mr. Paparella, have you seen this document

15 before?

16 A I believe so, yes.

17 Q Well, this is kind of important. Are you

18 not sure whether you've seen this?

19 A I'm pretty sure I have, but I'd have to --

20 pretty sure I have.

21 Q Let me just establish a couple of things.

22 On the third page, if you go to page 3 of Secretary

23 Husted's letter, at the very top it says, "The

24 political action committee supporting this petition

25 effort," and I'm leaving out parentheses,

1 "underscores Ms. Lauter's contention that PCI
2 consultants, Inc., a California company, is, indeed,
3 the head contractor in the State of Ohio, under whose
4 direction all the other petitioning companies
5 involved in this petition effort operated."

6 Let me stop there.

7 First of all, is that accurate?

8 A Let me reread it again just to make sure.

9 Q Sure.

10 A "Under whose" -- "under whose direction all
11 the other petitioning companies involved" -- it is
12 accurate. But many firms, including Ms. Lauter, did
13 not have a direct contract with us. They had it with
14 another vendor there I hired.

15 Q But to use a common term, the buck stopped
16 with PCI on this campaign?

17 A Oh, no. No question. Absolutely.

18 Q And is the Secretary correct where he
19 indicates that according to campaign finance filing
20 details submitted the week before he issued this
21 letter, your company was paid by the committee
22 \$743,473.20?

23 A I don't know. It sounds accurate, but I
24 don't know.

25 Q It's in the ballpark?

1 A Yes, sir. It's in the ballpark.

2 Q All right. Now let's go to the first page
3 of this letter.

4 A Okay.

5 Q The Secretary begins by indicating he's
6 transmitting the proposed law. In the second
7 paragraph, it's a one-line sentence that says,
8 "However, I do so with reservations."

9 And then he goes on to say, "Despite having
10 gathered the vast majority of their signatures by
11 mid-November 2015, petitioners waited until December
12 22, 2015, to file with my office, pursuant to Article
13 2, Section 1B of the Ohio Constitution, an initiative
14 petition purporting to contain 171,205 signatures
15 proposing an addition to the Ohio Revised Code."

16 Let me stop there.

17 Do you have an explanation as to why the
18 signatures that had been gathered by mid-November
19 2015 were not submitted to the Secretary's office
20 until December 22?

21 A Yes.

22 Q What is that?

23 A The absolute insane law that Ohio has that
24 you have to take apart every single petition and copy
25 every page and put it on some type of electronic

1 file, then reassemble and submit. It's the only
2 state in the country that I know of that does this.
3 It's incredibly laborious. It services no useful
4 purpose and it is just insane. But we had to comply.
5 So that's what that gap was, making copies of
6 petitions and putting them on electronic files.

7 Q Let me ask you about that. The petitions
8 from the circulators started rolling into your
9 processing center in September of 2015. Does that
10 sound right?

11 A I really don't remember. I don't know when
12 it started.

13 Q In the documents provided yesterday by your
14 counsel, I'm looking at an invoice, August 31, 2015.
15 It's Invoice No. 1. Now this says, "Contract
16 deposit. First set of qualifying signatures." Both
17 those items are blacked out.

18 A Yeah.

19 Q Would there have been an initial invoice
20 for, like, a deposit?

21 A Yeah. That's the invoice you're looking at.
22 So what's the date of that invoice, again?

23 Q August 31, 2015.

24 A So from the field standpoint, getting
25 signatures in the field and getting them back, we

1 probably did not start processing signatures until
2 October.

3 Q Okay. Well, the next invoice, it's dated
4 September 23, 2015.

5 A Um-hum.

6 Q And what's not redacted indicates 30,880
7 signatures at blank per signature and then the dollar
8 amount is blanked out and the amount due is blanked
9 out. So by September 23, 2015, you had enough, in
10 your view, valid signatures -- in your view, your
11 company's view, you had 30,880 valid signatures such
12 that you could invoice the company?

13 A No, that's not accurate.

14 Q What does it mean?

15 A 30,000 signatures that were invoiced would
16 have been the total number of signatures gathered,
17 not necessarily valid, that were called in from my
18 managers. It would be at least two weeks before we
19 would have validated those signatures.

20 Q Why are you billing the committee before you
21 determine how many of those are valid?

22 A It's the way the business works. And
23 because I have managers and personnel that are in the
24 field that I trust and that I know, there's no real
25 reason to -- the cash flow is such that a petitioner

1 pay cannot wait until the final processing is done.
2 If there is a problem, then we retroactively go back
3 and fire people or do whatever we need to do. But it
4 takes at least two weeks from the time those invoices
5 are created to where I'm validating signatures.

6 Q You said the -- they would have been
7 validated maybe by two weeks later. Did I hear that
8 right?

9 A Yes. Now, let me further explain, though,
10 that the field managers who are producing these
11 signatures, they're doing their own validations
12 first.

13 Q Right.

14 A So they are being looked at.

15 Q Right.

16 A But they're not into my central processing
17 operation for probably two weeks.

18 Q Where was your central processing operation
19 in this case?

20 A That's confidential.

21 Q Was it in Michigan?

22 A No, it was not.

23 Q Was it in California?

24 A Yes.

25 Q So all of these physical petitions were

1 being sent to California?

2 A Yes.

3 Q At a confidential processing center you
4 don't even want us to know the location of?

5 A My clients don't even know.

6 Q Why so secret?

7 A This is a very, very volatile business. I'm
8 working on gun control right now in Washington state.
9 These are just pieces of paper. So it's simply
10 security.

11 Q For security reasons?

12 A Totally.

13 Q Okay. All right. And what happens at the
14 processing center?

15 A Well, it's a several-stage process. The
16 first is signatures are physically counted. The
17 second phase would be checking the signatures,
18 physically looking at the petitions and the
19 signatures to make sure that they are valid, that is
20 primarily looking at the circulator section in Ohio,
21 and making sure that the counties are correct.

22 From there they go to what we call our
23 validators, who then start to check the signatures
24 against the Voter Registration Roll to see how many
25 are valid. And then from there we process the

1 signatures. They're required to be submitted by
2 county. So they're sorted and boxed by county.

3 Q Okay. Does any strikethrough happen in the
4 processing center?

5 A Yes.

6 Q What would be the occasion for
7 strikethroughs?

8 A Only, obviously, invalid signatures.
9 There's two quick examples, because of the primary
10 examples. The first one would be you have a petition
11 signed that states Lake County and on the petition
12 itself there is someone from Cleveland who signed the
13 petition. It is obviously invalid. So that gets
14 striked out. And the other instance would be if
15 someone just printed their name, John Smith, no
16 address, nothing, no signature. Obviously invalid.
17 They would be striked out.

18 Q Okay. And I'm sure you're familiar with
19 reference to a large, washable, black marker. Is
20 that what's used for the strike-outs?

21 A Yes.

22 Q And is that a common practice, to use a
23 large black marker? I understand that's actually --
24 your company is not the only one that uses this large
25 black marker. It's common in the industry for

1 strike-outs?

2 A I really don't know what the other companies
3 do, to be honest with you.

4 Q Okay. But these strike-outs are done at the
5 processing center. So they're not done by the
6 circulators?

7 A No. They could be done by the circulators
8 before we get the petitions. I don't know.

9 Q But for the strike-outs that are done at
10 your processing center, circulators don't fly out to
11 California to strike out petitions, do they?

12 A No. They could have stricken them out in
13 the field, but I wouldn't know that.

14 Q Okay. But your -- we'll get to that in a
15 little bit. But where they are stricken out at the
16 processing center, those aren't done by circulators?

17 A Correct.

18 Q Okay. So if I understand the process right,
19 so you're billing September 23 for almost 31,000
20 signatures. You would expect, if the normal process
21 happens, the validation process would be completed
22 within a couple of weeks?

23 A That's a rough estimate, but, yes.

24 Q And you want that validation process to move
25 along because you need to know if you're going to be

1 charging back folks, right?

2 A Technically, yes.

3 Q Well --

4 A In practice, we have really good people
5 working in the field. It's rare that we have to
6 actually --

7 Q Okay.

8 A -- do that.

9 Q So by the second or third week of October,
10 you now have booklets with the -- what I'll call the
11 filtered signatures that have passed validity and you
12 can start, now, the physical separating, right?

13 A You could, yes.

14 Q Did you?

15 A No.

16 Q Why not?

17 A I don't have the capacity to do that because
18 of the electronic file requirement. So we had to
19 research and find a firm to outsource it to.

20 Q What firm was that?

21 A I actually don't know. It was arranged by
22 Don McTigue's office.

23 Q A firm in Ohio or California? Do you know?

24 A Ninety percent sure it was Ohio.

25 Q Okay. Well, when you were done with -- when

1 the processing center was done with the validation
2 process -- and it goes -- let me be clear about this.
3 After the petitions go through the validation process
4 at your processing center -- by "you," I mean PCI --
5 is the validation process done? Is there anything
6 else that has to happen?

7 A Well, as I mentioned earlier, it has to be
8 sorted and sorted by county and with the last step,
9 which I forgot to mention, is once it's sorted by
10 county, we actually count them again. We count the
11 physical signatures again. So there's a recount
12 done.

13 Q So it's a counting. But is there any
14 process of relooking at the validity of the
15 signatures at that stage?

16 A Not the validity of the signatures. But
17 while we're boxing them by county, we will have one
18 final look at the circulator section.

19 Q Okay. If you can go to the second page of
20 the secretary's letter, which is Exhibit 3, he begins
21 at the top of the second page saying, "Subsequently,"
22 and I take that to mean after he sent the petitions
23 to the Board of Elections, which is what he described
24 in the prior paragraph, and he said he did that no
25 later than December 30 in the prior paragraph, and

1 then he picks up by saying, "Subsequently, my office
2 became aware of an unprecedented quantity of
3 suspicious 'strikethroughs' of signatures on the
4 part-petitions and other factual circumstances
5 suggesting improper, potentially fraudulent
6 circulator attestations -- evidence that I simply
7 cannot ignore. To clarify, this does not appear to
8 be a case of just a few 'irregularities,' or 'math
9 errors,' or random 'strikethroughs' in a few,
10 isolated counties across the state."

11 He continues on in the next paragraph,
12 "Rather, an initial review uncovered that a
13 strikingly similar method of crossing out a petition
14 signer's name," paren, "(a bold, black marker),"
15 close paren, "existed on an alarmingly large number
16 of part-petitions in virtually every county in the
17 state."

18 I'm going to stop.

19 Do you see where I've been reading?

20 A Yes.

21 Q Now, when you read that, did that concern
22 you that the highest election official in the State
23 of Ohio was expressing alarm that what he was seeing
24 with the part-petitions that your company was
25 responsible for gathering?

1 A First of all, it's -- the very first
2 sentence is completely inaccurate. We have worked in
3 Ohio before and we've qualified Ohio petitions before
4 using the very same, exact business practices we used
5 on this petition. So "My office became aware of an
6 unprecedented quantity of suspicious 'striketrough'
7 of signatures" is complete bull because we've done
8 the same thing in previous campaigns.

9 I'm astonished that anyone is saying that an
10 obvious invalid signature being struck off a petition
11 invalidates all the other valid signatures. I've
12 never encountered this ever. If anything, we've had
13 county officials and other officials say, "We wish
14 you'd strike out more because it lessens our work."
15 So, no, I wasn't concerned.

16 Q Anyway --

17 A I'm answering your question.

18 Q I'm sorry. Go ahead.

19 A My reaction was not concern. My reaction
20 was, A, this is false, and, B, I'm astonished that
21 it's even an issue.

22 Q So in prior campaigns, your company, the
23 processing center regularly struck out names?

24 A Yes.

25 Q And you think that's okay?

1 A Of course I think it's okay. The names are
2 obviously invalid. And let me explain to you why we
3 do it.

4 Q Did you research Ohio law as to who can
5 strike out names?

6 A Yes. As I said before, I consulted with Don
7 McTigue.

8 Q Who can strike out names under Ohio law?

9 A Valid names? Nobody can.

10 Q So is the distinction that you think you can
11 strike out invalid names?

12 A Well, of course. If the signature is
13 obviously invalid from the beginning, why would you
14 even have it go through the process? Why would you
15 want the county to spend money checking signatures
16 that are obviously invalid?

17 Q If you black out names you can't see who was
18 even there, how can we tell whether they were valid
19 or invalid?

20 A Well, if your concern is that we didn't have
21 enough valid signatures, I appreciate it, but we did.
22 That's why we --

23 Q No, that wasn't the question.

24 How can we tell -- because they're totally
25 blacked out, how can we tell whether they're valid?

1 A Why would you care? Why would it even be an
2 issue? In other words -- listen, when we get the
3 signatures in --

4 Q Ohio law regardless, is that what you're
5 saying?

6 A I did not say that. I did not reference
7 Ohio law at all. I specifically said that if a
8 signature is obviously invalid, my understanding
9 would be that the intent of the law to protect voters
10 would be to protect voters who want to petition their
11 government on whatever issue it might be. It
12 wouldn't be that somebody, who, by the way, there's a
13 good chance that, if they signed the wrong petition,
14 later on would sign the right one, but regardless of
15 that, there is not any valid reason for an invalid
16 signature to go through the process. They are
17 obviously invalid. There is no reason for it.

18 Q Can you explain why, then, your company uses
19 a black marker so the Secretary of State can't even
20 determine who it was you struck and whether it was
21 valid or not?

22 A I've never had any feedback from any county,
23 Secretary of State's office, or anyone concerned at
24 all about black striked signatures. It's never come
25 up. I've never heard this ever.

1 Q Well, my question is, why do you do it? Why
2 not just --

3 A I can explain why we do it. It's very
4 simple.

5 Q So that we can't see the name. Why do you
6 do it so we can't see the name?

7 A I don't know that that's true. Oftentimes
8 you can. It depends on how hard that they write
9 their name on the petition because we use -- we
10 specifically use the washable marker so it doesn't
11 bleed-through to the other side of the petition. So
12 I don't know that you can't see the name. I don't
13 know why anyone would try to see the name. But I
14 don't think it's true that you can't. This is not
15 true in every single case. It's never come up. It's
16 never been -- why would anyone care about a black,
17 striked out name? Until this case and until this
18 letter and until this issue, I've never heard of it
19 before, which is why it probably never came up in
20 conversations with Mr. McTigue.

21 Q Okay. I just want to understand your
22 testimony, on a systemic and common basis, your
23 company regularly uses a heavy, black, Magic Marker
24 to strike out the names of people who sign
25 part-petitions in the state of Ohio?

1 A That is not what I said. That's a
2 completely inaccurate way -- you rephrased my words
3 to something I did not say. What I did say is that
4 obviously invalid signatures, somebody who didn't
5 sign a petition, somebody who put it in the wrong
6 county sheet, we used a washable, not a heavy, black
7 marker. If you use a heavy, black marker, it will
8 bleed-through and some of the text on the other side
9 could be blocked out, which obviously didn't happen
10 because you would have made an issue of that.

11 So we can use a clean, washable, black
12 marker to strike out only obvious invalid signatures,
13 which is also done by the petitioners in the field
14 too.

15 Q Let's mark that as No. 4.

16 (RELATORS' EXHIBIT 4 WAS MARKED
17 FOR IDENTIFICATION AND ATTACHED HEREWITH.)
18 BY MR. LINDSMITH:

19 Q I've handed you what's been marked
20 Deposition Exhibit No. 4, which is a compilation of
21 part-petitions that we assembled as having been
22 circulated from Direct Democracy.

23 That was one of your subcontractors; is that
24 right?

25 A Yes.

1 Q And there's a number of pages there that
2 have black strikethroughs through it. Is that
3 consistent with black strikethroughs done by your
4 processing center?

5 A I have no idea. These are copies. So I
6 don't know how the copies came out in terms of the
7 way it looked on the original petition. And this
8 looks to me -- this looks to me like it was done in
9 the field.

10 Q How can you tell the difference?

11 A Because the marker is not as wide as the one
12 we use.

13 Q You mean there is an even wider marker?

14 A Yes.

15 Q Well, if I can show you one example. When
16 you say in the field, who would be doing that in the
17 field? The field managers?

18 A Could be the field managers. Could be the
19 circulators themselves.

20 Q Are circulators commonly given a black
21 marker?

22 A If they're in their office checking out
23 signatures, they could be. They could be in the
24 office. I don't know.

25 Q You don't know?

1 A No.

2 Q There's a couple of signatures. I'll open
3 up to a page, this part-petition -- let me see if I
4 can identify it for the record. It's the petition
5 with the number 013805. And there are -- I've opened
6 up to a couple of pages where I see a black
7 strikethrough and the length of that ink mark is a
8 little under an inch.

9 And you're saying there is an even bigger
10 ink marker than that?

11 A I believe so.

12 Q Do you know?

13 A It's close, but I think there might be one
14 wider, yes.

15 Q Okay.

16 A I don't really study black markers.

17 Q Underneath it I see someone has -- it looks
18 like someone scribbled through a name in pen. Do you
19 see that?

20 A Yeah, I do.

21 Q And there's another one a couple pages over,
22 the same thing. Would that indicate to you that
23 someone in the field would have initially scribbled
24 through it and then someone in your office would have
25 done the black-through?

1 A I don't think we did this black stripe, as I
2 told you earlier. But the signature scribbled like
3 this -- and obviously I have no idea on this
4 particular petition with this particular individual
5 what happened, but oftentimes, if a petitioner in the
6 field has someone that says, "You know what, I
7 decided not to sign the petition," that happens, so
8 then they scribble it out. Or if it is completely
9 illegible, sometimes the petitioner will scribble it
10 out with pen. It may also be -- some of these are
11 just empty lines where they scribbled it out just to
12 make it easier to count, has nothing underneath
13 those.

14 Q I take it from your response today that you
15 weren't concerned about what the Secretary said in
16 his letter. You just believe, in fact, the Secretary
17 just got it wrong.

18 A That's not what I said. You asked me what
19 my reaction was, was it concern. No. My first
20 reaction was astonishment. Am I concerned that this
21 case could result in the client losing the ability to
22 be on the ballot? Of course I am.

23 Q Well, I guess what I meant to ask you is
24 that when you read this part of the Secretary's
25 letter, what I heard from you today was strong

1 disagreement.

2 A Yes, that's accurate.

3 Q All right. And so did you do anything to
4 reach out to the Secretary and explain what happened
5 here?

6 A No.

7 Q Why not?

8 A I just left it with Don McTigue, who is the
9 legal counsel for the client. So my consultation was
10 with him.

11 Q So it's your testimony that the Secretary
12 should have known that what he's describing here was
13 a very common practice and it happens in all
14 initiative campaigns?

15 A I never testified to what the Secretary
16 should know or not know. What I did say is that the
17 practice of striking out clearly invalid signatures
18 is one that we've used before in the state of Ohio
19 with several measures, all of which qualified for the
20 ballot. This is the first time I've ever seen this
21 come up.

22 MR. RUPPERT: Counsel, I'm going to make a
23 general objection here. This is a -- it's happened
24 multiple times where you tried to characterize my
25 client's earlier testimony. If you choose to make

1 reference to his earlier testimony, I would ask that
2 you make reference to the record and reread it into
3 the record instead of trying to surmise what he may
4 or may not be trying to say.

5 BY MR. LINDSMITH:

6 Q The Secretary goes on in the letter to
7 say -- I'm picking up where I left off in the second
8 paragraph -- "Add to that what appeared to be a
9 widespread, intentional effort to permit circulators
10 to over-report the number of signatures that they
11 actually witnessed by claiming to witness as many
12 signatures as there are lines on the petition form
13 when the part-petition actually contained only a few
14 signatures, thereby skirting the requirement that a
15 circulator actually witness each signature and then
16 write down the exact number of signatures witnessed."

17 Do you see where I've been reading?

18 A I do.

19 Q Did you strongly disagree with that?

20 A First of all, it is factually incorrect.
21 Secondly, I strongly disagree and, again, I'm
22 astonished.

23 Q What is factually incorrect about it?

24 A He's making an assumption here and a huge
25 jump. "Petitions actually contained only a few

1 signatures." The next part of that sentence,
2 "Thereby skirting the requirement that a circulator
3 actually witness each signature." You can't make
4 that jump and that conclusion. That's ridiculous.
5 It's absurd to make that conclusion.

6 And there's no requirement in Ohio, because
7 I asked Mr. McTigue this directly before we started,
8 to write down the exact number of signatures. The
9 requirement is that it's got to be the number of
10 signatures that you witnessed or higher. And, again,
11 that's been a practice in Ohio for years.

12 Q Let's explore that. This entire set of
13 documents is an exhibit.

14 (RELATORS' EXHIBIT 5 WAS MARKED
15 FOR IDENTIFICATION AND ATTACHED HEREWITH.)
16 BY MR. LINDSMITH:

17 Q You have been handed a very thick set of
18 documents, and I'll represent to you that that is all
19 of the part-petitions circulated by Ballot Access,
20 and you'll see there is some handwriting on there.
21 That's handwriting from our office at the bottom and
22 it's highlighted, too, where it will say "28 of 1" or
23 "28 of 26," and that's our count of where there is --
24 essentially, how many were stated on the petition.
25 Let's just look at the first one, the very first

1 petition on the first page. If you go to where the
2 signature is of the circulator, and do you see that
3 the circulator has sworn that there are 28 signatures
4 on that petition?

5 A Yes.

6 Q And if you look at the petition, there's not
7 28. How many are there?

8 A One.

9 Q Now, I want you to look at the statement of
10 the circulator, and the statement of the circulator
11 says, "I," and what's the circulator's name there?

12 A Kelvin Moore.

13 Q Do you know him, by the way?

14 A Yes.

15 Q He's a regular circulator?

16 A Yes. He -- he doesn't generally -- someone
17 with some severe health problems, so he doesn't work
18 a lot. But, yes, he does regularly circulate
19 petitions, not a lot.

20 Q Okay. So "I, Kelvin Moore, declare under
21 penalty of election falsification that I am the
22 circulator of the foregoing petition paper containing
23 the signatures of," and then somebody has written in
24 "28 electors."

25 Do you see that?

1 A "Ashland 28."

2 Q "Ashland 28."

3 And so that's false? There's not 28
4 signatures?

5 A That's correct.

6 Q He's declared under penalty of perjury that
7 there's 28 signatures when there's not, right?

8 A That's correct.

9 Q It goes on to swear under penalty of perjury
10 that "The signatures appended hereto were made
11 independent in my presence on the dates set opposite
12 each respective name and are the signatures of the
13 persons whose names they purport to be or of
14 attorneys in fact acting pursuant to Section 3501.382
15 of the revised code."

16 I'll stop there.

17 Obviously that's not right because there's
18 only one signature, right?

19 A What's your question? Is there one
20 signature?

21 Q Well, the balance of that sentence is wrong
22 too.

23 A No, it's not.

24 Q Well, I'm not going to debate with you on
25 that.

1 A In other words, what I'm saying is the same
2 objection I had to the reference in the Husted
3 letter. The 28 number is wrong, but that does not
4 mean he did not witness Greg something in Sullivan
5 sign this petition.

6 Q So I want to understand something. It is
7 PCI's position that it is perfectly fine for a
8 circulator to swear under penalty of perjury that
9 they witnessed 28 signatures when they only witnessed
10 one?

11 A That's not what I'm saying. What I'm
12 saying --

13 Q Is that -- well, let me ask you that. Is
14 that okay?

15 A Is it okay for them to write down --

16 Q To swear under penalty of perjury -- let me
17 finish my question and then you can object.

18 Is it okay for them to swear under penalty
19 of perjury that they witnessed 28 signatures when
20 they witnessed one?

21 Now, is there an objection?

22 MR. RUPPERT: There is an objection. It's to the
23 form of the question. Are you asking him -- what you
24 are asking is not what is contained on that form and
25 that affidavit. Are you asking him is it proper for

1 one of his subcontractor's employees to sign that
2 form or are you asking him a separate question which
3 is something completely different?

4 MR. LINDSMITH: That's not an objection, that's
5 not an objection to form, and you are coaching the
6 witness, Counsel. I would ask you to stop that.
7 Now, my question stands and it's a simple question.

8 Q Do you have any problem with a circulator
9 signing under penalty of perjury a declaration that
10 the petition he's signing contains 28 signatures when
11 it does not?

12 MR. RUPPERT: Objection; calls for a legal
13 conclusion.

14 You can answer.

15 THE DEPONENT: The petitioners were all -- all
16 the managers that we hired were instructed that the
17 signatures had to be, on the back of the petition,
18 the circulator's section had to be equal to or
19 greater than the number of signers in a book.

20 To answer your question directly, if I have
21 a book with one signature, should the petitioner have
22 written 28 on the back of the petition? No, they
23 should not. The same standard of being somewhat
24 close should have been adhered to. But -- and I know
25 exactly why these things happen -- it should not

1 invalidate the signer and does not mean they did not
2 witness the signature. Maybe it means they were too
3 quick in signing off on the circulator section, maybe
4 they took some shortcuts. And, certainly, they
5 probably did in this case. I would say it's a
6 reasonable assumption to make.

7 So, no, it's not our policy for them to just
8 say put down any number. But the policy we had was
9 that in order to invalidate the petition, the number
10 on the circulator's section had to be either equal to
11 or greater than the number of signers in the book.

12 (RELATORS' EXHIBIT 6 WAS MARKED
13 FOR IDENTIFICATION AND ATTACHED HEREWITH.)
14 BY MR. LINDSMITH:

15 Q You have been handed what's been marked
16 Deposition No. 6, which is a spreadsheet my office
17 prepared which summarizes the total count and the
18 actual count of signatures in the part-petitions that
19 are in Exhibit 5. And I'll give you some math here.
20 There are -- the right-hand column, if you total up
21 all those numbers, should represent the total number
22 of petitions, part-petitions that are in Exhibit 5.
23 And of the, I believe it's, 53 part-petitions in
24 Exhibit 5, only 8 had 28 actual signatures for 28
25 declared signatures by the circulator. And if we go

1 down this schedule, and let's get out of the
2 comfortable range. I think you said that if it's --
3 it didn't trouble you too much if it was close.
4 Twenty-six actual -- if they say 28, but there's 26,
5 you're okay with that?

6 A What I said was the requirement in Ohio and
7 what I instruct all of our managers is that the
8 number of signatures that are listed on the back of
9 the petition has to be either equal to or greater
10 than the number of actual signers or else the
11 petition is invalid. That's what I said.

12 Q I thought I also heard you say, though, that
13 you didn't have much of a problem if it said 28 and
14 it was -- the actual number was close?

15 A What I actually said was that if it says 28
16 and the number was 1, like the first example you
17 showed me, that should not invalidate the signer who
18 signed the signatures.

19 Q Hold on here. Let's go back to my question
20 because I want to make sure we are very clear about
21 this. Do you think it is legal -- is it your
22 understanding from your research of Ohio law, which
23 you said it's your obligation to do, as you market to
24 your customers, I want to know your understanding, do
25 you believe it is perfectly fine under Ohio law for

1 someone to declare under perjury that they witnessed
2 28 signatures when there's only one?

3 A No. I already answered that question. I
4 said no.

5 MR. RUPPERT: Objection; asked and answered.

6 BY MR. LINDSMITH:

7 Q All right. So let's move down this
8 schedule. If we look at the schedule. So on the
9 left-hand column is the -- where it says "28," that
10 means all of these petitions, the circulator has said
11 there is 28 signatures, but then the listed count is
12 the number of actual signatures. So, for example, at
13 the bottom of the chart you'll see we have ten
14 part-petitions where the circulator said I witnessed
15 28 signatures and there's only one signature.

16 Do you see that?

17 A I do.

18 Q And we go up, there's seven where there's
19 only two signatures. There's two where there's only
20 three. There's two where there is only four, two
21 where there is only five, one where there is -- I'm
22 skipping up a little bit. One where there is only
23 12, 2 where there's only 14, 2 where there is only
24 15. And just using -- the highest number I'll go to
25 is you see my 28 and 18 actual signatures? The

1 one -- see the 18 in the middle column?

2 A Yes.

3 Q So for those part-petitions where the actual
4 signatures ranged from 1 to 18, I counted 34
5 part-petitions that were 10 signatures off or more.
6 That's not a little counting error, is it?

7 A I don't know what it is. I don't know why
8 each of these individuals wrote that number on the
9 back of a petition. I do know that this is not
10 statistically relevant sample to the whole 170,000
11 signatures. I know something about statistics. And
12 I also do not, again, have ever seen in the State of
13 Ohio before where this number not being accurate when
14 it's above ever invalidating signatures.

15 So I'm not answering the question saying
16 that someone should do this, but I'm also saying I've
17 never seen a case ever where it has invalidated
18 signatures.

19 Q Well, have you ever seen a case where, like
20 here, 311 part-petitions where the circulator said I
21 have 28 signatures, but they only had one? Three
22 hundred eleven. Have you ever seen that before?

23 A Of course I haven't seen that before. I
24 haven't looked at 311 petitions.

25 Q Have you ever seen it where 148

1 part-petitions were signed by a circulator saying
2 they've seen 28 signatures but there's only two?
3 Have you ever seen that before?

4 A No. But that doesn't mean it hasn't
5 happened before. You're asking me if I've physically
6 seen this. I can tell you --

7 Q You're saying --

8 A Let me finish my answer, please.

9 Q Sure.

10 A You're asking me now about these specific
11 petitions that you've looked at for this issue. And
12 I can tell you that in previous campaigns in Ohio,
13 which had the same standard where the circulator had
14 to have the number of signers or greater than, you
15 can probably look at several initiatives that have
16 qualified not just by my company, by the way, in Ohio
17 where this is a regular occurrence. And whether it's
18 311 at 1 versus 28 or 310, I'm just telling you that
19 that's something that's happened and this practice
20 has been in Ohio for years.

21 So I haven't personally looked at these
22 petitions, but I have looked at many petitions in
23 Ohio and run campaigns in Ohio where initiatives are
24 qualified where we did not -- and I don't know what
25 standard you would argue for, but whatever you would

1 argue for, it's never been -- the Secretary of State
2 doesn't say if there's 28 signatures on the petition
3 and they write 28, if there is not at least 18, throw
4 the petition out. There is no such standard.

5 Q But you do understand that the form of the
6 petition is dictated by the Ohio revised code,
7 including that certification by the circulator? You
8 know that?

9 A Well, of course.

10 Q So the law requires the circulator to swear
11 under oath how many signatures that circulator
12 witnessed?

13 A Understood.

14 Q All right. Are you saying that it is common
15 in other campaigns, too, for circulators to just
16 write down 28 regardless of how many actual
17 signatures are on the part-petition?

18 A I don't know whether it was common. I'm
19 telling you that I'm sure it occurred.

20 Q What do you mean you're sure that it's
21 occurred?

22 A Because the circulators are given the
23 instruction that you cannot -- I'll show it to you.

24 Q Do you allow that in your campaigns?

25 A We only send back petitions to be re- -- not

1 notified -- re-signed if there was a number less than
2 what's on the petition.

3 Q That's not my question.

4 A Well, that answers your question. Because,
5 in other words, if we are -- you're asking what the
6 standard is. The standard that we use is it's got to
7 be equal to or greater than. So to answer your
8 question, these petitions were submitted. So, yes,
9 we submit them because we defer to the will of the
10 voter. We don't think this invalidates, and it
11 hasn't in the past, invalidated the signer of this
12 petition. That's a simple answer.

13 Q So you think -- I just -- let me give you
14 some numbers. I gave you the number of -- now, these
15 are all petitions where the circulator has signed an
16 oath saying they witnessed 28 signatures when they
17 did not.

18 A The numbers that you are going to give me,
19 are these the total numbers from the entire petition?

20 Q Total numbers, yeah.

21 A So you looked at all 170,000 worth?

22 Q Yeah, yeah.

23 And, in fact, 1,475 petitions reflected
24 circulator saying under oath I saw 28 signatures and
25 it was less than 28 signatures.

1 Is that statistically significant for you?

2 A I can't analyze that because I need to see
3 the breakdown per number.

4 Q Let me give you the breakdown.

5 A And, actually, it's not statistically --
6 first of all, I'm trusting your numbers. But I'll
7 assume they're all accurate. It is also something
8 that we don't check for, again, because the Ohio
9 standard doesn't invalidate the signer. You're not
10 invalidating the signer. That's what we're concerned
11 about, the will of the voter.

12 Q You're just saying it hasn't so far, no
13 court has?

14 A No, not that I know of.

15 Q Because no one's raised this issue, as far
16 as you know?

17 A As far as I know, no one has raised this
18 issue.

19 Q And as far as you know, you don't know
20 whether, in fact, this was separate and apart far
21 more systemic and unusual compared to other
22 campaigns? You don't know that?

23 A No. But it's a reasonable assumption.

24 Q You're assuming that?

25 A It's a reasonable assumption. Just like

1 you're asking me a bunch of other reasonable
2 assumptions.

3 Q So we have 311 part-petitions in this
4 category of one signature, 148 with 2 signatures, 76
5 with 3 signatures, 60 with 4, 50 with 5, 36 with 6,
6 40 with 7, 37 with 8, 43 with 9, 53 with 10, 33 with
7 11. None of this bothers you?

8 A None of this bothers me?

9 Q Yeah.

10 A None of this invalidates -- can I see that,
11 by the way? Is that something I can have access to?

12 Q Just answer my question, please.

13 A Well, you're asking me about those numbers.
14 I'd like to look at them while I'm answering the
15 question.

16 Q Can you answer that question?

17 Do any of those numbers bother you that I
18 just read off to you?

19 A None of the numbers that you just read off
20 to me, which I can't look at, obviously, invalidate
21 any of the signers of the petition, in my view.

22 Q Because you think it is okay to falsely
23 swear as to the number of --

24 A Once again, you are doing a very good job of
25 putting words in my mouth.

1 MR. RUPPERT: Objection; asked and answered.

2 You've asked that question repeatedly.

3 THE DEPONENT: I never said that.

4 MR. LINDSMITH: Let's take a break.

5 We're going to take a break, Counsel. Be
6 about 5 minutes.

7 (Recess taken from 12:05 p.m. to 12:15 p.m.)

8 BY MR. LINDSMITH:

9 Q Mr. Paparella, I now want to spend some time
10 asking you about the structure of this campaign
11 starting with who actually hired PCI?

12 A Well, Michael Weinstein, not as an
13 individual, but --

14 Q And identify for the record who he is?

15 A Well, I don't know all of his titles, to be
16 honest with you, but he is president, I believe, of
17 AIDS Healthcare Foundation here in Los Angeles.

18 Q Is he the person who contacted you, made the
19 initial contact for this campaign?

20 A I believe so, yes.

21 Q Okay. Well, is your contract with the AIDS
22 Healthcare Foundation or with the committee that is
23 proposing this law?

24 A The committee.

25 Q Okay. You invoiced the committee?

1 A Yes.

2 Q You don't invoice the foundation?

3 A The invoice goes to Lyle, who works for the
4 foundation, but I invoice the committee. If you look
5 at my invoices, it's the committee name in there.
6 But it does go to Lyle, who's -- you'll see his
7 e-mails at AIDS Healthcare.

8 Q Now -- so PCI is, for want of a better term,
9 the lead entity that is charged with pursuing this
10 campaign, but I want to talk about the subcontractors
11 now.

12 We saw a number of subcontractors from the
13 public filings. And if I understand -- I read your
14 interview that you gave to the Franklin County Board
15 of Elections late January and you indicated that -- I
16 think you said your -- the lead subcontractor was
17 Elite Campaigns for the Ohio campaign?

18 A That's correct.

19 Q And that was Mr. Tincher?

20 A Correct.

21 Q And why would you characterize Elite
22 Campaigns as the lead? What made them the lead?

23 A Well, they gathered most of the signatures.

24 Q In the records we have, I don't mean to
25 be -- in the records I see, Elite Campaigns submitted

1 1,137 part-petitions. DRW Campaigns out of Flint,
2 Michigan, which I think is Mr. Wefel's
3 organization --

4 A That's correct.

5 Q -- submitted 4,165 part-petitions.
6 Does that sound right to you?

7 A I really don't know.

8 But to clarify, DFW or DRW --

9 Q DRW.

10 A DRW works for Elite.

11 Q So DRW was the sub of the sub?

12 A Correct.

13 Q And then Educated Voters submitted 2,297
14 part-petitions, according to our count. Was that one
15 of your contractors or a sub of a sub?

16 A It was not -- and just to make it go quick,
17 we only subcontracted with Elite Campaigns, Direct
18 Democracy, and I believe Ballot Access.

19 Q Okay.

20 A Anyone else -- my memory, I think, is pretty
21 accurate. Anyone else, I believe, is a subcontract
22 of a sub vendor.

23 Q All right. Okay. Other than -- so when you
24 think of Elite Campaigns, you view them as the lead
25 because between them and DRW, they brought in over

1 5200 part-petitions? Is that why you view them as
2 the lead in Ohio?

3 A I don't think in terms of part-partitions.
4 I always think of total number of signatures. And
5 Elite Campaigns or through any of their vendors did
6 the majority of the signatures, yes.

7 Q Yeah. I do have a signature count, which is
8 a little over 100,000. Does that sound right?

9 A That sounds about right.

10 Q Okay. But was there any particular role
11 Mr. Tincher had in terms of being the Ohio person in
12 charge or anything like that? Did you look to him to
13 be the field person in charge of Ohio?

14 A Well, in charge of who was working for him
15 in Ohio, yes. He certainly was not in charge of the
16 other -- Direct Democracy, for example.

17 Q Okay. All right. So we got into this a
18 little bit before and I know you've testified about
19 this -- well, I don't think you were asked too much
20 about this in your interview by the Franklin County
21 Board of Elections. But forgive me if this is stuff
22 we all know, but I would like to hear your
23 description of your understanding of this process
24 starting with your first contact from Mr. Weinstein
25 about this process. I want to understand,

1 essentially, how this process developed.

2 After you got that call, what was the next
3 step in the process in your participating in this
4 campaign?

5 A This might not be chronologically totally
6 accurate, but what happens in Ohio is you have to get
7 the first set of signatures. I believe it's a
8 thousand, if my memory is correct. So the first
9 thing we would have discussed is, A, how quickly can
10 we get the petition in our hands, which would have
11 been subject, of course, to Mr. McTigue making sure
12 that it was -- complied with the regulations in Ohio,
13 and then get the thousand signatures to jump-start
14 the process. That would have been the next step.

15 Q I didn't ask you. Do you remember about
16 what time of year Mr. Weinstein contacted you?

17 A I have no idea.

18 Q Spring? Summer?

19 A Sir, I don't know. We do so many campaigns
20 across the country, I can't possibly.

21 Q Okay. So after the thousand -- you get the
22 thousand, who -- did you subcontract with someone to
23 get that first thousand?

24 A I believe it was Elite.

25 Q Okay. So after you get that first thousand,

1 what happens then?

2 A Then we wait to hear if the petition is
3 approved. Once it's approved, then I submit --
4 actually, I don't submit a proposal. Strike that. I
5 would work out a budget that I would talk to
6 Mr. Weinstein about. I believe I also talked with a
7 couple of his staff people at that point that we put
8 in charge of helping with the logistics, first
9 logistics of getting the petitions printed. Then
10 from there I hire out the people that I'm going to
11 use.

12 Q Okay. The subcontractors that we talked
13 about?

14 A Correct.

15 Q Now, you touched upon this in your earlier
16 testimony in your interview. There's no written
17 instructions that you give your subcontractors?

18 A No. But they have written contracts with
19 the petitioners.

20 Q Well, what I mean is -- I do understand
21 that. But in terms of any particular instructions
22 for your subcontractors, is there anything in writing
23 that you give to them saying, hey, you got to --
24 here's what I expect from you, here's your targets,
25 here is how you're going to get paid? You have

1 written contracts with them, don't you?

2 A We sometimes do and sometimes don't. In
3 this particular case we did not. But, yes, they're
4 given instructions, whether it's in writing or
5 orally, to comply with the law, how many signatures I
6 expect. I know we discussed which counties to
7 target. Although, I generally leave that up to them.
8 As an example on this campaign, I can't remember
9 whether we targeted 47 or 48 counties. It was
10 something in that number. We generally try to
11 qualify two or three more counties than required.
12 And so, yes, we work out goals. We work out
13 instructions. But, no, it's not all in writing, no.

14 Q And I take it from your testimony that there
15 were no particular instructions given about -- no one
16 was told specifically to put 28 in on the petition
17 regardless of how many actual signatures there were,
18 as far as you know?

19 A No. Nobody was told that.

20 Q No one from PCI did that?

21 A No.

22 Q Well, okay. So then these subcontractors,
23 they might hire other subcontracting companies, like
24 we talked about earlier. And then, ultimately, all
25 these companies -- and the list I have of people who

1 actually were registered, DRW Campaigns, Educated
2 Voters, David Saddler, Elite Campaigns, Direct
3 Democracy, Ohio Petitioning Partners, Kelvin Moore,
4 and Ballot Access, either these folks individually or
5 will hire, then, the actual circulators?

6 A Yeah.

7 And there is one step in the process that I
8 forgot to mention that's in the very beginning, which
9 is to make sure that the Form 15s are filled out and
10 we insist that we get those in our office to send to
11 the Secretary of State regardless of whether we've
12 contracted with that entity or not. So that would
13 actually be one of the first things that would happen
14 before we scheduled petitioners.

15 Q So that would include you make sure you get
16 the Form 15s for the three subcontractors you used
17 and then also for the ones that they used?

18 A Correct. Because part of our checking
19 process is to make sure that the circulator section
20 reflects the payer, which is required in Ohio.

21 So we get a master list of the Form 15s, and
22 then we check the petitioners when they come in.

23 Q Okay. And, again, you don't hire the actual
24 circulators. You leave it to the subcontractors to
25 hire the circulators and work out the arrangements of

1 that.

2 Do you have any role in how much the
3 circulators themselves get paid or is that between
4 the subcontractors and the circulators?

5 A Between the subcontractors and the
6 circulators.

7 Q Okay. Do you -- we touched upon this at the
8 beginning of your deposition. I thought I heard you
9 say you do require a validity rate of your
10 subcontractors. You thought it was in the range of
11 70 to 75 percent. It was different for counties.

12 A Yeah. Ohio, unlike Washington or Arizona or
13 California other states that don't have the county
14 requirement, it's just one number that I could tell
15 you right off the top of my head. In Ohio, because
16 it varies, I can't give you one number, but it would
17 be in that range.

18 Q Now, are the subcontractors paid on a per
19 signature basis or on a validity rate or tell me how
20 they're paid, the subcontractors?

21 A Well, they are paid based on the number of
22 signatures, they are held to a standard of a certain
23 validity rate, and they might also get additional
24 funds to help them run their operation.

25 Q For, like, their field offices?

1 A Field offices, travel, things like that. I
2 mean, actually, I don't micromanage it. I don't know
3 what they spend the money on. But to give you an
4 example, someone might say I need \$20,000 so I can
5 adequately run the Cleveland office. So that would
6 be an added fee, I guess you would call it that we
7 would pay.

8 Q Is there bonus money paid?

9 A Sometimes.

10 Q What would be the criteria for getting a
11 bonus?

12 A It runs the whole gamut.

13 Q Do you know if bonuses were paid in this
14 case?

15 A We had higher rates of pay for different
16 counties. So you could classify that as a bonus, I
17 suppose.

18 Q I did see a schedule and I think it was from
19 Mr. Wefel's company where it looked like some
20 signatures fetched \$3, some fetched 2, buck 50,
21 dollar. What would be the reason for the different
22 pricing?

23 A As you go into rural counties, you get less
24 signatures per day. There's just fewer people.
25 Sometimes on some issues it's also because the issue

1 is harder to get people to sign. When we did the
2 medical marijuana in Ohio several years ago, that was
3 really the case. On this issue we didn't find that
4 to be the case. What it would be is it's work that
5 people do and, you know, they get paid by the number
6 of signatures. So if you go to Cleveland and you get
7 200 in a day versus a rural county where you get 30
8 in a day, you got to pay people more to get the 30.

9 Q Now, I want to get your best understanding
10 of the process from the field up to central
11 processing.

12 A Okay.

13 Q You have circulators go out in the cities
14 and rural areas and gather signatures. What is your
15 understanding of the process in terms of -- and if we
16 want to call it the levels of quality control
17 starting with the circulator, what is your
18 understanding of what typically happens? And if you
19 know what actually happened in the case of this
20 campaign that we're talking about, that's fine, too.

21 A That's a pretty broad question. I'm not
22 sure what you're trying to get at.

23 Q Well, before the circulator -- well, let me
24 ask you this: So the circulator will gather some
25 petitions and maybe -- and eventually -- and at some

1 point a circulator will turn them into a field
2 office; is that right?

3 A Or a field manager. You can call it that.
4 Sure.

5 Q Right.

6 Before that is handed in, do you have an
7 understanding as to whether the circulator, him or
8 herself, does any quality control determining whether
9 signatures should be stricken off?

10 A Well, first, there's two different classes
11 of circulators, just to make sure you understand
12 this. There are circulators that have done this for
13 years, who are experienced and have a lot of campaign
14 experience, and then there are circulators that get
15 hired by these subcontractors and they may have never
16 circulated petitions before. So the circulators that
17 are hired are then given very specific instructions,
18 training, examples of how to do this. And one of the
19 things that you do, one of the two biggest things you
20 say to somebody when you are circulating a petition
21 is, "Are you registered to vote?"

22 So in Ohio there would be a lot of
23 instruction about making sure you're keeping the
24 petition separate by county and asking people if
25 they're registered to vote, because we expect you to

1 get registered voters. Not a hundred percent. No
2 one can do that, but up to whatever percentage it
3 would be.

4 The level of instruction with experienced
5 circulators, it's not really -- I mean, you can say
6 it again and again and again, but it's not necessary.
7 They've been doing this for years.

8 So the circulator does have that level of
9 qualify control in the field. You're asking people
10 if they are registered to vote or they should be
11 doing that.

12 Q Yeah, yeah.

13 And I do understand, you know, someone might
14 think they're registered when they're not or they
15 might have moved or there are all kinds of issues
16 that can pop up. But before the circulator -- I
17 understand what you're saying in terms of before they
18 ask someone to sign a petition, they do some quality
19 control, which is asking the question, "Are you a
20 registered voter in this county?" But once we have a
21 petition done and the circulator is ready to hand it
22 in, other than that level of quality control you are
23 describing, is the circulator charged with looking at
24 any kind of database or anything to cross-check the
25 signatures and see if they are valid? Is that

1 expected at the circulator level before it gets to a
2 field manager or field office?

3 A It's not expected. I'm sure it happens, but
4 it's not expected.

5 Q Okay. So then the petitions are turned into
6 a field manager or a field office and you expect
7 some -- what happens? What's your understanding of
8 what happens at that level?

9 A What should happen at that level is
10 basically the same thing I described earlier in my
11 testimony about what happens at the central office.
12 It should be counted, circulator section should be
13 checked, and then we have the voter file online.
14 There's an access code people can log into to check
15 and see whether someone is registered to vote. We
16 also have online previous signers. So in the field
17 office as well as the central office we can find out
18 if it's a duplicate significant.

19 Q And is it at the field office where there
20 might be occasion where the people reviewing it in
21 the field office will strikethrough signatures?

22 A It's possible. I really don't know that
23 they did regularly, but it's possible, sure.

24 Q Okay. Is there any economic incentive for
25 field office people to strikethrough signatures so

1 that the validity rate of a batch of part-petitions
2 has a higher validity rate?

3 A No, because it's still the math. Regardless
4 of whether -- you could turn in a million signatures
5 with 20 valid or you can turn in 25 signatures with
6 20 valid. You're still going to get paid the same.
7 You get paid for 25 signatures.

8 Q Well, I guess here's my question: If -- if
9 a batch of part-petitions goes to the processing
10 center in California and let's say a petition has
11 stricken through, out of 28, 5 were stricken through
12 of a part-petition. Is that viewed as -- and all of
13 the other signatures are valid, okay, the other 23
14 are valid. Is that viewed as 100 percent valid
15 part-petition or, given my rough math, 80 percent
16 valid?

17 Do you understand my question?

18 A I really don't. But I think I see what
19 you're getting at.

20 The validity rate that people are held to is
21 based on the number of valid signatures they're
22 submitting. So the total number of signatures
23 submitted is irrelevant because they were paid based
24 on the number of valid. They're not paid only for
25 valid, but they're paid based on the number of valid.

1 So let's just say, as an example, I hire you
2 and I say I'm expecting you to get 70 percent valid
3 signatures. When we check -- you know, we check the
4 signatures and held them to a batch. We don't hold
5 them individually. But when we get the signatures in
6 and you expect a 70 percent valid rate, if you turn
7 in seven valid signatures, you're going to get paid
8 for ten. If you it turn in seven valid signatures
9 with ten signatures, you're going to get paid for
10 ten. If you turn in seven valid signatures with a
11 thousand signatures, you're going to get paid for
12 ten. That is an extreme example to show you how the
13 math works. Obviously if someone turns in a thousand
14 signatures and seven are valid, they're not long
15 for -- well, they would quit anyway, but they'd be
16 fired.

17 Q But they'll get paid for ten?

18 A Well, in that extreme case, yes, in
19 principle, that's the way it works. In other words,
20 the validity rate they are held to and the pay they
21 are held to is all done by math off of the number of
22 valid. The gross number of signatures don't matter.

23 Q Okay. Thank you.

24 I've seen documents produced from
25 Mr. Wefel's company that alludes to batch validity.

1 Is that a term that you're familiar with?

2 A I don't use it myself, but I can surmise
3 what it means.

4 Q Well, when determining validity rates, do
5 you go by batches of part-petitions or what? How do
6 you do that?

7 A Well, I call them turn-ins. But let's say
8 I -- you know, we get 2,000 signatures. We call it a
9 turn-in, but you could call it a batch. We don't --
10 when you talk about holding the validity standard,
11 it's an overall number in terms of me with my
12 subcontractors. So someone could turn in -- again,
13 to give the extreme example, one petition could have
14 10 percent validity, three other petitions could have
15 80. The overall number is 70. They are paid for the
16 whole batch.

17 Q What goes into that batch is determined by
18 whoever submits it? They choose?

19 A That's right. That's correct.

20 (RELATORS' EXHIBIT 7 WAS MARKED
21 FOR IDENTIFICATION AND ATTACHED HEREWITH.)

22 BY MR. LINDSMITH:

23 Q You've been handed what's been marked
24 Deposition Exhibit No. 7, and this is actually a set
25 of documents that were produced by Mr. Wefel. And

1 I'm not going to go through this whole thing, but
2 there were some things here that I just wanted to ask
3 you about.

4 A Okay.

5 Q Do you know who Eric Shih?

6 A I do not.

7 Q Okay.

8 MS. SFERRA: I do.

9 MR. LINDSMITH: You're not testifying.

10 Q If we go back a little bit, we'll come
11 across an e-mail. Maybe the first one is -- it's
12 after these bold letters here. There's an e-mail.
13 It's actually a forwarded e-mail. It's from
14 Mr. Tincher dated September 2, 2015, and it's to
15 Dustin Wefel.

16 Do you see that?

17 A I do.

18 Q And in the subject is "8-17 and 8-24 OH,"
19 and there is some attachments and what follows is a
20 page that has -- now this is actually -- I'm sorry.
21 I started on the wrong one. He produced this from a
22 Michigan petition drive, Fair Taxes.

23 A I was about to say.

24 Q Yeah, let's skip this one.

25 A I was wondering, because the dates confused

1 me.

2 Q Well, I was thrown because the e-mail
3 referenced Ohio, but then it's a Michigan matter.

4 The next one, the next e-mail, though, it's
5 September 14 from Mr. Tincher to Mr. Wefel, and this
6 says "9-17-15 OH" for the subject and here we do
7 have -- this is for Drug Price Relief. Do you see
8 that? That's the Ohio campaign we're talking about.

9 A Yes.

10 Q Do you recognize this type of spreadsheet
11 that's being submitted here?

12 A Yes.

13 Q What do you recognize this to be?

14 A It's what we call a transmittal sheet and
15 it's one that can be created online that we actually
16 just started this season. It can be created online
17 by the field offices where they can fill in the names
18 of the petitioners, the signature count, how many
19 signatures they checked, how many were valid.

20 Q And the rep names, is that the names of the
21 circulators?

22 A That's correct.

23 Q When it says "Call in date: 9/7/15," what
24 does that mean?

25 A That would have been the date that they --

1 when I -- earlier in the testimony when I referenced
2 creating invoices based on call-in, that's what that
3 would be.

4 Now, what Elite did I don't know in terms of
5 requiring call-ins, but we require them once a week.

6 Q When you say "call-ins," is there a physical
7 presentation or even an electronic presentation of
8 petitions or this is, basically, a tally that someone
9 is giving you?

10 A It's a tally that someone's giving you. It
11 might be simultaneously done with filling out this
12 form or it might be done before. I don't really
13 know.

14 Q Okay. I'm not going to go through each one
15 of these. It looks like there is several more of
16 these as we go by in the weeks, October 8 and then --
17 but these would be -- these call-ins would be the
18 basis for you issuing the invoices to the client, to
19 the committee?

20 A Well, generally, yes. Specifically, no,
21 because I don't get calls-in from Wefel. I get them
22 through Elite. But Elite would have used these
23 numbers as part of their call-in, yes.

24 Q I'm really going to the process of this is
25 how you get the information for the invoices, it's

1 call-ins like this?

2 A The information we get for the invoices is
3 based on a phone call. The follow-up is what you're
4 looking at.

5 Q Okay. All right. The follow-up being these
6 spreadsheets?

7 A Well, then it's physically us getting the
8 signatures, correct.

9 Q Right.

10 Okay. If you could go to -- and I'm using
11 the second e-mail. This was one dated November 2.
12 Try to find the one for November 2. It's a little
13 further back from Mr. Tincher to Mr. Wefel, and the
14 subject is 10-26-15 Ohio.

15 A Is that the one you're referring to?

16 Q No. The one right before that, the e-mail
17 right before that. Sorry. That's a long
18 spreadsheet.

19 A Okay.

20 Q November 2?

21 A November 2, yes.

22 Q Okay. Now, the reason I wanted to stop here
23 is because the cover e-mail looks to be similar from
24 the prior ones we saw, but the attachment's a little
25 bit different. The spreadsheet is a little bit

1 different. And it identifies the Issue of Ohio,
2 Coordinator: Wefel, Turn-In Date: 10/26/15, Total
3 Gross Signatures: 2577, but here I saw a target
4 validity and a batch validity. Do you see that in
5 the top there?

6 A Yes.

7 Q Top, a little to the right of the middle.

8 A Yes.

9 Q Is that something -- so this is indicating
10 to you that of the batch of signatures referenced on
11 this spreadsheet, the batch validity is 63 percent
12 and, now, the target, 65 percent, what does that mean
13 to you?

14 A It is the required number of valid
15 signatures that the contractor had. They had to meet
16 a validity rate of 65 percent. Then I'm assuming
17 that this is for Cleveland.

18 Q Now, with a validity rate of just 2 percent
19 shy, what would be the financial impact, if any, of
20 missing that validity rate?

21 A None. It's well within the margin of error.

22 Q Okay. If you could turn, please, to --
23 there's an e-mail moving back -- it's not
24 chronological.

25 A Further back in the thing?

1 Q It's further back. It's a -- it's dated
2 August 24 from Mr. Tincher and it's not to anybody.
3 It just says -- subject is "Bonus County's."

4 A Okay.

5 Q And what I'm looking for you to look at is
6 there appears to be a pay schedule.

7 A County prices, is this the one?

8 Q Let me see that. No. It's slightly
9 different.

10 A So it's not this page?

11 Q Let me look at what you got there. That may
12 be a different one. Yeah. It's just before that.
13 Go two pages ahead of that, go back one more. Do you
14 mind if I -- I'm looking at the original exhibit,
15 Counsel, so we can move this along.

16 MR. RUPPERT: Sure.

17 BY MR. LINDSMITH:

18 Q Okay. I've opened the exhibit to -- Exhibit
19 7 to an e-mail from Mr. Tincher. It's not to
20 anybody. And it references "Bonus County's" on
21 August 24, 2015. And on the spreadsheet that follows
22 that there is a list of counties starting with Adams
23 County and ending with Wood County and it shows total
24 votes and then minimum goal and price.

25 Do you recognize this schedule?

1 A I didn't create it, so I don't recognize it,
2 but I know what it is.

3 Q What do you recognize that to be?

4 A It looks to me like Eric, Mr. Tincher, was
5 sending out what the price paid to petitioners would
6 be and how many signatures we expected in each of
7 those counties.

8 Q Okay. These all appear to be mostly rural
9 counties, and so I don't see any for a dollar.
10 They're all either \$1.50 to \$3. Is that consistent,
11 if these are rural counties, that would be a price
12 structure consistent with that?

13 A Yeah. I don't remember the exact price
14 structure, but this looks totally reasonable. Like,
15 I'm just looking, Lincoln County at \$1.50 versus
16 Union, it makes sense.

17 Q If you go to the next page there should be
18 an e-mail and then for the record and counsels'
19 benefit, it's an e-mail dated -- from Mr. Tincher to
20 Mr. Wefel dated September 18, 2015, and the subject
21 is "County Prices with O/R." If you look at the
22 schedule behind that, here we have a price per county
23 but then override. Do you know what -- what is the
24 function of an override here?

25 A That's the manager pay.

1 Q And by manager pay --

2 A That would be Mr. Wefel?

3 Q His field managers?

4 A Well, I don't know. He might have other
5 field managers as well, but this is what -- and,
6 again, I can't speak for Mr. Tincher. It's his
7 e-mail, but it's reasonable to assume that this is
8 what Mr. Wefel was getting paid by Mr. Tincher or
9 Elite to DRW, whatever it was.

10 (RELATORS' EXHIBIT 8 WAS MARKED
11 FOR IDENTIFICATION AND ATTACHED HEREWITH.)
12 BY MR. LINDSMITH:

13 Q You've been handed what's been marked
14 Deposition Exhibit No. 8, which is a set of documents
15 produced by your counsel yesterday, and I believe
16 this set is what we call the Form 15s that were
17 referenced. Do you recognize those?

18 A Yes.

19 Q Let me just ask you. Do you recognize this
20 collection of documents?

21 A Yes.

22 Q Who is Dana Gonzalez?

23 A She works for me in my central office as an
24 employee.

25 Q So we have some fax cover sheets. Are these

1 fax cover sheets submitting Form 15s --

2 A Yes.

3 Q -- as to the number of entities?

4 A Yes.

5 Q And so these would have been provided by
6 your company, as we talked about before?

7 A Correct.

8 (RELATORS' EXHIBIT 9 WAS MARKED
9 FOR IDENTIFICATION AND ATTACHED HEREWITH.)

10 BY MR. LINDSMITH:

11 Q You've been handed what's been marked
12 Deposition Exhibit No. 9, which is a collection of
13 documents that was also produced yesterday. Can you
14 identify what this is?

15 A On the first page, bank wires that we --
16 bank wires that we primarily pay our vendors,
17 subcontractors.

18 Q Are these bank wires out to vendors or to
19 you?

20 A Correct.

21 Q These are to vendors?

22 A These are all outgoing.

23 Q So the bank wires would have started -- and
24 I understand the amounts are redacted, but the first
25 wires out to your subcontractors would have been late

1 August 2015?

2 A That sounds correct, yes.

3 Q Do you see the bottom of the first page?

4 You see August 27?

5 A I see. It's in reverse order. Yes, August,
6 8/27, yes.

7 Q And the only vendors that you would have
8 sent money to, if you go to the fourth page of this
9 exhibit, would be Ballot Access, Direct Democracy,
10 and Elite Campaigns; is that right?

11 A That's correct.

12 Q And then what follows after that page are
13 the invoices, starting August 31, 2015, and ending
14 November 10, 2015. And, again, these are invoices to
15 the committee but to the attention of Lyle Honig, who
16 you indicated works for the AIDS Healthcare
17 Foundation; is that right?

18 A That's correct.

19 Q The Secretary of State has -- we saw in his
20 letter where he described how much your company was
21 paid. If that's public information, why is the
22 amount in these invoices redacted?

23 A I really don't know.

24 Q I mean, is there some proprietary, sensitive
25 information that you don't want to know what you were

1 paid on a monthly basis or weekly basis?

2 A No.

3 Q Is there a concern that the dollar amounts
4 not seen here are different from what's been reported
5 publicly?

6 A No.

7 Q Did you ask that the amounts in the invoices
8 be blacked out?

9 A I asked that all the invoice amounts be
10 blacked out, yes, primarily concerned with the
11 payments out. So I don't --

12 Q But you also asked that the payments or the
13 invoices of what you would be paid, your company
14 would be paid, would also be blacked out?

15 A I think I asked for all financial
16 information be blacked out, yes.

17 Q There was a subpoena served back May 3 and
18 there was a response provided to the -- provided by
19 your counsel in response to the subpoena. I'm going
20 to mark that as an exhibit.

21 MS. SFERRA: 10?

22 THE REPORTER: Yes.

23 (RELATORS' EXHIBIT 10 WAS MARKED
24 FOR IDENTIFICATION AND ATTACHED HEREWITH.)

25 BY MR. LINDSMITH:

1 Q Mr. Paparella, you have been handed what's
2 been marked Deposition Exhibit No. 10, which is a
3 cover letter from Mr. Ruppert, two-page cover letter
4 and then the actual responses to the third-party
5 subpoena from the RELATORS in this matter. We don't
6 need to look at the letter. It's just for reference.
7 But what follows the letter, the actual responses,
8 have you seen those before?

9 A Yes, I have. I don't recall everything
10 that's in here, but, yes, I saw this before.

11 Q While I'm thinking about it, did you review
12 anything in preparation for today's deposition?

13 A Did I review anything? Well, I provided --
14 when I got back into town Friday night, I went to my
15 office Saturday to start working on getting these
16 materials together that you requested. Other than
17 that, I did not review any document, no.

18 Q Have you read Ms. Lauter's testimony?

19 A I have not.

20 Q Did you read your prior testimony when you
21 were interviewed by the Franklin County Board of
22 Elections?

23 A I did not. I don't even think I have that
24 anywhere.

25 Q Okay. Have you read any pleadings or

1 filings in this case?

2 A I have not. Well, I mean, I may have
3 cursorily looked at some of the stuff that was going
4 back and forth, updates from Mr. McTigue, but did I
5 actually sit down and read every pleadings, no.

6 Q Okay. If you could -- the response to the
7 subpoena doesn't have numbered pages. There's a --
8 so we're going to have to go back and I'll tell you
9 what -- if you go back to, I guess, three pages in
10 when we get to Request No. 1. Do you see that?

11 A Yes.

12 Q All right. So Request No. 1 is "Please
13 produce all communications and documents relating in
14 any way thereto between you and any person that you
15 utilized to circulate the Petition (including without
16 limitation any handouts, manuals, training, and/or
17 instructions)."

18 Now, there was an objection made and I
19 understand the objection, but I have a question for
20 you. How do you communicate with your
21 subcontractors?

22 A By phone primarily.

23 Q Do you have any e-mails at all?

24 A Yeah, sure.

25 Q Do you have e-mails with your

1 subcontractors?

2 A Yeah, sure.

3 Q When you saw the Secretary's letter, did you
4 send any e-mails to your subcontractors saying, hey,
5 look at this, the Secretary seems to be upset and we
6 need to look into this? Anything like that?

7 A I don't know.

8 Q Have you searched your e-mails to see if
9 you've had any communications with your
10 subcontractors concerning this matter?

11 A No.

12 Q Request No. 4, a couple pages back, asked
13 that you "produce all contracts and agreements, and
14 documents relating in any way thereto between you and
15 any person that you utilized to circulate the
16 Petition." Forgive me. I just don't remember. You
17 told me you had written contracts with the
18 subcontractors in this case. I think you said you
19 don't.

20 A I don't. We searched and we didn't. We
21 sometimes do and sometimes don't.

22 Q So for this entire Ohio effort, you have no
23 written contracts with anybody?

24 A I do not.

25 Q Okay. Item 6, "Please produce all documents

1 relating to the permanent residence address of Fifi
2 Harper." Do you have anything like that?

3 A I do not.

4 Q What about Roy Jackson?

5 A I do not.

6 Q What about Kelvin Moore?

7 A I do not.

8 Q Kacey Veliquette?

9 A I do not.

10 Q Request No. 10 says, "Excluding the
11 part-petitions of the Petition, please produce all
12 documents relating to the alteration of, or striking
13 of names on, any part-petition of the Petition prior
14 to submission to the Ohio Secretary of State by a
15 person who was not a signer of the part-petition, an
16 attorney in fact for disabled voters acting pursuant
17 to R.C. 3501.382, or the circulator of the
18 part-petition."

19 Do you see where I've been reading?

20 A I do.

21 Q We have received nothing in response to this
22 request. Are there any documents at all in any way
23 relating to the striking of names?

24 A There's not.

25 MR. RUPPERT: Let me -- Counsel, let me clarify

1 on that. There may be responsive documents to that
2 which are protected by attorney-client privilege.

3 MR. LINDSMITH: Well, that's fine. Yeah, and for
4 all this is -- and you're talking about, Jeff,
5 communications between you and Mr. Paparella?

6 MR. RUPPERT: Communications between
7 Mr. Paparella and other counsel about -- during the
8 petition process.

9 MR. LINDSMITH: But not Mr. McTigue or his
10 office?

11 MR. RUPPERT: I'm not going to disclose who the
12 counsel is at this point. I haven't worked through
13 all those issues. I got all those materials last
14 night and, quite honestly, some of the
15 attorney-client issues in this matter are so
16 complicated I haven't fully worked through them
17 because of the nature of the privilege asserted. I'm
18 not saying we won't eventually turn them over. I'm
19 not ready to turn them over at this point.

20 MR. LINDSMITH: Well, I think we can figure that
21 out pretty quickly here.

22 Q Mr. Paparella --

23 MR. RUPPERT: We're not going to figure it out
24 pretty quickly right now.

25 MR. LINDSMITH: Let me ask the question.

1 Q Mr. Paparella, who is your counsel -- who
2 has been your counsel concerning the Ohio campaign?

3 A I did not have a counsel for the Ohio
4 campaign.

5 Q Well, Mr. Ruppert is your counsel in this
6 matter.

7 A Oh, in this matter, yes, Mr. Ruppert is my
8 counsel.

9 Q Did you retain anybody else to be your
10 counsel from Ohio? Did you retain any other Ohio
11 lawyer?

12 A I did not.

13 Q PCI has no other Ohio lawyer besides
14 Mr. Ruppert?

15 A Currently, that's correct.

16 MR. LINDSMITH: Okay. All right. Jeff, you've
17 heard that answer. I expect documents to be produced
18 if they're communications with any other counsel
19 besides you. I expect those document to be produced.
20 And we also, of course, pursuant to the subpoena, we
21 are requiring a privilege log. And just so we're
22 very clear on the record --

23 MR. RUPPERT: You didn't request a privilege log.
24 Privilege 1 didn't request a privilege log. But,
25 two, I will say that the attorney-client privilege

1 asserted here is not as simple as Mr. Paparella
2 retaining counsel in Ohio.

3 MR. LINDSMITH: That's fine. I mean, the problem
4 is this subpoena was -- is now a month old and we're
5 hearing for the first time that there are documents
6 that are responsive, but you're asserting a privilege
7 involving counsel who's not counsel for PCI. So this
8 is a matter of great concern in view of what's been
9 going on so far. And the court can make its own
10 inferences about that. It's permitted to do so and
11 we'll address that as it comes to pass.

12 THE DEPONENT: I just want to clarify my answer.
13 My answer was I don't know of any documents related
14 to this question, just to make sure I'm clear about
15 that.

16 MR. LINDSMITH: No, I appreciate your answer.
17 Yeah, this is a lawyer's squabble. That's all it is.

18 THE DEPONENT: I understood that it was a
19 lawyer's squabble.

20 MR. LINDSMITH: That's all it is. None of this
21 is directed at you.

22 THE DEPONENT: Okay.

23 BY MR. LINDSMITH:

24 Q Let me just go through these. I may not go
25 through all these. But I take it -- Request No. 11

1 seeks policies or procedures or documents relating in
2 any way to the alteration or striking of names of
3 part-petitions circulated by you or persons utilized
4 to circulate part-petitions.

5 You don't have any substantive documents?

6 A No responsive documents. And I've already
7 testified about the policies.

8 MR. LINDSMITH: Okay. And, Jeff, I'm going to
9 assume that if there is something privileged here,
10 I'm not asking for privileged information. All of
11 this is nonprivileged information. Jeff, if you are
12 taking the position that the privilege is broader
13 beyond Mr. Paparella's counsel, that's a legal
14 position for you to take and I'm not asking the
15 questions in that context. I just want what is
16 nonprivileged.

17 MR. RUPPERT: The only thing I'm trying to
18 clarify is Mr. Paparella may have produced -- just to
19 clarify that he has made good faith attempts to
20 comply with the subpoena, produced documents to me
21 that, in my exercise of good faith and to protect his
22 and other interests, are currently withholding and
23 have not been produced to you. That's all I'm trying
24 to clarify.

25 MR. LINDSMITH: Let me speed this along. The

1 only documents that have been produced in response to
2 the subpoena are Exhibits 9 and 8.

3 Q Mr. Paparella, you've gone through each of
4 these requests and you've determined that there are
5 no other responsive requests other than what counsel
6 says are privileged?

7 A I would have to look at all of these
8 requests again. I can't answer that question without
9 re-reading this.

10 Q Did you -- besides the two documents, 8 and
11 9 that we saw here today, did you produce to counsel
12 any other documents?

13 A No.

14 MR. LINDSMITH: Okay. Jeff, I want to be clear
15 for the record that in response to all of these
16 requests, because this is very important, we have --

17 THE DEPONENT: I'm sorry. I need to correct that
18 answer. Yes, I did produce other documents to
19 counsel.

20 BY MR. LINDSMITH:

21 Q Okay.

22 A Payment documents for sure and maybe others.
23 I don't remember. But no contracts. I mean,
24 nothing -- all the stuff about the written documents
25 or instructions or any of that, the questions you've

1 asked me so far, there were no documents.

2 Q Okay. You said you thought you turned over
3 some payment documents. What do you mean by that?

4 A The payment document -- well, actually, the
5 payment documents that you have, but the redacted.
6 And then produced e-mails and I -- but no -- yeah,
7 just e-mails, I believe. I think that's all it was.

8 Q Did you produce any e-mails with any third
9 party who is not a lawyer?

10 A No.

11 Q Okay. I said "third party." Let me take
12 that out just to make sure we're all clear. Did you
13 produce any e-mails to or from anybody who was not a
14 lawyer?

15 A To or from, no, I did not. E-mails might
16 have included other parties in addition to attorneys.

17 MR. LINDSMITH: Okay. For the record, if there
18 are any e-mail communications with counsel or to any
19 individual who is not PCI's counsel, there's an
20 obligation to produce those or there's an
21 obligation --

22 MR. RUPPERT: And they were --

23 MR. LINDSMITH: There's been no --

24 MR. RUPPERT: They're all reviewed --

25 MR. LINDSMITH: Go ahead, Jeff.

1 MR. RUPPERT: All the communications in which
2 we're discussing with counsel and the individuals who
3 were CC'ed or included on those e-mails were also
4 within the scope of privilege.

5 MR. LINDSMITH: What is the nature of the
6 privilege?

7 MR. RUPPERT: We believe that the privilege is
8 that there is an agency relationship that extends the
9 privilege to Mr. Paparella.

10 MR. LINDSMITH: Who is in the circuit of the
11 agency?

12 MR. RUPPERT: The original contractor of
13 Mr. Paparella, the PAC. The communications which
14 Mr. Paparella is discussing are those communications
15 with him in the PAC, which also contain
16 communications with the PAC's counsel and relate to
17 legal advice.

18 MR. LINDSMITH: So that's Mr. McTigue; is that
19 right?

20 MR. RUPPERT: You can draw that conclusion.

21 MR. LINDSMITH: Oh, come on, Jeff. You are
22 obligated to tell us who the counsel is.

23 MR. RUPPERT: I don't have to tell you who the
24 counsel is. I mean, you can draw the conclusion.
25 Mr. McTigue has worked with. There may be others,

1 too, which Mr. Paparella and others don't have to
2 disclose to you necessarily. I'm just giving you as
3 much as I can right now.

4 MR. LINDSMITH: All right. Well, we're going to
5 need something a lot more specific and very soon.
6 You cannot obstruct --

7 MR. RUPPERT: I don't want to state -- you're
8 also shifting the burden -- you seem to think you can
9 shift the burden to Mr. Paparella. You have a valid
10 objection to your subpoena, which has been sitting
11 there for weeks, which you've taken no action.

12 MR. LINDSMITH: I'm shifting the burden to you.

13 MR. RUPPERT: You seem to think that we are the
14 ones.

15 MR. LINDSMITH: The party asserting the privilege
16 has the burden. We don't.

17 MS. SFERRA: And, Jeff, we didn't know you were
18 asserting it.

19 MR. LINDSMITH: You're producing documents and
20 you're telling us for the first time you're
21 withholding documents on the basis of privilege that
22 there are documents and now you're saying we didn't
23 know before today that the privilege extended beyond
24 just you and PCI's counsel. Now we're hearing
25 something different. So this is pretty --

1 MR. RUPPERT: You created the time frame. We
2 played by time frame. We tried to voluntarily comply
3 with the subpoenas. We received the information
4 according to Mr. Paparella's time frames so he could
5 participate in this discovery according to your time
6 frame. We reviewed those expeditiously and I am
7 asserting the privilege as quickly and as fully as I
8 can.

9 MR. LINDSMITH: I'm sorry, Jeff, but one month is
10 not expeditious. You gave us a written response on
11 May 6. We don't get any document until yesterday. I
12 don't call that expeditious. But we can argue about
13 that later. We are taking up the witness' time here.
14 But this will be -- again, the court can make
15 appropriate inferences from the behavior here.

16 We're going to take a break -- oh, let me go
17 back to where I was. You almost threw me off.

18 I want to be very clear that of the -- out
19 of 26 document requests, we've only received 8 and 9.
20 So am I correct in understanding -- and, Jeff, this
21 is directed at you -- that there are no other
22 responsive documents other than what you are
23 asserting to be privileged documents; is that
24 correct?

25 MR. RUPPERT: Of those documents I received from

1 Mr. Paparella, there are no other documents that have
2 been produced or that we are asserting privilege.

3 MR. LINDSMITH: Thank you.

4 Let's take a break and {Anne Marie and I
5 will consult and we'll see how much more we have, but
6 we are getting close to the end.

7 (Recess taken from 1:11 p.m. to 1:20 p.m.)

8 BY MR. LINDSMITH:

9 Q By the way, I've been maybe a little rude.
10 Counsel on the phone may have questions for you.
11 Counsel for the Secretary of State might have
12 questions for you. I don't know if they do or not.
13 I've been telling you how long I take.

14 I also wanted to mention to you I did
15 appreciate the security issue that you had mentioned
16 earlier, and this was after you gave me your home
17 address. So if counsel is all agreeable, I'm okay
18 with marking that part of the deposition
19 confidential, his home address, so that that part
20 gets redacted if this deposition is filed.

21 Is that -- does anybody have a problem with
22 that?

23 MR. CONOVER: No objection. This is Brodi
24 Conover.

25 THE DEPONENT: I appreciate that.

1 MR. LINDSMITH: You don't -- I mean, if you're so
2 concerned about people coming to your office, you
3 sure as heck don't want them coming to your home. So
4 we'll make that is redacted and confidential.

5 Q In your interview with Brandi Burley
6 (phonetic) of the Franklin County Board of Elections
7 there was mention of a draft memo you sent to
8 Mr. McTigue about the contract and the points and I
9 think even in the course of it the memo was e-mailed.

10 What memo are you referring to? Do you know
11 what I'm talking about?

12 A I don't recall, no.

13 Q The question was, "Did you keep a copy of
14 the draft memo you sent to Don about the contract,"
15 and you have points under there. Your answer was
16 yes. And then there was a discussion about getting a
17 copy and then a copy was transmitted in the course of
18 the deposition to, I think, to your counsel. That
19 doesn't ring a bell?

20 A I think that might have been the petitioner
21 contracts.

22 Q You say the "petitioner contracts," you mean
23 the circulator contracts?

24 A Circulator contracts, yes. I think that's
25 what that's referring to.

1 Q Okay. You indicated that the subcontractors
2 that you subcontracted with did not have a written
3 contract with you. Do you know if they had a written
4 contract with the committee?

5 A No, definitely not.

6 Q Okay. The subpoena for documents was served
7 May 3rd. Your counsel responded on May 6. When did
8 you actually start looking for documents?

9 A Saturday.

10 Q This last Saturday?

11 A (Nods head up and down.)

12 Q Among the documents you did produce, we did
13 see the Form 15s for a number of subcontractors, but
14 we didn't see any for Ballot Access or Direct
15 Democracy. Do you know why that is?

16 A Probably just an oversight. I'm sure they
17 were filed.

18 Q Finally, you indicated the committee is your
19 client. Do you know who are members of the
20 committee?

21 A I do not.

22 Q All right. I'm done with my questions.
23 Counsel on the phone may have questions for you.

24 So I turn it over to counsel.

25 MR. CONOVER: This is Brodi from the Secretary's

1 office and I have no questions for you,
2 Mr. Paparella.

3 MR. LINDSMITH: Anybody else on the line have
4 questions?

5 MR. CLINGER: This is Derek, counsel for
6 Respondents and I do not have any questions either.

7 MR. LINDSMITH: Okay. All right. We will be
8 reserving our right to -- I don't know quite what
9 we're going to be doing here, but there's a number of
10 open discovery issues and we are reserving our right
11 to reopen this deposition and there may be some
12 filings with the court to pursue certain issues that
13 have developed in this case. So subject to our
14 reservation of rights as to follow-up on discovery
15 and pursuing certain issues, including compliance
16 with a validly served subpoena, we will conclude the
17 deposition today.

18 And, Jeff, if you want to mention to him his
19 right to read the transcript.

20 MR. RUPPERT: Mr. Paparella, you have the right
21 to review your transcript and correct any errors or
22 omissions that may be contained in that transcript.
23 And we will reserve that right. It's my
24 recommendation that you do so.

25 THE DEPONENT: Okay. Thank you.

CERTIFIED COPY

1 MR. LINDSMITH: All right. Mr. Paparella, I want
2 to thank you. This is never a fun thing to do when
3 you're the witness, but I do appreciate your time and
4 patience with us today. We are concluded.

5 THE DEPONENT: Thank you.

6 (THE DEPOSITION ADJOURNED AT 1:26 P.M.)

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DEPONENT'S DECLARATION

I, ANGELO PAPARELLA, declare under penalty of perjury that I have read the foregoing transcript, and I have made any corrections, additions, or deletions that I was desirous of making, and that the foregoing is a true and correct transcript of my testimony contained therein.

Executed this _____ day _____ 20____,
at _____, _____.
(City) (State/Country)

ANGELO PAPARELLA

CERTIFIED COPY

1 STATE OF CALIFORNIA)
2) SS.
3 COUNTY OF ORANGE)

4 I, J'nel Erskine, Certified Shorthand Reporter,
5 Certificate No. 11746, in the State of California,
6 duly empowered to administer oaths, do hereby
7 certify:

8 I am the deposition officer that stenographically
9 recorded the testimony in the foregoing deposition;

10 Prior to being examined, the deponent was by me
11 first duly placed under oath;

12 The foregoing transcript is a true record of the
13 testimony given;

14 Pursuant to Rules 30(e) of the Federal Rules of
15 Civil Procedure, it was requested that the deponent
16 shall have 30 days to review the transcript;
17 therefore, any changes made by the deponent or
18 whether or not the deponent signed the transcript
19 cannot at this time be set forth.

20
21 Dated JUNE 7, 2016.

22
23
24
25


J'nel Erskine
Certified Shorthand Reporter No. 11746



CERTIFIED COPY

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF ORANGE)

4 I, J'NEL ERSKINE, Certified Shorthand Reporter,
5 CSR No. 11746, hereby certify:

6 The foregoing is a true and correct copy of the
7 original transcript of the proceedings taken by me
8 as thereon stated.

9
10
11
12 Dated: _____

13
14
15
16 

J'NEL ERSKINE, CSR NO. 11746



EXHIBIT 1 to Paparella Depo Transcript

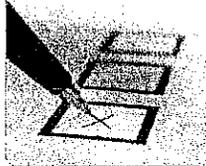


HOME ABOUT US SERVICES RESULTS CLIENT LIST LINKS CONTACT US

CLIENT LIST

Categories:

- Client List by Year
- Notable Campaigns
- Canvass & Corporate List



CANVASS LIST

Year	Candidate	Office
2014	Gwen Graham	US Congress, 2nd Dist, Florida
2013	Nury Martinaz	City Council, Los Angeles, CA
2012	Richard Bloom	50th CA Assembly
2011	Bernard C. Parks	City Council, Los Angeles, CA
2011	Dr. Richard Vladovic	School Board, LAUSD
2009	Curren Price	26th CA Senate
2009	Alena Cindy Gierdina	School Board, Inglewood, California
2008	Robert Blumenfeld	50th CA Senate
2008	Rod Wright	25th CA Senate
2007	Nancy Kraane	City Council, Beverly Hills, CA
2007	Yvonne Horton	City Clerk, Inglewood, CA
2006	Micheal Fuerer	40th CA Assembly
2001	Mariene Canter	School Board, LAUSD
2001	Jack Weiss	City Council, Los Angeles, CA
2000	Derlo Frommer	43rd CA Assembly
2000	Jermone Horton	51st CA Assembly
2000	Al Gore	U.S. President (Oregon Campaign)
1999	Mike Lansing	School Board, LAUSD
1997	Cindy Miscikowski	City Council, Los Angeles, CA

CORPORATE CLIENTS

AT&T
Cadiz, Inc.
Cisco Systems
Greendot Public Schools
Home Depot
Honeywell
Ingenium Charter Schools
J Paul Getty Trust
Lyft, Inc
Playa Vista Development
Porte Vista Development
Providence Holy Cross Hospital
Sidecar Technologies, Inc
Taubman Centers
Trammel Crow Company
Uber Technologies, Inc
Universal Studios & House of Blues
Westfield Developments

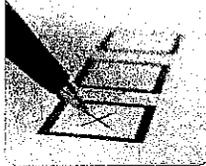
EXHIBIT 1
 Consisting of 24 Page(s)
 Witness Paparella
 Date 6.6.16
 J'nel Erskine, CSR 11746



CLIENT LIST

Categories:

- Client List by Year
- Notable Campaigns
- Canvass & Corporate List



CLIENT LIST BY YEAR

Campaign / Issue	Proponent / Client	Key Supporters
2014		
Prop 47 Criminal Sentencing, CA	Californians for Safe Neighborhoods and Schools	Lt Gov. Gavin Newsom, US Senator Rand Paul, CA Senator Darrell Steinberg, SF District Attorney George Gascon
In Home Care, CA (state legislature adopted major provisions)	Committee to Protect Seniors and People with Disabilities	SEIU Long Term Care Workers, Local 6434
Prop F Pier, San Francisco, CA	Neighbors for Housing and Parks at Union Iron Works, with major support from FC Pier 70, LLC	
City Health Commission, Los Angeles, CA	AIDS Healthcare Foundation	AIDS Healthcare Foundation
Meas. R Your Mailbu Your Decision, Malibu CA	Save Malibu	Rob Rainer
Fire Department Referendum, Hemet, CA	Hemet Fire Department	Hemet Fire Department
Medical Marijuana Dispensaries, Costa Mesa, CA	Committee of Parents Against Cancer	Costa Mesa Mayor Jim Righelmar
Open Space, Buena Park, CA	Citizens to Support Open Space and Preservation	
Minimum Wage Increase, Richmond, CA	Service Employees International Union Local 1021 Issues PAC	SEIU Local 1021 Issues PAC
Amend 88 - Horse Racetrack Proceeds for K-12 Education, CO	Coloradans for Better Schools	
Charter Referendum Reform, Ethics & Campaign Financing, Tallahassee, FL	Represent US!	Represent US!
Candidate Nomination, US Senate, Kansas	Greg Orman	Greg Orman
Ques. 1 - Humane Bear Hunting Practices, Maine	Humane Society	Humane Society
Referendum on Public Act 21 - Wolf Hunting, Michigan	Keep Michigan Wolves Protected	Humane Society
I-1351 - K-12 Education Class Size Reduction, WA	Class Size Reductions	Washington Education Association and the National Education Association
I-1356 - Cigarette Tax for Cancer Research (proponent did not file)	Unite To Fight Cancer	Fred Hutchinson Cancer Research Center, Seattle Childrens Hospital, Form Gov. Christine Gregoire
Rtdshare Referendum, Seattle, WA	Seattle Citizens to Repeal Ordinance 124441	Lyft, Inc, Uber Technologies, Inc, Sidecar Technologies, Inc
2013		
Amend 1 Water & Land Conservation, FL	Water & Land Legacy, Inc	Fmr US Senator Bob Graham, The Nature Conservancy
Amend 2 Medical Marijuana, FL	People United for Medical Marijuana	Fmr Gov Charlie Crist
Referendum on the "Lens" Pier, St Petersburg, FL	Concerned Citizens of St Petersburg	
Referendum on Public Act 520 - Wolf Hunting	Keep Michigan's Wolves Protected	Humane Society
I-594 Universal Background Checks on Gun Purchases, WA	Washington Alliance for Gun Responsibility	Washington Alliance for Gun Responsibility
Prop D Prescription Drug Purchasing, San Francisco, CA	AIDS Healthcare Foundation	AIDS Healthcare Foundation
Prop B Washington Street Development, San Francisco, CA	San Franciscans for Parks, Jobs and Housing	Lt Gov Gavin Newsom, Mayor Ed Lee, SF Fire Fighters, SF Building & Construction Trades Council
Meas K Fort Ord Monterey Downs Development, Monterey County, CA	Fort Ord Access Alliance	
Meas M County Facilities Maintenance, Santa Barbara County, CA	Fix Santa Barbara County Initiative	Supervisor Peter Adam
LA City Health Department, Los Angeles, CA	AIDS Healthcare Foundation	AIDS Healthcare Foundation
Amend 14 Fire & Police Services, Downey, CA	The Downey Firemen's Association	Downey Fire Fighters
Billboards, Los Angeles, CA		
Alpine Unified School District, San Diego County, CA	Alpine High School Citizens Committee	
Letters to Assembly Member Mike Gatto, Los Angeles County, CA	AIDS Healthcare Foundation	AIDS Healthcare Foundation
Competitive Bldding, Cotati, CA		

Hotel Development in Pacoima, Los Angeles, CA		
2012		
Prop 31 State Budget, CA	CA Forward Action Fund & Think Long Committee for CA	
Prop 35 Human Trafficking, CA	California Against Slavery & Safer California Foundation	Chris Kelly, former Chief Privacy Officer, Facebook
Prop 36 Three Strike, CA	The NCAAP Legal Defense and Educational Fund, Inc	The NCAAP Legal Defense and Educational Fund, Inc, George Soros, Chairman, Soros Fund Mgmt
Meas. B, Adult Film/ Safer Sex, Los Angeles County, CA	AIDS Healthcare Foundation	Michael Weinstein, President AIDS Healthcare Foundation
Utility Tax, San Gabriel, CA	Committee of Police and Fire Associations Inspiring Responsible Elections	San Gabriel Police and Fire Associations
Police & Fire Pensions, San Gabriel, CA	Committee of Police and Fire Associations Inspiring Responsible Elections	San Gabriel Police and Fire Associations
Referendum on Medical Marijuana Dispensaries, Los Angeles, CA	Great Los Angeles Collective Alliance	UFCW Local 770
Cadiz Water Project, Orange & San Bernardino Counties	Cadiz Inc.	
Regulations on Medical Marijuana Dispensaries, Los Angeles, CA	Great Los Angeles Collective Alliance	UFCW Local 770
Prop 2 Collective Bargaining, MI	Protect Our Jobs	Michigan UAW, Michigan AFL-CIO, NEA, Michigan Democratic Party, Michigan PTA, AFSCME, Teamsters
Prop 3 Renewable Energy, MI	Michigan Energy, Michigan Jobs	Sierra Club Southeast MI, Michigan Nurses Assoc., UAW
Prop 4 Home Care, MI	Citizens for Affordable Quality Home Care	SEIU
I-1240 Charter Schools, WA	League of Education Voters	Bill Gates
2011		
Lorenzo Development, Los Angeles, CA	Ek & Ek	
Prop D, Pension Reform, San Francisco, CA	Jeff Adachi	Jeff Adachi
LA County Sheriffs for Compton	ALADS PAC	ALADS PAC
Adult Films; Condom Use, Los Angeles, CA	AIDS Health Care Foundation	AIDS Health Care Foundation
Referendum on Medicinal Marijuana Dispensaries, San Jose, CA	Citizens for Patient Care	
Trutanich for District Attorney, Los Angeles County, CA	Draft Carmen Trutanich for District Attorney	
Computer System for Water Filtration, Los Angeles, CA	Honeywell	Honeywell
AT&T Access, CA	AT&T	AT&T
Save Benedict Canyon, Los Angeles, CA	Save Benedict Canyon	
I-1130 Farm Animal Cruelty Prevention, Washington	Humane Society	Humane Society
I-1163 Homecare; Long Term Care, Washington	People for Quality Efficient & Accountable Home Care	SEIU
I-502 Marijuana Tax & Control, Washington	ACLU	ACLU
Referendum of S-1108, Agreements between Teachers and Local School Boards, Idaho	Idaho Education Association	National Education Association
Referendum of S-1110, Teacher Pay on State-Mandated Test Scores, Idaho	Idaho Education Association	National Education Association
Referendum of S-1184, School Funding; Computing Devices & Online Courses, Idaho	Idahoans for Responsible Education Reform	National Education Association
Referendum; Bargaining Rights for Police Officers, Montgomery County, Maryland	The Fraternal Order of Police, Lodge 35	
2010		
Police Jobs, Maywood, CA	Maywood Police Officers Association	Maywood Police
Meas. P Marymount College - Facility Enhancements, Rancho Palos Verdes, CA	Marymount College	Marymount College
Prop G Transit Operator Contracts & Wages, San Francisco, CA	San Franciscans for a Better MUNI	Supervisor Sean Elsbernd, SF Chamber of Commerce, SPUR
Keep the Superior Court at Pier Plaza, Redondo Beach, CA	Keep the Superior Court at Pier Plaza	
Prop 22, Prohibit State from taking some local funds, CA	Californians to Protect Local Taxpayers and Vital Services	California League of Cities, L.A. County Sheriff Lea Baca, California Alliance for Jobs
Parking, Beverly Hills, CA	Committee To Save Free Parking in Beverly Hills	G&L Realty
Charter School Enrollment, Los Angeles, CA	Ingenium Schools	
Light Rail Station, Los Angeles, CA	Dakota Communications	
Stop (or downsize) Bundy Village, Los Angeles, CA	Fight Bundy Village	
Prop B Puppy Mill Cruelty Prevention Act, MO	Missourians for the Protection of Dogs	Humane Society of the U.S., American Society for the Prevention of Cruelty to Animals, St. Louis Cardinals Mgr. Tony LaRussa
Livestock Care and Standards, OH	Ohioans for Humane Farms	Humane Society of the U.S.
		The Nature Conservancy, The

Meas. 76 Parks, Lottery Funding, OR	Oregonians for Water, Parks and Wildlife	Trust for Public Land, Oregon League of Conservation Voters, Former Governors Victor Atiyeh and Barbara Roberts
I-1088 Middle Class Tax Cuts, WA	Washingtonians for Education, Health and Tax Relief	SEIU (WA & D.C.), Bill Gates, Sr.
I-1105 Non State owned Liquor Stores, WA	WA Citizens for Liquor Reform	
2009		
Council Districts, Detroit, MI	League of Women Voters	League of Women Voters
Referendum on Neilman Marcus, Walnut Creek, CA	Residents and Advocates for More Parking and Reduced Traffic (RAMPART), Selma King former Planning Commissioner	Taubman Centers
Referendum on Neilman Marcus, Walnut Creek, CA	Residents and Advocates for More Parking and Reduced Traffic (RAMPART), Selma King former Planning Commissioner	Taubman Centers
Legislative Redistricting, FL	Fair Districts Florida	SEIU
Congressional Redistricting, FL	Fair Districts Florida	SEIU
2008		
Prop 2 Humane Farms, CA	Californians for Humane Farms	The Humane Society of the United States
Prop 8 Non-Violent Offender Sentencing, CA	NORA Campaign - Campaign for New Drug Policies & Drug Policy Alliance Network	George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Prop 7 Renewable Energy, CA	Californians for Solar & Clean Energy	Finn Kydland Nobel Prize Winner in Economics, Dolores Huerta Co-founder United Farm Workers, Danny Glover, Actor
Prop 10 Alternative Fuel Rebates, CA	Californians for Energy Independence	T. Boone Pickens, American Cancer Society (CA), South Coast Air Quality Mgmt. Dist.
Meas. T Land Use & Parking, Santa Monica, CA	Santa Monica Coalition for A Liveable City	UCLA & St. John's Hospitals
Referendum on Neilman Marcus, Walnut Creek, CA	Selma King, former Walnut Creek Planning Commissioner	
Police Employees, Baldwin Park, CA	Baldwin Park Police Association	
Meas. OO Kids First, Oakland, CA	Kids First! Oakland, CA	Kids First! Oakland, CA
East L.A. Cithood, CA	East Los Angeles Residents Association	East Los Angeles Residents Association
Light Rail Expansion, Los Angeles, CA	Dakota Communications	
Light Rail Expansion, West Hollywood, CA	City of West Hollywood	City of West Hollywood
Health Care for All, MI (not filed)	Health Care for All	John Freeman
Downsize State Government (court rejected), MI	Reform Michigan Government Now!	
Prop 1 Increased Tax Limits, Bay County, MI	Bay County Health Plan	
Congressional Redistricting, FL	Fair Districts Florida	SEIU
Legislative Redistricting, FL	Fair Districts Florida	SEIU
I-1000 Death With Dignity, WA	It's My Decision Committee	Gov. Booth Gardner, Lifelong AIDS Assoc., ACLU
I-1029 Homecare Workers, WA	People for Safe Quality Care	SEIU
Ref 1, Shopping Bag Tax, Seattle, WA	Stop the Seattle Bag Tax	American Chemistry Council
2007		
Prop 99 Eminent Domain, CA	Committee of City & County Associations	League of California Cities
Hometown Democracy, FL	Hometown Democracy	Hometown Democracy
Sensible Growth, Sarasota, FL	Citizens for Sensible Growth in Sarasota County, Inc.	Citizens for Sensible Growth in Sarasota County, Inc.
2006		
Meas. T Orderly Growth, Solano County, CA	Orderly Growth Committee	
Meas. M Land Use & Zoning, Indio, CA	Indio Citizens for Positive Planning	
Meas. J Daldio Ranch, San Luis Obispo, CA	Ernest Daldio, Kristine Daldio, and Phyllis Daldio	Ernest Daldio, Property Owner
Health Care, Antelope Valley, CA	Antelope Valley Health Coalition	
Meas. P Parking, Arcadia, CA	Arcadia First!	Westfield Group
Meas. N Sign Regulation, Arcadia, CA	Arcadia First!	Westfield Group
Gov't Accountability, Los Angeles, CA	Citizens for Reform	
Prop 201 Ban Indoor Smoking, AZ	Smoke Free Arizona	Arizona Asthma Coalition, American Cancer Society, Arizonal Hospital & Healthcare Assoc.
Prop 204 Humane Treatment of Animals, AZ	Arizonans for Humane Farms	Humane Society
Referendum Phoenix, AZ	Citizens for Smart Growth Now	
Meas. 4 Medical Marijuana, SD	South Dakota Medical Marijuana	South Dakotans for Medical Marijuana
Minimum Wage (legislature adopted), MI	Michigan Minimum Wage Campaign	Michigan Democratic Party
Amnd 4 Smoking Prevention Programs, FL	American Cancer Society	American Cancer Society, American Lung Assoc., American Heart Assoc.
Hometown Democracy, FL	Hometown Democracy	Hometown Democracy
Charter Reform, North Miami Beach, FL	North Miami Beach Citizens Coalition	
I-937 Clean & Renewable Energy, WA	Washingtonians for Energy Security	SEIU, League of Women Voters, Washington State Democrats, Republicans for Environment Protection (WA), Green Party

		(WA), American Cancer Society
I-88 Student Achievement, Seattle, WA	Great Schools for a Great City	
I-92 Quality Health Care, Seattle, WA	Campaign for Quality Care	SEIU
I-91 Supersonics Referendum, Seattle, WA	Citizens for More Important Things	SEIU
Meas. 5 Smoke Free Workplaces, OH	Smoke Free Ohio	American Cancer Society, American Heart Association (Ohio Valley)
Zoning, Strongsville, OH	Strongsville Citizens	
Zoning, Mentor, OH	Mentor Citizens' Committee	
2005		
Prop 78 Prescription Drugs	Pharmaceutical Research & Manufacturers of America California Initiative Fund	Johnson & Johnson, Merck & Co., Inc., GlaxoSmithKline, Pfizer, Inc.
Meas. A NFL use of Rose Bowl, Pasadena, CA	Friends of the Rose Bowl	
Meas. L Urban Limit Line, Brentwood, CA	Nunn Farms	Nunn Farms
Meas. K Growth & Traffic Relief, Antioch, CA	Roddy Ranch PBC, LLC	Donald P. Freltas, Antioch Mayor
Meas. P Urban Limit Line, Pittsburg, CA	Mary Coniglio (Pittsburg Resident)	Mary Erbez, former Pittsburg Mayor & City Clerk
Prop 3 Save the Doves, MI	Committee to Restore the Dove Shooting Ban	Humane Society
Boards & Commissions, Baton Rouge, LA	Agenda For Change	Austin G
I-901 Healthy Air/Ban Cigs Indoor, WA	Healthy Indoors for All Washington	American Cancer Society
Prop 1 Fluoride & Water, Bellingham, WA	Bellingham Families for Fluoride	
2004		
Prop 63 Mental Health Services, CA	Campaign for Mental Health Yes on 63.org	CA Assemblyman Darrell Steinberg, California Council of Community Mental Health Services
Prop 62 Elections & Primaries, CA	Californians for an Open Primary PAC	Eli Broad, Chairman, AIG Sun America Inc., Reed Hastings, CEO Netflix, Steven Westly, CA State Controller, Hewlett Packard Company
Prop 65 City Revenues Protection	Californians to Protect Local Taxpayers & Public Safety Committee	California League of Cities
Prop 70 Tribal Gaming Compacts	Citizens for a Fair Share of Indian Gaming Revenue	Agua Caliente Band of Cahuilla Indians, San Manuel Band of Mission Indians
Nader for President	Ralph Nader	Ralph Nader
Development Ref 387, Glendale, CA	Glendale Galleria	Glendale Galleria
Development Ref 389, Glendale, CA	Glendale Galleria	Glendale Galleria
Development Ref 390, Glendale, CA	Glendale Galleria	Glendale Galleria
Meas. S Comm. Coll. Bond, Santa Monica, CA	Communities for Excellent Public Schools (CEPS)	Communities for Excellent Public Schools (CEPS)
Meas. A Referendum on Montage Hotel, Beverly Hills, CA	The Beverly Hills Residential-Business Alliance	Thomas A. White, Chairman, Municipal League of Beverly Hills, Dorothy Kaufman, League of Women Voters (Beverly Hills)
Urban Growth, Volusia County, FL	Hometown Democracy	Volusia & Flagler Environmental Action Committee
Land Use, FL	Hometown Democracy	
I-884 Education Reform, WA	Washington Education Trust Committee	Gov. Gary Locke
Initiative 1 Clean Water, Utah	Utah Critical Lands Alliance	Utahns for Clean Water, Clean Air and Quality Growth
2003		
Lap Dancing Referendum, L.A., CA (city adopted)	Public Safety Coalition	
School District, Camarillo, CA	Camarillo Unified	
Anti-Davis Recall, Placerville, CA	Gov. Gray Davis	Gov. Gray Davis
Meas. M Aggressive Solicitation, San Francisco	Committee to Stop Aggressive Panhandling	Supervisor Gavin Newsom
Clean Government, SF (negotiated compromise)	Clean City Committee	
Violation of Oath, FL (not filed)	Citizens for Public Integrity	
I-297 Clean Up Hanford, WA	Protect Washington/Heart of America Northwest	Gerald Pollet
2002		
Prop 50 Water Bond, CA	Yes on 50, Californians for Safe, Clean Water	Conservation Action Fund, The Nature Conservancy Action Fund
Prop 49 After School Programs, CA	Citizens for After School Programs, Yes on 49	Arnold Schwarzenegger, Actor & Entertainer
School District, Santa Paul, CA	Committee for Santa Paula Schools	
School District, Hawthorne, CA	Committee for Hawthorne Schools	
School District, Signal Hill, CA	Committee for Signal Hill Schools	
Homecare, Los Angeles County, CA	L.A. County Homecare Workers	SEIU
Playgrounds, El Segundo, CA	C.A.G.E.S.	
Open Space, El Segundo, CA	C.A.G.E.S.	
Non-Tribal Gaming, AZ	Race Track Alliance	
Quest. 2 Slot Machines, ME	Best Bet for Maine	
Quest. 2 English First, Bi-Lingual Ed, MA	English for the Children, Massachusetts	Ron Unz
Prop 1 Straight Ticket Voting, MI	Michigan Democratic State Central Committee	Michigan Democratic Party

Prop 3 Unions & Arbitration Rules, MI	Michigan Merit Committee	United Auto Workers
Drug Treatment Programs, MI (court rejected)	(Michigan) Campaign for New Drug Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Issue 1 Drug Treatment Programs, OH	Campaign for New Drug Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Life Without Parole, OR	Life For A Life Committee	
Amendment 11 Education, FL	Education Excellence for Florida	U.S. Senator Bob Graham, Charles Read former Chancellor University of Florida
Drug Treatment Reform, FL	Campaign for New Drug Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Class Size Reduction, FL	Coalition to Reduce Class Size	
Medical Marijuana, DC	Washington D.C. Campaign for New Drug Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Drug Reform, DC	Washington D.C. Campaign for Medical Marijuana Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
I-780 Police & Fire Retirement Benefits, WA	Washington State Council of Firefighters, Washington Council of Police and Sheriffs	Washington State Council of Firefighters, Washington Council of Police and Sheriffs
Quality Programs for Kids, Seattle, WA	Early Learning Y Care Campaign Committee	
Initiative 1 Radioactive Waste, Utah	Utahns for Radioactive Control, Utah Education Association	National Education Association Ballot Fund
2001		
Prop 45 Term Limits Reform, CA	Citizens' Right to Petition, Yes on Prop 45	California Democratic Party, California State Council of Service Employees, California Teachers Association
Drug Reform, FL (not filed)	Florida Campaign for New Drug Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
I-773 Tobacco & Health Care, WA	Healthcare for Washington's Working Families	American Cancer Society, American Lung Assoc., American Heart Assoc.
I-775 Homecare, WA	Pudget Sound Council of Senior Citizens, Washington Citizen Action	SEIU
2000		
Prop 36 Drug Reform, CA	California Committee for New Drug Policies	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Prop 38 School Vouchers, CA	Prop 38 Yes.com	
Meas. A Complete 710 Pasadena, CA	The 710 NOW Freeway Committee	
Meas. KK Living Wage Santa Monica, CA	Santa Monicans for Living Wage	Santa Monica Chamber of Commerce
Meas. T No Walmart/Union Jobs, Palmdale, CA	UFCW	Local 770
Meas. A Safe Sex West Hollywood, CA	AIDS Health Foundation	AIDS Health Foundation
Plebiscite Safe Sex, CA	AIDS Health Foundation	AIDS Health Foundation
Greek Theater Referendum (city adopted)	Universal Studios/House of Blues	Universal Studios/House of Blues
Meas. H Hollywood Cithood, CA	Hollywood VOTE	Jean LaPita, Ferris Wehbe
Cable TV Plebiscite, Los Angeles, CA	RCN Digital Cable	
Energy Construction, San Jose, CA	Cisco Systems	Cisco Systems
Meas. 1 Education Reform, OR	Oregon School Boards Association	Governor John A. Kitzhaber
Head Start Plebiscite, OR	Head Start	Head Start
Meas. 3 Asset Forfeiture, OR	Oregonians for Property Protection	Oregonians for Property Protection, Libertarian Party of Oregon, Oregon Gun Owners, State Rep. Floyd Prozanski
Meas. 89 Homecare, OR	Oregonians for Quality Homecare	SEIU
Meas. 4 Tobacco & Health Care, OR	Oregon Assoc. of Hospitals	Oregon Assoc. of Hospitals
Repeal Death Penalty, OR (not filed)	Life for a Life Committee	
Land Use, Portland, OR	Neighbor Preservation Committee	
Prop 204 Tobacco Litigation Monies & Health Care, AZ	The Healthy Arizona Initiative	Arizona Rural Health Assoc., Arizona AIDS Policy Alliance, AFL-CIO Central Labor Council of Southern Arizona
Prop 203 English Language Education for Children in Public Schools, AZ	English for the Children	Ron Unz
Init. B Asset Forfeiture, Utah	Utahns for Property Protection	George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
1999		
Car Tax, CA (not filed)	Committee to Stop the Car Tax	
Prop 23 None of the Above, CA	Friends of Ernst Political Action Committee	Alan Shugart, President AL Shugart International, Inc.
Prop 25 Political Reform, CA	Voters Rights 2000	Ron Unz

Meas. A Eminent Domain, Ventura, CA	Ventura Cares	
AIDS Research Funding Plebiscite, CA	AIDS Health Foundation	AIDS Health Foundation
Speed Bumps, Auburn, CA	Auburn Taxpayers & Parents for Safe Streets	
Open Access Plebiscite, CA	Dakota Communications	
Meas. 1 Eminent Domain Huntington Beach, CA	Huntington Beach Cares	
Prop E Welfare Reform, San Francisco, CA	San Francisco Cares	Supervisor Gavin Newsom, San Francisco Chamber of Commerce
Sunset Millennium Hotel, Los Angeles, CA	Sunset Millennium Project	
Development, Redlands, CA	San Bernardino Co. Taxpayers Coalition	
Quest. 8 Drug Reform, MA	Committee for Forfeiture Reform	The Coalition for Fair Treatment
1998		
Meas. 7 Term Limits, AK	U.S. Term Limits	U.S. Term Limits
Meas. 8 Medical Marijuana, AK	American for Medical Rights	
Term Limits AZ	U.S. Term Limits	U.S. Term Limits
Police Union Benefits Tucson, AZ	Tucson Employee Meet and Confer Committee	
Prop 227 English First, CA	English for the Children	Ron Unz
Prop 4 Ban Animal Traps, CA	ProPaw - Protect Pets and Wildlife Committee	Humane Society
Prop 6 Ban Horse Slaughter, CA	California Equine Council	Cathleen Doyle
Prop 10 Early Children Programs, CA	California Children and Families Initiative	Rob Rether
Meas. A MTA Reform L.A. County, CA	Citizens to Reform MTA	Supervisor Zev Yaroslavsky
Meas. F San Fernando Valley Cithood, CA	Valley VOTE	Jeff Brian
Charter Schools CA (legislature adopted)	Californians for Public School Excellence	Reed Hastings, CEO Netflix
Prop 27 Term Limits Reform, CA	U.S. Term Limits	U.S. Term Limits
Recall Zerah Thousand Oaks, CA	YES! Remove Elio Zerah	
Meas. B Rural Development San Diego Co, CA	San Diego Co. Rural Heritage and Watershed Committee	Save Our Forests & Rangelands
Non Profit Bargaining San Francisco, CA	San Franciscans United to Save Our Non-Profits	
Trash Collection Escondido, CA	Solid Waste Competition & Open Market Campaign	
Prop A Fur Labels Beverly Hills, CA	Campaign for Fur Labels	Buddy Hackett, Old Cesar, Jack Lemon
Medical Marijuana, CO (court rejected)	Coloradans for Medical Rights	
Amnd. 19 Term Limits, CO	U.S. Term Limits	U.S. Term Limits
Term Limits, FL (court rejected)	Floridians for Congressional Term Limits	
Fish & Game, FL (court rejected)	Fish & Wildlife Conservation Committee	
Prop 1 Term Limits, ID	U.S. Term Limits	U.S. Term Limits
Quest. 2 Medical Marijuana, ME	Mainers for Medical Rights	
Term Limits, MI (not filed)	U.S. Term Limits	U.S. Term Limits
Term Limits, MS	Mississippi Citizens for Legislative Term Limits	
I-136 Sportsmen (licensing), MT	Dawson County Rod & Gun Club	
I-137 Mining/Ban use of Cyanide, MT	Montana Environmental Information Center	
Public Utilities Plebiscite, NE	AT&T	AT&T
Quest. 9 Medical Marijuana, NV	Nevadans for Medical Rights	Peter Lewis, CEO, The Progressive Corporation; George Soros, CEO, Soros Fund Mgmt.; John Sperling, CEO, The Apollo Group
Meas. 57 Referendum on Recriminalizing Marijuana, OR	Oregonians for Medical Rights	
Meas. 96 Parks, Lottery Funds, OR	Nature Conservancy	Nature Conservancy
Meas. 67 Medical Marijuana, OR	Oregonians for Medical Rights	ACLU
I-692 Medical Marijuana, WA	Washington Citizens for Medical Rights	Robert Killian, MD
I-98-1 Union Contracting, Spokane, WA	Washington State Council of County and City Employees	Washington State Council of County and City Employees
1997		
After School/Tobacco Tax CA (not filed)	After School Tutorial Committee	
I-676 Handgun Control WA	Washington Citizens for Handgun Safety	William H. Gates, Bill and Mellinda Gates
I-677 Workplace/Sexual Orientation WA	Washington Citizens for Fatness/Hands off Washington	Candace Gingrich, Spokeswoman Human Rights Campaign
I-693 Medical Marijuana, WA	Citizens for Drug Policy Reform	
1996		
Prop 210 Minimum Wage CA	Living Wage Coalition c/o CA Labor Federation, AFL-CIO	California Labor Federation, AFL-CIO, California Small Business Owners Alliance, League of Women Voters, Sierra Club
Prop 214 HMO Reform CA	Californians for Patient Rights	SEIU
Prop 216 Medical Marijuana CA	Californians for Medical Rights, Californians for Compassionate Use	George Soros, Peter Lewis, George Zimmer, John Sperling
Prop 217 Top Tax Brackets CA	California Tax Reform Association	Lenny Goldberg
Meas. E Save Highland Hosp. Alameda Co., CA	Vote Health	
Meas. K Kids First Oakland, CA	Kids First Oakland, CA	Kids First Oakland, CA
Prop 8 Charter Reform Los Angeles, CA	Citizens to Turn L.A. Around	L.A. Mayor Richard Riordan

Prop 223 "95/5" Public Schools CA	United Teachers Los Angeles	United Teachers Los Angeles, Michael Huffington
Prop 225 Term Limits CA	U.S. Term Limits	U.S. Term Limits
Amnd. 9 Term Limits MO	U.S. Term Limits	U.S. Term Limits
Meas. A Minimum Wage MO	Committee to Reward Work	
Meas. 48 Term Limits OR	U.S. Term Limits	U.S. Term Limits
I-870 Term Limits WA	U.S. Term Limits	U.S. Term Limits
1995		
Prop 200 No Fault Auto Insurance CA	Alliance to Revitalize California	Andrew Tobias, Winner, Consumer Federation of America Media Service Award
Prop 201 Derivatives/Class Actions CA	Alliance to Revitalize California	Charles Schwab, CEO, Charles Schwab & Co., Alan Shugar, Chairman, Seagate Technologies, Inc.
Prop 202 Attorney Fees CA	Alliance to Revitalize California-	Thomas Proulx, Author of Quicken personal finance software
1994		
Prop 186 Single Payer California	Health Access	

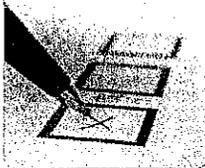


HOME ABOUT US SERVICES RESULTS CLIENT LIST LINKS CONTACT US

CLIENT LIST

Categories:

- Client List by Year
- Notable Campaigns
- Carivass & Corporate List



NOTABLE CAMPAIGNS

American Civil Liberties Union (ACLU)
California, 2014 Prop 47 Criminal Sentencing
Washington, 2012 I-502 Marijuana Tax & Control

AIDS Health Care Foundation
Los Angeles, California 2014, City Health Department
San Francisco, California 2013, Prop D Prescription Drug Purchasing
Los Angeles, California 2013, City Health Department
Los Angeles County, California 2012, Adult Films; Condom Use
Los Angeles, California 2011, Adult Films; Condom Use

National Education Association
Washington, 2014 I-1351 Class Size Reduction
Michigan 2012, Prop 2 Collective Bargaining
Idaho 2011, Referendum of S-1108 Agreement between Teacher & Local School Boards
Idaho 2011, Referendum of S-1110 Teacher Pay on State-Mandated Test Scores
Idaho 2011, Referendum of S-1184 School Funding; Computing Devices & Online Courses

American Cancer Society
Florida 2006, Amend. 4 Smoking Prevention Programs
Arizona 2006, Prop 201 Smoke Free Arizona
Ohio 2006, Meas. 5 Smoke Free Workplaces
Washington 2006, I-937 Clean & Renewable Energy
Washington 2005, I-901 Healthy Air/Ban Indoor Smoking
Washington 2001, I-773 Tobacco & Health Care
California 1996, Prop 10 Early Childhood Development

The NAACP Legal Defense and Educational Fund, Inc.
California 2012, Prop 36 Three Strikes

Michigan Democratic Party
Michigan 2012, Prop 2 Collective Bargaining
Michigan 2006, Minimum Wage Increase (legislature adopted)
Michigan 2002, Prop 1 Straight Ticket Voting

The Nature Conservancy
Florida 2013, Amend 1, Water & Land Conservation
Oregon 2010, Meas. 78 Parks, Lottery Funds
Utah 2004, Init. 1 Clean Water
California 2002, Prop 60 Water Bond
Oregon 1998, Meas. 66 Parks, Lottery Funds

The Humane Society
Maine 2014, Ques. 1 Fair Bear Hunting Practices
Michigan 2014, Referendum on Wolf Hunting
Michigan 2013, Referendum on Wolf Hunting
Washington 2011, I-1130 Farm Animal Cruelty Prevention
Missouri 2010, Prop B Puppy Mill Cruelty Prevention Act
Ohio 2010, Livestock Care and Standards (Legislature Adopted)
California 2008, Prop 2 Humane Treatment of Farm Animals
Arizona 2006, Prop 204 Humane Treatment of Farm Animals
Michigan 2005, Prop 3 Ban on Dove Hunting
California 1996, Prop 4 Ban on Traps

California Federation of Labor
California, Prop 47 Criminal Sentencing

California Teachers Association
California, 2014 Prop 47 Criminal Sentencing

Everytown For Gun Safety
Washington 2014, I-594 Expanded Background Checks on Gun Purchases

Service Employees International Union (SEIU)
California 2014, Prop 47 Criminal Sentencing
Michigan 2012, Prop 4 Home Care
Washington 2011, I-1183 Home Care; Long-Term Care
Washington 2010, I-1098 Middle Class Tax Cuts
Florida 2008-09, Legislative Redistricting
Florida 2008-09, Congressional Redistricting
Washington 2008, I-1029 Homecare Workers
California 2008, Prop 89 Eminent Domain
Washington 2008, I-937 Clean & Renewable Energy
Seattle, Washington 2008, I-91 Superonics Referendum
Seattle, Washington 2008, I-92 Quality Health Care
Los Angeles, California 2002, Homecare Reform
Washington 2001, I-775 Homecare
Oregon 2000, Meas. 89 Homecare
California 1996, Prop 214 HMO Reform
Michigan 2002, Prop 3 Merit Pay & Arbitration

United Auto Workers (UAW)
Michigan 2012, Prop 2 Collective Bargaining
Michigan 2012, Prop 3 Renewable Energy
Michigan 2002, Prop 3 Merit Pay & Arbitration

United Food & Commercial Workers (UFCW) Local 770 Los Angeles, California
California 2014, Prop 47 Criminal Sentencing
Los Angeles, California Referendum on Medical Marijuana Dispensaries
Los Angeles, California Regulations on Medical Marijuana Dispensaries
Palmdale, California 2000, Meas. T Zoning and Land Use

American Federation of Labor & Congress of Industrial Workers (AFL-CIO)
California 2014 Prop 47 Criminal Sentencing
Michigan 2012, Prop 2 Collective Bargaining
California 1996, Prop 210 Increase the Minimum Wage

Teamsters
Michigan 2012, Prop 2 Collective Bargaining

League of California Cities
 California 2010, Prop 22 Prohibit State From Taking Some Local Funds
 California 2008, Prop 99 Eminent Domain
 California 2004, Prop 65 City Revenues Protections

League of Women Voters, Michigan
 Detroit, Michigan 2009 City Councils by Districts

Washington Alliance for Gun Responsibility
 Washington 2013, I-594, Universal Background Checks on Gun Purchases

George Soros, CEO, Soros Fund Mgmt., John Sperling, CEO, The Apollo Group, Peter Lewis, CEO, The Progressive Corporation, George Zimmer, CEO, The Men's Warehouse
 California 2014, Prop 47 Criminal Sentencing
 California 2012, Prop 36 Three Strikes
 California 2008, Prop 5 Non-Violent Offenders, Sentencing
 Michigan 2002, Drug Treatment Programs
 Ohio 2002, Issue 1 Drug Treatment Programs
 Florida 2006, Drug Treatment Programs
 District of Columbia 2002, Medical Marijuana
 District of Columbia 2002, Drug Reform
 California 2000 Prop 36, Drug Treatment Programs
 Utah 2000, Init. B, Asset Forfeiture
 Nevada 1996, Question 9 Medical Marijuana
 California 1996, Prop 219 Medical Marijuana

Bill Gates, Chairman & Co-Founder, Microsoft
 Washington 2012, I-1240 Charter Schools
 Washington 1997, I-678 Handgun Control

Reed Hastings, CEO Netflix
 California 2014, Prop 47 Criminal Sentencing
 California 2004, Prop 62 Elections & Primaries
 California 1996, Charter Schools (legislature adopted)

Lt Governor Gavin Newsom
 California 2014 Criminal Sentencing
 San Francisco, California 2003 Meas. M Aggressive Solicitation
 San Francisco, California 1999 Meas. E Welfare Reform

California Senator Darrell Steinberg
 California 2014, Prop 47 Criminal Sentencing
 California 2004, Prop 93 Mental Health Services

US Senator Bob Graham
 Florida 2000, Amnd. 11 University Trustees

Rob Reiner, Producer, Castle Rock Entertainment
 Malibu, California 2014 Meas R Your Malibu Your Declaton
 California 1998, Prop 10 Early Childhood Development

Congresswoman Gabrielle Giffords & Astronaut Mark Kelly
 Washington 2014, I-594 Expanded Background Checks on Gun Purchases

Mayor Richard Riordan
 Los Angeles 1997, Prop 8 Charter Reform

Chris Kelly, former Chief Privacy Officer, Facebook
 California 2012, Prop 35 Human Trafficking

Andrew Tobias, Winner, Consumer Federation of America Media Service Award
 California 1996, Prop 209 No Fault Auto Insurance

Rand Paul, US Senator
 California, 2014 Prop 47 Criminal Sentencing

Charles Schwab, CEO, Charles Schwab & Co.
 California 1996, Prop 201 Legal Fees In Shareholder Suits

Thomas Prout, Author of Quicken personal finance software
 California 1996, Prop 202 Attorney Fees

Aian Shugart, Chairman, Seagate Technologies, Inc.
 California 1999, Prop 23 None of the Above
 California 1996, Prop 201 Legal Fees In Shareholder Suits

Supervisor Sean Elsbernd
 San Francisco, California 2010 Prop G Fix Muni



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signature History

OVERALL SIGNATURE HISTORY

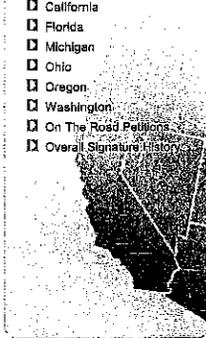
Year	Initiatives & Candidates Qualified	Signatures Collected
2014	35	2,832,791
2013	16	2,671,393
2012	21	6,052,178
2011	18	1,396,640
2010	21	2,473,138
2009	8	1,984,936
2008	24	4,260,471
2007	2	1,666,932
2006	17	2,081,791
2005	8	1,026,433
2004	19	5,425,324
2003	4	684,181
2002	23	5,165,024
2001	27	1,573,861
2000	19	3,433,291
1999	14	3,219,939
1998	28	6,623,273
1997	13	604,800
1996	13	3,795,703
1995	3	2,435,090
1994	1	500,000
Totals	308	57,946,669



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signature History



On the Road Petitions

- 2014 **Colorado**
88 Horse Racetrack Gaming Proceeds for K-12 Education
- Kansas**
Candidate Nomination -- Greg Orman for US Senate
- Maine**
Ques. 1 - Humane Bear Hunting Practices
- Utah**
Count My Vote Initiative (Proponent did not file)
- 2011 **Maryland**
Referendum; Bargaining Rights for Police Officers (Montgomery County)
- Idaho**
Referendum of S-1109 - Agreements between Teachers & Local School Boards
Referendum of S-1110 - Teacher Pay on State-Mandated Test Scores
Referendum of S-1184 -- School Funding; Computing Devices & Online Courses
- 2010 **Missouri**
Prop. B - Puppy Mill Cruelty Prevention Act
- 2006 **South Dakota**
Meas. 4 - Medical Marijuana
- District of Columbia**
Slot Machines
- 2005 **Louisiana**
Boards & Commissions (E. Baton Rouge)
- 2004 **Maine**
Slot Machines
- District of Columbia**
Slot Machines
- Utah**
Init. 1 - Clean Water
- 2002 **Maine**
Ques. 2 - Slot Machines
- Massachusetts**
Ques. 2 - English First/BI-Lingual Programs
- District of Columbia**
Medical Marijuana
Drug Reform
- Utah**
Init-1 - Radioactive Waste
- 2000 **Utah**
Prop 2- Asset Forfeiture
- 1999 **Massachusetts**
Ques. 8 - Drug Reform
- 1998 **Alaska**
Meas. 7 - Term Limits
Meas. 8 - Medical Marijuana
- Colorado**
Medical Marijuana
Amend 9 - Term Limits
- Idaho**
Prop 1 - Term Limits
Nomination: Paqua for Congress
- Maine**
Ques. 2 - Marijuana
- Mississippi**
Meas. 9 - Term Limits
- Montana**
Term Limits
I-128 - Sportsman (Hunting & Fishing)
I-137 - Ban Cyanide in Mining
- Nebraska**
Term Limits
Plebiscite - Public Utilities
- New York**
Term Limits Party
- Nevada**
Ques. 9 - Medical Marijuana
- South Dakota**
Term Limits
Term Limits Referendum
- 1996 **Missouri**



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petition
- Overall Signature History

Washington Campaign History: Over 6.8 million signatures

Perfect qualification record, 80% validity or higher on every initiative.

2014	I-1351 - K-12 Education Class Size Reduction
	I-1356 - Cigarette Tax for Cancer Research (proponent did not file)
	2 Rideshare Referendums (City of Seattle)
2013	I-594 Universal Background Checks on Gun Purchases
2012	I-1240 - Charter Schools
2011	I-1130 - Farm Animal Cruelty Prevention
	I-1163 - Homecare; Long-Term Care
	I-502 - Marijuana Tax & Control
2010	I-1098 - Middle Class Tax Cuts
	I-1105 - Non State owned Liquor Stores
2008	I-1000 - Death with Dignity
	I-1029 - Homecare Workers
	R-1 - Bag Tax (Seattle)
2007	I-973 - Homecare
2006	I-937 - Clean & Renewable Energy
	I-87 - Student Achievement Investment (Seattle)
	I-81 - Supersonics (Seattle)
	I-82 - Quality Air (Seattle)
	Prop 1 - Property Tax Levy (Seattle)
2005	I-901 - Healthy Air
	Prop 1 - Fluoridated Water (Bellingham)
	R-1 - Adult Clubs (Seattle)
2004	I-336 - Medical Malpractice
	I-884 - Funding Education
	R-55 - Charter Schools
2003	I-77 - Espresso Tax/Child Care (Seattle)
	I-297 - Clean Up Hanford
2002	I-790 - Firemen Retirement
2001	I-773 - Tobacco Tax/Healthcare
	I-775 - Homecare
1998	I-662 - Medical Marijuana
	* - Union Contracts (Spokane)
	*(City adopted)
1997	I-676 - Handgun Control
	I-877 - Job Discrimination- Sexual Orientations
	I-686 - Medical Marijuana
1996	I-670 - Term Limits



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signature History

Oregon Campaign History: Over 1 million signatures

- 2010
- Meas. 76 - Parks
- 2002
- Fees (Salem)
- Life without Parole (drive halted)
- 2000
- Meas. 1 - Education Reform
- Plebiscite - Head Start
- Meas. 3 - Asset Forfeiture
- Meas. 4 - Tobacco & Health Care
- Meas. 99 - Home Care
- Prohibit Death Penalty (drive halted)
- Land Use (Portland)
- 1998
- Meas. 57 - Decriminalize Marijuana
- Meas. 66 - Parks
- Meas. 87 - Medical Marijuana
- 1996
- Meas. 46 - Term Limits



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signature History

Ohio Campaign History: Over 1.5 million signatures

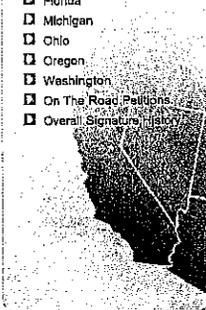
<p>2010 Livestock Care and Standards (Legislature Adopted)</p> <p>2006 Meas. 5 - Smoke Free Work Places Zoning, Strongsville Zoning, Mentor</p> <p>2002 Issue 1 - Drug Treatment Programs</p>



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signature History



Michigan Campaign History: Over 4.2 million signatures

Validity rates on PCI Consultants, Inc statewide petitions: 79.7% to 87.9%

2014
Referendum to Public Act 21 – Wolf Hunting (Keep Wolves Protected) Candidate Nomination: Kumar

2013
Referendum to Public Act 520 – Wolf Hunting (Keep Wolves Protected)

2012
Prop 2 – Collective Bargaining
Prop 3 – Renewable Energy
Prop 4 – Home Care
Plebiscite – League of Conservation Voters
3 Candidate Nominations

2010
Political Party Candidate Nominations

2009
Proposal D - Council by Districts (City of Detroit)

2008
Health Care for All (Drive halted)
Downsize State Gov't/Redistricting (Removed from ballot by court challenge)
Prop 1 - Increased Tax Limits (Bay County)
Prop 1 - Medical Marijuana (City of Ferndale)
Candidates Nominations: Walsh, Kuhn, Howell

2006
Increase Minimum Wage (Legislature adopted)
Candidate Nomination: Mattson

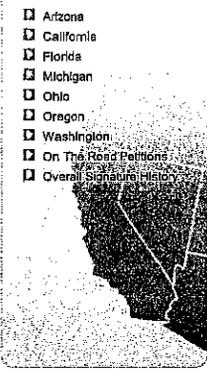
2005
Prop 08-3 - Dove Hunting Referendum

2002
Prop 02-1 - Straight Ticket Voting Referendum
Prop 02-3 - Merit Pay
Treatment for Nonviolent Offenders, Drug Reform - (Removed from ballot by court challenge)
Candidates Nominations: Cavanaugh, Frangle, Levin, Carl, Levin, Sender, Marlinga, Moody, Schwartz



RESULTS

Million Signature States:



Florida Campaign History: Over 7 million signatures

<p>2014 Tallahassee Charter Referendum: Ethics, Anti-Corruption Code, Campaign Financing Board (City of Tallahassee)</p> <p>2013 Amend 1- Water & Land Conservation Amend 2- Medical Marijuana "Stop the Lens" Pfor Referendum (St. Petersburg)</p> <p>2010 Amend 5 - Legislative Redistricting Amend 6 - Congressional Districts Redistricting</p> <p>2008 Congressional Redistricting - Supreme Court Review Legislative Redistricting - Supreme Court Review</p> <p>2007 1 Candidate Nomination Urban Growth, two Initiatives (Sarasota Co.)</p> <p>2006 Amend 4 - Protections for Youth from Smoking Urban Growth (Volusia Co.) Charter Reform (North Miami Beach) Hometown Democracy - Supreme Court Review</p> <p>2004 Violation of Oath of Office (Withdrawn by proponent)</p> <p>2002 Amend 11 - Trustees & Governing Board, University System Drug Reform - Supreme Court Review</p> <p>1998 Term Limits - Supreme Court Review Fish & Game - Supreme Court Review</p>



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signatures History

California Campaign History: Over 35 million signatures

2014
 Prop 47 Criminal Sentencing – Safe Neighborhoods
 b – In Home Care
 Meas. N - Medical Marijuana (Lake County)
 a – City Health Commission (City of Los Angeles)
 Prop F Pier 70 (City of San Francisco)
 b – AirbnB (City of San Francisco)
 d – Medical Marijuana Dispensaries (City of Costa Meaa)
 d – Minimum Wage Increase (City of Richmond)
 d – Open Space (City of Buena Park)
 d – Fire Department Referendum (City of Hemet)
 d – Stamp Out Sprawl (City of Modesto)
 Meas. R – Your Mailbu Your Decision (City of Mailbu)
 Campus Safety Plebiscite
 7 Candidate Nominations

2013
 c – Health Department (City of Los Angeles)
 Prop B – Washington Street Development (San Francisco)
 Prop D – Prescription Drugs Purchasing (San Francisco)
 Meas K – Fort Ord Monterey Downs (Monterey County)
 Amand 14 – Fire & Police Services (City of Downey)
 Meas. M – County Facility Maintenance (Santa Barbara County)
 Plebiscite – Billable (City of Los Angeles)
 Unification Request – Alpine School District (BOE, San Diego County)
 Letters to Assembly Member Gatto – Support LA Co. Adult Film Condom Law
 c – Competitive Bidding (City of Colalt)
 Plebiscite – Hotel Development In Pacoima (City of Los Angeles)

2012
 Prop 31 – State Budget
 Prop 35 – Human Trafficking
 Prop 38 – Three Strikes
 Meas. B - Adult Film/Safer Sex (Los Angeles County)
 c – Utility Tax (San Gabriel)
 c – Police & Fire Pensions (San Gabriel)
 a – Referendum on Medical Marijuana Dispensaries (City of Los Angeles)
 d – Regulations on Medical Marijuana Dispensaries (City of Los Angeles)
 Plebiscite – Cardiz Water Project (Orange & San Bernardino Counties)
 6 Candidate Nominations

2011
 Prop D – Pension Reform (San Francisco)
 c – Sheriffs; City Police Force (Compton)
 d – Referendum on Medicinal Marijuana Dispensaries (San Jose)
 c – Adult Films; Condom Use (Los Angeles)
 Plebiscite – AT&T Access (statewide)
 Plebiscite – Trutanich for District Attorney (Los Angeles County)
 Plebiscite – Computer System for Water Filtration (Los Angeles)
 Plebiscite – Public Parking (Santa Monica)
 Plebiscite – Lorenzo Development Project (Los Angeles)
 Plebiscite – Wetherly Project (Los Angeles)
 Nomination – Jayme Wilson for City Council (Los Angeles)

2010
 Prop 22 - Prohibit State from taking some local funds
 Meas. P - Marymount College (Rancho Palos Verdes)
 Prop G - Fix Muni (San Francisco)
 Police Force (Maywood)
 Meas. 3P - Parking (Beverly Hills)
 Plebiscite - Keep the Court at Pier Plaza (Redondo Beach)
 6 Candidate Nominations

2009
 a - Development & Parking Referendum 1 (Walnut Creek)
 s - Development & Parking Referendum 2 (Walnut Creek)
 Plebiscite - West Hollywood

2008
 Prop 2 - Humene Farms
 Prop 6 - Non-Violent Offenders/Treatment Options
 Prop 7 - Renewable Energy
 Prop 10 - Alternative Fuel Rebates
 Meas. T - Zoning & Land Use (Santa Monica)
 a - Development & Parking Referendum (Walnut Creek)
 Police Employees (Baldwin Park)
 Meas. OO - Kids Firell Children's Programs (Oakland)
 TBA - East Los Angeles Incorporation as City
 Plebiscite - Light Rail Expansion (Los Angeles)
 Plebiscite - Light Rail Expansion (West Hollywood)
 6 Candidate Nominations

2007
 Prop 99 - Eminent Domain (on June 2008 ballot)

2006
 Orderly Growth (Solano Co.)
 Meas. M - Zoning & Land Use (Indio)
 Plebiscite - Health Care (San Luis Obispo Co.)
 Meas. P - Parking (Arcadia)
 Meas. N - Sign Regulations (Arcadia)
 Plebiscite - Government Accountability (Los Angeles)

2005
 b - Cigarette Tax
 Prop 78 - Prescription Drugs
 Meas. A - NFL Use of Rose Bowl (Pasadena)
 Meas. L - Urban Limit Line (Brentwood)
 Meas. K - Growth & Traffic Relief (Antioch)
 Meas. P - Urban Limit Line (Pittsburg)

2004
 Prop 62 - Elections & Primaries
 Prop 63 - Mental Health Services
 Prop 65 - City Revenues Protection
 Prop 70 - Tribal Gaming
 Nomination - Nader for President
 Ref #387 - Zoning & Development (Glendale)
 Ref #389 - Zoning & Development (Glendale)
 Ref #390 - Zoning & Development (Glendale)
 Meas. S - Community College Bond (Santa Monica)
 Prop B - Gregory Canyon Landfill (San Diego)
 Meas. A - Referendum on Montage Hotel (Beverly Hills)
 9 Candidate Nominations

2003
 School District (Camarillo)
 a - Adult Clubs/Lap Dancing Referendum (Los Angeles)
 Plebiscite - Anti-Recall/Support Gov. Davis
 Meas. M - Aggressive Solicitation Controls (San Francisco)

2002
 Prop 49 - After School Programs
 Prop 50 - Water Bond
 School District (Santa Paula)
 School District (Hawthorne)
 School District (Signal Hill)
 Homecare (Los Angeles)
 Ref 4241 - Playgrounds (El Segundo)
 Ref 1345 - Playgrounds (El Segundo)
 5 Candidate Nominations

2001
 Prop 45 - Term Limits
 24 Candidate Nominations

2000
 Prop 36 - Drug Reform/Treatment for Non-Violent Offenders
 Prop 38 - School Vouchers
 Meas. A - Completion of 710 Freeway (Pasadena)
 Meas. KK - Living Wage (Santa Monica)
 Meas. T - No Wal-Mart/Union Jobs (Palmdale)
 Meas. A - Safe-Sex (West Hollywood)
 Plebiscite - Safe-Sex (multiple legislative districts)
 a - Greek Theater/Contract Bidding (Los Angeles)
 Meas. H - Hollywood Incorporation as City
 Plebiscite - Cable TV Regulations (Los Angeles)
 Plebiscite - Energy Plant Construction (San Jose)

1999
 b - Car Tax
 Prop 23 - None of the Above
 Prop 25 - Political Reform
 Meas. A - Eminent Domain (Ventura)
 Plebiscite - AIDS Funding (multiple legislative districts)
 Prop 1 - Speed Bump Removal (Auburn)
 Meas. I - Eminent Domain (Huntington Beach)
 Prop E - Welfare Reform (San Francisco)
 Sunset Millennium Hotel
 Prop 1 - Development Referendum (Redlands)

1998
 Prop 227 - English First/Bi-Lingual Education
 Prop 4 - Ban Animal Traps
 Prop 6 - Ban Slaughter of Horses
 Prop 10 - Tobacco Tax/Early Childhood Programs
 Meas. A - MTA Reform
 Meas. F - San Fernando Valley Incorporation as City
 a - Charter Schools
 Prop 27 - Term Limits
 Recall - Remove Eliot Zerah (Thousand Oaks)
 Meas. B - Rural Development (San Diego Co.)
 b - Non-Profit Bargaining (San Francisco)
 b - Trash Collection (Escondido)
 Prop A - Fur Labels (Beverly Hills)

1997
 b - Tobacco Tax/After School Programs
 10 Candidate Nominations

1996
 Prop 210 - Minimum Wage Increase
 Prop 214 - HMO Reform
 Prop 215 - Medical Marijuana
 Prop 217 - Reinstated Top Tax Brackets
 Prop 223 - Administrative Spending Limits Public Schools
 Prop 225 - Term Limits
 Meas. E - Highland Hospital Services (Alameda Co.)
 Meas. K - Kids First Children's Programs (Oakland)
 Prop 8 - Election of Charter Reform Officials (Los Angeles)

1995
 Prop 200 - No Fault Auto Insurance
 Prop 201 - Class Action Suits
 Prop 202 - Attorney Fee Limits

1994
 Prop 186 - Single Payer Health Insurance

a - measure was adopted or rescinded by city or state
 b - measure was halted or not filed by proponent
 c - ballot placement pending court ruling
 d - measure designation TBA



RESULTS

Million Signature States:

- Arizona
- California
- Florida
- Michigan
- Ohio
- Oregon
- Washington
- On The Road Petitions
- Overall Signature History

Arizona Campaign History: Over 1 million signatures

2006
 Prop 201 - Ban on Indoor Smoking
 Prop 204 - Humane Farms Referendum (Phoenix)

2006 Petitions
 Average Validity Rate for All Statewide Petitions: 76.0%
 Ban on Indoor Smoking: 79.2% (3rd highest in state)
 Humane Farms: 81.2% (best in the state)

2002
 Prop 201 - Non-Tribal Gaming

2000
 Prop 203 - English for the Children
 Prop 204 - Health Care

1998
 Term Limits
 Charter Amendment/Employee & Citizen Participation (Tucson)



SERVICES: Door-to-Door Canvassers

Officers in our firm have decades worth of experience that reaches back to the epic consumer rights battles for insurance reform. In 1988 and subsequent years, our efforts in California achieved the landmark passage and defense of Proposition 103.

Over the years we have built organizing models that have been constantly tested and refined. More than 5,000 canvassers have learned the basic skills of precinct organizing in our field offices or on our campaign projects. We've developed strategies to get doors opened and messages delivered. We're constantly pursuing perfection.



► Expand Candidate Name Recognition

In an age of multimedia competing for voter attention, there's still nothing more powerful than a political message taken to each individual voter, door-to-door, and face-to-face. Mass mailing, Internet campaigns, phone banking, and media ads are important. And so are social networking platforms like Facebook and Twitter. But there's still no substitute for engaging a voter one on one and bringing the immediacy of the election process right to voter's doorstep. Canvassing projects urgency of cause and a sense of presence. We can help a candidate introduce themselves to thousands of voters in a highly personal way. Our canvassers have worked very closely with campaigns and have helped candidates deliver a defined biography. We can help a candidate strengthen name identification amongst voters by reinforcing positive characteristics and achievements. We can also identify supporters and get them to take an additional step toward helping boost name ID by persuading supporters to accept a lawn sign or volunteering themselves.

► Candidate Advocacy

Make campaign an active verb; campaigning really happens when a canvasser is at the door. Our canvassers have been tasked to emphasize single or multiple theme candidates. We'll deliver campaign literature while engaging an average of 25-40 voters per canvasser per night. This number can fluctuate based on the distance between households or the number of apartment complexes encountered on a nightly basis. We develop our canvassers to be conversational, but concise and accurate. We also teach them how to be good listeners and note takers.

► Intelligence

One of the most vital contributions our canvassers provide is intelligence. Our canvassers are organized into small crews. Each crew debriefs a crew manager nightly. Each manager then reports to a lead organizer where an accumulative report is assembled. Our reports quantify, precinct by precinct, how many doors were knocked on, how many contacts were made, showing who supports, who opposes, who remains undecided. Within our nightly reports, we also write a short summary of noteworthy events, comments, or questions. Previous campaigns have used our nightly reports as a sounding board to gauge message effectiveness or to develop new campaign themes. Did a mass mailer have any impact with voters? What kind of literature has the opposing campaign sent out? By having door-to-door canvassers engaging voters, we can instantly give a candidate feedback on what is making traction with voters and what is not. A candidate using our field staff gains an enhanced investment on every dollar spent on mailed literature. We also update all precinct lists; noting which voters have moved or are deceased, what are the best phone numbers or email addresses to make future contacts with, and we fill out lawn sign requests. Lawn sign cards are forwarded with nightly reports. In many cases, we can actually get lawn signs posted in yards the same night.

► Impact & Enhance GOTV Operations

For every candidate, Election Day is an anxious day. Something unplanned or unexpected almost always happens. By having canvassers in precincts for several weeks, a campaign will significantly reduce the number of unexpected surprises. Walking precincts is a constant exercise in perfecting and predicting the outcome of an election. And when a surprise, big or small, does happen — a key volunteer has a family emergency or a poll watcher has transportation problems — we can often provide the campaign with experienced staff to fill in the gaps. What we have provided to previous GOTV efforts: a meticulous quantification of voters precinct by precinct, poll checking, prep work with lawn signs and door hangers, and the ability to find voters who need help getting to the polls.

Our experience in grassroots organizing sets us apart from other firms. Our experience enables us to "cast" an excellent and professional staff to fit a client's needs. Our national network of petition firms gives us another edge. Because we work with so many different vendors, we are often able to choose the best of the best and field quality talent that no one else can match.



SERVICES:
Qualifying your Ballot Initiative or Referendum

Our expert strategists are ready now to assess your resources, needs and goals. Our state of the art custom petition management software system is designed to assure that your goals are met within the fastest possible time frame and at the lowest possible cost. We have multilayered safety checkpoints - both human and technological - that eliminate the dangers of guesswork. We'll walk you through the process, providing peace of mind today and valuable experience for the future. Our program is so well-proven that we actually guarantee:

- ✓ Regulation compliance
- ✓ State of the art validity checks and high validity rates
- ✓ Systematic organizational oversight
- ✓ On time processing and delivery

Your success is spelled out clearly in our contract, which guarantees a validity rate on every paid signature. It is our promise to you. We will absorb any cost - even pay for additional signatures - to ensure the campaign gets the number of valid signatures required by law for qualification. If we fall below the promised rate, we will cover the cost of attaining it. This means your petition qualifies - on budget - and your campaign saves money. Guaranteed.



▶ Regulation Compliance

Last minute disqualification due to failure to comply with current state regulation can spell disaster for your campaign. We've seen firsthand how laws can change unexpectedly. We stay current with all requirements and research extensively to guarantee compliance with regulations in each state.

▶ State of the Art Validity Checks

Our system of checking signatures starts with the fundamental belief that you cannot be too conservative when it comes to checking the quality of petition signatures. We use state-of-the-art, customized database programs to make your petition drive "sabotage-proof." Throughout the petition gathering phase, we consistently enter large samples of signatures and addresses into our proprietary database system to weed out duplicates and unregistered voters. Then we actively cross-off all invalid signatures by hand. This gives you the strongest possible safeguard available today and saves you money by not paying for unnecessary invalid signatures.

▶ Systematic Organizational Oversight

Invalid signatures are the quickest route to bankrupting and/or disqualifying your effort. Some opponents will intentionally attempt to sabotage petitions by loading them with false signatures. We carefully track validity rates for every single petitioner and quickly eliminate bad signatures and any problem petitioners. Unlike our competitors, we have the unique ability to manage the many details of a professional petition drive. Experienced staff members closely monitor our independent contractors who gather signatures for you. Proper training and motivation keep our directors alert to irregularities that could signal fraud or poor quality work. Since we guarantee valid signature results, you can be sure that we rely only upon senior staff, with years of field experience, to check petitions for suspicious trends, and manually cross off all duplicates.

▶ On Time Processing and Delivery

Maximum efficiency and attention to detail is a must when completing the tedious steps of tallying final signature counts on each page and separating thousands of petitions by county (or congressional district) and according to laws that vary widely by state. Finally, we box, seal and securely store all petition sheets before delivering them to the proper officials in each and every county on or before the deadline. Officials in each county or district must begin the long process of verifying sometimes hundreds of thousands of signatures, so we recognize the importance of making their job easier by delivering petitions to officials bundled by signature count, labeled clearly and boxed appropriately. Through years of experience, we have also come to know how different registrar officials work and use that knowledge to deliver the petitions accordingly.



PCI
CONSULTANTS, INC.

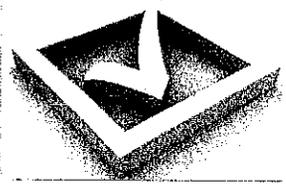
**DIRECT DEMOCRACY:
PCI IS YOUR GUIDE TO QUALIFICATION!**

HOME ABOUT US SERVICES RESULTS CLIENT LIST LINKS CONTACT US

PCI Consultants, Inc is the largest and most successful full service petition and field management firm in the country!

› We offer dedicated, unequalled services & support for:

- ✓ Signature gathering
- ✓ Petition management
- ✓ Issue advocates
- ✓ Political candidates
- ✓ Field campaigns
- ✓ Corporate clients
- ✓ Public relations



› A Few Highlights from our Past:



< 1 2 3 4 5 6 >

WHEN YOU WANT RESULTS

Whether seeking to place an initiative on the ballot or running for office, you can never underestimate the competition. You can only win if you have a campaign. Even with plenty of backing and determination, some of the most crucial issues – and the best candidates – never get a fighting chance. That is because some of today's toughest foes, especially during the signature gathering phase, include tight deadlines, ever-changing regulations, voter apathy, and even fraud. You need the right team. You need it now.

Your campaign message is central to a successful political campaign and is too important to risk getting lost in the many hurdles of an operation. And, in this modern high-tech world lacking one-on-one human communication, personal contact is more effective than ever. Our national network of well-trained professionals offers unchallenged knowledge and consistent groundwork to deliver your campaign message effectively.

EXHIBIT 2 to Paparella Depo Transcript

EXHIBIT G
AFFIDAVIT OF ANGELO PAPARELLA

EXHIBIT 2
Consisting of 3 Page(s)
Witness Paparella
Date 6.16.16
J'nel Erskine, CSR 11746

AFFIDAVIT

State of California

County of Los Angeles^{1ss}

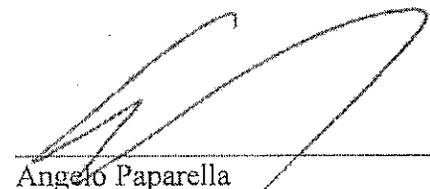
I, Angelo Paparella, having been duly sworn and cautioned according to the law, hereby state as follows:

1. I am the Founder and President of Progressive Campaigns, Inc. and PCI Consultants, Inc. ("PCI"), which are nationwide petition management firms that have been in operation since 1992, and are based in Los Angeles, California.
2. PCI is regularly engaged by political organizations and committees seeking to place initiatives on the ballot. PCI provides the full range of services for qualifying ballot measures, including the recruiting, training and supervision of signature gathering companies, and complete petition processing and verification. Since 1992, PCI has gathered more than 58 million signatures and qualified hundreds of state and local initiatives for placement on election ballots.
3. Prior to forming PCI, I served in several senior campaign roles, including as the California Statewide Field Director for the Public Interest Research Groups ("PIRG") and as the National PIRG Field Director.
4. I have been involved with the oversight, management, and supervision of the collection of over one million five hundred thousand (1,500,000) petition signatures in the State of Ohio. This includes four statewide ballot issues since 2002 involving proposed statutes and constitutional amendments, including drug treatment programs (2002), smoke free work places (2006), livestock care and standards (2010), and pharmaceutical prices (2015-2016). I have also been involved with local ballot issues throughout Ohio.
5. I have utilized paid, professional petition circulators in every petition drive that I have managed throughout my career.
6. Based on my experience managing petition drives, professional petition circulators are resource that is indispensable to the success of a petition drive. Professional circulators are experienced in communicating policy ideas to the average voter and have a facility with conversing on diverse policy subjects that can only come with extensive experience in political canvassing, signature collection, and petition circulating. Successfully circulating petitions is both an art and a science, and it takes time and experience to hone the skills necessary to be efficient and successful in this profession.
7. Based on my experience, most petition drives would not succeed if they relied entirely upon unpaid and/or inexperienced petition circulators, as opposed to a

mixture of volunteers and compensated, experienced professionals. Based on my experience, signatures collected by travelling, professional petition circulators almost always represent more than 50% of signatures collected during petition drives in every state other than California.

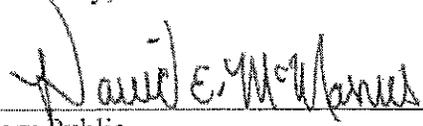
8. Based on my experience managing petition drives, a significant number of professional petition circulators do not have a fixed residential address. Circulating petitions as a profession generally requires extensive travel, irregular pay schedules, and uncertain long-term employment prospects. Based on my observations while managing petition drives and petition circulators, many who engage in this profession choose not to maintain a traditional residence, which is largely incompatible with their profession, but instead live their lives on the road and in motels while they travel and work. They generally own few material possessions. Some will rent a storage unit and others simply keep their few possessions with them as they travel. In most cases, temporary lodging is provided by the company managing the petition drive as they move from one drive to the next and one state to the next. When not on the road working, professional petition circulators may stay with friends throughout the country for brief periods as they wait for their next petition drive assignment. Based on my observations, many professional petition circulators must rely on post office boxes as the only consistent and reliable method to receive communications, other than by cell phone or email.

FURTHER AFFIANT SAYETH NAUGHT



Angelo Paparella

Sworn to and subscribed before me this 23RD day of May, 2016.



Notary Public



EXHIBIT 3 to Paparella Depo Transcript

EX-25



Jon Husted
Ohio Secretary of State
180 East Broad Street, 16th Floor
Columbus, Ohio 43215
Tel: (877) 767-6446 Fax: (614) 644-0849
www.OhioSecretaryofState.gov

February 4, 2016

The Honorable Cliff Rosenberger
Speaker, Ohio House of Representatives
77 South High St., 14th Floor
Columbus, Ohio 43215

The Honorable Keith Faber
President, Ohio Senate
Statehouse, 2nd Floor
Columbus, Ohio 43215

The Honorable Fred Strahorn
Minority Leader, Ohio House of Representatives
77 South High St., 14th Floor
Columbus, Ohio 43215

The Honorable Joe Schiavoni
Minority Leader, Ohio Senate
Statehouse, 3rd Floor
Columbus, Ohio 43215

Re: Ohio Drug Price Relief Act Proposed Initiated Statute

Dear Speaker Rosenberger, President Faber, and Minority Leaders Strahorn and Schiavoni:

Pursuant to Article II, Section 1b, I am transmitting, effective today, the full text of the Ohio Drug Price Relief Act (DPRA) proposed law to the Ohio General Assembly for its consideration.

However, I do so with reservations.

Despite having gathered the vast majority of their signatures by mid-November 2015, petitioners waited until December 22, 2015 to file with my office, pursuant to Article 2, Section 1b of the Ohio Constitution, an initiative petition purporting to contain 171,205 signatures proposing an addition to the Ohio Revised Code. The next day, I forwarded the part-petitions to the county boards of elections for review. Because petitioners waited so long to file their petitions, I instructed the county boards of election to complete their review no later than December 30, 2015—an uncommonly quick turn-around time.

EXHIBIT 3
Consisting of 7 Page(s)
Witness Paparella
Date 6.6.16
J'nel Erskine, CSR 11746

Subsequently, my office became aware of an unprecedented quantity of suspicious "strikethroughs" of signatures on the part-petitions and other factual circumstances suggesting improper, potentially fraudulent circulator attestations—evidence that I simply cannot ignore. To clarify, this does not appear to be a case of just a few "irregularities," or "math errors," or random "strikethroughs" in a few, isolated counties across the state.

Rather, an initial review uncovered that a strikingly similar method of crossing out a petition signer's name (a bold, black marker) existed on an alarmingly large number of part-petitions in virtually every county in the state. Add to that what appeared to be a widespread, intentional effort to permit circulators to over-report the number of signatures they actually witnessed by claiming to witness as many signatures as there are lines on the petition form when the part-petition actually contained only a few signatures, thereby skirting the requirement that a circulator actually witness each signature and *then* write down the exact number of signatures witnessed.

Consequently, based on my authority as Chief Elections Officer of the state, and my statutory responsibility to "determine and certify to the sufficiency" of statewide petitions¹, I issued Directive 2016-01 and instructed all 88 county boards of elections to conduct a more thorough review of all part-petitions, suggesting evidentiary hearings in consultation with their county prosecutors, and report their findings by January 29, 2016.

A number of counties did conduct a thoughtful review of the petitions circulated in their counties according to the Directive and some conducted quasi-judicial hearings to elicit testimony from petition circulation management companies and petition circulators. The sworn testimony they have shared paints a picture of how the laws protecting the integrity of the sacred right to petition one's government were abused in this instance.

In my opinion, the Cuyahoga County Board of Elections produced the most sufficient and probative evidence in their review of the part-petitions. Cuyahoga County's evidence included sworn testimony from Ms. Pamela Lauter of Ohio Petitioning Partners, LLC, who referred to a purging process called "purging the deck" to improperly strike the signatures of others, undertaken primarily at the behest of the petition company PCI Consultants, Inc.

According to Ms. Lauter :

- *"PCI was the head contractor for the State of Ohio," explaining that PCI Consultants, Inc. has instructed them to strike signatures on petitions prior to filing, usually with a black washable marker.*
- *"...it's called purging the deck."*
- *"So someone other than the circulator was striking the petitions?" "That would be me... Yes."*

¹ R.C. 3501.05(K).

The political action committee (PAC) supporting this petition effort (Ohioans for Fair Drug Prices) underscores Ms. Lauter's contention that PCI Consultants, Inc., a California company, is, indeed, the head contractor in the State of Ohio, under whose direction all the other petitioning companies involved in this petition effort operated. According to campaign finance details filed last week, Ohioans for Fair Drug Prices paid \$743,473.20 to PCI Consultants, Inc. (out of a total \$799,941.95) for signature gathering. There were no other petition companies on their report.

PCI Consultants, Inc. website bills them as the "largest and most successful full service petition and field management firm in the country." Indeed they earned nearly \$750,000 in Ohio alone for this effort. In a message to prospective customers, PCI boldly admits that they "...actively cross off all invalid signatures by hand" with their own "proprietary database system."²

I believe the evidence confirms my suspicion that, at some high level of this campaign, the order was given to strike thousands of petition signatures—ignoring Ohio laws that exist to protect the integrity of the elections process and to safeguard the right of the Ohio voter whose choice it is to sign in support of an initiative, and who may not want his or her name illegally removed from a petition.

Ohio law is clear that (1) ONLY the signer of a petition (or the signer's designated attorney-in-fact³) or the circulator of a petition may remove a petition signer's name from a part-petition⁴, and (2) it is the duty of election officials, not a petition company, to determine whether a signature is valid.⁵ Ohio law further provides that no part-petition is properly verified if it appears on the face thereof, or is made to appear by satisfactory evidence, that the statement is altered by erasure, interlineation, or otherwise, or that the statement is false in any respect.⁶

Based on the reliable, substantive evidence my office has received from Cuyahoga County, I am invalidating all the signatures on every part-petition that was circulated by the petition companies DRW Campaigns, LLC and Ohio Petitioning Partners, LLC in Cuyahoga County. It is unlikely that these improper petition practices by DRW and OPP under the direction of PCI were limited only to those petitions circulated in Cuyahoga County. Indeed, Ms. Lauer testified that she performed the same interlineation activity in other counties. Absent similar sworn testimony before those county boards of elections, I lack sufficient evidence to invalidate part-petitions beyond those in Cuyahoga County where the testimony was actually presented.

² Interestingly, petitioners could have jeopardized their own efforts by illegally striking signatures. One county prosecutor reported in a letter submitted to me along with their number of certified signatures that only 79% of the stricken signatures were truly invalid.

³ R.C. 3501.382.

⁴ R.C. 3501.38(G) and (H).

⁵ R.C. 3501.05(K), R.C. 3501.11(K).

⁶ R.C. 3519.06.

Nevertheless, as mentioned above, pursuant to Ohio Constitution Article II, Section 1b, the petition proposing the Ohio Drug Price Relief Act Initiated Statute is hereby transmitted as of this day to the General Assembly with 96,936 valid signatures.

Sincerely,


Jon Husted

Enclosure

cc: Brad Young, House Clerk
Vince Keeran, Senate Clerk

FULL TEXT OF LAW

Be It Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

Chapter 194: Drug Price Relief

Section 194.01

(A) Title.

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

(B) Findings and Declarations.

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified.
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

(C) Purposes and Intent.

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

(D) Drug Pricing.

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

(E) Liberal Construction.

This Act shall be liberally construed to effectuate its purpose.

(F) Severability.

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

(G) Legal Defense.

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals

responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

EXHIBIT 4 to Paparella Depo Transcript

Direct Democracy Unlimited 2500 W Orangethorpe Ave
Fullerton, CA 92833

EXHIBIT 4
Consisting of 41 Page(s)
Witness Paparella
Date 6.6.16
J'nel Erskine, CSR 11746

Number: 000072

County: Delaware

17

INITIATIVE PETITION

418781

Law Proposed by Initiative Petition First to be Submitted to the General Assembly

TITLE

Ohio Drug Price Relief Act

8
8
GA

SUMMARY

The Act would enact Section 194.01 of the Ohio Revised Code to require that notwithstanding any other provision of law and in so far as permissible under federal law, the State of Ohio shall not enter into any agreement for the purchase of prescription drugs or agree to pay, directly or indirectly, for prescription drugs, including where the state is the ultimate payer, unless the net cost is the same or less than the lowest price paid for the same drug by the U. S. Department of Veterans Affairs. Among other provisions, the Act also:

- Sets forth the title of the Act as "The Ohio Drug Price Relief Act."
- Sets forth Findings and Declarations and Purposes and Intent of the Act.
- Sets forth factors in determining "net cost."
- Authorizes state departments, agencies and other state entities to adopt administrative rules to implement the provisions of the Act.
- Provide that the Act shall liberally construed to effectuate its purpose.
- Provide that if any provision of the Act is held to be invalid, the remaining provisions shall remain in effect.
- Provide that if the Act is challenged in court, it shall be defended by the Attorney General.
- Declare that the committee of individuals responsible for circulation of the petition ("the proponents") have a direct and personal stake in defending the Act and any one or more of them may do so in court if challenged. Provide that the proponents shall be indemnified by the state for their reasonable attorney's fees and expenses in defending against a legal challenge to the Act. Provide that the proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the state if the Act or any of its provisions are held by a court to be unenforceable, but shall have no other personal liability.
- Provide that in the event that the Act and another law are adopted by the voters at the same election and contain conflicting provisions and the Act received less votes, the non-conflicting provisions of the Act shall take effect.
- Require the General Assembly to enact any additional laws and the Governor to take any additional actions required to promptly implement the Act.

18
7/16

CERTIFICATION OF ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed law.

MIKE DeWINE
Ohio Attorney General
August 3, 2015

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

William S. Booth
1243 Wilson Dr.
Dayton, Ohio 45402

Daniel L. Darland
3811 N. Main St.
Dayton, Ohio 45405

Tracy L. Jones
5903 Bear Creek Dr.
Bedford Heights, Ohio 44146

Latonya D. Thurman
2618 N. Cassady Ave.
Columbus, Ohio 43219

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

1. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

2. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

3. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

4. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

5. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

6. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

7. Signature	Print First Name <i>Tasha</i>	Initial <i>TH</i>
	Print Last Name <i>Wingfield</i>	

Address on file with the Board of Election

City/Village/Township <i>Delaware</i>	Ward/Precinct <i>1</i>	Zip Code <i>43015</i>	County <i>Delaware</i>	Date of Signing <i>10-20-2015</i>
--	---------------------------	--------------------------	---------------------------	--------------------------------------

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

15. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

16. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

17. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

18. Signature <i>Jerica Stolt</i>	Print First Name <i>Jerica Stolt</i>	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township <i>Abney</i>	Ward/Precinct	Zip Code <i>43003</i>	County <i>Delaware</i>	Date of Signing <i>10/29/15</i>
---------------------------------------	---------------	--------------------------	---------------------------	------------------------------------

19. Signature <i>[Redacted]</i>	Print First Name <i>Timothy Mason</i>	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township <i>Delaware</i>	Ward/Precinct	Zip Code <i>43730</i>	County <i>Krn.</i>	Date of Signing <i>10/29/15</i>
--	---------------	--------------------------	-----------------------	------------------------------------

20. Signature <i>Michael Davis</i>	Print First Name <i>Michael</i>	Initial <i>MD</i>
	Print Last Name <i>Davis</i>	

Address on file with the Board of Election

City/Village/Township <i>Delaware OH</i>	Ward/Precinct	Zip Code <i>43015</i>	County <i>Delaware</i>	Date of Signing <i>10/29/15</i>
---	---------------	--------------------------	---------------------------	------------------------------------

21. Signature <i>Samantha Mason</i>	Print First Name <i>Samantha</i>	Initial <i>S</i>
	Print Last Name <i>Mason</i>	

Address on file with the Board of Election

City/Village/Township <i>Delaware</i>	Ward/Precinct	Zip Code <i>43015</i>	County <i>Delaware</i>	Date of Signing <i>10/29/15</i>
--	---------------	--------------------------	---------------------------	------------------------------------

MR
R
TO
R
MR
B

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

22. Signature 	Print First Name Debra Sue Lewis			Initial	
	Print Last Name				
City/Village/Township Delaware		Ward/Precinct	Zip Code 43015	County Delaware Co	Date of Signing Oct 28, 2015
23. Signature 	Print First Name Cody			Initial C.C.	
	Print Last Name Cummings				
Address on file with the Board of Election 1730 SR 229					
City/Village/Township Ashtabuga		Ward/Precinct	Zip Code 43003	County Delaware	Date of Signing 10-28-15
24. Signature 	Print First Name Mike			Initial W	
	Print Last Name Moss				
Address on file with the Board of Election 86 Orchard Hts.					
City/Village/Township Delaware		Ward/Precinct	Zip Code 43015	County Delaware	Date of Signing 10/28/15
25. Signature 	Print First Name Stacy			Initial	
	Print Last Name Hebb				
Address on file with the Board of Election 10 Channing St					
City/Village/Township Delaware		Ward/Precinct	Zip Code 43015	County "	Date of Signing 10/28/15
26. Signature 	Print First Name Sylvia			Initial RE	
	Print Last Name Evans				
Address on file with the Board of Election 1328 Sussex Ln					
City/Village/Township Delaware		Ward/Precinct	Zip Code 43015	County Delaware	Date of Signing 10/28/15
27. Signature 	Print First Name Tony			Initial	
	Print Last Name Lamar				
Address on file with the Board of Election 970 Escalante					
City/Village/Township Delaware		Ward/Precinct	Zip Code 45015	County "	Date of Signing 10-29-015
28. Signature 	Print First Name Carol			Initial	
	Print Last Name Neville				
Address on file with the Board of Election 145 Merewood Village Dr					
City/Village/Township Delaware		Ward/Precinct	Zip Code 43015	County Delaware	Date of Signing 10-29-15

FULL TEXT OF LAW

Be it Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

Chapter 194: Drug Price Relief

Section 194.01

(A) Title.

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

(B) Findings and Declarations.

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified.
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

(C) Purposes and Intent.

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

(D) Drug Pricing.

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

(E) Liberal Construction.

This Act shall be liberally construed to effectuate its purpose.

(F) Severability.

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

(G) Legal Defense.

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

STATEMENT OF CIRCULATOR

I, Joan Wright, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of DR Lawal 26 electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

Direct Democracy Unlimited
2500 W Orangethorpe Ave Fullerton, CA 92833

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signed)

6326 Creshaw Blvd
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route

LA
City, Village or Township

CA
State

91004
Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY
OF A FELONY OF THE FIFTH DEGREE.**

Number: 000109

County: Franklin

26

INITIATIVE PETITION

411573

Law Proposed by Initiative Petition First to be Submitted to the General Assembly.

TITLE

Ohio Drug Price Relief Act

SUMMARY

V-5
M-21
BL-2
TW

The Act would enact Section 194.01 of the Ohio Revised Code to require that notwithstanding any other provision of law and in so far as permissible under federal law, the State of Ohio shall not enter into any agreement for the purchase of prescription drugs or agree to pay, directly or indirectly, for prescription drugs, including where the state is the ultimate payer, unless the net cost is the same or less than the lowest price paid for the same drug by the U. S. Department of Veterans Affairs. Among other provisions, the Act also:

- Sets forth the title of the Act as "The Ohio Drug Price Relief Act."
- Sets forth Findings and Declarations and Purposes and Intent of the Act.
- Sets forth factors in determining "net cost."
- Authorizes state departments, agencies and other state entities to adopt administrative rules to implement the provisions of the Act.
- Provide that the Act shall liberally construed to effectuate its purpose.
- Provide that if any provision of the Act is held to be invalid, the remaining provisions shall remain in effect.
- Provide that if the Act is challenged in court, it shall be defended by the Attorney General.
- Declare that the committee of individuals responsible for circulation of the petition ("the proponents") have a direct and personal stake in defending the Act and any one or more of them may do so in court if challenged. Provide that the proponents shall be indemnified by the state for their reasonable attorney's fees and expenses in defending against a legal challenge to the Act. Provide that the proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the state if the Act or any of its provisions are held by a court to be unenforceable, but shall have no other personal liability.
- Provide that in the event that the Act and another law are adopted by the voters at the same election and contain conflicting provisions and the Act received less votes, the non-conflicting provisions of the Act shall take effect.
- Require the General Assembly to enact any additional laws and the Governor to take any additional actions required to promptly implement the Act.

CERTIFICATION OF ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed law.

MIKE DeWINE
Ohio Attorney General
August 3, 2015

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

William S. Booth
1243 Wilson Dr.
Dayton, Ohio 45402

Daniel L. Darland
3811 N. Main St.
Dayton, Ohio 45405

Tracy L. Jones
5903 Bear Creek Dr.
Bedford Heights, Ohio 44146

Latonya D. Thurman
2618 N. Cassady Ave.
Columbus, Ohio 43219

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

1. Signature 	Print First Name
------------------	----------------------

2. Signature 	Print First Name Nicha	Initial
	Print Last Name Knight	

Address on file with the Board of Election
2312 Bridlewood Blvd

City/Village/Township Oatz	Ward/Precinct	Zip Code 43207	County Oetz Frank	Date of Signing 11/1/15
-------------------------------	---------------	-------------------	----------------------	----------------------------

3. Signature 	Print First Name Kristina	Initial
	Print Last Name Richmond	

Address on file with the Board of Election
1497 Woodspain Lane

City/Village/Township Col	Ward/Precinct	Zip Code 43232	County Franklin	Date of Signing 11/1/15
------------------------------	---------------	-------------------	--------------------	----------------------------

4. Signature 	Print First Name Phillip EDWARDS	Initial
	Print Last Name	

Address on file with the Board of Election
164 S. 0410

City/Village/Township Col	Ward/Precinct	Zip Code 43204	County FRANKL	Date of Signing 11/1/15
------------------------------	---------------	-------------------	------------------	----------------------------

5. Signature 	Print First Name Eddy	Initial
	Print Last Name Richmond	

Address on file with the Board of Election
574 Peak Ct

City/Village/Township Newoldburg	Ward/Precinct	Zip Code 43068	County Franklin	Date of Signing 11/1/15
-------------------------------------	---------------	-------------------	--------------------	----------------------------

6. Signature 	Print First Name Ashley	Initial AK
	Print Last Name King	

Address on file with the Board of Election
433 W Kanawha Ave

City/Village/Township Columbus	Ward/Precinct	Zip Code 43217	County Franklin	Date of Signing 11/1/15
-----------------------------------	---------------	-------------------	--------------------	----------------------------

7. Signature 	Print First Name James Porch	Initial JP
	Print Last Name	

Address on file with the Board of Election
433 West Kanawha ave

City/Village/Township Columbus	Ward/Precinct	Zip Code 43217	County Franklin	Date of Signing 11/1/15
-----------------------------------	---------------	-------------------	--------------------	----------------------------

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

N/A

8. Signature <i>Calvin Cottrell</i>	Print First Name <i>Calvin</i>	Initial
	Print Last Name <i>Cottrell</i>	
Address on file with the Board of Election <i>1011 Livingston</i>		
City/Village/Township <i>Col</i>	Ward/Precinct	Zip Code <i>43232</i>
	County <i>Frank</i>	Date of Signing <i>11/11/15</i>

N/A

9. Signature <i>Michael Raymond</i>	Print First Name <i>Michael</i>	Initial
	Print Last Name <i>Raymond</i>	
Address on file with the Board of Election <i>1261 Cassidy ave</i>		
City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43221</i>
	County <i>Frank</i>	Date of Signing <i>11/11/15</i>

N/A

10. Signature <i>Tom Wellinger</i>	Print First Name <i>Tom</i>	Initial <i>B</i>
	Print Last Name <i>Wellinger</i>	
Address on file with the Board of Election <i>1796 Country Club</i>		
City/Village/Township <i>Col</i>	Ward/Precinct	Zip Code <i>43213</i>
	County <i>Frank</i>	Date of Signing <i>11/11/15</i>

N/A

11. Signature <i>Ernest Wilkerson</i>	Print First Name <i>Ernest Wilkerson</i>	Initial
	Print Last Name	
Address on file with the Board of Election <i>4216 E. 5TH</i>		
City/Village/Township <i>Col.</i>	Ward/Precinct	Zip Code <i>42131</i>
	County <i>Franklin</i>	Date of Signing <i>11/11/15</i>

N/A

12. Signature <i>Dorothy Cook</i>	Print First Name <i>Dorothy</i>	Initial
	Print Last Name <i>COOK</i>	
Address on file with the Board of Election <i>3310 Parson Ave</i>		
City/Village/Township <i>Col</i>	Ward/Precinct	Zip Code <i>43213</i>
	County <i>Frank</i>	Date of Signing <i>11/11/2015</i>

N/A

13. Signature <i>Nancy Clark</i>	Print First Name <i>Nancy</i>	Initial
	Print Last Name <i>Clark</i>	
Address on file with the Board of Election <i>4222 Berry Ridge</i>		
City/Village/Township <i>Gahanna frank</i>	Ward/Precinct	Zip Code
	County <i>Franklin</i>	Date of Signing <i>11/11/15</i>

N/A

14. Signature <i>Karin Clark</i>	Print First Name <i>Karin</i>	Initial
	Print Last Name <i>CLARK</i>	
Address on file with the Board of Election <i>0125 ZUMSTEN DR</i>		
City/Village/Township <i>COL</i>	Ward/Precinct	Zip Code <i>43229</i>
	County <i>FRANKLIN</i>	Date of Signing <i>11/11/15</i>

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

NR
 NR
 NR
 NR
 NR
 NR
 PS
 PS

15. Signature <i>Daniel Watts</i>	Print First Name <i>Daniel</i>	Initial
	Print Last Name <i>Watts</i>	

Address on file with the Board of Election
1370 COVINGTON

City/Village/Township <i>COVINGTON</i>	Ward/Precinct	Zip Code <i>43229</i>	County <i>Franklin</i>	Date of Signing <i>11/15</i>
---	---------------	--------------------------	---------------------------	---------------------------------

16. Signature <i>Chris B. Gallagher</i>	Print First Name <i>Chris</i>	Initial
	Print Last Name <i>Gallagher</i>	

Address on file with the Board of Election
5431 Byres Cir. West

City/Village/Township <i>COLUMBUS</i>	Ward/Precinct	Zip Code <i>43226</i>	County <i>Franklin</i>	Date of Signing <i>11/15</i>
--	---------------	--------------------------	---------------------------	---------------------------------

17. Signature <i>Ruth Beahm</i>	Print First Name <i>Ruth</i>	Initial
	Print Last Name <i>Beahm</i>	

Address on file with the Board of Election
632 East Lincoln

City/Village/Township <i>COLUMBUS</i>	Ward/Precinct	Zip Code <i>43214</i>	County <i>Franklin</i>	Date of Signing <i>11/15</i>
--	---------------	--------------------------	---------------------------	---------------------------------

18. Signature <i>Timothy D. Sagan</i>	Print First Name <i>Timothy</i>	Initial <i>D</i>
	Print Last Name <i>Sagan</i>	

Address on file with the Board of Election
250 N High St Apt 9B

City/Village/Township <i>COVINGTON</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>Franklin</i>	Date of Signing <i>11-15</i>
---	---------------	--------------------------	---------------------------	---------------------------------

19. Signature <i>Kari McCoy</i>	Print First Name <i>Kari</i>	Initial <i>K</i>
	Print Last Name <i>McCoy</i>	

Address on file with the Board of Election
1023 E Weber Rd

City/Village/Township <i>COLUMBUS</i>	Ward/Precinct	Zip Code <i>43211</i>	County <i>Franklin</i>	Date of Signing <i>11-15</i>
--	---------------	--------------------------	---------------------------	---------------------------------

20. Signature <i>Nancy Green</i>	Print First Name <i>Nancy</i>	Initial <i>J</i>
	Print Last Name <i>Green</i>	

Address on file with the Board of Election
3075 Woodgrove Dr

City/Village/Township <i>Grove City</i>	Ward/Precinct	Zip Code <i>43123</i>	County <i>Franklin</i>	Date of Signing <i>Nov 15 2015</i>
--	---------------	--------------------------	---------------------------	---------------------------------------

21. Signature <i>Sharon Leigh Degroot</i>	Print First Name <i>Sharon</i>	Initial <i>L</i>
	Print Last Name <i>Degroot</i>	

Address on file with the Board of Election
5690 Rocha Dr Apt #A

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43229</i>	County <i>Franklin</i>	Date of Signing <i>11/15</i>
--	---------------	--------------------------	---------------------------	---------------------------------

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

22. Signature <i>Rachel E Bell</i>	Print First Name	<i>Rachel</i>	Initial	<i>E</i>
	Print Last Name	<i>Bell</i>		

Address on file with the Board of Election
5398 Stock RD

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43229</i>	<i>Franklin</i>	<i>11/2/15</i>

23. Signature <i>Carolyn Harris</i>	Print First Name	<i>Carolyn</i>	Initial	<i>M</i>
	Print Last Name	<i>Harris</i>		

Address on file with the Board of Election
2701 Ashwood Terrace Ave

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43211</i>	<i>Franklin</i>	<i>11-2-15</i>

24. Signature <i>Alicia Thomas</i>	Print First Name	<i>Alicia</i>	Initial	
	Print Last Name	<i>Thomas</i>		

Address on file with the Board of Election
3988 Karl Rd. apt. 5

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43224</i>	<i>Franklin</i>	<i>11/2/15</i>

25. Signature <i>Dominique Daniel</i>	Print First Name	<i>Dominique</i>	Initial	
	Print Last Name	<i>Daniel</i>		

Address on file with the Board of Election
3401 Olde Cape East

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Columbus</i>		<i>43232</i>	<i>Franklin</i>	<i>11/2/2015</i>

26. Signature <i>Lisa Tobe</i>	Print First Name	<i>Lisa Tobe</i>	Initial	
	Print Last Name	<i>Tobe</i>		

Address on file with the Board of Election
3401 OLDE CADE EAST

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>COLUMBUS</i>		<i>43232</i>	<i>FRANKLIN</i>	<i>11/2/2015</i>

27. Signature <i>Paula Williams</i>	Print First Name	<i>Paula Williams</i>	Initial	
	Print Last Name	<i>Williams</i>		

Address on file with the Board of Election
1457 buckpoint

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
<i>Worthington</i>			<i>Franklin</i>	<i>11/2/2015</i>

28. Signature	Print First Name		Initial	
---------------	------------------	--	---------	--



City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

FULL TEXT OF LAW

Be it Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

Chapter 194: Drug Price Relief

Section 194.01

(A) Title.

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

(B) Findings and Declarations.

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified:
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

(C) Purposes and Intent.

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

(D) Drug Pricing.

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

(E) Liberal Construction.

This Act shall be liberally construed to effectuate its purpose.

(F) Severability.

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

(G) Legal Defense.

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

STATEMENT OF CIRCULATOR

I, Michael V. Mosby declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of Franklin 28 ✓ electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

Direct Democracy Unlimited ✓
2500 W. ORANGE HORSE AVE Fullerton, CA 92833
(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Michael V Mosby ✓
(Signed)

501 S. Spring St ✓
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route

L.A. ✓
City, Village or Township

CA 90017 ✓
State Zip Code

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

000746

Number: _____

County: ~~Franklin~~ ^{Funkh} _____

12

INITIATIVE PETITION

Law Proposed by Initiative Petition First to be Submitted to the General Assembly.

TITLE

Ohio Drug Price Relief Act

013805

SUMMARY

The Act would enact Section 194.01 of the Ohio Revised Code to require that notwithstanding any other provision of law and in so far as permissible under federal law, the State of Ohio shall not enter into any agreement for the purchase of prescription drugs or agree to pay, directly or indirectly, for prescription drugs, including where the state is the ultimate payer, unless the net cost is the same or less than the lowest price paid for the same drug by the U. S. Department of Veterans Affairs. Among other provisions, the Act also:

- Sets forth the title of the Act as "The Ohio Drug Price Relief Act."
- Sets forth Findings and Declarations and Purposes and Intent of the Act.
- Sets forth factors in determining "net cost."
- Authorizes state departments, agencies and other state entities to adopt administrative rules to implement the provisions of the Act.
- Provide that the Act shall liberally construed to effectuate its purpose.
- Provide that if any provision of the Act is held to be invalid, the remaining provisions shall remain in effect.
- Provide that if the Act is challenged in court, it shall be defended by the Attorney General.
- Declare that the committee of individuals responsible for circulation of the petition ("the proponents") have a direct and personal stake in defending the Act and any one or more of them may do so in court if challenged. Provide that the proponents shall be indemnified by the state for their reasonable attorney's fees and expenses in defending against a legal challenge to the Act. Provide that the proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the state if the Act or any of its provisions are held by a court to be unenforceable, but shall have no other personal liability.
- Provide that in the event that the Act and another law are adopted by the voters at the same election and contain conflicting provisions and the Act received less votes, the non-conflicting provisions of the Act shall take effect.
- Require the General Assembly to enact any additional laws and the Governor to take any additional actions required to promptly implement the Act.

13
7/13

CERTIFICATION OF ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed law.

MIKE DeWINE
Ohio Attorney General
August 3, 2015

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

William S. Booth
1243 Wilson Dr.
Dayton, Ohio 45402

Daniel L. Darland
3811 N. Main St.
Dayton, Ohio 45405

Tracy L. Jones
5903 Bear Creek Dr.
Bedford Heights, Ohio 44146

Latonya D. Thurman
2618 N. Cassady Ave.
Columbus, Ohio 43219

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

1. Signature <i>Janae Davis</i>	Print First Name <i>Janae</i>		Initial <i>JD</i>	
	Print Last Name <i>DAVIS</i>			
Address on file with the Board of Election <i>2102 Dry Ridge Rd. # 972 Studer Avenue</i>				
City/Village/Township <i>Columbus</i>	Ward/Precinct <i>OH</i>	Zip Code <i>43207</i>	County <i>Franklin</i>	Date of Signing <i>10-21-15</i>
2. Signature <i>Thomasew Crowder</i>	Print First Name <i>THOMASEW</i>		Initial <i>TC</i>	
	Print Last Name <i>CROWDER</i>			
Address on file with the Board of Election <i>1755 RAINBOW PK</i>				
City/Village/Township <i>CO15</i>	Ward/Precinct <i>OH</i>	Zip Code <i>43226</i>	County <i>FRANKLIN</i>	Date of Signing <i>10-21-15</i>
3. Signature <i>[Redacted]</i>	Print First Name <i>OZA</i>		Initial <i>AO</i>	
	Print Last Name <i>[Redacted]</i>			
Address on file with the Board of Election <i>[Redacted]</i>				
City/Village/Township <i>CO15</i>	Ward/Precinct <i>OH</i>	Zip Code <i>43204</i>	County <i>FRANKLIN</i>	Date of Signing <i>10-21-15</i>
4. Signature <i>Tim J. Schultz</i>	Print First Name <i>CHRISTOPHER</i>		Initial <i>J</i>	
	Print Last Name <i>SCHULTZ</i>			
Address on file with the Board of Election <i>73 N. 5TH ST</i>				
City/Village/Township <i>COLUMBUS</i>	Ward/Precinct	Zip Code <i>43215</i>	County <i>FRANKLIN</i>	Date of Signing <i>10/22/15</i>
5. Signature <i>[Redacted]</i>	Print First Name <i>[Redacted]</i>		Initial <i>[Redacted]</i>	
	Print Last Name <i>[Redacted]</i>			
Address on file with the Board of Election <i>[Redacted]</i>				
City/Village/Township <i>Columbus</i>	Ward/Precinct <i>OH</i>	Zip Code <i>43207</i>	County <i>FRANKLIN</i>	Date of Signing <i>10-22-15</i>
6. Signature <i>Harry Frankelm</i>	Print First Name <i>HARRY</i>		Initial	
	Print Last Name <i>FRANKELM</i>			
Address on file with the Board of Election <i>2350 Wandy Ct</i>				
City/Village/Township <i>COLUMBUS</i>	Ward/Precinct	Zip Code <i>43232</i>	County <i>FRANKLIN</i>	Date of Signing <i>10-22-15</i>
7. Signature <i>Otis Gordon</i>	Print First Name <i>Oti's</i>		Initial	
	Print Last Name <i>GORDON</i>			
Address on file with the Board of Election <i>972 E 20th Ave</i>				
City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43211</i>	County <i>FRANKLIN</i>	Date of Signing <i>10-29-15</i>

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

8. Signature	Print First Name	Initial
	Print Last Name	
Address on file		
City/Village/Township	Ward/Precinct	Zip Code

9. Signature	Print First Name	Initial
	Print Last Name	
Address		
City/Village/Township	Ward/Precinct	Zip Code

10. Signature	Print First Name	Initial
	Print Last Name	
Address		
City/Village/Township	Ward/Precinct	Zip Code

11. Signature	Print First Name	Initial
<i>Mary L. Pease</i>	<i>MARY L. PEESE</i>	
Address on file with the Board of Election	Print Last Name	
<i>1077 Ohio Ave. S.W.</i>	<i>PEASE</i>	
City/Village/Township	Ward/Precinct	Zip Code
<i>Columbus</i>		<i>43227</i>
County	Date of Signing	
<i>Franklin</i>	<i>10 23 15</i>	

12. Signature	Print First Name	Initial
<i>Jamara Leigh</i>	<i>Jamara</i>	<i>JL</i>
Address on file with the Board of Election	Print Last Name	
<i>1457 Cleveland Avenue</i>	<i>Leigh</i>	
City/Village/Township	Ward/Precinct	Zip Code
<i>Columbus</i>		<i>43211</i>
County	Date of Signing	
<i>U.S.A. "</i>	<i>10-23-15</i>	

13. Signature	Print First Name	Initial
<i>Precious Adams</i>	<i>Precious</i>	<i>PA</i>
Address on file with the Board of Election	Print Last Name	
<i>1455 E Webster</i>	<i>Adams</i>	
City/Village/Township	Ward/Precinct	Zip Code
<i>Columbus</i>		<i>43211</i>
County	Date of Signing	
<i>Franklin</i>	<i>10-23-15</i>	

14. Signature	Print First Name	Initial
Address		
City/Village/Township	Ward/Precinct	Zip Code
County	Date of Signing	

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

15. Signature <i>[Handwritten Signature]</i>	Print First Name <i>Demetria Splunge</i>	Print Last Name <i>Splunge</i>	Initial <i>D</i>
---	---	-----------------------------------	---------------------

Address on file with the Board of Election <i>3800 Barnett Drive</i>					
--	--	--	--	--	--

City/Village/Township <i>Columbus</i>	Ward/Precinct <i>0</i>	Zip Code <i>43223</i>	County <i>Franklin</i>	Date of Signing <i>10/23/15</i>
--	---------------------------	--------------------------	---------------------------	------------------------------------

16. Signature <i>[Handwritten Signature]</i>	Print First Name <i>PARICS</i>	Print Last Name <i>Balden</i>	Initial
---	-----------------------------------	----------------------------------	---------

Address on file with the Board of Election <i>5345 Great oak drive</i>					
---	--	--	--	--	--

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43221</i>	County <i>Franklin</i>	Date of Signing <i>10-23-15</i>
--	---------------	--------------------------	---------------------------	------------------------------------

17. Signature <i>[Handwritten Signature]</i>	Print First Name <i>Ciara</i>	Print Last Name <i>Solis</i>	Initial <i>N</i>
---	----------------------------------	---------------------------------	---------------------

Address on file with the Board of Election <i>1079 Olmstead Ave. Apt. G</i>					
--	--	--	--	--	--

City/Village/Township <i>Colis</i>	Ward/Precinct	Zip Code <i>43201</i>	County <i>Franklin</i>	Date of Signing <i>10-23-15</i>
---------------------------------------	---------------	--------------------------	---------------------------	------------------------------------

18. Signature <i>[Handwritten Signature]</i>	Print First Name <i>HANNA</i>	Print Last Name <i>SMITH</i>	Initial <i>(</i>
---	----------------------------------	---------------------------------	---------------------

Address on file with the Board of Election <i>2955 e. 19th Ave</i>					
---	--	--	--	--	--

City/Village/Township <i>Colis</i>	Ward/Precinct	Zip Code <i>43211</i>	County <i>Franklin</i>	Date of Signing <i>10-23-15</i>
---------------------------------------	---------------	--------------------------	---------------------------	------------------------------------

19. Signature <i>[Handwritten Signature]</i>	Print First Name <i>MARVIN</i>	Print Last Name	Initial <i>J</i>
---	-----------------------------------	-----------------	---------------------

Address on file with the Board of Election <i>[Redacted]</i>					
---	--	--	--	--	--

City/Village/Township <i>Columbus</i>	Ward/Precinct	Zip Code <i>43219</i>	County <i>Franklin</i>	Date of Signing
--	---------------	--------------------------	---------------------------	-----------------

20. Signature	Print First Name	Print Last Name	Initial
---------------	------------------	-----------------	---------

Address on file with the Board of Election					
--	--	--	--	--	--

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

21. Signature	Print First Name	Print Last Name	Initial
---------------	------------------	-----------------	---------

Address on file with the Board of Election					
--	--	--	--	--	--

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

22. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

23. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

24. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

25. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

26. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

27. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

28. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

FULL TEXT OF LAW

Be it Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

Chapter 194: Drug Price Relief

Section 194.01

(A) Title.

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

(B) Findings and Declarations.

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified.
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

(C) Purposes and Intent.

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

(D) Drug Pricing.

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

(E) Liberal Construction.

This Act shall be liberally construed to effectuate its purpose.

(F) Severability.

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

(G) Legal Defense.

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

HOUSE BILL NO. 104, CHAPTER 104, SECTION 104.01

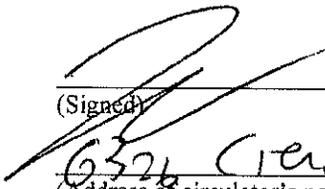
STATEMENT OF CIRCULATOR

I, Jon Wright, declare under penalty of election falsification that I am the ²⁸ circulator of the foregoing petition paper containing the signatures of Franklin electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

Direct Democracy Unlimited
2500 W Orangethorpe Ave Fullerton, CA 92833

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.



(Signed)
6526 Creshaw Blvd
(Address of circulator's permanent residence)
Number and Street, Road or Rural Route
CA

City, Village or Township
CA 910047
State Zip Code

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

Number: _____

000072

County: _____

Richland

11

INITIATIVE PETITION

Law Proposed by Initiative Petition First to be Submitted to the General Assembly.

TITLE

Ohio Drug Price Relief Act

. 135422

SUMMARY

The Act would enact Section 194.01 of the Ohio Revised Code to require that notwithstanding any other provision of law and in so far as permissible under federal law, the State of Ohio shall not enter into any agreement for the purchase of prescription drugs or agree to pay, directly or indirectly, for prescription drugs, including where the state is the ultimate payer, unless the net cost is the same or less than the lowest price paid for the same drug by the U. S. Department of Veterans Affairs. Among other provisions, the Act also:

- Sets forth the title of the Act as "The Ohio Drug Price Relief Act."
- Sets forth Findings and Declarations and Purposes and Intent of the Act.
- Sets forth factors in determining "net cost."
- Authorizes state departments, agencies and other state entities to adopt administrative rules to implement the provisions of the Act.
- Provide that the Act shall liberally construed to effectuate its purpose.
- Provide that if any provision of the Act is held to be invalid, the remaining provisions shall remain in effect.
- Provide that if the Act is challenged in court, it shall be defended by the Attorney General.
- Declare that the committee of individuals responsible for circulation of the petition ("the proponents") have a direct and personal stake in defending the Act and any one or more of them may do so in court if challenged. Provide that the proponents shall be indemnified by the state for their reasonable attorney's fees and expenses in defending against a legal challenge to the Act. Provide that the proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the state if the Act or any of its provisions are held by a court to be unenforceable, but shall have no other personal liability.
- Provide that in the event that the Act and another law are adopted by the voters at the same election and contain conflicting provisions and the Act received less votes, the non-conflicting provisions of the Act shall take effect.
- Require the General Assembly to enact any additional laws and the Governor to take any additional actions required to promptly implement the Act.

③
 12-23-15
 ③ chui
 1-21-16

(1)

CERTIFICATION OF ATTORNEY GENERAL

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01(A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed law.

MIKE DeWINE
Ohio Attorney General
August 3, 2015

COMMITTEE TO REPRESENT THE PETITIONERS

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

William S. Booth
1243 Wilson Dr.
Dayton, Ohio 45402

Daniel L. Darland
3811 N. Main St.
Dayton, Ohio 45405

Tracy L. Jones
5903 Bear Creek Dr.
Bedford Heights, Ohio 44146

Latonya D. Thurman
2618 N. Cassady Ave.
Columbus, Ohio 43219

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)
 (Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

2-2014

1. Signature 	Print First Name Jeremy	Initial
	Print Last Name White	
Address on file with the Board of Election A 427 Fairlawn Ave		
City/Village/Township Mansfield	Ward/Precinct	Zip Code 44907
County Richland	Date of Signing 10-28-2015	

✓

2. Signature 	Print First Name Shonell	Initial A
	Print Last Name Jordan	
Address on file with the Board of Election 152 W. 4th St		
City/Village/Township Mansfield	Ward/Precinct	Zip Code 44903
County Richland	Date of Signing 10-28-15	

2-2014

3. Signature 	Print First Name Mike	Initial
	Print Last Name Mignone	
Address on file with the Board of Election 164 Central dr.		
City/Village/Township Mansfield	Ward/Precinct	Zip Code 44905
County Rich.	Date of Signing 10-28-15	

✓

4. Signature 	Print First Name Haley	Initial HB
	[Redacted Address]	
Address [Redacted]		
City/Village/Township Spencer	Ward/Precinct	Zip Code 44275
County Medina	Date of Signing 10-28-15	

✓

5. Signature 	Print First Name Jeremy	Initial M
	[Redacted Address]	
Address [Redacted]		
City/Village/Township West Salem	Ward/Precinct	Zip Code 44287
County Ashland	Date of Signing 10-29-15	

2-2014

6. Signature 	Print First Name Kyle	Initial
	Print Last Name Edmonds	
Address on file with the Board of Election 274 Superior Street		
City/Village/Township 11	Ward/Precinct	Zip Code 9902
County Mansfield Richland	Date of Signing 10-28-15	

✓

7. Signature 	Print First Name Corde	Initial CBH
	[Redacted Address]	
Address [Redacted]		
City/Village/Township Mansfield	Ward/Precinct	Zip Code 44903
County Richland	Date of Signing 10-28-15	

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

8. Signature 	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name SAMUEL				Initial J
Address on file with the Board of Election 				
City/Village/Township MANFIELD	Ward/Precinct	Zip Code 44903	County MORROW	Date of Signing 10-28-15

9. Signature Richard Mayfield	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name Richard				Initial RM
Print Last Name Mayfield				
Address on file with the Board of Election 3093 SR13 South				
City/Village/Township MANFIELD	Ward/Precinct	Zip Code 44904	County Richland	Date of Signing 10-28/15

10. Signature Nicole Todd	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name Nicole				Initial NT
Print Last Name Todd				
Address on file with the Board of Election 38 Burnside ave				
City/Village/Township MANFIELD	Ward/Precinct	Zip Code 44905	County Richland	Date of Signing 10/28/15

11. Signature Dakota Webb	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name Dakota				Initial
Print Last Name Webb				
Address on file with the Board of Election 232 central Ave				
City/Village/Township MANFIELD	Ward/Precinct	Zip Code 44905	County Richland	Date of Signing 10/28/15

12. Signature Dey Brown	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name Dey				Initial
Print Last Name Brown				
Address on file with the Board of Election 401 Hammond Ave				
City/Village/Township MANFIELD	Ward/Precinct	Zip Code 44905	County Richland	Date of Signing 10/28/15

13. Signature Jason Williams	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name Jason				Initial
Print Last Name Williams				
Address on file with the Board of Election 401 Hammond Ave				
City/Village/Township MANFIELD	Ward/Precinct	Zip Code 44905	County Richland	Date of Signing 10-28-15

14. Signature 	County	Township	Rural Route or other Post office Address	Month / Day / Year
Print First Name				Initial
Print Last Name				
Address on file with the Board of Election 				
City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing

LS 11/24/15 11/24/15 11/24/15 11/24/15 11/24/15 11/24/15

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

15. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

16. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

17. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

18. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

19. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

20. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

21. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

NOTICE

Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.

MUST USE ADDRESS ON FILE WITH BOARD OF ELECTIONS

(Sign with ink. Your name, residence, and date of signing must be given.)

Signature	County	Township	Rural Route or other Post office Address	Month / Day / Year
-----------	--------	----------	--	--------------------

(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Month / Day / Year
-----------	--------	-----------------	-------------------	---------------	--------------------

CBA 11/15

22. Signature <i>Regina Dinkel</i>	Print First Name <i>Tyler</i>	Initial <i>TD</i>
	Print Last Name <i>Dinkel</i>	

Address on file with the Board of Election
7394 St Rt 97 Lot 21 Mansfield Ohio

City/Village/Township <i>Mansfield</i>	Ward/Precinct	Zip Code <i>44903</i>	County <i>Richland</i>	Date of Signing <i>10-28-15</i>
---	---------------	--------------------------	---------------------------	------------------------------------

23. Signature <i>Deontey Snodells</i>	Print First Name <i>Deontey</i>	Initial
	Print Last Name <i>Snodells</i>	

Address on file with the Board of Election
329 Greenwood

City/Village/Township <i>Anstield</i>	Ward/Precinct <i>OK</i>	Zip Code <i>4306</i>	County <i>Richland</i>	Date of Signing <i>11/22/15</i>
--	----------------------------	-------------------------	---------------------------	------------------------------------

24. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

25. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

26. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

27. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

28. Signature	Print First Name	Initial
	Print Last Name	

Address on file with the Board of Election

City/Village/Township	Ward/Precinct	Zip Code	County	Date of Signing
-----------------------	---------------	----------	--------	-----------------

FULL TEXT OF LAW

Be it Enacted by the People of the State of Ohio that the following chapter and section are added to Title I of the Revised Code.

Chapter 194: Drug Price Relief

Section 194.01

(A) Title.

This Act shall be known as "The Ohio Drug Price Relief Act" (the "Act").

(B) Findings and Declarations.

The People of the State of Ohio hereby find and declare all of the following:

- (1) Prescription drug costs have been, and continue to be, one of the greatest drivers of rising health care costs in Ohio.
- (2) Nationally, prescription drug spending increased more than 800 percent between 1990 and 2013, making it one of the fastest growing segments of health care.
- (3) Spending on specialty medications, such as those used to treat HIV/AIDS, Hepatitis C, and cancers, are rising faster than other types of medications. In 2014 alone, total spending on specialty medications increased by more than 23 percent.
- (4) The pharmaceutical industry's practice of charging inflated drug prices has resulted in pharmaceutical company profits exceeding those of even the oil and investment banking industries.
- (5) Inflated drug pricing has led to drug companies lavishing excessive pay on their executives.
- (6) Excessively priced drugs continue to be an unnecessary burden on Ohio taxpayers that ultimately results in cuts to health care services and providers for people in need.
- (7) Although Ohio has engaged in efforts to reduce prescription drug costs through rebates, drug manufacturers are still able to charge the State more than other government payers for the same medications, resulting in a dramatic imbalance that must be rectified.
- (8) If Ohio is able to pay the same prices for prescription drugs as the amounts paid by the United States Department of Veterans Affairs, it would result in significant savings to Ohio and its taxpayers. This Act is necessary and appropriate to address these public concerns.

(C) Purposes and Intent.

The People of the State of Ohio hereby declare the following purposes and intent in enacting this Act:

- (1) To enable the State of Ohio to pay the same prices for prescription drugs as the prices paid by the United States Department of Veterans Affairs, thus rectifying the imbalance among government payers.
- (2) To enable significant cost savings to Ohio and its taxpayers for prescription drugs, thus helping to stem the tide of rising health care costs in Ohio.
- (3) To provide for the Act's proper legal defense should it be adopted and thereafter challenged in court.

(D) Drug Pricing.

- (1) Notwithstanding any other provision of law and insofar as may be permissible under federal law, neither the State of Ohio, nor any state department, agency or other state entity, including, but not limited to, the Ohio Department of Aging, the Ohio Department of Health, the Ohio Department of Insurance, the Ohio Department of Jobs and Family Services, and the Ohio Department of Medicaid, shall enter into any agreement with the manufacturer of any drug for the purchase of a prescribed drug or agree to pay, directly or indirectly, for a prescribed drug, unless the net cost of the drug, inclusive of cash discounts, free goods, volume discounts, rebates, or any other discounts or credits, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (2) The price ceiling described in subsection (1) above also shall apply to all programs where the State of Ohio or any state department, agency or other state entity is the ultimate payer for the drug, even if it did not purchase the drug directly. This includes, but is not limited to, the Ohio Best Rx Program and the Ohio HIV Drug Assistance Program. In addition to agreements for any cash discounts, free goods, volume discounts, rebates, or any other discounts or credits already in place for these programs, the responsible department, agency or entity shall enter into additional agreements with drug manufacturers for further price reductions so that the net cost of the drug, as determined by the purchasing department, agency or entity, is the same as or less than the lowest price paid for the same drug by the United States Department of Veterans Affairs.
- (3) All state departments, agencies and other state entities that enter into one or more agreements with the manufacturer of any drug for the purchase of prescribed drugs or agreement to pay directly or indirectly for prescribed drugs shall implement this section no later than July 1, 2017.
- (4) Each such department, agency or other state entity, may adopt administrative rules to implement the provisions of this section and may seek any waivers of federal law, rule, or regulation necessary to implement the provisions of this section.
- (5) The General Assembly shall enact any additional laws and the Governor shall take any additional actions required to promptly carry out the provisions of this section.

(E) Liberal Construction.

This Act shall be liberally construed to effectuate its purpose.

(F) Severability.

If any provision of this Act, or part thereof, or the applicability of any provision or part to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions and parts shall not be affected, but shall remain in full force and effect, and to this end the provisions and parts of this Act are severable. If this Act and another law are approved by the voters at the same election with one or more conflicting provisions and this Act receives fewer votes, the non-conflicting provisions of this Act shall go into effect.

(G) Legal Defense.

If any provision of this Act is challenged in court, it shall be defended by the Attorney General of Ohio. The People of Ohio, by enacting this Act, hereby declare that the committee of individuals responsible for the circulation of the petition proposing this Act ("the Proponents") have a direct and personal stake in defending this Act from constitutional or other challenges. In the event of a challenge, any one or more of the Act's Proponents shall be entitled to assert their direct and personal stake by defending the Act's validity in any court of law, including on appeal. The Proponents shall be indemnified by the State of Ohio for their reasonable attorney's fees and expenses incurred in defending the validity of the challenged Act. In the event that the Act or any of its provisions or parts are held by a court of law, after exhaustion of any appeals, to be unenforceable as being in conflict with other statutory or constitutional provisions, the Proponents shall be jointly and severally liable to pay a civil fine of \$10,000 to the State of Ohio, but shall have no other personal liability to any person or entity.

STATEMENT OF CIRCULATOR

I, Alfonso Mora, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of Stilio Pichland 28 electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by

Direct Democracy Unlimited

2500 W. Orangethorpe Ave Fullerton CA 92833

(Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

(Signed)

[Signature]
4068 Creed

(Address of circulator's permanent residence)
Number and Street, Road or Rural Route

LA
City, Village or Township

CA 90008
State Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY
OF A FELONY OF THE FIFTH DEGREE.**