

Mary R. O'Grady, 011434
James D. Smith, 016760
Eric M. Fraser, 027241
Sarah P. Lawson, 036436
OSBORN MALEDON, P.A.
2929 N. Central Ave., Suite 2100
Phoenix, Arizona 85012
(602) 640-9345
mogrady@omlaw.com
jsmith@omlaw.com
efraser@omlaw.com
slawson@omlaw.com
Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

Citizens Clean Elections Commission,
Plaintiff,
v.
Melody Jennings and John Does 1–10,
Defendants.

No. _____

**PLAINTIFF'S APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND INJUNCTIVE RELIEF**

Oral Argument Requested

Plaintiff Citizens Clean Election Commission ("Clean Elections") seeks a temporary restraining order enjoining Defendants Melody Jennings and John Does 1–10 to stop their infringing use of the CLEAN ELECTIONS mark.

Over the last twenty years, Clean Elections has established itself as a trusted source of nonpartisan and accurate election information to voters in Arizona. But now, as Arizonans are voting, Defendant and her associates are trading on the reputation and goodwill of Clean Elections in connection with their activities concerning Arizona elections.

A temporary restraining order ("TRO") is urgently needed to stop Defendant from her infringing activities, protect the goodwill and reputation of Clean Elections, and prevent further public confusion. The allegations and evidence in the accompanying Verified Complaint and the attached declarations and exhibits support temporary injunctive relief to prevent irreparable harm.

1 **I. FACTUAL BACKGROUND**

2 Clean Elections is a nonpartisan Arizona state entity established more than
3 twenty years ago by A.R.S. § 16-955 to implement the Citizens Clean Elections Act,
4 A.R.S. §§ 16-940 to -961. The Citizens Clean Elections Act was approved by a voter
5 initiative in 1998. One function of Clean Elections is to ensure voters have accurate
6 information about voting and elections in Arizona. To accomplish this goal, Clean
7 Elections creates and implements a comprehensive voter education program, creates a
8 voter education guide that it sends to every Arizona household with a registered voter,
9 maintains up-to-date information on its website, blog, and social media pages, and
10 sponsors candidate debates on prime-time television and online. It has other functions
11 as well, including providing funds to qualified candidates who participate in the Clean
12 Elections public funding program and conducting audits and other oversight of publicly
13 funded campaigns. Ex. 1, Decl. of Thomas Collins ¶ 7. Clean Elections has nearly
14 38,000 followers across its social media platforms, where it provides accurate and
15 trustworthy information about voting to Arizonans. *Id.* ¶ 11.

16 Clean Elections uses the mark CLEAN ELECTIONS in connection with these
17 activities. It has used the CLEAN ELECTIONS mark continuously for more than
18 twenty years. *Id.* ¶ 8. Likewise, Clean Elections has expended considerable resources,
19 time, and money to educate the public with its election material and services under its
20 CLEAN ELECTIONS mark. Consequently, the CLEAN ELECTIONS mark is
21 established in Arizona as a source for nonpartisan election information throughout the
22 state. *Id.* ¶¶ 13, 24.

23 Publicly available information indicates that Melody Jennings founded Clean
24 Elections USA earlier this year. Clean Elections USA claims to be “a grassroots
25 organization committed to election integrity” with the “urgent mission” of preventing
26 ballot box stuffing in 2022. *Id.* ¶ 16, Ex. A. Defendant uses the mark CLEAN
27 ELECTIONS USA on the Clean Elections USA website and blog, where she posts
28 articles such as “10+ Ways the Election was Rigged in Maricopa County.” *Id.* ¶ 17,

1 Ex. B. Likewise, Ms. Jennings has published blog posts, web pages, and social media
2 posts, and has appeared on audio and visual media platforms, using the mark CLEAN
3 ELECTIONS USA in connection with Arizona election-related content. *Id.* ¶ 18, Ex.
4 C.

5 In June 2022, Ms. Jennings introduced “Drop Box Initiative 2022” and began
6 recruiting and organizing its members to monitor ballot drop boxes and the voters who
7 use them. *Id.* ¶ 19, Ex. D. Since October 17, 2022, members of Clean Elections USA
8 have gathered at ballot drop boxes in Maricopa County to photograph and video voters
9 dropping off their ballots. *Id.* ¶ 15, Ex. A. Some of the Clean Elections USA members
10 were armed. *Id.*

11 On October 19, 2022, a group of these ballot-box watchers stationed themselves
12 outside the Maricopa County Election Headquarters. *Id.* They told reporters that they
13 were members of Clean Elections USA and referenced the CLEAN ELECTIONS USA
14 mark. *Id.* Clean Elections has received at least seven phone calls from people intending
15 to call Clean Elections USA, at least eight emails intended for Clean Elections USA,
16 and dozens of social media posts and comments directed at Clean Elections USA. *Id.*
17 ¶¶ 20–23, Ex. 2, Decl. of Regina Roberts ¶¶ 6–20; Ex. 3, Decl. of Mike Becker ¶¶ 2–7;
18 Ex. 4, Decl. of Avery Xola ¶¶ 4–8. Social media users continue to be confused,
19 mistakenly believing that Defendant’s activities originated from Clean Elections. Ex.
20 2, Decl. of Roberts ¶¶ 21–23.

21 Clean Elections sent a cease-and desist letter to Ms. Jennings on October 25,
22 2022. Ex. 5, Decl. of Mary O’Grady. She responded on October 28, 2022. In her
23 response, she stated she would “re-brand[] in Arizona to ensure there’s no unnecessary
24 confusion among Arizona citizens.” *Id.* The following day, Ms. Jennings posted on
25 Truth Social instructing her followers “in Arizona only” to “refer to nationwide Clean
26 Elections USA efforts differently.” *Id.* Nevertheless, even after October 28, 2022,
27 social media users continue to be confused, mistakenly thinking that Defendant’s
28 activities originate from Clean Elections. Ex. 2, Decl. of Roberts ¶¶ 21–23. Ms.

Jennings appeared on a podcast on October 31 where she discussed Arizona ballot boxes and asked listeners to contact her. Ex. 1, Decl. of Collins ¶ 20. Additionally, Ms. Jennings’ social media pages and the Clean Elections USA blog continue to display posts containing information about elections in Arizona. *Id.* ¶¶ 17, 21.

II. LEGAL STANDARD

Immediate injunctive relief is necessary to prevent Clean Elections from suffering irreparable injury from Defendant’s unauthorized and infringing use of the CLEAN ELECTIONS mark. The Court should grant the urgent injunctive relief requested because Plaintiff’s claim satisfies all of the requirements for temporary injunctive relief: “(1) a strong likelihood” of success on the merits; (2) “the possibility of irreparable injury. . . if the requested relief is not granted;” (3) the balance of hardships favors Plaintiff; and (4) “[p]ublic policy favors the injunction.” *Shoen v. Shoen*, 167 Ariz. 58, 63 (App. 1990). Courts apply a sliding scale in assessing these factors. *Smith v. Ariz. Citizens Clean Elections Comm’n*, 212 Ariz. 407, 410 (2006).

The movant may satisfy this burden by demonstrating “either 1) probable success on the merits and the possibility of irreparable injury; or 2) the presence of serious questions and [that] ‘the balance of hardships tip[s] sharply’ in favor of the moving party.” *Id.* at 411, ¶ 10 (citation omitted). “The greater and less reparable the harm, the less the showing of a strong likelihood of success on the merits need be. Conversely, if the likelihood of success on the merits is weak, the showing of irreparable harm must be stronger.” *Id.* Here, Clean Elections has a strong likelihood of success on its trademark infringement claim and faces grave danger of irreparable harm.

III. ARGUMENT

A. Clean Elections is likely to succeed on the merits.

The common-law doctrine of unfair competition encompasses trademark infringement. *Fairway Constructors, Inc. v. Ahern*, 193 Ariz. 122, 124, ¶ 9 (App. 1998). Courts in Arizona use the federal framework under the Lanham Act to address

1 common-law claims. *See, e.g., Health Indus. Bus. Commc'ns Council Inc. v. Animal*
2 *Health Inst.*, 481 F. Supp. 3d 941, 956 (D. Ariz. 2020); 3 McCarthy on Trademarks and
3 Unfair Competition § 22:1.50 (5th ed. 2022) (“In almost all respects as to the
4 substantive issues of trademark law, state common law is the same as federal law as
5 defined in the Lanham Act.”).

6 A trademark-infringement claim requires proof that the claimant has “a
7 protectible ownership interest in the mark” and the defendant’s use “is likely to cause
8 consumer confusion, thereby infringing” on the claimant’s rights. *Dep’t of Parks &*
9 *Recreation for State of Cal. v. Bazaar Del Mundo Inc.*, 448 F.3d 1118, 1124 (9th Cir.
10 2006). Clean Elections’ use of the mark in connection with election-related activities
11 in Arizona for more than 20 years establishes its right to the mark. Furthermore, given
12 the strength of Clean Election’s mark, the market, and evidence of actual confusion,
13 Defendant has infringed on Clean Election’s mark.

14 **1. Clean Elections has a protectible interest in its mark.**

15 To prove a protectible ownership interest in a common law trademark exists, the
16 owner must show (1) bona fide use in commerce and (2) continuous use of the mark.
17 *See Chance v. Pac-Tel Teletrac Inc.*, 242 F.3d 1151, 1157 (9th Cir. 2001). Because
18 Clean Elections has been using the CLEAN ELECTIONS mark continuously in
19 commerce for more than 20 years, it has a protectible interest in the mark.

20 “[T]he standard test of ownership is priority of use.” *Sengoku Works Ltd. v.*
21 *RMC Int’l Ltd.*, 96 F.3d 1217, 1219 (9th Cir. 1996). Clean Elections began using the
22 CLEAN ELECTIONS mark in Arizona soon after it was established in 1998. Ex. 1,
23 Decl. of Collins ¶ 13. Since that time, it has continuously used its mark on its voter
24 guides, debate sponsorship materials, and voter education information on its social
25 media pages and website.

26 A party claiming ownership of a trademark “must have been the first to actually
27 use the mark in the sale of goods or services.” *Dep’t of Parks & Recreation*, 448 F.3d
28 at 1125–26 (citation omitted). Courts analyze the totality of the circumstances to

1 determine whether a “mark has been adequately used in commerce so as to gain”
2 trademark protection. *Chance*, 242 F.3d at 1159. Clean Elections uses its mark in every
3 election cycle on its candidate guide, debates and other voter education materials. It
4 also uses its mark when fulfilling its responsibilities for administering a public
5 campaign funding program and enforcing campaign finance laws. It has a full-time
6 staff who prepare and oversee the distribution of the voter education guide, create a
7 comprehensive voter education plan, oversee debates, and manage its web content
8 aimed at voter education. Clean Elections prints its mark on its voter guides, uses its
9 mark to promote candidate debates, and displays its mark on its website, in addition to
10 distributing branded promotion products such as hats, sunglasses, buttons, and t-shirts.
11 Ex. 1, Decl. of Collins ¶¶ 8–11, Ex. 2, Decl. of Roberts ¶ 5. *See AAA Alarm & Sec. Inc.*
12 *v. A3 Smart Home LP*, No. CV-21-00321-PHX-GMS, 2021 WL 3857417, at *4 (D.
13 Ariz. Aug. 30, 2021) (company’s print ads, branded promotional products, and website
14 was sufficient to identify the mark in the public’s mind).

15 Even Clean Elections’ noncommercial use of the mark establishes its protectible
16 interest. “The fact that an organization is non-profit and sells no goods does not take it
17 out of the protection of the law of unfair competition.” 1 McCarthy on Trademarks and
18 Unfair Competition § 9:5 (5th ed. 2022); *Planetary Motion, Inc. v. Techsplosion, Inc.*,
19 261 F.3d 1188, 1199 (11th Cir. 2001) (“Common law unfair competition protection
20 extends to non-profit organizations because they nonetheless engage in *competition*
21 with other organizations.”) (emphasis in original). This protection is also afforded to
22 political groups. *United We Stand Am., Inc. v. United We Stand, Am. N.Y., Inc.*, 128
23 F.3d 86, 90 (2d Cir. 1997) (finding that “services characteristically rendered by a
24 political party,” while not profit seeking, are “unquestionably” a service which can
25 infringe on a trademark). Ultimately, there is no doubt that “a state or local government
26 can own and assert infringement of trademarks” such as the CLEAN ELECTIONS
27 mark at issue here. 1 McCarthy on Trademarks and Unfair Competition § 9:7.75 (5th
28 ed. 2022).

1 **2. Defendant’s activities create a strong likelihood of confusion.**

2 Trademark infringement occurs when a consumer of the goods or services is
3 “likely to be confused as to the origin of the good or service bearing one of the marks.”
4 *Rearden LLC v. Rearden Com., Inc.*, 683 F.3d 1190, 1214 (9th Cir. 2012). Courts use
5 the eight-factor *Sleekcraft* test to analyze the likelihood of confusion: (1) strength of
6 the mark, (2) proximity of the goods, (3) similarity of the marks, (4) evidence of actual
7 confusion, (5) marketing channels used, (6) types of goods and degree of care exercised
8 by consumers, (7) defendant’s intent in selecting the mark, and (8) likelihood of
9 expansion of the product lines. *AMF Inc. v. Sleekcraft Boats*, 599 F.2d 341, 348–49
10 (9th Cir. 1979). In applying this test, the relative importance of each factor is
11 determined on a case-by-case basis. *Brookfield Commc’ns, Inc. v. W. Coast Entm’t*
12 *Corp.*, 174 F.3d 1036, 1054 (9th Cir. 1999). Here, the majority of the *Sleekcraft* factors
13 favor Clean Elections.

14 **i. Strength of the Mark**

15 A mark’s conceptual strength falls on the spectrum between arbitrary and
16 generic depending on the “obviousness” of the connection between the mark and the
17 good or service. *Fortune Dynamic, Inc. v. Victoria’s Secret Stores Brand Mgmt., Inc.*,
18 618 F.3d 1025, 1032–33 (9th Cir. 2010). On the lower end of the spectrum, a
19 descriptive mark defines a characteristic of the product without requiring imagination,
20 while a stronger suggestive mark merely suggests the features of a product. *Survivor*
21 *Media, Inc. v. Survivor Prods.*, 406 F.3d 625, 632 (9th Cir. 2005).

22 Clean Election’s mark is at a minimum suggestive. First, the CLEAN
23 ELECTIONS mark does not describe the services that Clean Elections provides. Clean
24 Elections does not administer elections; that is the role of another government entity.
25 Second, “Clean” means free from dirt or stains, but it can also mean uncontaminated.
26 Because elections are not a tangible object that can be clean or dirty, it requires
27 imagination to understand the CLEAN ELECTIONS mark as suggesting a government
28 commission whose purpose is to support the integrity of Arizona elections. *See Pom*

1 *Wonderful LLC v. Hubbard*, 775 F.3d 1118, 1126 (9th Cir. 2014) (finding the mark
2 POM to be suggestive because the word POM requires customers to use imagination
3 and perception to decipher the nature of its pomegranate beverage). Moreover, given
4 the age, ongoing educational efforts, and statewide ubiquity of Clean Elections, it has
5 gained marketplace recognition that transform it into a strong mark. *See id.*
6 (considering the scope of sales and marketing efforts and concluding POM is a strong
7 mark). The strength of the Clean Elections mark is also supported by its status as a
8 state agency. It is particularly important that the law protect a state agency and the
9 public from the harm caused when a private party attempts to use a public agency's
10 mark. Thus, the strength of the mark factor favors Clean Election's mark, which is
11 strong and, at a minimum, suggestive.

12 **ii. Relatedness**

13 To assess whether the parties' goods or services are related, the standard is
14 whether customers are likely to associate the two products. *Survivor*, 406 F.3d at 633.
15 Here, both Clean Elections and Defendant offer information about elections and
16 perform election-related activities. This factor favors Clean Elections.

17 **iii. Similarity**

18 To analyze this factor, courts consider the similarity of sight, sound, and
19 meaning of the marks. *Id.* The two marks at issue here are almost identical in sight,
20 sound, and meaning with the small exception of the USA geographic designator. The
21 only difference between the two is the addition of "USA." But as a matter of law,
22 geographic designations generally are not subject to trademark protection. *Van Camp*
23 *Sea Food Co. v. Cohn-Hopkins*, 56 F.2d 797, 798 (9th Cir. 1932). Accordingly, this
24 factor weighs in favor of Clean Elections.

25 **iv. Evidence of Actual Confusion**

26 Evidence that use of a mark or name has already caused actual confusion as to
27 the source of a product or service is "persuasive proof that future confusion is likely."
28 *Sleekcraft*, 599 F.2d at 352; *Playboy Enters., Inc. v. Netscape Commc'ns Corp.*, 354

1 F.3d 1020, 1026 (9th Cir. 2004) (“[A]ctual confusion among significant numbers of
2 consumers provides strong support for the likelihood of confusion.”).

3 Over the last two weeks alone, Clean Elections has received at least seven phone
4 calls and an equal number of emails from angry members of the public who were
5 confused by the source of Defendant’s activities. These members of the public
6 mistakenly believed that Clean Elections was performing the activities that Defendant
7 was engaging in, such as organizing groups of people to monitor drop boxes. *See* Ex.
8 2, Decl. of Roberts ¶¶ 6–7 (Ex. A, B); Ex. 3, Decl. of Becker ¶¶ 2–7 (Ex. A–E); Ex. 3,
9 Decl. of Xola ¶¶ 5–8 (Ex. A). Clean Elections has also received comments on its social
10 media posts meant for Clean Elections USA. Ex. 2, Decl. of Roberts ¶¶ 8–20 (Ex. C–
11 O). Even after October 28, 2022, people on social media are confused by Defendant’s
12 use of the CLEAN ELECTIONS USA mark, mistakenly believing that Clean Elections
13 is associated with that use. *Id.* ¶¶ 21–23 (Ex. P, Q). If Clean Election USA’s use of its
14 mark is not enjoined, public confusion will likely increase.

15 **v. Marketing Channels**

16 In assessing this factor, courts analyze whether the parties distribute their goods
17 in the same marketing channels. *Survivor*, 406 F.3d at 633–34. Both Clean Elections
18 and Defendant distribute information online, on social media, and via radio or
19 television. Ex. 1, Decl. of Collins ¶¶ 8–11, 16–18. This factor favors Clean Elections.

20 **vi. Consumer Care**

21 “[W]hen the goods are expensive, the buyer can be expected to exercise greater
22 care in his purchases; again, though, confusion may still be likely.” *Sleekcraft*, 599
23 F.2d at 353. A low level of consumer care “increases the likelihood of confusion.”
24 *Network Automation, Inc. v. Advanced Sys. Concepts, Inc.*, 638 F.3d 1137, 1152 (9th
25 Cir. 2011) (citation omitted). This factor favors Clean Elections. Members of the
26 public are inundated with election-related information each election cycle. Considering
27 this deluge, consumers are less likely to take great care to differentiate between subtle
28 or minor differences in marks. Likewise, in skimming information on social media, a

1 member of the public will likely not take time to discern whether CLEAN ELECTIONS
2 USA is distinct from CLEAN ELECTIONS.

3 * * *

4 Because the *Sleekcraft* factors indicate a likelihood of confusion, and because
5 Clean Elections has a protectible interest in its trademark, Clean Elections is likely to
6 be successful on the merits of the case.

7 **B. Clean Elections will suffer irreparable injury without an injunction.**

8 Injunctive relief is appropriate when the threatened harm is not purely economic
9 and the scope of liability will be difficult to ascertain. *The Power P.E.O., Inc. v. Emps.*
10 *Ins. of Wausau*, 201 Ariz. 559, 562, ¶¶ 18, 20 (App. 2002). “[I]ntangible injuries, such
11 as damage to ongoing recruitment efforts and goodwill, qualify as irreparable harm.”
12 *Rent-A-Ctr., Inc. v. Canyon Television & Appliance Rental, Inc.*, 944 F.2d 597, 603
13 (9th Cir. 1991).

14 This case is not about monetary damage. No amount of money damages can
15 remedy the harm to Clean Elections and the public. Rather, Defendant’s use of CLEAN
16 ELECTIONS USA imperils Clean Elections’ reputation and goodwill. Specifically,
17 Defendant’s use of the infringing mark in connection with unverified election
18 information or controversial monitoring of voters dropping off ballots in official drop
19 boxes is detrimental to Clean Elections’ reputation and trustworthiness. *AAA Alarm &*
20 *Sec. Inc.*, 2021 WL 3857417, at *8 (finding irreparable harm where the infringer’s mark
21 confused consumers and diminished the distinctiveness of the trademark holder’s
22 brand, thereby preventing it from controlling its reputation). Clean Elections has
23 received angry phone calls and confused Twitter mentions that were directed at
24 Defendant. *See My Taco Guy, LLC v. Taco Man Corp.*, No. CV 17-1573 FMO (AJWx),
25 2017 WL 10434394, at *5 (C.D. Cal. Dec. 27, 2017) (infringer damaged plaintiff’s
26 good will and affected plaintiff’s business reputation because defendant’s customers
27 posted negative reviews online and called plaintiff’s business when they meant to call
28 defendant). This evidence of already-existing reputational harm shows Clean

1 Elections’ urgent need for injunctive relief. *Cf. Herb Reed Enters., LLC v. Fla. Entm’t*
2 *Mgmt., Inc.*, 736 F.3d 1239, 1249–51 (9th Cir. 2013) (reversing preliminary injunction
3 because the trademark infringement victim did not show likelihood of irreparable harm
4 but relied on speculation). Further harm to Clean Elections’ reputation will continue
5 absent swift intervention from the Court. Defendant’s activities in this election cycle,
6 when misattributed to Clean Elections by the public, will harm the public’s confidence
7 in Clean Elections’ integrity for future election cycles.

8 **C. The equities weigh in favor of granting injunctive relief.**

9 Defendant will not sustain any damages upon issuance of an injunction. An
10 injunction will not preclude Defendant from continuing her organization, website, and
11 social media posts under a different name. And if Defendant were to sustain economic
12 loss, “little equitable consideration” is given to a defendant whose only hardship is loss
13 of revenue from its likely infringing activity. *Triad Sys. Corp. v. Se. Express Co.*, 64
14 F.3d 1330, 1338 (9th Cir. 1995) (quoting *Concrete Mach. Co. v. Classic Lawn*
15 *Ornaments, Inc.*, 843 F.2d 600, 612 (1st Cir. 1988)). In contrast, the damage to Clean
16 Elections from Defendant’s use of the infringing mark on the eve of the election will
17 cause deleterious reputational harm that Clean Elections may never recover. Moreover,
18 because Clean Elections has both established “probable success on the merits and the
19 possibility of irreparable injury,” the balance of the equities weighs in favor of granting
20 injunctive relief. *See Power P.E.O.*, 201 Ariz. at 562, ¶ 16.

21 **D. Public policy favors a TRO to protect Clean Elections.**

22 The right to vote is a “most precious” right. *Williams v. Rhodes*, 393 U.S. 23,
23 30–31 (1968). The people of Arizona voted for the Clean Elections bill for the express
24 purpose of “improv[ing] the integrity of Arizona state government” A.R.S. § 16-
25 940(A). Defendant’s infringement flies in the face of the will of the people of Arizona.
26 The public has a strong interest in protecting the marks and identities of government
27 agencies. The public deserves to be able to have confidence in knowing whether
28 information actually originated from a government agency or from another source.

1 Consider a private group publishing information under the mark BOARD OF
2 PHARMACY. The public should not face the risk of mistakenly believing that the
3 information actually originated from the state Board of Pharmacy. Consider a private
4 company using a mark similar to ARIZONA HEALTH CARE COST
5 CONTAINMENT SYSTEM (AHCCCS). The public should not be able to be lured
6 into signing up with such a company under the mistaken belief that it is affiliated with
7 the state government. Or consider an election-related entity with ulterior motives that
8 uses the mark COUNTY RECORDER, causing members of the public to think that the
9 information actually comes from the government official. As these examples
10 demonstrate, public policy strongly favors protecting government marks to avoid
11 potentially dangerous confusion by members of the public.

12 This case is not about whether Defendant can continue to engage in her election-
13 related activities. Likewise, this lawsuit does not seek to prevent Defendant from
14 performing any constitutionally protected activities. Instead, this case is only about
15 whether she may use a mark that is confusingly similar to a state agency. The answer
16 is no, and her use must be enjoined.

17 **IV. CONCLUSION**

18 This Court should issue a temporary restraining order enjoining Defendant and
19 her associates from using the mark CLEAN ELECTIONS USA, or any mark including
20 or confusingly similar to CLEAN ELECTIONS, in connection with past, current or
21 future election-related activities in Arizona. This does not preclude Defendant from
22 communicating about elections in Arizona so long as her communication does not use
23 the mark CLEAN ELECTIONS.

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
26
27
28

DATED this 2nd day of November, 2022.

OSBORN MALEDON, P.A.

By /s/James D. Smith
Mary R. O’Grady, 011434
James D. Smith, 016760
Eric M. Fraser, 027241
Sarah P. Lawson, 036436
OSBORN MALEDON, P.A.
2929 N Central Ave., Suite 2100
Attorneys for Plaintiff

Exhibit 1

Mary R. O'Grady, 011434
James D. Smith, 016760
Eric M. Fraser, 027241
Sarah P. Lawson, 036436
Osborn Maledon, P.A.
2929 N. Central Ave., Suite 2100
Phoenix, Arizona 85012
(602) 640-9345
mogrady@omlaw.com
jsmith@omlaw.com
efraser@omlaw.com
slawson@omlaw.com
Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

Citizens Clean Elections Commission,

Plaintiff,

v.

Melody Jennings and Doe Defendants 1-
10,

Defendants.

No. _____

**DECLARATION OF THOMAS
COLLINS IN SUPPORT OF
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
INJUNCTIVE RELIEF**

I, Thomas Collins, declare that,

I. BACKGROUND

1. I have personal knowledge of the facts set forth in this Declaration. I submit this Declaration in support of the Citizen Clean Elections Commission's motion for temporary restraining order and preliminary injunction. In particular, I submit this Declaration to provide relevant background information regarding Clean Elections' use of the CLEAN ELECTIONS mark, the recognition of CLEAN ELECTIONS among voters, and the conduct of Melody Jennings that infringes Clean Elections' trademark rights, and the irreparable harm that this their infringement is causing.

2. I am the Executive Director of the Citizens Clean Elections Commission ("Clean Elections"). I have been the Executive Director of Clean Elections since 2013.

3. Prior to my role as the Executive Director, from 2010 to 2013, I

1 represented Clean Elections as part of my responsibilities as an assistant attorney
2 general.

3 4. Prior to becoming an attorney, I was a reporter and covered issues with
4 state government. In that role, beginning in 1999, I covered the Clean Elections and
5 became familiar with its work.

6 5. The position of Executive Director is established by A.R.S. § 16-955(J).
7 As Executive Director, I supervise a staff of five and am responsible for overseeing all
8 aspects of Clean Elections' work, subject to the direction of the 5-member Clean
9 Elections Commission.

10 6. One role of Clean Elections is to education Arizona voters about elections.
11 To fulfill this responsibility, we sponsor debates, write and distribute a voter education
12 guide, and provide election information on our website, and social media pages and
13 through other media.

14 7. Another role of Clean Elections involves campaign finance enforcement.
15 Clean Elections provides funds to qualified candidates who participate in the Clean
16 Elections public funding program, conducts audits, and performs other oversight
17 functions of publicly funded campaigns.

18 **II. THE CLEAN ELECTIONS MARK**

19 8. We distribute our voter guides and broadcast our debates across the state
20 using the CLEAN ELECTIONS mark. Likewise, our social media handles incorporate
21 the CLEAN ELECTIONS mark. We have been distributing voter guides and sponsoring
22 debates using the CLEAN ELECTIONS mark since 2000.

23 9. We use the CLEAN ELECTIONS mark in a variety of media. For
24 example, Clean Elections runs TV advertisements, internet advertisements, radio
25 advertisements, and paid social media posts on Instagram and Facebook as part of its
26 non-partisan voter education functions. We also use our brand when underwriting
27 televised debates of candidates.

28 10. We use our brand on our website at <https://www.azcleelections.gov/>,

1 which prominently displays the CLEAN ELECTIONS mark and logo on every page.

2 11. Clean Elections also uses social media to provide election information
3 under the CLEAN ELECTIONS mark, including pages on Facebook, Twitter,
4 YouTube, and Instagram. We have almost 38,000 followers across all platforms.

5 12. As the result of the foregoing uses of the CLEAN ELECTIONS mark,
6 voters in Arizona should have strong recognition of the Clean Elections brand.

7 13. Moreover, through its Clean Election's exclusive use of the CLEAN
8 ELECTIONS mark over the last twenty years, Clean Elections has attempted to develop
9 a reputation for providing trustworthy, nonpartisan information about Arizona elections
10 that will help making the voting process easier.

11 14. Over the years, we have taken active steps to protect the CLEAN
12 ELECTIONS mark. For example, Clean Elections prohibits candidates from using the
13 CLEAN ELECTIONS mark and logo in association with their campaigns.

14 **III. CLEAN ELECTIONS USA'S INFRINGEMENT**

15 15. On or about October 17, 2022, it came to my attention that Defendant
16 Clean Elections USA is using the CLEAN ELECTIONS USA mark to spread election
17 information and organize ballot box surveillance in Arizona. Clean Elections USA first
18 came to my attention after seeing news reports that its members were taking
19 photographs and videos of voters using ballot drop boxes. A true and correct copy of
20 one news report is attached as Exhibit A.

21 16. Clean Elections USA operates a website at <https://cleanelectionsus.org/>.
22 The Clean Elections USA website displays its mark on every page. A true and correct
23 print out of the Clean Elections USA website is attached as Exhibit B.

24 17. On its website, Clean Elections USA posts misleading and inaccurate
25 information about the election in Maricopa County and the need for people to monitor
26 drop boxes. For example, Clean Elections USA posted an article titled "10+ Ways the
27 Election was Rigged in Maricopa County" on its blog. A true and correct copy of that
28 article is attached as Exhibit C.

1 18. I have learned that Melody Jennings has been identified as the founder of
2 Clean Elections USA. Ms. Jennings has published blog posts, web pages, and social
3 media posts, and has appeared on audio and visual media platforms using the mark
4 CLEAN ELECTIONS USA to discuss Arizona election content. For example, on
5 October 18, 2022, Ms. Jennings appeared on the MG show to discuss, among other
6 things, monitors at Arizona drop boxes. A true and correct copy of the website where
7 her interview was posted is attached as Exhibit D.

8 19. Ms. Jennings introduced “Drop Box Initiative 2022” in June 2022. A true
9 and correct copy of the blog post from June 2022 discussing the Drop Box Initiative is
10 attached as Exhibit E.

11 20. On October 31, 2022, after Ms. Jennings informed us that she would stop
12 using the CLEAN ELECTIONS USA mark in Arizona, she appeared on a podcast
13 episode where she discussed Arizona ballot drop boxes as part of Clean Election USA’s
14 efforts. A true and correct copy of the website where her interview was posted is
15 attached as Exhibit F. *See* 27:27–40.

16 21. Additionally, her social media page continues to reference this recent
17 podcast appearance. A true and correct copy of that Truth Social post is attached as
18 Exhibit G.

19 **IV. ACTUAL CONFUSION**

20 22. In the last week, we have received seven phone calls intended for Clean
21 Elections USA. In all seven of the phone calls, the callers expressed their anger at
22 Clean Elections USA for impeding their right to vote. They were confusing our state
23 agency with Clean Elections USA.

24 23. Clean Elections also received emails expressing anger at the actions of
25 Clean Elections USA. They too were confusing our state agency with Clean Elections
26 USA.

1 24. In the last week, we have received comments on social media posts
2 intended for Clean Elections USA. Likewise, many of the social media comments
3 express anger at Clean Elections USA for impeding their right to vote.

4 25. Additionally, users on social media are using the CLEAN ELECTIONS
5 mark and the CLEAN ELECTIONS USA mark interchangeably.

6 26. Based on my nine years as the Executive Director of Clean Elections, the
7 fact that voters have already been confused, and the similarity of the marks, it is my
8 strong belief that Clean Elections USA's use of its mark is confusing Arizona
9 consumers.

10 **V. IRREPARABLE HARM**

11 27. As described above, we have expended time, energy, and resources over
12 the past twenty years to establish the CLEAN ELECTIONS mark as an indicator of
13 high-quality, accurate and reliable election information. We stand to suffer substantial
14 and irreparable harm if Clean Elections USA continues to use its mark.

15 28. Clean Elections USA's use of the CLEAN ELECTIONS USA mark
16 trades on the goodwill in the community that we have created over the past twenty years
17 and undermines the Commission's work as a state agency. Clean Elections USA is
18 using the CLEAN ELECTIONS USA mark to get a free ride on the substantial efforts
19 that we have made to build our reputation and trust in the community.

20 29. Moreover, we take measures to carefully cultivate the election
21 information that we disseminate to ensure that CLEAN ELECTIONS-branded
22 information is of the highest quality, nonpartisan, and accurate. We do not have any
23 control over Clean Elections USA's quality of information or the use of its mark. Thus,
24 any confusion that we are the source of Clean Election USA's information or that we
25 approve or authorize of Clean Elections USA's use of the mark deprives us of control
26 of our reputation. Any harm to our reputation cannot be remedied with monetary
27 damages.

1 information is of the highest quality, nonpartisan, and accurate. We do not have any
2 control over Clean Elections USA's quality of information or the use of its mark.
3 Thus, any confusion that we are the source of Clean Election USA's information or
4 that we approve or authorize of Clean Elections USA's use of the mark deprives us of
5 control of our reputation. Any harm to our reputation cannot be remedied with
6 monetary damages.

7 30. Our concern about harm to Clean Election's reputation is not
8 speculative. As explained above, we have received negative phone calls, emails and
9 social media posts concerning Clean Elections USA's activities. If voters associate
10 these criticisms with Clean Elections, this will cause incalculable damage to our
11 reputation and the significant goodwill associated with the CLEAN ELECTIONS
12 mark. This damage is something that cannot be undone.

13 31. Clean Elections USA's conduct is particularly harmful at this time and
14 irreparable harm is imminent given the upcoming election in November.

15
16 I declare under penalty of perjury that the foregoing is true and correct.

17 Executed on November 1, 2022.

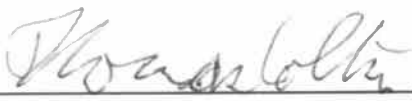
18
19 
20 Thomas Collins

EXHIBIT A



← Thread

🔍 Search Twitter

Explore

⚙️ Settings

Nicole Grigg
@NicoleSGrigg

‘VITAMIN D’: ‘we’re just out here getting some Vitamin D’ seems to be the key response as several are watching a ballot drop box outside Maricopa Co election HQ in AZ.


This group says they’re with Clean Elections USA, but wouldn’t elaborate on if they’re volunteers, or what.



6:20 PM · Oct 19, 2022 · Twitter for iPhone

1,989 Retweets 600 Quote Tweets 4,234 Likes



Nicole Grigg · @NicoleSGrigg · Oct 19
Replying to @NicoleSGrigg
For those who missed the :

Nicole Grigg · @NicoleSGrigg · Oct 19

NEW: several people have been sitting outside the Maricopa County elections headquarters in Arizona outside 1 of 2 ballot drop boxes.

They have their own cameras rolling, pointed right at the drop box.

A woman here says she is here to get Vitamin D. @Garrett_Archer @abc15

Show this thread

New to Twitter?

Sign up now to get your own pers

 Sign up with G

 Sign up with A

Sign up with phone

By signing up, you agree to the Te Privacy Policy, including Cookie L

Relevant people

Nicole Grigg · @NicoleSGrigg
Reporter for @abc1
Mama x   A
 Previous 

What’s happening

US elections · LIVE

Arizona: Election news and updates

Variety · This morning
Takeoff, Migos rapper, die in Houston shooting

CNBC Make It · 3 hours ago
4 million NYC workers will see how much jobs pay before they apply—here’s what to

Axios · 5 hours ago
Supreme Court temporarily blocks House Democrats from obtaining Trump’s tax returns

Trending with Roberts

Don’t miss what’s happening

People on Twitter are the first to know.

Log in S



Explore

⚙ Settings

Nicole Grigg · @NicoleSGrigg · Oct 20

Steve Bannon using a screen grab of my video where he states "Patriots @ Work"

References the Clean Elections USA volunteers Az ever vigilant watching the 'box' in Arizona

🔍 Search Twitter

Following with notifications

Show more

[Terms of Service](#) [Privacy Policy](#)

[Accessibility](#) [Ads info](#) [More...](#)

© 2022 Twitter, Inc.

💬 23

↻ 80

❤ 174



Nicole Grigg · @NicoleSGrigg · Oct 20

MORE: now @AZCCEC is exploring legal guidance against the drop box group in my video as their name is Clean Elections USA

The AZ - abc15 - Data Guru · @Garrett_Archer · Oct 20

NEW @AZCCEC is exploring legal action against the drop box monitoring group Clean Elections USA for use of the name.

💬 7

↻ 62

❤ 219



Nicole Grigg · @NicoleSGrigg · Oct 20

Meanwhile, R candidate to be Arizona's next top election official (Secretary of State) is encouraging 'watchers' to 'watch' all drop boxes

Also says media needs to stop intimidating the ballot drop box watchers.

Don't miss what's happening

People on Twitter are the first to know.

Log in

S



Search Twitter

Explore

Settings

22

75

141



Nicole Grigg @NicoleSGrigg · Oct 21



NEW: it's 11:15am Friday, no watchers today.

I'm told it doesn't appear there have been anymore ballot watchers outside Maricopa Co. headquarters since my video on Wednesday.

20

22

161



EXHIBIT B



Clean Elections USA

Who We Are

We are a grassroots organization committed to election integrity. While there are many who say the 2020 election was the most secure in American history, we know this is far from the truth. Every legal vote must be counted and it is unacceptable when illegal votes are added to the mix. Each person, no matter to which party they belong, is disenfranchised when fraudulent votes are included in the final count.

According to research conducted by True the Vote, "Mules" were paid to go from drop box to drop box, often driving from one county to the next, to stuff what we can only assume were fraudulent mail-in ballots. 2000 Mules clearly illustrated that there was a coordinated

effort to stuff ballot box in 2020. Our immediate and urgent mission is to prevent this from happening in 2022. We are asking every patriotic American citizen to [join us](#) as we organize to safeguard our elections with a legal presence at every ballot box in each and every state that has them.

Leadership

We are a grassroots organization made up of law abiding patriots whose goal it is to preserve the integrity of our elections, now and in the future.

Experience

We come from all walks of life and cultural backgrounds. Our group is comprised of concerned individuals who care about our country and demand an honest and fair voting system. One legal citizen, one vote.

Fortitude

We are committed to upholding the US constitution. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights."



Free and fair elections are the bedrock of our democratic republic.



EXHIBIT C

**CLEAN ELECTIONS USA**

10+ Ways the Election was Rigged in Maricopa County

By [cleanelectionsusa](#)[06/29/2022](#)

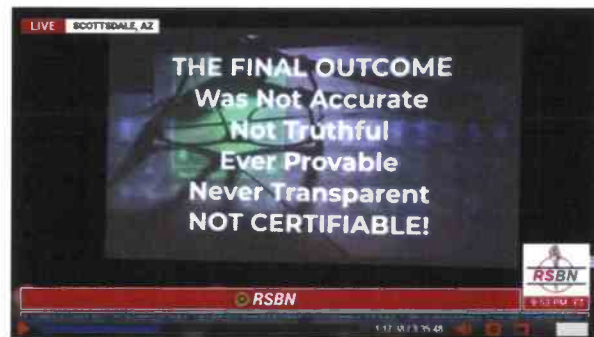
We took some time to review the recent forensic audit presentation given by Jovan Pulitzer and have managed to break down his key findings into a simple blog for easy reading. We wish the article could be even shorter, but given the amount of data, he uncovered, we wanted to capture most of his points.

For those of you who don't know, Jovan Pulitzer is a qualified expert in what is known as kinematic artifacts and was hired as part of the audit process in Maricopa County. His team looked at every aspect of the ballots methodically and scientifically using custom machine learning software that was developed for this specific purpose. The video of Jovan's presentation is available on [RSBN](#) and begins approximately 1 hour and 12 minutes in. You can also follow Jovan on Rumble at JovanHuttonPulitzer and join him on Locals.



OVERALL CONCLUSION

There was gross maladministration, and the ballots cannot be verified to comply to election procedures. There were hundreds of thousands of illegal votes in violation of the 14th amendment for equal protection under the law. There was physical proof of both voter fraud and widespread election fraud in Maricopa County, AZ.

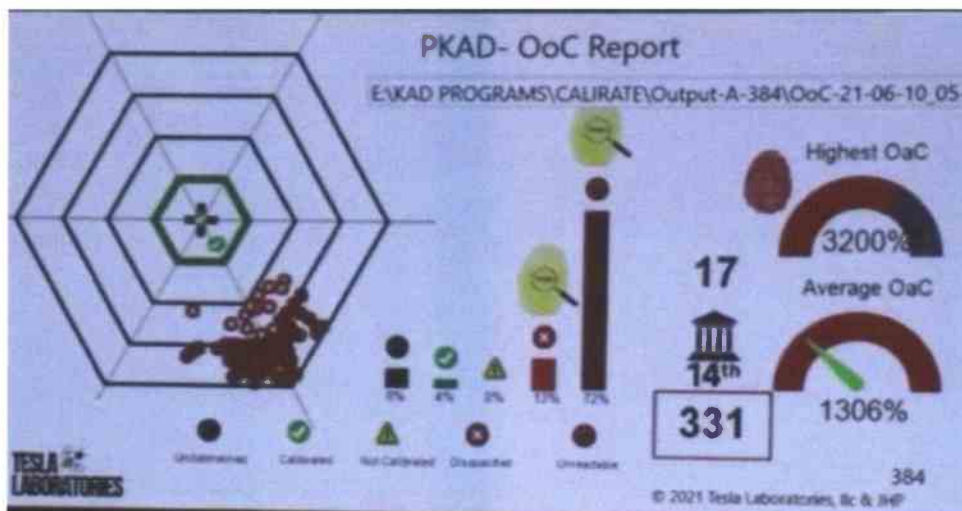


The election was not certifiable.

1. Pulitzer found there was a predetermined algorithm running on the machines in Maricopa. 406,972 "predetermined" outcome ballots were inserted into the 2020 general election in Maricopa County. These votes were not cast in a one voter, one vote, manner as prescribed by law.
2. When adjusted, 91.62% of the "predetermined" votes cast were for Joe Biden. They had to make paper ballots match the determined

outcome after the fact and this was done systematically across all Maricopa County voting precincts.

3. There were 141 batches of ballots in boxes that had evidence of tampering. Each batch had up to 1300 ballots and it became apparent upon examination they were pilfered to make the paper match the digital outcome. Documentation was found at the bottom of the boxes and the ballots in the box were not in the order they should have been in. This represents nearly 2.5x of the margin of election and 13.94% of batches were digitally processed rather than manually processed.
4. The machines were NEVER calibrated properly ever per the law and this resulted in huge amounts of disenfranchisement. Out of a 384 ballot sample, only 17 voters had ballots that matched up with the calibration standards. The rest in the test, 331, were not aligning in accordance with compliance standards for elections. The machinery was significantly off in all counties leading to widespread maladministration in all counties with disenfranchisement of 130,455 minority voters.



Paper calibration issues led to disenfranchisement of voter rights.

- 5. Maricopa County reported it used ONLY Roland Vote Secure Paper for the 2020 election. Non secure, non-compliant commercial grade

paper cut to the ballot size was inserted into the election via the Ballot on Demand machines. More than 200K ballots were printed on non-compliant paper. 120,867 ballots were forced to manual adjudication which represents 9x the deciding outcome of the presidential election.

- 6. Maricopa County demanded the use of Sharpies which bleed through the paper and were previously prohibited. This confused the scanning machines. The combo of incorrect paper and sharpies created over 2M extra votes appearing on ballots. This led to a massive adjudication event in Maricopa County that was 11x the normal adjudication rate. Of these, 49K+ were cast by minority voters.



- 7. Color coded ballots did not match up with county reports and there was a 10X overage of black-and-white only votes. In addition, down ballot anomalies were detected for races that were not hand counted with over 3M machine inserted ovals that were not detected and may have been used to pad undervotes for county sheriffs, county recorder, county attorney, and each of the 5 board of supervisors.
- 8. There were 142,091 anomalies that confirm ballot swapping, ballot box pilfering, and excess ballot production and duplication. 10,943 ballots were counterfeit based on a 10 step forensic

analysis. Of these ballots, 39% were for Trump, 46% were for Biden and 13% were cast for write in candidates. 7% of the deciding outcome represents a stolen vote. They were used widespread across the county.

- 9. One way to gain access to extra ballots is to use undeliverable mail in ballots that have been returned from the post office and then eliminate signature verification. This is known as ballot cracking. Maricopa County reported 53,866 returned ballots that were undeliverable and states they were sent to the printing company for destruction which is in direct violation of federal law requiring 22 month retention. The USPS reports returning 110,092 so this is a discrepancy as well.
- 10. Upon examination of voter roles, this forensic research uncovered 246K+ phantom voters. Phantom voters were scrubbed immediately after the election and reflect the following categories averaging 332 phantom voters per precinct representing 26% of the declared margin of the win. Phantom voters include a. duplicates with similar identities in different counties 2. Maiden name usage 3. College students voting at home 4. Completely fraudulent names 5. Very odd names of past non-voters. Many phantom voters held common last names so they were more easily blended into the real voters on the roles.
- 11. Provisional ballots had unusually high rejection rates that disenfranchised minorities and would have been determinative. Maricopa county refused 7 out of 10 provisional ballots in 2020 with a 66% rejection rate which represents 12,112 votes. Only 29% of provisional ballots were rejected in 2016. 73 out of 81 provisional ballots rejected were cast by minorities. This happened often when people showed up to the polls and were told they already voted. We have seen this pattern in other states.

While this is a lot to take in, we wanted to write it down for those who don't have the time to watch the entire presentation. Jovan has taken a few days off to recuperate and will surely be doing podcasts to go over each section in greater detail now that the information is available. In the meantime, this is big news so please share this article with everyone you know.



If you would like to help ensure our 2022 elections are as free and fair as possible, join us at [Clean Elections USA](https://www.cleanelectionsusa.org). We are currently looking for volunteers for our #dropboxinitiative2022 to help us lawfully watch the ballot boxes in various states. In addition, we need support volunteers to help with a variety of activities. Visit us at www.cleanelectionsusa.org for more information on how you can play a role in saving our republic.

Please note that we give full credit to Tesla Laboratories, Jovan Hutton Pulitzer, and RSNB for all information and honor their copyright fully.

📌 [elections](#), [jovan hutton pulitzer](#), [rsbn](#)



EXHIBIT D

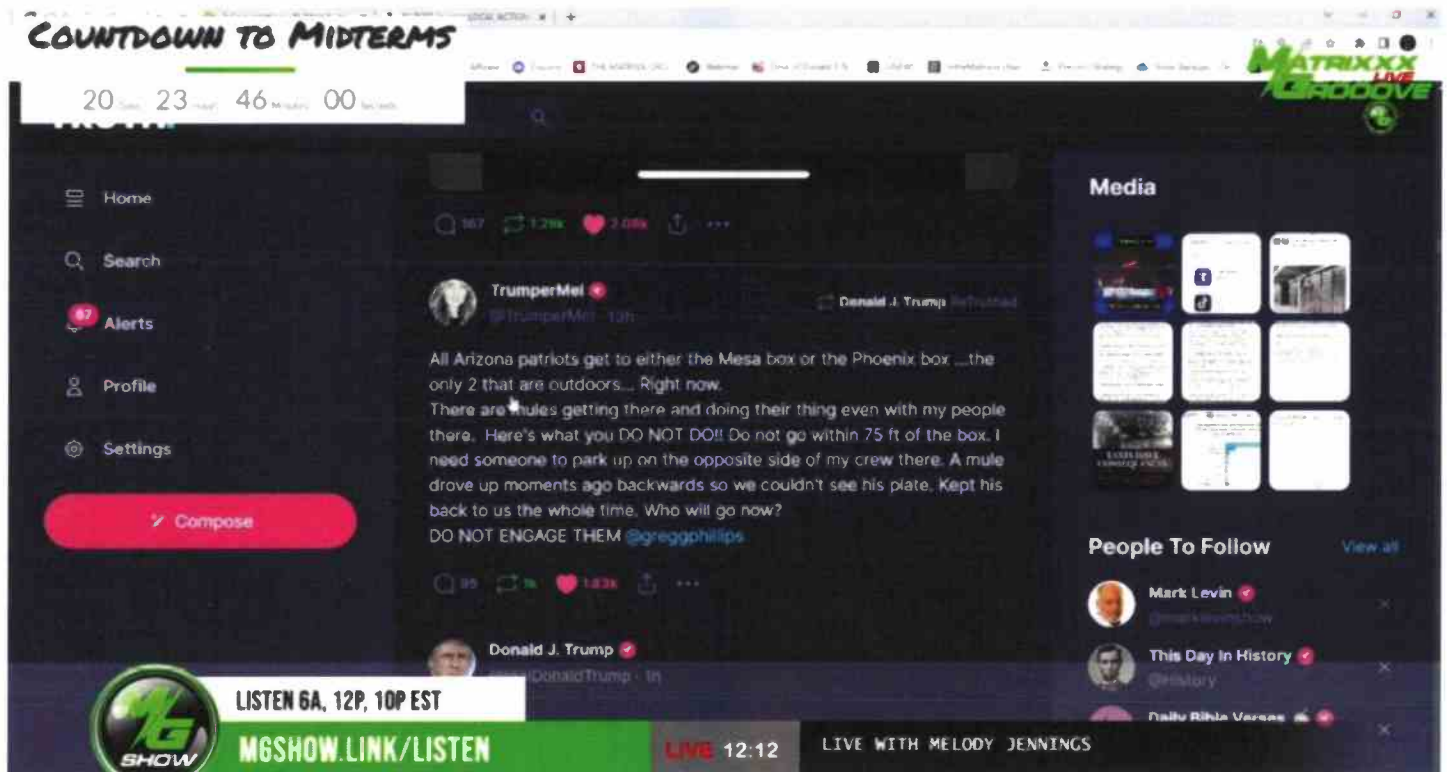


A Conversation with Melody Jennings: CleanElectionsUSA.org

MG Show
October 18, 2022
14,403 Views

SUBSCRIBE 46.3K

JOIN



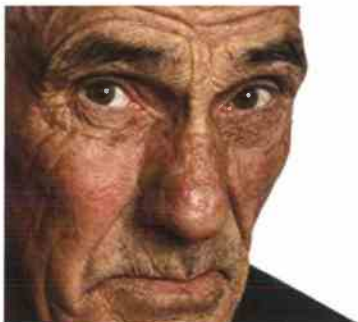
Streamed on: Oct 18, 12:07 pm EDT

7:18 / 2:00:10

+ - 617 rumbles

EMBED

SHARE



Dramatic Changes Coming to IRA/401K Accounts

Wild market swings. Learn how
IRA & 401(K) savers are preparing
(Do This One Thing Today)

**FREE GOLD
GUIDE >>**



Enjoyed this video? Join my Locals community for exclusive content at mgshow.locals.com/!



<https://CleanElectionsUSA.org> is a grassroots organization committed to election integrity. While there are many who say the 2020 election was the most secure in American history, we know this is far from the truth. Every legal vote must be counted and it is unacceptable when illegal votes are added to the mix. Each person, no matter to which party they belong, is disenfranchised when fraudulent votes are included in the final count.

Second hour the guys go over Gregg Phillips' statement on Telegram, Kanakoa substack on Konnech, Eugene Yu Konnech history, Bill Cooper, and Durham still out!!



Today 12pm EST 9am PST

MG SHOW with @InTheMatrixxx and @Shadygrooove

Come check out the show!

Join the Conversation on Telegram

@mgshowchannel @mgshow

<https://t.me/mgshow>

Come Join us - Live Content Mon-Sat on Telegram @ 7pm EST!

See you there!

(If you miss the live you can ALWAYS watch anytime at your leisure, at rumble.com/mgshow or the same live link

<https://mg.show/support> to support/auto-support the guys!

<https://mg.show/store> support the guys and get swag!

<https://buymeacoffee.com/mgshow>

SIGN IN TO SEE 38 COMMENTS



[DEVELOPERS](#) [OUR APPS](#) [ABOUT US](#) [CAREERS](#) [ADVERTISING](#) [STORE](#)

[Terms & Conditions](#) [Privacy Policy](#) [Copyright / DMCA](#)

Copyright © 2022 Rumble. All Rights Reserved.

EXHIBIT E



CLEAN ELECTIONS USA



How to Stop Ballot Mules from Hijacking our Elections



By [cleanelectionsusa](#)



06/07/2022



The recent documentary, 2000 Mules, has brought to light how our election system has been hijacked. While this article will not get into the nitty gritty details of who is doing the hijacking, we will explore how this is playing out and what we, as American citizens on both sides of the aisle, can do to stop it.

What are Ballot Mules?

Ballot Mules are paid operatives sent with small batches of sealed ballots to drop boxes in the same city, adjacent cities, or even in multiple counties. While it is tempting to think this is a one-sided strategy, these tactics have been used by not-for-profit organizations linked to both Republican and Democrat candidates.

What this means to us as Americans is that we have a widespread problem of “installed”, rather than duly elected, representatives who have been systematically put into office.

Where do the Ballots Come From?

The voter roles in swing counties throughout the country are “dirty”. Many of the voters listed on current roles within the Secretary of State’s office are incorrectly counted. The system used by many states for cleaning their voter rolls, ERIC,) has systematically been allowing inaccuracies.



- Some of the ballots are for people no longer alive, including youngsters who died and would now be turning 18. Other phony ballots are from real people who haven’t voted in a long time. Many

of these people were at one point removed from the voter rolls only to mysteriously re-appear.

- Canvassing throughout the United States by citizens has revealed many ballots cast by people who no longer live at the residence in question. Duplicate ballots sent to outdated addresses can potentially allow a vote to be placed via drop box without detection.
- Another way a ballot that isn't real can be inserted into the election is via nursing home harvesting. People who are incapacitated or marginally functional can have their ballots taken and used nefariously. This adds up and is a huge problem successfully uncovered by law enforcement in Wisconsin and Texas.
- If all of these methods weren't enough, it has been revealed that mail in ballots have been used unlawfully to vote prior to election day, leaving legitimate voters at the polls to fill out provisional ballots which may not get counted.
- Some ballots were mailed to dilapidated or even demolished buildings and office complexes with no tenants.
- One last group of ballots includes people that do not exist at all. Often times, by changing middle initials, middle names, and last names, ballots that are invalid can be pushed through.

What Can We as Americans Do?

It is easy to feel helpless and throw your hands up in the air since election irregularities like this on both sides, Republican and Democrat, have been ongoing for many years. We can't afford to sit on the sidelines any longer though as the situation has gotten progressively worse.

It appears to be part of a larger strategy to undermine our democratic republic. If you value freedom, now is the time to take action and participate.

- By joining CleanElectionsUSA.org, you can help to lawfully guard the drop boxes during primaries and midterm elections in your state via [Drop Box Initiative 2022](#). This grass-roots organization is growing rapidly as part of a movement to ensure our legally cast votes are counted properly without disenfranchisement or violation of the 14th amendment.



- Contact your Secretary of State and recommend they discontinue the use of ERIC if they are still doing so. You may also want to reach out to your other elected officials to encourage stricter clean up of the voter rolls.
- Reach out to your local county elections office and verify that there are no former tenants or owners registered to vote at your address.
- Similarly, if you have lived elsewhere and moved, be sure that you are not listed in other cities, counties, or states as a registered voter. You may need to put this in writing. Take the time to do so ASAP. It is that important!

While it is likely this problem with election irregularities is not going to clear up overnight, it is imperative that we get involved to move the

needle in the direction of free and fair elections regardless of our political viewpoints.

It is unacceptable in a country like ours to have representatives in office who were not actually elected by the people. If you have information about unlawful ballot stuffing, please contact your local law enforcement agency and file a report. The more that we can eliminate this problem, the more secure our election system will be going forward.

NOTE: The opinions expressed in this blog article are not paid for by either political party and are in compliance with constitutional law. Clean Elections USA is a grass roots organization dedicated to legally safeguarding our elections.



*** TAKE ACTION & JOIN US ***
DROP BOX INITIATIVE 2022
We Cannot Let the Midterms Be Stolen

- STEP 1** DOWNLOAD GroupMe App on Google Play Store or Apple App Store
- STEP 2** CREATE a GroupMe Account on your Android or iPhone
- STEP 3** EMAIL CleanElectionsUSA@proton.me so we know you're on GroupMe
- STEP 4** WE WILL GIVE ACCESS to Patriot Nation / Patriot Support group

**WE NEED VOLUNTEERS
URGENTLY
TO GUARD DROP BOXES**

**2000 MULES
WAS OUR WAKE UP CALL**

For Information Visit
www.CleanElectionsUSA.com
#DropBoxInitiative2022



* Clean Elections USA is a law abiding Grass Roots organization made up of concerned citizens.

🔑 [ballots](#), [elections](#), [mules](#)

EXHIBIT F



Live with Melody Jennings, aka TrumperMel to Discuss Clean Elections USA!

CannCon Overflow

October 31, 2022

3,326 Views

SUBSCRIBE 15.6K

JOIN



Streamed on: Oct 31, 4:01 pm EDT

+ - 242 rumbles

EMBED

SHARE



How Military Grade Telescope Lets
You See for Miles



The Secret Japanese Way to Free
Your Body from Toxins



This 1 Weird Trick Cuts Your Power
Bill by 51% (It's Genius)



Enjoyed this video? Join my Locals community for exclusive content at canncon.locals.com/!



in lieu of the Daily Recap today, I will have Melody Jennings on live to discuss the Clean Elections USA, their mission, and their hardships as of late with a weaponized DOJ and local law enforcement offices.

Be sure to check out Melody on Truth Social @TrumperMel

Be sure to follow me as well on Truth @CannCon

Check out MyPillow.com and MyStore.com and use promocode CANNCON to save up to 66%!!

SIGN IN TO SEE 12 COMMENTS



Everyone Who Believes In God Should Watch This. It Will Blow Your Mind

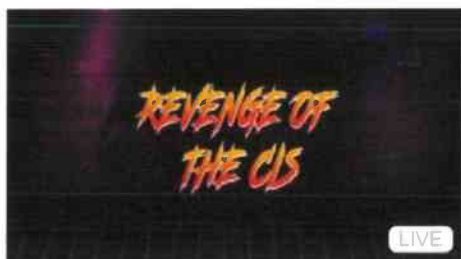
Sponsored Ad

Watch The Video



Daily Recap 10-26-2022 **2:30pm EST start time today**

CannCon Overflow



Episode 1086: Aye?

Revenge of the Cis
1,032 watching

EXHIBIT G

← @TrumperMel's post



TrumperMel ✓

@TrumperMel · 1d

Come join today (Monday Oct 31) at 4 pm EST

rumble.com/v1qsn84-live-with-m...



Live with Melody Jennings, aka TrumperMel to Discuss Clean Elections USA!

[Rumble.com](https://rumble.com)

↻ 41 ❤️ 105

Oct 31, 2022, 12:41 PM

💬 Reply

↻ ReTruth

❤️ Like



Exhibit 2

1 Mary R. O'Grady, 011434
Eric M. Fraser, 027241
2 Sarah P. Lawson, 036436
Osborn Maledon, P.A.
3 2929 N. Central Ave., Suite 2100
Phoenix, Arizona 85012
4 (602) 640-9345
mogrady@omlaw.com
5 efraser@omlaw.com
slawson@omlaw.com
6 Attorneys for Plaintiff

7 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
8 IN AND FOR THE COUNTY OF MARICOPA

9 Citizens Clean Elections Commission,

10 Plaintiff,

11 v.

12 Melody Jennings, Doe Defendants 1-10,

13 Defendants.
14

No. _____

**DECLARATION OF REGINA
ROBERTS IN SUPPORT OF
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
INJUNCTIVE RELIEF**

15 I, Regina Roberts, declare that,

16 1. I am the Director of Voter Education at the Citizens Clean Elections
17 Commission ("Clean Elections"). I have held this position for eight years.

18 2. My role in Clean Elections is to use multiple avenues, such as digital
19 media, traditional media, and grassroots efforts, to build trust in the Clean Elections
20 educational materials and the election process

21 3. Clean Elections invests in maintaining a strong internet presence for voter
22 education, including its social media pages. Clean Elections uses the CLEAN
23 ELECTIONS mark on its website and social media pages

24 4. My responsibilities include managing the \$1.5 million budget required to
25 create, produce, print, and send the Clean Elections voter education guide to every
26 household in Arizona with a registered voter and to sponsor and advertise a series of
27 candidate debates. All of these programs use the CLEAN ELECTIONS mark.

28 5. In addition to the media efforts regarding public education for voting in

1 Arizona and elections, Clean Elections distributes totes, sunglasses, pens, hats, cards, t-
2 shirts, and hand sanitizer branded with the CLEAN ELECTIONS mark when attending
3 public events concerning voting and elections.

4 6. On October 25, 2022, I received an email from kewlhands9@gmail.com
5 that was intended for Clean Elections USA. A true and accurate copy of that
6 correspondence, and my response, is attached as Exhibit A. This email showed that the
7 person sending the email was confused between Clean Elections and Clean Elections
8 USA.

9 7. On October 25, 2022, I received an email from Linda Morrison that was
10 intended for Clean Elections USA. A true and accurate copy of that correspondence,
11 and my response, is attached as Exhibit B. This email also indicated the person sending
12 the email was confused between Clean Elections and Clean Elections USA.

13 8. On October 18, 2022, Beverly Voorhees-Hafer and Dan McClintock
14 posted comments on the Clean Election Facebook page that were intended for Clean
15 Elections USA. A true and accurate copy of those comments is attached as Exhibit C.
16 A true and accurate copy of Clean Elections' response is attached as Exhibit D.

17 9. On October 25, 2022, Robert Bryant posted a comment on the Clean
18 Elections Facebook page that was intended for Clean Elections USA. A true and
19 accurate copy of that comment is attached as Exhibit E. A true and accurate copy of
20 Clean Elections' response is attached as Exhibit F.

21 10. On October 25, 2022, Michael Rich posted a comment on the Clean
22 Elections Facebook page that was intended for Clean Elections USA. A true and
23 accurate copy of that comment is attached as Exhibit G.

24 11. On October 27, 2022, Instagram user @less_ads_please posted a
25 comment on the Clean Elections Instagram page that was intended for Clean Elections
26 USA. A true and accurate copy of that comment is attached as Exhibit H.

1 12. On October 27, 2022, Ann Kenevan posted a comment on the Clean
2 Elections Facebook page that was intended for Clean Elections USA. A true and
3 accurate copy of that comment is attached as Exhibit I.

4 13. On October 28, 2022, Christina Murphy posted a comment on the Clean
5 Elections Facebook page that was intended for Clean Elections USA. A true and
6 accurate copy of that comment is attached as Exhibit J.

7 14. Between October 26 and 28, 2022, several Facebook users posted a
8 comment thread on the Clean Elections Facebook page that was intended for Clean
9 Elections USA. A true and accurate copy of those comments is attached as Exhibit K.

10 15. Over the last two weeks, users on social media have been using the
11 CLEAN ELECTIONS mark interchangeably with CLEAN ELECTIONS USA.

12 16. As an example of such misuse of the CLEAN ELECTIONS mark, a user
13 on Twitter posted a screenshot of the Clean Elections USA website but described it as
14 the Clean Elections website. A true and accurate copy of that Tweet is attached as
15 Exhibit L.

16 17. Another example of this misuse occurred on Twitter on October 24, 2022.
17 A true and accurate copy of that Tweet is attached as Exhibit M.

18 18. On October 27, 2022, Twitter user @Popitics1 posted a quote from Clean
19 Elections USA and attributed it to Clean Elections. A true and accurate copy of that
20 Tweet is attached as Exhibit N.

21 19. The confusion has reached such a high level that other members of the
22 public have stepped in to explain the difference between the CLEAN ELECTIONS
23 mark and the CLEAN ELECTIONS USA mark. As an example, on October 27, 2022,
24 Twitter user @GIRLEMPower posted an explanation between the two marks. A true
25 and accurate copy of this Tweet is attached as Exhibit O.

26 20. The attorney for Clean Elections USA in an unrelated case used CLEAN
27 ELECTIONS mark—instead of the correct CLEAN ELECTIONS USA mark—on
28

1 October 27, 2022. This mistake was reported by a Twitter user. A true and accurate
2 copy of a Tweet describing the mistake is contained in Exhibit O.

3 21. Even after Ms. Jennings posted on Truth Social that members of Clean
4 Elections USA should use a different name in Arizona, voter confusion has continued.

5 22. For example, on October 31, 2022, Twitter user Charlie Newquist posted
6 a Tweet intended for Clean Elections USA but tagged Clean Elections. Charlie also
7 implored Clean Elections to “make a public statement” to clarify that the ballot box
8 monitors are not associated with Clean Elections USA. A true and accurate copy of
9 Mr. Newquist’s Tweets are attached as Exhibit P.

10 23. Similarly, also on October 31, 2022, three Twitter users posted Tweets
11 and comments intended for Clean Elections USA but tagged Clean Elections. A true
12 and accurate copy of those Tweets are attached as Exhibit Q.

13 24. This confusion caused by Clean Elections USA’s use of the CLEAN
14 ELECTIONS mark harms the Clean Elections brand that we have worked to build and
15 maintain.

16 25. I declare under penalty of perjury that the foregoing is true and correct.

17
18 Executed on November 1, 2022.

19 

20 _____
Regina Roberts

EXHIBIT A



REGINA ROBERTS <gina.roberts@azcleaselections.gov>

Intimidation

5 messages

Kewl Hands <kewlhands9@gmail.com>

Tue, Oct 25, 2022 at 9:06 AM

To: ccec@azcleaselections.gov

Hey, is this where I contact to get intimidated?
I really really want to be intimidated when I submit my ballot.
Reply and I'll let you subhuman life forms know where and when I'll be submitting it.
Please feel free to reply.
Larry Pettit
6023803056.
2050 west Dunlap Ave D23.
PHX 85021.

PS you bring the party, I'll bring the pain!!

REGINA ROBERTS <gina.roberts@azcleaselections.gov>

Tue, Oct 25, 2022 at 9:14 AM

To: Kewl Hands <kewlhands9@gmail.com>

Cc: ccec@azcleaselections.gov

Hello. That is not our organization.

We are the state of Arizona's nonpartisan voter education agency. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, Clean Elections. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

Sincerely,

Gina Roberts**Voter Education Director**

Citizens Clean Elections Commission

1110 W. Washington St., Suite 250

Phoenix, Arizona 85007

p. 602.364.3536

f. 602-364-3487



To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

[Quoted text hidden]

Kewl Hands <kewlhands9@gmail.com>

Tue, Oct 25, 2022 at 11:50 AM

To: REGINA ROBERTS <gina.roberts@azcleelections.gov>

Yea uh huh yea sure you are.
I used that same lame ass excuse many times.
No wasn't me...
Or
I confess... It wss them.
Y'all can't bullshit a bullshiter
All y'all just a lieing, subhuman life forms
I still want to be intimidated, really bad.
Y'all pick the drop box time and place
If y'all bring the party I'll bring the pain..
C'mon, don't be shy now you got my contact info home addy, phone number,

[Quoted text hidden]

REGINA ROBERTS <gina.roberts@azcleelections.gov>

Tue, Oct 25, 2022 at 12:14 PM

To: Kewl Hands <kewlhands9@gmail.com>

This has been reported by the media that our agency Clean Elections, has no connection to this intimidation group and we are in fact exploring legal action against them.

https://twitter.com/Garrett_Archer/status/1583219864730095616?t=Xjg3CMUxjZGOKo0yig5oeA&s=19

[Quoted text hidden]

Kewl Hands <kewlhands9@gmail.com>

Tue, Oct 25, 2022 at 12:19 PM

To: REGINA ROBERTS <gina.roberts@azcleelections.gov>

Wasn't me

[Quoted text hidden]

EXHIBIT B

From: [REGINA ROBERTS](#)
To: [linda.morrison](#)
Cc: ccec@azcleelections.gov
Subject: Re: Contact Us
Date: Tuesday, October 25, 2022 7:19:39 AM

Hello Linda:

We are the state of Arizona's nonpartisan voter education agency that employs certified election officials. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, Clean Elections. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

Sincerely,

Gina Roberts

Voter Education Director

[Citizens Clean Elections Commission](#)

1110 W. Washington St., Suite 250

Phoenix, Arizona 85007

p. 602.364.3536

f. 602-364-3487



To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

On Tue, Oct 25, 2022 at 5:52 AM linda.morrison <lindamorrison138@gmail.com> wrote:

Your voter intimidation sitting in front of drop boxes is really pathetic. Fragile small penis men who can't handle an election loss have to do shit like this to make themselves feel better because nobody wants you in office. No one wants to live under a dictator. And you idiot think that somehow the upper echelon is going to include you? Are you going to be at the bottom with the rest of us. And you were going to be the reason we all lose our Second

Amendment rights fuck you

EXHIBIT C



Clean Elections ✓



Oct 18 · 🌐



Dan McClintock

Good afternoon, Clean Elections. It's been 1 day and you haven't responded to my question. What is your answer? We all voters are anxious to know.

6d Like Reply



Beverly Voorhees-Hafer

You're nothing but a bunch of Red-hatted vigilantes! You won't scare me when I go to the polls to proudly VOTE BLUE!!!!!!

1w Like Reply

5



Dave Stauffer

[Beverly Voorhees-Hafer](#) they have their red-hatted brownshirts so brainwashed it's kind of sad.

1w Like Reply

1



Write a reply...

EXHIBIT D



Clean Elections ✓



Oct 18 · 🌐

[Dan McClintock](#) I think they'll throw them both in jail unless they find out she's voting republican. After all of those recount and court losses they've resorted to cheating.

1w Like Reply

2



Dan McClintock

[Dave Stauffer](#) thank you. Clean Elections, what is your response to this?

1w Like Reply



Author

Clean Elections ✓

[Dave Stauffer](#) Hi Dan. Arizona law allows for a family member, household member or caregiver of the voter to return the voter's ballot. To clarify, our agency is the state's non partisan voter education agency. We are NOT associated with the group that has been monitoring drop boxes. Voter intimidation is unacceptable. We provide a list of every ballot drop box in the state and voting locations so voters can choose what works best for them.

EXHIBIT E



Like

Comment

Share



1 Share

Most relevant




Robert Bryant

Good to see your campaign of voter intimidation is getting shut down! I hope your thugs get jail time!

3d Like Reply

15  

EXHIBIT F



Clean Elections ✓

Posted by Gina Roberts

Oct 23 · 🌐

...

 Like

 Comment

 Share

 5

1 Share


Most relevant ▾



Robert Bryant

Good to see your campaign of voter intimidation is getting shut down! I hope your thugs get jail time!

6d Like Reply Message Hide 16 



Author

Clean Elections ✓



Good afternoon, [Robert Bryant](#) We are Arizona's nonpartisan agency for voter education. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, the Citizens Clean Elections Commission. We are doing our best to ensure voters know this group is not associated with us or our nonpartisan voter participation work.


We understand your frustration.

3d Like Reply 1 




Most Relevant is selected. so some replies


EXHIBIT G

**Clean Elections** 

Aug 20, 2018 · 


6K views

 Like  Comment  Share



 92

72 Shares

Most relevant ▾


**Michael Rich**
need to be locked up for voter intimid

6d Like Reply Message Hide

**Clean Elections** 
Michael Rich We are Arizona's nonpartisan agency for voter education. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, the Citizens Clean Elections Commission. We are doing our best to ensure voters know this group is not associated with us or our nonpartisan voter participation work.

We understand your frustration.

3d Like Reply

 Write a reply...



**Arthur Johnson**

EXHIBIT H



Comments



azcleanelections  On this day in [#history](#), 1,500 ranchers, cowboys, politicians and other local citizens gathered at Sasabe to celebrate the opening of the road to Tucson. [#azhistory](#) [#arizonafacts](#)

6d



less_ads_please how does this align with actively intimidating legally registered voters of your state? asking for a friend.



1d Reply Send



Add a comment...

EXHIBIT I



Clean Elections



Posted by Gina Roberts
Oct 23 · 🌐



Ann Kenevan

BUT NO PROBLEM? The New Black Panther Party voter intimidation case is a political controversy in the United States concerning an incident that occurred during the 2008 election. The New Black Panther Party and two of its members, Minister King Samir Shabazz and Jerry Jackson, were charged with voter intimidation for their conduct outside a polling station in Philadelphia, Pennsylvania .
New Black Panther Party voter intimidation case - Wikipedia
en.wikipedia.org/wiki/New_Black_Panther_Party_voter_intimidation_case

<https://www.youtube.com/watch?v=qj0gBBmD-Hs>



New Black Panther Party voter intimidation case - Wikipedia
en.wikipedia.org

4d Like Reply Message Hide

EXHIBIT J



Clean Elections ✓



May 11, 2021 · 🌐



Karl Peterson Hayes

[Debra Eve Jaswaye](#) I think this isn't the right company. Clean Elections USA is the bad one hiring people with guns in Arizona. Here is the page on Google. Scrolled down and when I clicked the Facebook link it takes you to Truth Social.

<https://cleanelectionsusa.org/>

**1 Elec
USA**

Home - Clean Elections USA
cleanelectionsusa.org

5d Like Reply Message Hide 1 ❤️

View 3 replies...



Write a reply...





Christina Murphy


Voter intimidation in Maricopa County. You are already busted

3d Like Reply Message Hide 1 👍

EXHIBIT K

 **Eddie Blake**
Your drop box thugs are no different than rabid animals... and the only solution to rabid animals is to PUT THEM DOWN.


6d Like Reply Message Hide 10 


 **Kari Peterson Hayes**
[Eddie Blake](#) this isn't that organization. That one is cleanelectionusa.org. this one is azcleanelections.gov

1 Elec USA Home - Clean Elections USA
cleanelectionusa.org

5d Like Reply Message Hide

 Write a reply...

 **Anne Hendrickson**
REPORT THIS PAGE FOR FRAUD - IT IS NOT A "GOVERNMENT ORGANIZATION"

5d Like Reply Message Hide 1 

 **Michael Bolin**
Fascist right extremist page posing as patriots.

5d Like Reply Message Hide 1 

 **Rosanne GC**
<https://aonnews.com/article/2022-midterm->

 Write a comment...   



EXHIBIT L



FUKTRUMPLICANS @epoxyandw... · 5d

Replying to @NicoleSGrigg

Screen shots of Clean Elections website. Notice the listing of those "risking their lives" fighting for clean elections. It's the major players in "The Big Lie"



gaslighting and ongoing J6 nonsense, at...
is a recipe for becoming truly disheartened
and powerless.

**Suggested Reading: 10 Ways the Election
Rigged in Maricopa County**

Who We Are

We are a grassroots organization committed to election integrity. While there are many who say the 2020 election was the most secure in American history, we know this is far from the truth. Every legal vote must be counted and it is unacceptable when

Luckily, people are standing up and the truth is being uncovered. We have some real American heroes out there like Seth Keshel, Jovan Hutton Pulitzer, Gregg Phillips, Catherine Engelbrecht, Dinesh D'Souza, Matt DePerno, Mike Lindell, Lara Logan, Tina Peters, Liz Harris, and others who have literally put their lives on the line to



pinknoiz @pinknoiz · 5d

Replying to @NicoleSGrigg

This can't be good

Earlier this week, Steve Bannon, hosted a

EXHIBIT M



Iveygirl08 @iveygirl08 · 4d

...

CLEAN ELECTIONS RECORDING DROP BOXES AS VOTERS DROP BALLOTS

voter fraud. The only way we can do this is to monitor those drop box locations with a team of volunteers. That is why we're reaching out to patriots like yourself who have similar concerns. In short, we need your help!



We are looking for true Patriots to take a stand and watch the drop boxes. We want to gather video (and live witness evidence) of any ballot tampering that takes place in real time. Are you willing to take a shift in a team of Patriots to watch these locations and take notes/video of any suspicious activity within what the laws of your state permit?



8 views



EXHIBIT N



Popitics @Popitics1 · Oct 27

...

Replying to @Popitics1

@vote_latino in Arizona filed a lawsuit to stop armed men who have started to “guard” early voting drop boxes in the state

@AZCCEC claim that they are stopping so-called “ballot mules” individuals they allege are stuffing drop boxes with ballots to help Democrats.



1



EXHIBIT O



Reva @GIRLEMPower · 1d

...

I suspect they chose the name “**Clean Elections USA**” to confuse voters in Arizona into believing they were part of the non-partisan Arizona **Clean Elections** Commission.

They tether themselves to legitimate voter protection in order to violate voters rights.



"AZ Law" @arizonaslaw · 1d

Replying to [@arizonaslaw](#)

Lucero refers to "Clean Elections", meaning Defts. Cole is confused, notes that in AZ, that refers to a "non-partisan" organization. (The Arizona Clean Elections Commission is govern...

[Show this thread](#)



EXHIBIT P



Charlie Newquist @CharlieNewquist · 12h

...

Replying to @AZCCEC

You might want to make a public statement that clarifies your position if they really aren't a part of the group. We only hear and see "Clean Elections", and after Cyber Ninjas, it's not a big leap to assume the state is arming vigilantes to monitor voters.



Charlie Newquist @CharlieNewquist · 21h

...

@AZCCEC It is appalling that your armed Clean Elections vigilantes film, follow, and intimidate voters who are exercising their Constitutional right to vote. I guess since one of your judges said it was OK it will continue, but you should be ashamed.



EXHIBIT Q



Blocking all the right wing cunts! @DavidWa53158736 · 4h ...
@melodyjennings @CETexas @cleanelectionsAZ if you stand near ballot boxes with guns, expect scrutiny you racist fascists #Arizona @AZCCEC @AZElections



Ron Filipkowski @RonFilipkowski · 6h

The leader of the group that has people sitting on voting drop boxes in AZ is complaining on Bannon this morning that they are being harassed by the media and people on twitter.



1 retweet 1 like



Susan @bosco44 · 5h ...

Replying to @AZCCEC
You and your organization is exactly what's wrong with this country!
Despicable

1 retweet 1 like



sk45202 @sk45202 · 5h ...

Replying to @RonFilipkowski
Most reasonable people would assume that the @AZCCEC people in tactical gear were there to intimidate voters. Why do they need to loiter in tactical gear?

1 retweet 5 likes

Exhibit 3

1 Mary R. O'Grady, 011434
Eric M. Fraser, 027241
2 Sarah P. Lawson, 036436
Osborn Maledon, P.A.
3 2929 N. Central Ave., Suite 2100
Phoenix, Arizona 85012
4 (602) 640-9345
mogrady@omlaw.com
5 efraser@omlaw.com
slawson@omlaw.com
6 Attorneys for Plaintiff

7
8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
9 IN AND FOR THE COUNTY OF MARICOPA

10 Citizens Clean Elections Commission,
11 Plaintiff,

12 v.

13 Melody Jennings and Doe Defendants 1-
14 10,
15 Defendants.

No. _____

**DECLARATION OF MIKE BECKER
IN SUPPORT OF APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND INJUNCTIVE RELIEF**

16 I, Mike Becker, declare that,

17 1. I am the Director of Policy with the Citizens Clean Elections Commission
18 ("Clean Elections"). I have worked for Clean Elections for a total of 14 years.

19 2. Over the last two weeks, I have received seven phone calls from people
20 trying to reach Defendant Clean Elections USA. Each of these callers was upset and
21 angry because of Clean Elections USA's ballot drop box surveillance activities.

22 3. On October 25, 2022, I received an email from Wanda Leavey confusing
23 Clean Elections with Clean Elections USA. A true and accurate copy of that
24 correspondence, and my response, is attached as Exhibit A.

25 4. On October 25, 2022, I received an email from Robin Catt confusing
26 Clean Elections with Clean Elections USA. A true and accurate copy of that
27 correspondence, and my response, is attached as Exhibit B.
28

1 5. On October 25, 2022, I received an email from oly19kilo@gmail.com
2 confusing Clean Elections with Clean Elections USA. A true and accurate copy of that
3 correspondence, and my response, is attached as Exhibit C.

4 6. On October 25, 2022, I received an email from Mike Shlepr confusing
5 Clean Elections with Clean Elections USA. A true and accurate copy of that
6 correspondence, and my response, is attached as Exhibit D.

7 7. On October 25, 2022, I received an email from Scott Frantzen confusing
8 Clean Elections with Clean Elections USA. A true and accurate copy of that
9 correspondence, and my response, is attached as Exhibit E.

10 8. I declare under penalty of perjury that the foregoing is true and correct.

11 Executed on 11/1, 2022.

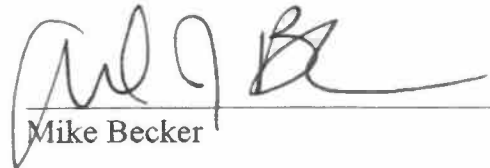
12
13 
14 Mike Becker
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A

From: [MIKE BECKER](#)
To: [Wanda Leavey](#)
Cc: ccec@azcleanelections.gov
Subject: Re: Contact Us
Date: Wednesday, October 26, 2022 7:30:15 AM

Wanda,

We are the state of Arizona's nonpartisan voter education agency created by a vote of the people in 1998. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, the Citizens Clean Elections Commission. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

On Tue, Oct 25, 2022 at 10:43 PM 'Wanda Leavey' via CCEC Mailbox - CEC
<ccec@azcleanelections.gov> wrote:

Hey Ignorant Traitors ~

How many of your group graduated high school?
How many of your group have ever travelled outside of the U.S.?
How many of your group were from broken and/or abusive homes?
How many of you went to Sunday School?
How many of you were Bar or Bas Mitzvahed?
How many of you have ever had a Civics class?
How many of you were made fun of in high school or bullied?
How many of you have always felt ABNORMAL?

Most of us know that you are disadvantaged for even being attracted to the Nonsense you now defend with anger & violence because you hate yourselves and don't feel equal to NORMAL people. You need medical help. You can be hospitalized before you are imprisoned. You can have a normal, happy and peaceful life.

Normal people speak of Peace and Love, not anger and hate. Every normal religion preaches Peace and Love. Not anger and hate. You can feel better. You can have a meaningful

Life. Go back to school. See your Doctor. Read. Read a lot. Read the Classics. Think for yourself. Don't drink the KoolAid. Think for yourself. Think Peace. Think Love. Do unto others as you would have them do unto you. Treat others the way you would like to be treated. Love your Neighbor. Take care of your Neighbor. Share with your Neighbor. Give what you can to your Neighbor. Learn Manners. Respect for others. Courtesy to others. Think of others before you think of yourself.

Make the world a BETTER place. Make a POSITIVE DIFFERENCE in this world. STOP HATE!

Go and spread Peace and Love each other.

You don't have to be Losers.

Sent from my iPhone

--

Mike Becker

Policy Director

Arizona Citizens Clean Elections Commission

1110 W Washington, Suite 250

Phoenix, AZ 85007

Direct line: 602-364-3480

To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

EXHIBIT B

From: [MIKE BECKER](#)
To: [Robin Catt](#)
Cc: ccec@azcleanelections.gov
Subject: Re: Contact Us
Date: Tuesday, October 25, 2022 1:40:29 PM

Robin,

We are the state of Arizona's nonpartisan voter education agency created by a vote of the people in 1998. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, the Citizens Clean Elections Commission. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

Mike Becker

On Tue, Oct 25, 2022 at 1:36 PM Robin Catt <ricatt5363@gmail.com> wrote:

You are nothing but liars! How dare you! All you are out at drop boxes for is to intimidate voters! You are disgraceful and you will NOT intimidate us! YOU ARE THE ONES DESTROYING OUR COUNTRY!!! ALL of you are disgusting, dispicable trumpers who need to be thrown in jail along with trump!!!!

--

Mike Becker

Policy Director

Arizona Citizens Clean Elections Commission

1110 W Washington, Suite 250

Phoenix, AZ 85007

Direct line: 602-364-3480

To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

EXHIBIT C

From: [MIKE BECKER](#)
To: [Oly](#)
Cc: ceec@azcleanelections.gov
Subject: Re: Contact Us
Date: Tuesday, October 25, 2022 1:34:47 PM

We are the state of Arizona's nonpartisan voter education agency created by a vote of the people in 1998. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, Clean Elections. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

On Tue, Oct 25, 2022 at 1:33 PM Oly <oly19kilo@gmail.com> wrote:
Cult

Sent from my iPhone

--

Mike Becker

Policy Director

Arizona Citizens Clean Elections Commission

1110 W Washington, Suite 250

Phoenix, AZ 85007

Direct line: 602-364-3480

To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

EXHIBIT D

From: [MIKE BECKER](#)
To: [Mike Shlepr](#)
Cc: ccec@azcleanelections.gov
Subject: Re: Contact Us
Date: Tuesday, October 25, 2022 12:30:40 PM

Mike,

We are the state of Arizona's nonpartisan voter education agency that was created by a vote of the people in 1998. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, Clean Elections. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

Mike Becker

On Tue, Oct 25, 2022 at 12:25 PM Mike Shlepr <mshlepr@att.net> wrote:

Hi, I thought I saw a voting mule up your ass. Get mule, ass. Funny stuff. Keep wasting your money, it helps the economy so that you can own the libruls.

Sincerely,
Mike Shlepr

--

Mike Becker

Policy Director

Arizona Citizens Clean Elections Commission

1110 W Washington, Suite 250

Phoenix, AZ 85007

Direct line: 602-364-3480

To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

EXHIBIT E

From: [MIKE BECKER](#)
To: [scott frantzen](#)
Cc: ccec@azcleanelections.gov
Subject: Re: Contact Us
Date: Tuesday, October 25, 2022 7:31:57 AM

Scott,

We are the state of Arizona's nonpartisan voter education agency. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, the Citizens Clean Elections Commission. We are making every effort to ensure voters know this group is not associated with us and the nonpartisan work we do to promote voter participation.

We understand your frustration.

Mike Becker

On Tue, Oct 25, 2022 at 7:27 AM scott frantzen <74317sgopher@gmail.com> wrote:

You butch of crazies!

Traitors. Intimidation won't work.

Go play army somewhere else.

--

Mike Becker

Policy Director

Arizona Citizens Clean Elections Commission

1110 W Washington, Suite 250

Phoenix, AZ 85007

Direct line: 602-364-3480

To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

Exhibit 4

1 Mary R. O'Grady, 011434
Eric M. Fraser, 027241
2 Sarah P. Lawson, 036436
Osborn Maledon, P.A.
3 2929 N. Central Ave., Suite 2100
Phoenix, Arizona 85012
4 (602) 640-9345
mogrady@omlaw.com
5 efraser@omlaw.com
slawson@omlaw.com
6 Attorneys for Plaintiff

7
8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
9 IN AND FOR THE COUNTY OF MARICOPA

10 Citizens Clean Elections Commission,

11 Plaintiff,

12 v.

13 Melody Jennings, Doe Defendants 1-10,

14 Defendants.

No. _____

**DECLARATION OF AVERY XOLA
IN SUPPORT OF APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND INJUNCTIVE RELIEF**

15 I, Avery Xola, declare that:

16 1. I am the Voter Education Manager with the Citizens Clean Elections
17 Commission ("Clean Elections"). I have held this position since 2019.

18 2. My role is to educate voters on the election process and candidates. To
19 accomplish this goal, I host workshops, respond to voter questions on the phone, email,
20 and social media, and spread election information to the community via grassroots
21 efforts on campuses and in the community.

22 3. A large portion of my job is working to get the Clean Elections resources
23 with the CLEAN ELECTIONS mark out to the community.

24 4. I recently became aware that Clean Elections USA was using our
25 CLEAN ELECTIONS mark.

26 5. On October 25, 2022, I received an email, attached as Exhibit A, from
27 Marc Zukie saying:

28 Why do you guys try to Intimidate people at [] voting drop

boxes!! That's against the law!! We have Fair and honest elections!!! Stop messing with my Country!! You don't like it here Leave!!!

6. I responded the same day to inform Mr. Zukie that Clean Elections USA is not associated with our agency. A true and accurate copy of that correspondence is attached as Exhibit A.

7. I also took three phone calls wherein the callers confused Clean Elections with Clean Elections USA.

8. Additionally, four of my personal contacts have reached out to me to ask if I worked for Clean Elections USA.

9. I am concerned that the confusion caused by Clean Elections USA using the CLEAN ELECTIONS mark undermines the voter education work of Clean Elections.

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

Executed on Nov. 1, 2022.



Avery Xola

EXHIBIT A

Sarah Lawson

From: Avery Xola <avery.xola@azcleaselections.gov>
Sent: Tuesday, October 25, 2022 8:20 AM
To: Marc Zukie
Cc: ccec@azcleaselections.gov
Subject: Re: Contact Us

Good morning Marc,

We are Arizona's nonpartisan agency for voter education. I believe you are referring to the group "Clean Elections USA", which is not associated with our agency, the Citizens Clean Elections Commission. We are doing our best to ensure voters know this group is not associated with us or our nonpartisan voter participation work.

We understand your frustration.

On Tue, Oct 25, 2022 at 8:17 AM Marc Zukie <zukie.marc@gmail.com> wrote:

Why do you guys try to Intimidate people at At voting drop boxes!! That's against the law!! We have a Fair and honest elections!!!

Stop missing with my Country!! You don't like it here Leave!!!

Sent from my iP

Exhibit 5

1 Mary R. O'Grady, 011434
James D. Smith, 016760
2 Eric M. Fraser, 027241
Sarah P. Lawson, 036436
3 Osborn Maledon, P.A.
2929 N. Central Ave., Suite 2100
4 Phoenix, Arizona 85012
(602) 640-9345
5 mogrady@omlaw.com
jsmith@omlaw.com
6 efraser@omlaw.com
slawson@omlaw.com
7 Attorneys for Plaintiff

8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
9 IN AND FOR THE COUNTY OF MARICOPA

10 Citizens Clean Elections Commission,
11 Plaintiff,

12 v.

13 Melody Jennings and Doe Defendants 1–
14 10,
15 Defendants.

No. _____

**DECLARATION OF MARY
O'GRADY IN SUPPORT OF
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
INJUNCTIVE RELIEF**

16
17 I, Mary O'Grady, declare that,

18 1. I am one of the attorneys representing Citizens Clean Elections
19 Commission.

20 2. On October 25, 2022, I sent a cease-and-desist letter to Melody Jennings
21 at what I believed to be her home address. The address was incorrect. I also emailed a
22 copy of the cease and desist letter to what I believed to be Ms. Jennings' email address.
23 A true and accurate copy of that letter is attached as Exhibit A.

24 3. On October 28, 2022, my colleague sent a copy of the cease and desist
25 letter to Ms. Jennings' attorney in an unrelated case. A true and accurate copy of that
26 letter is attached as Exhibit B.

27 4. On October 28, 2022, Ms. Jennings contacted me directly from an email
28 domain associated with Clean Elections USA. She offered to “re-brand[]” in Arizona

1 to avoid “unnecessary confusion.” I responded to her at the same email address, and
2 she subsequently sent me a second email from that same email address on October 28.
3 A true and accurate copy of that correspondence is attached as Exhibit C.

4 5. The following day, October 29, 2022, Ms. Jennings again contacted me
5 from the same email address, and I responded to her at that email address. A true and
6 accurate copy of that correspondence is attached as Exhibit D. Exhibit D also includes
7 a copy of the information in the link that Ms. Jennings included in her email to me.

8 6. I do not have a physical address for Ms. Jennings.

9 7. In an email to Ms. Jennings dated November 1, 2022, I requested her
10 physical address so that we could serve her with the complaint, application for
11 temporary restraining order and related court documents. Alternatively, I asked if she
12 is now represented by counsel in this matter, and, if so, if I could have that person’s
13 contact information. I have received no response. A copy of my email is attached as
14 Exhibit E.

15 8. Given the exigent circumstances surrounding this action, and Ms.
16 Jennings’ responsiveness to email, email is reasonably calculated to reach Ms.
17 Jennings.

18 9. Accordingly, to provide notice to Ms. Jennings, I will provide Ms.
19 Jennings the complaint, application for temporary restraining order and proposed order
20 by email promptly after they are filed electronically with the Court. Unless Ms.
21 Jennings advises that she is represented by counsel in this matter, my staff or I will also
22 provide her via email the file stamped copies of the documents filed with the court as
23 soon as we receive them.

24 10. Based on our experience to date, providing information to Ms. Jennings
25 via the email address for Clean Elections USA is the most efficient method of getting
26 information to her.

27 11. I declare under penalty of perjury that the foregoing is true and correct.
28

Executed on November 2, 2022.

Mary O'Grady

Mary O'Grady

EXHIBIT A



Mary R. O'Grady

mogrady@omlaw.com

2929 North Central Avenue
21st Floor
Phoenix, Arizona 85012

Direct Line 602 640 9352

Telephone 602 640 9000

Facsimile 602 640 9050

omlaw.com

October 25, 2022

VIA FEDEX AND EMAIL

Clean Elections USA

Melody K. Jennings

[REDACTED]
CleanElectionsUSA@proton.me

Re: Unauthorized use of name "Clean Elections USA"

Attention:

I represent the Arizona Citizens Clean Elections Commission ("Clean Elections"), which is a state entity established by A.R.S. § 16-955. It is a non-partisan commission established by state law that, among other things, is responsible for voter education. It produces a voter education pamphlet that is provided to all households, sponsors debates, and has a comprehensive program to ensure voters have accurate information about elections and voting in Arizona. It has been in existence since the voters approved the Clean Elections Act more than 20 years ago.

It has come to our attention that people are using the name "Clean Elections USA" in Arizona to engage in activities related to the November 2022 election. I understand there are concerns about potential voter intimidation, and those concerns have been reported to the appropriate authorities. Independent from those issues, my client is concerned that your use of the mark CLEAN ELECTIONS USA in Arizona is likely to cause confusion because of the state agency known as Clean Elections. In particular, your use is likely to cause members of the public to think that you are associated with the Clean Elections state agency and that your activities are affiliated with, sponsored by, or endorsed by Clean Elections. Your actions violate several Arizona statutes and common-law doctrines. Accordingly, your use of CLEAN ELECTIONS USA is unlawful and you must immediately cease and desist all uses of CLEAN ELECTIONS USA.

Arizona election statutes prohibit using any "fraudulent device or contrivance" whatsoever to "impede" or "otherwise interfere" with the free exercise of the elective franchise of any voter. A.R.S. § 16-1013(2). Clean Elections has a statutory duty to educate voters. A.R.S. § 16-956. Your use of CLEAN ELECTIONS USA interferes with voters' rights to education under the statute. Moreover, your use of CLEAN ELECTIONS USA is also unlawful under A.R.S. § 13-2406 and A.R.S. § 13-2008 and subjects you to criminal penalties.

Furthermore, Clean Elections has been using the mark CLEAN ELECTIONS since at least as early as 1998. Your use of CLEAN ELECTIONS USA creates the false impression you are associated with Clean Elections and is likely to cause confusion as to the source, origin, and affiliation of your actions. Accordingly, your use violates common-law trademark rights.

Clean Elections therefore demands that you immediately cease and desist from all further uses of CLEAN ELECTIONS USA, including any other name or mark that incorporates the mark CLEAN ELECTIONS or is confusingly similar to CLEAN ELECTIONS. You must cease using the mark in all in-person activities, as well as in print and online, including websites, blogs, social media, messaging, advertisements, and all other uses.

Please provide written confirmation to me no later than **Thursday, October 27, 2022** that you have stopped all uses of CLEAN ELECTIONS USA. If we do not receive a satisfactory and timely response, we are prepared to take all steps necessary to protect the public from confusion. If you or your counsel have any questions or concerns, please contact me at mogrady@omlaw.com.

Sincerely,

A handwritten signature in cursive script that reads "Mary O'Grady". The signature is written in dark ink and is positioned above the printed name.

Mary R. O'Grady

EXHIBIT B



James D. Smith

jsmith@omlaw.com

2929 North Central Avenue
21st Floor
Phoenix, Arizona 85012

Direct Line 602.640.9384

Telephone 602.640.9000

Facsimile 602.640.9050

omlaw.com

October 28, 2022

VIA EMAIL (vlucero@davillierlawgroup.com)

Veronica Lucero
Davillier Law Group, LLC
4105 North 20th Street, Suite 110
Phoenix, Arizona 85016

Re: Unauthorized use of name "Clean Elections USA"

Dear Ms. Lucero:

We understand that you represent Ms. Melody Jennings and Clean Elections USA in *Arizona Alliance for Retired Americans v. Clean Elections USA*, No. CV-22-01823-PHX-MTL (D. Ariz.). We represent the Arizona Citizens Clean Elections Commission ("Clean Elections"), and my colleague Mary O'Grady sent the attached cease and desist letter to your clients on October 25, 2022. We sent the letter via FedEx to what we believed was Melody Jennings' address, but learned the address was incorrect. Nonetheless, your clients should have received the letter via email. We have not heard from your clients in response to Mary's letter, so I wanted to contact you in hopes of resolving the issue without litigation. Will your clients stop using the name "Clean Elections USA"? Hopefully, all agree that an immediate, simple name change will eliminate confusion and avoid costly court proceedings.

If your clients will not commit to forgo using "Clean Elections" in their name, social media, and such, are you authorized to accept service of pleadings and other papers for them? We anticipate any litigation moving quickly like the *Arizona Alliance* matter with Judge Liburdi.

Thank you for your prompt response.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James D. Smith', written over the words 'Very truly yours,'.

James D. Smith

JDS/klm
Enclosure
9664608



Mary R. O'Grady

mogrady@omlaw.com

2929 North Central Avenue
21st Floor
Phoenix, Arizona 85012

Direct Line 602 640 9352

Telephone 602 640 9000

Facsimile 602 640 9050

omlaw.com

October 25, 2022

VIA FEDEX AND EMAIL

Clean Elections USA

Melody K. Jennings

[REDACTED]
CleanElectionsUSA@proton.me

Re: Unauthorized use of name "Clean Elections USA"

Attention:

I represent the Arizona Citizens Clean Elections Commission ("Clean Elections"), which is a state entity established by A.R.S. § 16-955. It is a non-partisan commission established by state law that, among other things, is responsible for voter education. It produces a voter education pamphlet that is provided to all households, sponsors debates, and has a comprehensive program to ensure voters have accurate information about elections and voting in Arizona. It has been in existence since the voters approved the Clean Elections Act more than 20 years ago.

It has come to our attention that people are using the name "Clean Elections USA" in Arizona to engage in activities related to the November 2022 election. I understand there are concerns about potential voter intimidation, and those concerns have been reported to the appropriate authorities. Independent from those issues, my client is concerned that your use of the mark CLEAN ELECTIONS USA in Arizona is likely to cause confusion because of the state agency known as Clean Elections. In particular, your use is likely to cause members of the public to think that you are associated with the Clean Elections state agency and that your activities are affiliated with, sponsored by, or endorsed by Clean Elections. Your actions violate several Arizona statutes and common-law doctrines. Accordingly, your use of CLEAN ELECTIONS USA is unlawful and you must immediately cease and desist all uses of CLEAN ELECTIONS USA.

Arizona election statutes prohibit using any "fraudulent device or contrivance" whatsoever to "impede" or "otherwise interfere" with the free exercise of the elective franchise of any voter. A.R.S. § 16-1013(2). Clean Elections has a statutory duty to educate voters. A.R.S. § 16-956. Your use of CLEAN ELECTIONS USA interferes with voters' rights to education under the statute. Moreover, your use of CLEAN ELECTIONS USA is also unlawful under A.R.S. § 13-2406 and A.R.S. § 13-2008 and subjects you to criminal penalties.

Furthermore, Clean Elections has been using the mark CLEAN ELECTIONS since at least as early as 1998. Your use of CLEAN ELECTIONS USA creates the false impression you are associated with Clean Elections and is likely to cause confusion as to the source, origin, and affiliation of your actions. Accordingly, your use violates common-law trademark rights.

Clean Elections therefore demands that you immediately cease and desist from all further uses of CLEAN ELECTIONS USA, including any other name or mark that incorporates the mark CLEAN ELECTIONS or is confusingly similar to CLEAN ELECTIONS. You must cease using the mark in all in-person activities, as well as in print and online, including websites, blogs, social media, messaging, advertisements, and all other uses.

Please provide written confirmation to me no later than **Thursday, October 27, 2022** that you have stopped all uses of CLEAN ELECTIONS USA. If we do not receive a satisfactory and timely response, we are prepared to take all steps necessary to protect the public from confusion. If you or your counsel have any questions or concerns, please contact me at mogrady@omlaw.com.

Sincerely,

A handwritten signature in cursive script that reads "Mary O'Grady". The signature is written in dark ink and is positioned above the printed name.

Mary R. O'Grady

EXHIBIT C

From: [Melody Jennings](#)
To: [Mary O'Grady](#)
Cc: [James Smith](#); vlucero@davillierlawgroup.com
Subject: [EXT] Re: Clean Elections USA - Arizona Name Change
Date: Friday, October 28, 2022 7:06:46 PM

No need to send this to counsel. I am not represented in this matter. I don't mind working with and accommodating their request. We are on the same page of wanting to care for our country and if it helps their organization for us to not use the words Clean Elections in Arizona, I am happy to accommodate. It's not a problem. It's about helping other great organizations succeed. They could have reached out to me without counsel and I would have been happy to oblige. Please let them know that.

Best,

Melody Jennings

Get [Outlook for iOS](#)

From: Mary O'Grady <mogrady@omlaw.com>
Sent: Friday, October 28, 2022 8:50:49 PM
To: Melody Jennings <melody@cleanelectionsusa.org>
Cc: James Smith <jsmith@omlaw.com>; vlucero@davillierlawgroup.com
<vlucero@davillierlawgroup.com>
Subject: RE: Clean Elections USA - Arizona Name Change

Thanks for the email. I will pass along the information that you provided to my client. A few requests. Please provide me with confirmation when you have made the public announcement described in your email and when you have informed your Arizona contacts about the rebranding. In addition, please also forward a copy of the announcement and a description of how you disseminated it.

If you are represented by counsel on this matter, let me know, and I will direct future communications to her. As a courtesy, I'm copying your counsel in the federal litigation on my response to you. I'm also copying my colleague James Smith who has been working with me on these issues.

Again, thank you for the email.

Regards,

Mary R. O'Grady

[Profile](#) | [Add me to your address book](#)



[2929 North Central Avenue](#)
[21st Floor](#)
[Phoenix, Arizona 85012](#)
Telephone 602.640.9352
Facsimile 602.640.9050
mogrady@omlaw.com
omlaw.com



From: Melody Jennings <melody@cleanelectionsusa.org>
Sent: Friday, October 28, 2022 5:31 PM
To: Mary O'Grady <mogradey@omlaw.com>
Subject: [EXT] Clean Elections USA - Arizona Name Change

Hi Mary,

I received word from my attorney that you've tried to contact me.

I'd like to address your concern directly. I do not have any qualms with re-branding in Arizona to ensure there's no unnecessary confusion among Arizona citizens.

I will make sure a public announcement is made tomorrow, Saturday the 29th, and I will inform Arizona folks in my contact list immediately. From now on, at the national level, we will remain Clean Elections USA, but in Arizona we will rebrand.

Melody Jennings

EXHIBIT D

Sarah Lawson

From: Mary O'Grady <mograd@omlaw.com>
Sent: Sunday, October 30, 2022 6:52 PM
To: Melody Jennings
Subject: RE: Name change

Ms. Jennings:

We appreciate your communications on this matter.

In my letter demanding that you cease and desist from using the Clean Elections name, I explained the very serious confusion that is caused when you use this name in Arizona. Although you said that you will be "re-branding" in Arizona to avoid the confusion, the social media post that you forwarded does not accomplish that. To be clear, this is not a collaboration, and we are not seeking to collaborate. We simply want you and your associates to stop using the name Clean Elections in Arizona. Your national use of the name remains a concern if those communications continue to reach into and address Arizona. Please let us know of any further steps that are taken to address our concerns.

Thank you.

Mary R. O'Grady

Profile | Add me to your address book



2929 North Central Avenue
21st Floor
Phoenix, Arizona 85012
Telephone 602.640.9352
Facsimile 602.640.9050
mograd@omlaw.com
omlaw.com

From: Melody Jennings <melody@cleanelectionsusa.org>
Sent: Saturday, October 29, 2022 10:00 AM
To: Mary O'Grady <mograd@omlaw.com>
Subject: [EXT] Name change collaboration

Good morning Mary,

Here is a link. Arizona drop box watchers that I have contact with have also been apprised of this collaboration.

Together,

Melody Jennings

<https://truthsocial.com/users/TrumperMel/statuses/109252523513300592>



TrumperMel ✓

@TrumperMel · 3d

In a collaborative effort with Arizona Citizens Clean Elections Commission, (another group that is about the rule of law, and educating Arizona folks of their constitutional & inalienable rights as legal citizens) to minimize confusion they seem to experience from the words "Clean Elections" that appears in our national grassroots effort vs their local effort, in Arizona only please refer to any nationwide Clean Elections USA efforts differently. Doesn't really need a name. Just be an American. 🇺🇸



Jeffrey Pedersen ✓

@intheMatrixxx · 3d

@TrumperMel went on Bannon's War Room today. So grateful that people are going out to vote and make sure YOUR vote counts. In this together.

@greggphillips @truethevote



↻ 76 ❤️ 185

Oct 29, 2022, 9:33 AM

💬 Reply

↻ ReTruth

❤️ Like



EXHIBIT E

Sarah Lawson

From: Mary O'Grady
Sent: Tuesday, November 1, 2022 8:02 PM
To: Melody Jennings
Subject: Clean Election name

Ms. Jennings – Because your actions to date have not adequately addressed the concerns in my cease-and-desist letter, we are preparing to file a complaint and application for temporary restraining order to prevent further harm to the Clean Elections mark. Could you provide me with your physical address so that we can serve you with the lawsuit promptly after it is filed? If you will have counsel in this matter, please have them contact me about arranging for acceptance of service. Alternatively, will you accept service via email?

Thank you.

Mary R. O'Grady
Profile | Add me to your address book



**OSBORN
MALEDON**
ATTORNEYS AT LAW

2929 North Central Avenue
21st Floor
Phoenix, Arizona 85012
Telephone 602.640.9352
Facsimile 602.640.9050
mogrady@omlaw.com
omlaw.com