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24 Attorneys for Petitioner,
25 GINA GLEASON

26 SUPERIOR COURT OF THE STATE OF CALIFORNIA
27 COUNTY OF SACRAMENTO

28 GINA GLEASON,

Petitioner,

v.

DEBRA BOWEN, in her official capacity as
Secretary of State of the State of California,
and DOES 1 through 100,

Respondents.

Case No.

ELECTION MATTER PRIORITY
(CCP §35)

**VERIFIED PETITION FOR WRIT OF
MANDATE**

Action Filed:

Hearing Date:
Hearing Time:
Dept. No.:
Judge:

FILED
Superior Court Of California,
Sacramento
03/14/2014
lgutierrez2
By _____, Deputy
Case Number:
34-2014-80001786

1 **TO THE HONORABLE JUDGES OF THE SUPERIOR COURT:**

2 GINA GLEASON ("PETITIONER" or "PROPONENT") hereby applies for a
3 preemptory writ of mandate directing the Secretary of State, DEBRA BOWEN (hereinafter
4 "BOWEN" or "Secretary" or "RESPONDENT") to certify referendum 1598 described herein for
5 the November 2014 ballot according to the provision of Elections Code §§ 9030, et seq., on the
6 grounds that a sufficient number of valid signatures were submitted by the PROPONENT.

7 Expedited hearing priority, pursuant to Code of Civil Proc. § 35, will permit timely
8 resolution of this matter, avoiding unnecessary delay and any potential that this action might
9 substantially interfere with the upcoming election.

10
11 **FIRST CAUSE OF ACTION FOR PREEMPTORY
WRIT OF MANDATE AGAINST BOWEN**

12 1. PETITIONER is, and at all times mentioned in this petition has been, a competent
13 adult, citizen of the United States, and an elector registered to vote in the State of California.
14 Further, PETITIONER is the proponent of the referendum on Assembly Bill 1266 (2013). The
15 PROPONENT has standing to bring this action pursuant to the Code of Civil Procedure § 1085.

16 2. PETITIONER is entitled to expedited review of the instant action pursuant to the
17 Code of Civil Procedure § 35 which provides that cases involving the certification or denial of
18 ballot measures shall be given precedence.

19 3. Respondent DEBRA BOWEN is, and at all times mentioned in this petition was,
20 the Secretary of State of the State of California, and in such capacity is charged with receiving
21 referendum petitions from county elections officials. When a sufficient number of valid signature
22 confirmations are submitted, she has a duty to certify a referendum.

23 4. PETITIONER does not know the true names or capacities of the respondents sued
24 herein under the fictitious names DOES 1 through 100 inclusive, and such respondents are thus
25 sued herein by such fictitious names pursuant to the Code of Civil Procedure § 474.

26 PETITIONER will amend this petition to allege their true names and capacities when they have
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1 been ascertained. PETITIONER is informed and believes and thereon alleges that each
2 fictitiously named respondent is directly and proximately responsible for PETITIONER's
3 injuries as hereinafter alleged.

4 5. The relief sought in this petition is within the jurisdiction of this Court pursuant to
5 the Code of Civil Procedure § 1085.

6 6. Venue is proper in the Sacramento Superior Court pursuant to the Code of Civil
7 Procedure § 1085.

8 7. On August 12, 2013, Assembly Bill No. 1266 was signed by the Governor and
9 thereby chaptered to become effective January 1, 2014.

10 8. PETITIONER opposed the enactment of the law and undertook to avail herself of
11 her constitutional right to the referendum process and place the bill before the voters of the state
12 at the next statewide election pursuant to the California Constitution, Art II, § 9.

13 9. PETITIONER, on August 16, 2013, properly submitted the text of the proposed
14 measure to the Attorney General with a written request that a circulating title and summary be
15 prepared stating the chief purpose and points of the proposed measure, all pursuant to California
16 Elections Code § 9001. The Attorney General prepared the referendum's circulating title and
17 summary, and selected the unique identifier number of 1598.

18 10. The PROPONENT timely submitted 620,422 referendum signatures to county
19 election officials in all of California's 58 counties. In order to qualify for the statewide ballot,
20 504,760 valid qualifying signatures were required. However, 1,189 signatures submitted were
21 not tallied in the raw count at all, and an additional 131,857 signatures were disqualified, thus
22 falling short by 17,276 signatures of the required number to qualify the referendum for
23 submission to the electorate at a statewide election. Within the 131,857 and 1,189 signatures,
24 more than 17,276 were unlawfully disqualified.

25 11. A substantial number of signatures were disqualified because election officials
26 assert that the signers were not registered to vote. This is inaccurate, as thousands of voters were
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1 unlawfully disqualified who were in fact registered to vote at the time of signing. In fact, the
2 petitions substantially complied with this requirement of the law. Elections officials cancelled
3 the registration of a significant number of voters for reasons beyond the scope of the lawful
4 reasons for cancellation enumerated in Elections Code § 2201. For example, some signers of the
5 referendum petition moved within their county, but nonetheless had their registration unlawfully
6 cancelled.

7 12. A substantial number of signatures were disqualified because of inaccurate dates
8 given by the circulator. Because of this circulator error, all signatures appearing on such
9 petitions were disqualified. The dates of the signature collection of these disqualified petitions
10 fell within the timeframe of the circulation of the petition, i.e., August 26, 2013 through
11 November 10, 2013. This is true because no petitions were printed prior to the Attorney
12 General's issuance of the title and summary. Stated otherwise, no petitions were printed, nor could
13 they have been printed, before August 26, 2013. Further, no petitions were filed after the 90 day
14 time period which ended on November 10, 2013. Thus, even those dates written by circulators
15 that fall before August 26, 2013 or after November 10, 2013 were merely scrivener's errors. In
16 all other respects, the signatures on the petitions with these circulator errors all substantially
17 complied with section 9020 of the Elections Code. The error of the circulator was clerical and de
18 minimis. Therefore, the signatures that were disqualified because of a technical error in dating
19 by circulators constituted an abuse of discretion. The petitions substantially complied with this
20 requirement of the law.

21 13. A substantial number of signatures were disqualified because of a "wrong
22 address" or the address does not match the voter registration affidavit. Signatures in which the
23 residence address on the petition were not the same as the residence address on the affidavit of
24 registration were disqualified. Election officials who disqualified these signatures are
25 interpreting Elections Code § 9020 to include a requirement that a residence address must be the
26 same as the address on the affidavit on the registration card. However, section 9020 only requires
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1 a voter to provide "his or her residence address." By reading into the statute a requirement that
2 the residence address match the voter registration card, a significant number of signatures have
3 been unlawfully disqualified. The petitions substantially complied with this requirement of the
4 law.

5 14. A substantial number of signatures were disqualified due to minor scrivener's
6 errors in the address. These include transposing numbers within a street address or zip code. It
7 was an abuse of discretion to disenfranchise voters when they had substantially complied with
8 the requirements of the Elections Code because of this technical error. The petitions
9 substantially complied with this requirement of the law.

10 15. A substantial number of signatures were disqualified because of pre-printed or
11 assisted addresses. The use of the term "pre-printed or assisted address" does not mean a typed
12 or computer generated address. Rather, the term refers to a person other than the signatory to the
13 petition who hand writes in the address. There is no statutory provision for assisting individuals
14 who are unable to fill in their address or signature in statewide referendums and elections. These
15 persons include the disabled, elderly, those for whom English is their second language and are
16 not able to read or write at a sufficient level to fill in the requisite information without assistance.
17 However, California Elections Code § 100.5 provides that in a local election, a person who is
18 unable to fill out his or her address for a petition may lawfully obtain assistance for county
19 elections. There is no similar statute for statewide referendums under California Elections Code
20 §§ 9000, et seq. For this reason, persons, who through no fault of their own, are unable to fill in
21 the requisite information for petitions by themselves, have been unconstitutionally
22 disenfranchised in this statewide referendum. Indeed, the PROPONENT's examination of the
23 disqualified signatures reveals that they in fact include persons who are blind, elderly, and for
24 whom English is their second language. Said persons needed assistance to fill out the petition.
25 The Constitution, as well as, the Voting Rights Act (see, e.g., 42 USCS § 1973aa-6) compels the
26 Secretary of State to permit assistance in filling out a petition. Therefore, BOWEN abused her
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1 discretion in disqualifying signatures of those who had assistance in filling out their address, i.e.,
2 disqualification for pre-printed addresses. The petitions substantially complied with this
3 requirement of the law.

4 16. A significant number of signatures were disqualified because elections officials
5 claimed that the hand printing did not match hand printing on voter registration cards. This is an
6 abuse of discretion in that such a practice goes beyond handwriting analysis for purpose of
7 signature verification to hand printing analysis. The petitions substantially complied with this
8 requirement of the law.

9 17. A significant number of signatures were disqualified because it was claimed that
10 the same person filled in the address for more than one person, e.g., a wife fills in the address for
11 herself and her husband, though both individually sign the petition. Elections officials would
12 count one of the signatures but disqualify the other. The determination as to which signature to
13 disqualify and which to accept was arbitrary, and thus an abuse of discretion.

14 18. A substantial number of signatures were disqualified because of invalid
15 signatures. Some counties evaluate signatures by using a computer software program. Computer
16 software programs are not completely accurate when matching signatures. Other counties use
17 visual verification of signatures. There is not a uniform standard within the state whereby
18 signatures are reviewed. This difference in standards results in the disenfranchisement of voters
19 based upon the happenstance of which county they live.

20 19. Pursuant to California Vehicle Code § 12950.5(a) the Department of Motor
21 Vehicles (DMV) obtains signatures from licensed drivers that are digitized. Under subsection b
22 the DMV sends the Secretary of State the digitized signature of every person who registers to
23 vote using the registration card provided by the DMV. Moreover, under subsection c, the DMV
24 "shall provide the Secretary of State with change-of-address information for every voter who
25 indicates that he or she desires to have his or her address changed for voter registration
26 purposes." This statute has been in effect since January 1, 2004. At all DMV offices in the state,
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1 a signature is obtained using an electronic signature pad. For online renewals, the DMV uses the
2 last received digitized signature. The petitions substantially complied with this requirement of
3 the law.

4 20. For persons who have registered via the DMV since January 1, 2004, election
5 officials are comparing their hardcopy petition signatures to voter registration cards in which the
6 signatures were made on DMV electronic signing pads. Electronic signatures frequently do not
7 match handwritten signatures. Section 9020 requires that a voter use a pen to paper signature for
8 a petition, i.e., "personally affix." Because the "wet signatures" do not match the electronic
9 signatures. Comparing these two types of signatures will produce discrepancies and invalidate
10 petitions. A significant number of voters who signed the petition were thus unconstitutionally
11 disenfranchised. As such, it is an abuse of discretion to disqualify a wet signature because it is
12 not the same as a signature submitted via a signature pad.

13 21. A substantial number of petitions were disqualified due to a strikethrough and
14 correction on the petition. In some counties, the strikethrough and corrections of any portion of
15 the petition (i.e. address, printed name, or signature) were never construed against the voter. But,
16 in other counties, any type of strikethrough always resulted in a disqualified signature. Due to a
17 lack of uniformity among the counties regarding strikethroughs and corrections in the standard of
18 review, not every voter has an equal opportunity to have his or her signature reviewed for
19 validity.

20 22. This difference in standards results in inconsistencies for statewide referendums.
21 It is an abuse of discretion for BOWEN to allow for different standards of review for voters from
22 county to county. If there are two different but equally viable interpretations of the Election
23 Code by election officials, the SECRETARY abused her discretion to count the more restrictive
24 interpretation of law as valid, particularly when a more permissible interpretation was also used
25 in another county.

1 23. If both permissive and restrictive interpretations exist, then the RESPONDENT
2 should interpret the statute liberally. Unless otherwise ordered by this Court, BOWEN will not
3 accept, file, count, certify and/or validate the petitions submitted by the PROPONENT on behalf
4 of registered voters across California. The unlawful invalidation of the thousands of petition
5 signatures effectively disenfranchises the voters of California who are exercising their
6 constitutional right to petition the government for a referendum.

7 24. The PROPONENT has attempted to exercise her rights under Government Code §
8 6253.5 to examine the disqualified signatures. Some county elections officials have put up
9 significant obstacles to this examination by the PROPONENT and her authorized
10 representatives. In some instances, they have created a hostile examination environment. By
11 way of example, these obstacles include: (1) refusing access to the PROPONENT for eight days;
12 (2) allowing a limited number of persons (e.g. 3) to examine petitions; (3) requiring a “wet
13 signature” of the PROPONENT for her representatives when the statute requires only a written
14 authorization but does not require any signature whatsoever; (4) requiring that a written
15 authorization by the PROPONENT for a representative be on letterhead or stationary; (5) not
16 allowing the examiners to touch the petitions; (6) not allowing examiners to take notes; (7) not
17 providing copies of invalidated signatures; (8) greatly restricting the days and hours for
18 examiners; (9) taunting examiners that their names are being turned over to the ACLU; (10)
19 changing the entry rules and directing examiners to leave in the middle of examination; (11)
20 monitoring and taking notes on examiner’s conversations; (12) demanding that examiners sign
21 documents purporting to limit the PROPONENT’s rights for use of the information beyond the
22 limitations in the law and have subsequently limited access upon refusal to sign said documents;
23 (13) provided only those documents that support their conclusion of disqualification rather than
24 providing all of the relevant papers needed for the examiners to reach an independent conclusion.

25 25. Because of these obstacles, PETITIONER is informed and believes and thereon
26 alleges there are likely other reasons not described in this Petition for the disqualification of

1 signatures, and that such disqualifications are unlawful. The PROPONENT therefore reserves
2 the right to assert other unlawful reasons for disqualification of signatures not enumerated in this
3 Petition.

4 26. Due to the unlawful disqualification of signatures, BOWEN failed to perform her
5 ministerial duty to certify the referendum.

6 27. PETITIONER's constitutional right to referendum, as well as the constitutional
7 right of referendum of the voters who signed the petitions, have been abridged as a result of
8 RESPONDENT's failure to perform her ministerial duties.

9 28. Issuance of the requested Writ of Mandate will not substantially interfere with the
10 conduct of the election.

11 29. There are more than 17,276 signatures that should be deemed valid, but were
12 unconstitutionally disqualified. The infringement and abridgment of PROPONENT's
13 constitutional rights, in addition to the rights of the unlawfully disenfranchised registered voters
14 who signed the Petition, is grave and irreparable, depriving them of fundamental constitutional
15 rights guaranteed under Article II, § 9 of the California Constitution.

16 30. The commencement of this action, and the issuance of writ of mandate further
17 hereto, shall result in the enforcement of an important right affecting the public interest. By
18 directing BOWEN to tally all valid signatures and certify the referendum, a significant benefit
19 will be conferred upon the registered voters of those who signed the referendum petition and
20 were disenfranchised by virtue of BOWEN'S failure to perform a ministerial duty. The
21 necessity and financial burden of private enforcement is such as to make an award of attorneys'
22 fees appropriate, as the State and its agents have abridged the constitutional rights of the voters.
23 As a consequence, PETITIONER is entitled to recover attorneys' fees and costs pursuant to the
24 Code of Civil Procedure § 1021.5.

25
26 **PRAYER FOR RELIEF**

1 WHEREFORE, PETITIONER prays for relief as follows:

- 2 1. For a judgment ordering the Clerk of the Court to issue a verified writ of Mandate in the first
3 instance:
- 4 a. Directing respondent BOWEN, and her agents, employees, and all persons acting
5 under, in concert with, or for the SECRETARY, and each of them to certify the
6 referendum in time for the November 2014 ballot.
- 7 2. In the alternative, that the Court issue an alternative writ of mandate ordering respondent
8 BOWEN to certify the referendum in time for the November 2014 or in the alternative to
9 show cause before this Court at a specified time and place why the relief prayed for should
10 not be granted.
- 11 3. That a hearing on this Petition take place as soon as the Court sees fit to expeditiously
12 address this matter, so that the issues involved in this Petition may be adjudicated in a timely
13 manner such that the SECRETARY will have sufficient time to prepare the referendum for
14 the November, 2014 Election, for the State of California, and to include Referendum 1598 on
15 the official ballot.
- 16 4. For costs of suit.
- 17 5. For reasonable attorneys' fees as provided for by applicable law.
- 18 6. For attorneys' fees pursuant to Code of Civil Procedure § 1021.5.
- 19 7. For other such and further relief as the Court deems proper.

20 Dated: March 13, 2014

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23 Kevin T. Snider
24 Attorney for Petitioner,
GINA GLEASON

25 Kevin T. Snider
26 Michael J. Peffer
27 Matthew B. McReynolds

1 PACIFIC JUSTICE INSTITUTE

2 John C. Eastman

3 Anthony T. Caso

4 CENTER FOR CONSTITUTIONAL JURISPRUDENCE

5 David L. Llewellyn, Jr. (SBN 71706)

6 LLEWELLYN LAW OFFICE

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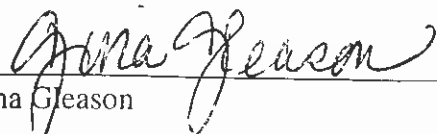
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VERIFICATION

I, Gina Geason, declare as follows:

I am the petitioner in this action. I have read the foregoing Verified Petition for Writ of Mandate and know its content. All of the facts alleged therein are of my own personal knowledge, except as to those alleged on information and belief, and as to those facts, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 13th day of March, 2014, in the County of Riverside.



Gina Geason

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
Kevin T. Snider (SBN 170988)
Pacific Justice Institute
P.O. Box 276600
Sacramento, CA 95827 (916) 857-6900
TELEPHONE NO.: FAX NO. (916) 857-6902
ATTORNEY FOR (Name): Gina Gleason

FOR COURT USE ONLY
FILED
Superior Court Of California,
Sacramento
03/14/2014
Igutierrez2
By _____, Deputy
Case Number:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Sacramento
STREET ADDRESS: 720 9th Street
MAILING ADDRESS: Civil and Criminal unit
CITY AND ZIP CODE: Sacramento, 95814
BRANCH NAME: Gordon D. Schaber Sacramento County Courthouse

CASE NAME: Gina Gleason v. Debra Bowen

CIVIL CASE COVER SHEET
 Unlimited (Amount demanded exceeds \$25,000)
 Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
 Counter **Joinder**
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: **34-2014-80001786**

JUDGE:
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Annuity/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23)	Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20)
Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35)	Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- a. Large number of separately represented parties
 - b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
 - c. Substantial amount of documentary evidence
 - d. Large number of witnesses
 - e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 - f. Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
4. Number of causes of action (specify):
5. This case is is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: _____
Kevin T. Snider
(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.



SUPERIOR COURT OF CALIFORNIA
County of Sacramento
720 Ninth Street Room 102
Sacramento, CA 95814-1380
(916) 874-5522
www.saccourt.ca.gov

NOTICE OF CASE ASSIGNMENT
Proceeding for Writ of Mandate and/or Prohibition

Case Number : 34-2014-80001786-CU-WM-GDS

This case has been assigned for all purposes to the judicial officer indicated below pursuant to rule 3.734 of the California Rules of Court and Sacramento Superior Court Local Rule 2.01; it is exempt from the requirements of the Trial Court Delay Reduction Act and the Case Management Program under Chapter 11 of the Sacramento Superior Court Local Rules.

JUDGE	COURT LOCATION	DEPT.
Timothy M. Frawley	Gordon D. Schaber Courthouse	29

The petitioner shall serve all parties with a copy of this order and a copy of the Sacramento Superior Court Guide to the Procedures for Prosecuting Petitions for Prerogative Writs. The Guide is available in Room 102 of the courthouse, from the clerk of the department to which this matter has been assigned, and on the "Civil" page of the Sacramento Superior Court internet website (www.saccourt.ca.gov).

Scheduling

Contact the clerk in the assigned department to schedule any judicial proceedings in this matter, including hearings on ex parte applications and noticed motions.

JUDGE	DEPT.	PHONE
Hon. Shellyanne W.L. Chang	24	(916) 874-6687
Hon. Timothy M. Frawley	29	(916) 874-5684
Hon. Michael P. Kenny	31	(916) 874-6353
Hon. Allen H. Sumner	42	(916) 874-5672

Other Information

Pursuant to Local Rule 2.01, all documents submitted for filing in this case shall be filed in person at the Civil Front Counter (Room 102) or by mail addressed to the Clerk of the Sacramento Superior Court, Attn: Civil Division-Room 102, with the exception of certain documents filed on the day of the hearing. For specific requirements, please see the Sacramento Superior Court Guide to the Procedures for Prosecuting Petitions for Prerogative Writs.

Any administrative record must be lodged with the assigned department.


Date: 03/14/2014

Signed: /s/ L. Gutierrez

Linda Gutierrez, Deputy Clerk

1 On this date I also mailed a copy in a sealed envelope, by U.S. Postal Service,
2
3 postage fully paid, of the above documents to the above-named person by depositing
4 same in a postal receptacle for pick up during regular business hours.
5

6 I declare, under penalty of perjury under the laws of the State of California
7 and the United States of America, that the foregoing is true and correct, is of my
8 own personal knowledge, and indicate such below by my signature executed on this
9 14th day of March, 2014, in the County of Sacramento, City of Sacramento, State of
10 California.
11

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14 _____
Kevin Snider, Declarant
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3 **PROOF OF SERVICE**

4 I, Kevin Snider, do hereby declare as follows:

5 1. That if called upon, I could and would testify truthfully, as to my own
6 personal knowledge as follows:

7 2. I am a citizen of the United States, employed in the County of
8 Sacramento, State of California. My business address is 9851 Horn Road, Suite
9 115, Sacramento, CA, 95827. I am over the age of 18 years and not a party to the
10 above-encaptioned action.

11 3. On March 14, 2014, at 2:49 p.m., I personally served the attorney for
12 Plaintiff by hand delivering a true and correct copy of the documents listed below
13 to:

14 Debra Bowen, California Secretary of State
15 1500 11th Street, Sacramento, CA 95814

16 3a. I hand delivered a true and correct copy of the documents listed
17 below to:

18 secretary _____

19 clerk Kim Gauthier

20 other person authorized to accept service of process
21 _____

22
23 The document served was as follows:


24 VERIFIED PETITION OF WRIT OF MANDATE;

25 CIVIL COVER SHEET;

1 NOTICE OF CASE ASSIGNMENT

2 On this date I also mailed a copy in a sealed envelope, by U.S. Postal Service,
3 postage fully paid, of the above documents to the above-named person by depositing
4 same in a postal receptacle for pick up during regular business hours.
5

6
7 I declare, under penalty of perjury under the laws of the State of California
8 and the United States of America, that the foregoing is true and correct, is of my
9 own personal knowledge, and indicate such below by my signature executed on this
10 14th day of March, 2014, in the County of Sacramento, City of Sacramento, State of
11 California.
12

13
14 
15 Kevin Snider, Declarant
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