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**U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

BERNIE 2020,

Plaintiff,

—*against*—

DEAN C. LOGAN, Los Angeles County Registrar-
Recorder/County Clerk; and Does 1-100;

Defendants.

**COMPLAINT
and DEMAND FOR
INJUNCTIVE RELIEF**

PRELIMINARY STATEMENT

1. This Complaint and Demand for Injunctive Relief seek an emergency temporary restraining order and injunctive relief to prevent polling locations in Los Angeles County (the “County”) from closing at 8 p.m. today, to ensure that Los Angeles County voters can exercise their constitutional right to vote.

2. Multiple polling locations in the County have experienced extreme wait times for individuals to vote, including wait times up to four hours to cast a ballot. If an emergency TRO is not granted to keep the polls open for an additional

two hours County voters' right to participate in our democracy will be immediately and irreparably harmed.

JURISDICTION, VENUE, AND JURY DEMAND

3. This court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1367.
4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(1) and (b)(2).

PARTIES

5. Bernard Sanders is a Democratic candidate for the President of the United States.

6. Plaintiff, Bernie 2020, is a nationwide political committee operating on behalf of Sanders, including in Los Angeles County, California, where a Democratic Party primary election is being held today.

7. Defendant, Dean C. Logan is the Registrar-Recorder/County Clerk for Los Angeles County. He is the County's chief election official and is responsible for establishing and running election precincts in Los Angeles County.

FACTS

8. The right to vote in a primary is guaranteed by, inter alia, the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1971, as well as Article II, Section 2 of the California Constitution, and California Elections Code § 2300.

9. Pursuant to California Elections Code section 14212, California polling locations, including those in Los Angeles County, “shall open at 7 a.m. the day of any election, and shall be kept open until 8 p.m. of the same day.”

10. Elections are being conducted today, March 3, 2020, across the State of California, including in Los Angeles County.

11. Defendant has implemented a new proprietary voting system across the County for this election, called “Voting Solutions for All People.” Although the County previously conducted a “pilot” election in a limited number of locations, this is the first time these voting systems have been used on a wide scale at polling locations throughout the County. The new technology has resulted in problems because of check-in stations not working and machine failures, with insufficient or overwhelmed tech support and an inability to implement back-ups.

12. Numerous vote centers in the County have experienced extremely long wait times this Election Day.

13. For example:

- a. At Logan Elementary School in Echo Park, the wait was an hour long at 12:20 pm, due to 7 of 14 check-in stations not working and 2 of 5 check-in stations not working.
- b. At Evergreen Recreation Center on East 2nd Street, the wait was reported as an hour-and-a-half long at 2:00 pm. Three of the five voting machines were down. Poll workers reported that they had been asking for assistance from the county for days, but got no response, and that the tech support hotline was down.

- c. At the Echo Park Recreation Center, a wait of 1.5 hours was reported at 2:00 pm. Only one of the three check in tablets was working.
- d. At Mayberry Elementary, wait times of more than an hour were reported at 12:20 pm. The check-in tablets weren't syncing properly.
- e. At Santa Monica Community College, wait times of 1.5 hours were reported during the afternoon. Only a small number of check-in tablets and voting machines were operational and there was a shortage of paper.
- f. At True Friendship Missionary Baptist Church, long wait times due to voting machines arriving late and machings rejecting ballots because machines were not tested prior, were reported at 2:50 pm.
- g. At Santa Monica Virginia Park, a wait time of 1.5 hours was reported in the late afternoon, due to a shortage of machines.
- h. At Ackerman Union on 308 Westwood Plaza, the only voting center at UCLA, a wait time of 2.5 hours and up to 300 students waiting in line were reported at 3:15 pm, 4:30pm and 5:00pm despite 39 available voting machines but due to wifi issues, only 9 are being utilized.
- i. At St Charles Borromeo Church, wait times of four hours were reported at 5:00 pm.
- j. At Plummer Park Community Center, wait times of two hours were reported at 5:00 pm.

- k. At Sherman Oaks East Valley Adult Center, wait times of over three hours were reported at 5:00 pm.
- l. At Crenshaw Mall, wait lines of two hours and 100 voters in line were reported at 5:00 pm.
- m. At Buena Vista Library in Burbank, wait lines of over 2 hours were reported at 5:00 pm.
- n. At Elysian Masonic Lodge, wait lines of 1.5-2 hours were reported at 5:00 pm due to only one working check-in tablet.
- o. At Yucca Community Center, wait lines of over 2 hours were reported due to slow iPads and only 2 out of 3 check-in machines working at 5:30 pm.
- p. At Cal State University North Ridge, wait times of over 3 hours were reported at 4:40 pm.
- q. At Westchester Senior Center, wait times of over 1.5 hours were reported in the early afternoon.

14. The above-referenced conduct violated the First and Fourteenth Amendments to the United States Constitution, 42 U.S.C. § 1971, 42 U.S.C. § 1983, Article II, Section 2 of the California Constitution, and California elections law. These violations have caused Plaintiff irreparable harm and will continue to do so absent an injunction.

15. Defendant therefore should be ordered by this Court to instruct polling places to keep all polls open until 10 p.m. tonight, to offer provisional ballots to any voters who arrive at the polling places after 8 p.m., and to keep those provisional ballots segregated from provisional ballots cast earlier in the day.

CAUSES OF ACTION

First Cause of Action: 42 U.S.C. § 1983 First and Fourteenth Amendments of the U.S. Constitution

16. Plaintiff incorporates all above paragraphs of this Complaint as if fully set forth herein.

17. The conduct and circumstances alleged herein is depriving plaintiff and its supporters of their rights with respect to voting as guaranteed by the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1971.

18. Absent injunctive relief, plaintiff and its supporters will suffer irreparable harm. Plaintiffs and its supporters have no adequate remedy at law.

Second Cause of Action: California Elections Code § 2300; California Constitution, Art. II, § 2

19. Plaintiff incorporates all above paragraphs of this Complaint as if fully set forth herein.

20. The conduct and circumstances alleged herein violates California Elections Code § 2300 and Article II, section 2 of the California Constitution.

RELIEF SOUGHT

WHEREFORE, Plaintiff respectfully requests a temporary restraining order and preliminary and permanent orders directing Defendant and his agents, employees, successors, attorneys, and all persons in active concert and participation with it or them, to direct polling places to remain open until 10 p.m., require that all voters who are in line to vote by 10 p.m. be permitted to vote

provisionally, and to count all votes cast after 8 p.m. Defendants shall also take all necessary steps to notify the news media of the extended polling hours. Plaintiff requests any other relief this Court deems just and proper.

Dated: March 3, 2020

/s/ Yasin M. Almadani

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