

# HUDSON'S EXHIBIT "1"

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
SEVENTEENTH DIVISION

JIM SORVILLO

PETITIONER

VS.

CASE NO. 60CV-20-6940

HONORABLE ASA HUTCHINSON;

RESPONDENTS

GOVERNOR, State of Arkansas,

In his Official Capacity; and

HONORABLE JOHN THURSTON, Secretary of State,

In his Official Capacity

**INTERVENOR RESPONDENT'S RESPONSE TO PETITIONER'S PETITION FOR  
WRITE OF MANDAMUS; AND ALTERNATIVE PETITION FOR INJUNCTIVE RELIEF**

Comes now, Ashley Hudson, by and through her attorney Jennifer A. Waymack Standerfer, and for her Intervenor Respondent's Response to Petitioner's Petition for Writ of Mandamus; and Alternative Petition for Injunctive Relief states:

1. Intervenor Respondent denies Petitioner's Petition in its entirety. All allegations contained in Petitioner's Petition not specifically admitted are both generally and specifically denied.

2. Pleading affirmatively, the Pulaski County Board of Election Commissioners conducted its canvassing of absentee ballots and its provisional ballot reviews in a

public meeting and using a live stream on its YouTube channel. Thousands of ballots were canvassed and set aside as disqualified by the Pulaski County Board of Election Commissioners on video. Many of these ballots were erroneously disqualified, disenfranchising those voters without following the legally required processes. Multiple mistakes and illegalities in the Pulaski County Board of Election Commissioners process that resulted in lawful votes going uncounted can be viewed publicly from its website including without limitation:

A. Requiring a “match” in signature, address, date of birth, or name without any consideration of whether they “compare”;

B. Disqualifying ballots for failure to submit the absentee materials in the proper envelopes;

C. The Commission mailed the constitutionally required notice to the persons whose absentee ballots needed to be cured for no voter identification on Saturday, November 7, 2020 advising them that they had until noon on Monday, November 9, 2020 to cure their ballots. The mail did not run on Sunday November 8, 2020;

D. Disqualifying ballots for minor clerical errors; and

E. General failure to follow the procedures set out by Ark. Code Ann. § 7-5-416.

Ark. Code Ann. § 7-5-416; Ark. Con. Amendment 51, § 13.

3. Pleading affirmatively, as indicated by Exhibit 3, twelve (12) of the twenty-seven (27) ballots in question were cast aside and disqualified with a notation that it is due to a “mismatch” or “don’t match” where Ark. Code Ann. § 7-5-416 only requires that they “compare”. One (1) of the twenty-seven (27) ballots in question was cast aside and disqualified because “everything in ballot envelope”; Ark. Code Ann. § 7-5-416(b)(1)(l) states “failure of the voter to submit the required absentee materials in the proper envelopes shall not be grounds for disqualifying the voter”. Five (5) of them were disqualified for no voter identification and were not mailed their notice until the Saturday before the Monday at noon deadline to cure their ballot. The remaining ballots were disqualified based upon notations of minor clerical errors.

4. Pleading affirmatively, if the Court deems it appropriate to consider Petitioner's claims for relief, it should first re-canvass the voter materials for the twenty-seven (27) ballots in question, declare those ballots that were erroneously disqualified to be legal votes, and declare them to have been properly counted.

5. Pleading affirmatively, Intervenor Respondent requested the voter materials for all uncounted ballots for the 32nd District. Those have not yet been provided. However, if the Court deems it appropriate to consider Claimant's claims for relief, it should first re-canvass the voter materials for all uncounted ballots in the 32nd District, declare those ballots that were erroneously disqualified to be legal votes, and order them to be counted. No vote should go uncounted due to an error or mistake.

6. Pleading affirmatively, Respondent Representative-Elect Ashley Hudson verifies the foregoing through her affidavit. **(EXHIBIT A)**.

**WHEREFORE**, Ashley Hudson prays that the Court allow her to intervene as a named defendant in this action, and plead, respond, call witnesses, present arguments, and fully participate as a proper defendant to this election contest.

Respectfully submitted,

By: /s/ Jennifer A. Waymack Standerfer

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#### **CERTIFICATE OF SERVICE**

I, Jennifer A. Waymack Standerfer, do hereby certify that the foregoing pleading was served electronically via ECF filing to the attorneys of record for the parties on this 8th day of December, 2020.

By: /s/ Jennifer A. Waymack Standerfer