

**STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF ANTRIM**

WILLIAM BAILEY

Plaintiff

Case No. 20-9238-CZ

v.

ANTRIM COUNTY

HON. KEVIN A. ELSENHEIMER

Defendant

SECRETARY OF STATE JOCELYN  
BENSON

Intervenor-Defendant,

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**EXHIBITS 3**

**PLAINTIFF'S MOTION AND BRIEF FOR RECONSIDERATION OR,  
ALTERNATIVELY, REHEARING PURSUANT TO MCR 2.119(F)**

Respectfully submitted

DePERNO LAW OFFICE, PLLC

Dated: June 9, 2021

/s/ Matthew S. DePerno

Matthew S. DePerno (P52622)

Attorney for Plaintiff



**OFFICIAL BALLOT**  
**General Election**  
**Tuesday, November 3, 2020**  
**Antrim County, Michigan**  
**Banks Township, Precinct 1CENT**

Partisan Section	State Boards	State Boards
<b>Straight Party Ticket</b> <i>Vote for not more than 1</i>	<b>Member of the State Board of Education</b> <i>Vote for not more than 2</i>	<b>Governor of Wayne State University</b> <i>Vote for not more than 2</i>
Democratic Party <input type="radio"/>		Eva Garza Dewaelsche <input type="radio"/> Democrat
Republican Party <input type="radio"/>	Ellen Cogen Lipton <input type="radio"/> Democrat	Shirley Stancato <input type="radio"/> Democrat
Libertarian Party <input type="radio"/>	Jason Strayhorn <input type="radio"/> Democrat	Don Gates <input type="radio"/> Republican
U.S. Taxpayers Party <input type="radio"/>	Tami Carlone <input type="radio"/> Republican	Terri Lynn Land <input type="radio"/> Republican
Working Class Party <input type="radio"/>	Michelle A. Frederick <input type="radio"/> Republican	Jon Elgas <input type="radio"/> Libertarian
Green Party <input type="radio"/>	Bill Hall <input type="radio"/> Libertarian	Christine C. Schwartz <input type="radio"/> U.S. Taxpayers
Natural Law Party <input type="radio"/>	Richard A. Hewer <input type="radio"/> Libertarian	Susan Odgers <input type="radio"/> Green
<b>Presidential</b>	Karen Adams <input type="radio"/> U.S. Taxpayers	<input type="radio"/>
<b>Electors of President and Vice-President of the United States</b> <i>Vote for not more than 1</i>	Douglas Levesque <input type="radio"/> U.S. Taxpayers	<input type="radio"/>
	Mary Anne Hering <input type="radio"/> Working Class	<b>County</b>
	Hali McEachern <input type="radio"/> Working Class	<b>Prosecuting Attorney</b> <i>Vote for not more than 1</i>
Joseph R. Biden <input type="radio"/> Kamala D. Harris <input type="radio"/> Democrat	Tom Mair <input type="radio"/> Green	James L. Rossiter <input type="radio"/> Republican
Donald J. Trump <input type="radio"/> Michael R. Pence <input type="radio"/> Republican	<input type="radio"/>	<input type="radio"/>
	<b>Regent of the University of Michigan</b> <i>Vote for not more than 2</i>	<b>Sheriff</b> <i>Vote for not more than 1</i>
Jo Jorgensen <input type="radio"/> Jeremy Cohen <input type="radio"/> Libertarian	Mark Bernstein <input type="radio"/> Democrat	Daniel S. Bean <input type="radio"/> Republican
Don Blankenship <input type="radio"/> William Mohr <input type="radio"/> U.S. Taxpayers	Shauna Ryder Diggs <input type="radio"/> Democrat	<input type="radio"/>
	Sarah Hubbard <input type="radio"/> Republican	<b>Clerk</b> <i>Vote for not more than 1</i>
Howie Hawkins <input type="radio"/> Angela Walker <input type="radio"/> Green	Carl Meyers <input type="radio"/> Republican	Sheryl Guy <input type="radio"/> Republican
Rocky De La Fuente <input type="radio"/> Darcy Richardson <input type="radio"/> Natural Law	James L. Hudler <input type="radio"/> Libertarian	<input type="radio"/>
	Eric Larson <input type="radio"/> Libertarian	<b>Treasurer</b> <i>Vote for not more than 1</i>
	Ronald E. Graeser <input type="radio"/> U.S. Taxpayers	Sherry A. Comben <input type="radio"/> Republican
	Crystal Van Sickle <input type="radio"/> U.S. Taxpayers	<input type="radio"/>
	Michael Mawilai <input type="radio"/> Green	<b>Register of Deeds</b> <i>Vote for not more than 1</i>
<b>Congressional</b>	Keith Butkovich <input type="radio"/> Natural Law	Patty Niepoth <input type="radio"/> Republican
<b>United States Senator</b> <i>Vote for not more than 1</i>	<input type="radio"/>	<input type="radio"/>
Gary Peters <input type="radio"/> Democrat	<b>Trustee of Michigan State University</b> <i>Vote for not more than 2</i>	<b>Drain Commissioner</b> <i>Vote for not more than 1</i>
John James <input type="radio"/> Republican	Brian Mosallam <input type="radio"/> Democrat	Mark Stone <input type="radio"/> Republican
Valerie L. Willis <input type="radio"/> U.S. Taxpayers	Rema Ella Vassar <input type="radio"/> Democrat	<input type="radio"/>
Marcia Squier <input type="radio"/> Green	Pat O'Keefe <input type="radio"/> Republican	<b>Surveyor</b> <i>Vote for not more than 1</i>
Doug Dern <input type="radio"/> Natural Law	Tonya Schuitmaker <input type="radio"/> Republican	Scott Papineau <input type="radio"/> Republican
	Will Tyler White <input type="radio"/> Libertarian	<input type="radio"/>
<b>Representative in Congress 1st District</b> <i>Vote for not more than 1</i>	Janet M. Sanger <input type="radio"/> U.S. Taxpayers	<b>County Commissioner 1st District</b> <i>Vote for not more than 1</i>
Dana Ferguson <input type="radio"/> Democrat	John Paul Sanger <input type="radio"/> U.S. Taxpayers	Jarris Rubingh <input type="radio"/> Republican
Jack Bergman <input type="radio"/> Republican	Brandon Hu <input type="radio"/> Green	<input type="radio"/>
Ben Boren <input type="radio"/> Libertarian	Robin Lea Laurain <input type="radio"/> Green	<b>Township</b>
	Bridgette Abraham-Guzman <input type="radio"/> Natural Law	<b>Supervisor</b> <i>Vote for not more than 1</i>
	<input type="radio"/>	Alex Busman <input type="radio"/> Republican
<b>Legislative</b>	<input type="radio"/>	<input type="radio"/>
<b>Representative in State Legislature 105th District</b> <i>Vote for not more than 1</i>		
Jonathan Burke <input type="radio"/> Democrat		
Ken Borton <input type="radio"/> Republican		
<input type="radio"/>		

Township	Intermediate School District
<b>Clerk</b> <i>Vote for not more than 1</i>	<b>Board Member</b> <b>Charlevoix-Emmet Intermediate School District</b> <b>Partial Term Ending 12/31/2024</b> <i>Vote for not more than 1</i>
<b>Donna L. Heeres</b> <input type="radio"/> <small>Republican</small>	
<b>Treasurer</b> <i>Vote for not more than 1</i>	<b>Larry Cassidy</b> <input type="radio"/>
<b>Katherine Postmus</b> <input type="radio"/> <small>No Party Affiliation</small>	<b>Board Member</b> <b>Charlevoix-Emmet Intermediate School District</b> <b>Partial Term Ending 12/31/2022</b> <i>Vote for not more than 1</i>
<b>Trustee</b> <i>Vote for not more than 2</i>	
<b>Tom L. Cooper</b> <input type="radio"/> <small>Republican</small>	<input type="radio"/>
<b>Anita Hoeksema</b> <input type="radio"/> <small>No Party Affiliation</small>	<b>Local School District</b>
<b>David E. Rasmussen</b> <input type="radio"/> <small>No Party Affiliation</small>	<b>Board Member</b> <b>Central Lake Schools</b> <i>Vote for not more than 3</i>
<input type="radio"/>	
<b>Nonpartisan Section</b>	<b>Melanie Eckhardt</b> <input type="radio"/>
<b>Judicial</b>	<b>Keith Shafer</b> <input type="radio"/>
<b>Justice of Supreme Court</b> <i>Vote for not more than 2</i>	<input type="radio"/>
<b>Susan L. Hubbard</b> <input type="radio"/>	<input type="radio"/>
<b>Mary Kelly</b> <input type="radio"/>	<b>Proposal Section</b>
<b>Bridget Mary McCormack</b> <input type="radio"/> <small>Justice of Supreme Court</small>	<b>State</b>
<b>Kerry Lee Morgan</b> <input type="radio"/>	<b>Proposal 20-1</b> <b>A proposed constitutional amendment to allow money from oil and gas mining on state-owned lands to continue to be collected in state funds for land protection and creation and maintenance of parks, nature areas, and public recreation facilities; and to describe how money in those state funds can be spent</b>
<b>Katherine Mary Nepton</b> <input type="radio"/>	
<b>Brock Swartzle</b> <input type="radio"/>	
<b>Elizabeth M. Welch</b> <input type="radio"/>	
<input type="radio"/>	
<input type="radio"/>	
<b>Judge of Court of Appeals 4th District Incumbent Position</b> <i>Vote for not more than 2</i>	This proposed constitutional amendment would: <ul style="list-style-type: none"> <li>Allow the State Parks Endowment Fund to continue receiving money from sales of oil and gas from state-owned lands to improve, maintain and purchase land for State parks, and for Fund administration, until its balance reaches \$800,000,000.</li> <li>Require subsequent oil and gas revenue from state-owned lands to go into the Natural Resources Trust Fund.</li> <li>Require at least 20% of Endowment Fund annual spending go toward State park improvement.</li> <li>Require at least 25% of Trust Fund annual spending go toward parks and public recreation areas and at least 25% toward land conservation.</li> </ul>
<b>Michael J. Kelly</b> <input type="radio"/> <small>Judge of Court of Appeals</small>	
<b>Amy Ronayne Krause</b> <input type="radio"/> <small>Judge of Court of Appeals</small>	
<input type="radio"/>	
<input type="radio"/>	
<b>Judge of Court of Appeals 4th District Non-Incumbent Position</b> <i>Vote for not more than 1</i>	Should this proposal be adopted?
<b>Michelle Rick</b> <input type="radio"/>	<b>Yes</b> <input type="radio"/>
<input type="radio"/>	<b>No</b> <input type="radio"/>
<b>Judge of Circuit Court 13th Circuit Incumbent Position</b> <i>Vote for not more than 1</i>	<b>Proposal 20-2</b> <b>A proposed constitutional amendment to require a search warrant in order to access a person's electronic data or electronic communications</b>
<b>Kevin A. Eisenheimer</b> <input type="radio"/> <small>Judge of Circuit Court</small>	
<input type="radio"/>	This proposed constitutional amendment would: <ul style="list-style-type: none"> <li>Prohibit unreasonable searches or seizures of a person's electronic data and electronic communications.</li> <li>Require a search warrant to access a person's electronic data or electronic communications, under the same conditions currently required for the government to obtain a search warrant to search a person's house or seize a person's things.</li> </ul> Should this proposal be adopted?
<b>Intermediate School District</b>	
<b>Board Member</b> <b>Charlevoix-Emmet Intermediate School District</b> <b>6 Year Term</b> <i>Vote for not more than 3</i>	
<b>Thelma A. Chellis</b> <input type="radio"/>	
<b>Jean E. Frentz</b> <input type="radio"/>	
<b>Mary P. Jason</b> <input type="radio"/>	
<input type="radio"/>	<b>Yes</b> <input type="radio"/>
<input type="radio"/>	<b>No</b> <input type="radio"/>

