

STATE OF MICHIGAN
IN THE COURT OF APPEALS

CITIZENS PROTECTING MICHIGAN'S
CONSTITUTION, JOSEPH SPYKE AND
JEANNE DAUNT,

Plaintiffs,

v

SECRETARY OF STATE AND MICHIGAN
BOARD OF STATE CANVASSERS,

Michigan Court of Appeals
No. 343517

Defendants/Cross-Defendants,
and

VOTERS NOT POLITICIANS BALLOT
COMMITTEE, d/b/a VOTERS NOT
POLITICIANS, COUNT MI VOTE, a
Michigan Non-Profit Corporation, d/b/a
VOTERS NOT POLITICIANS, KATHRYN A.
FAHEY, WILLIAM R. BOBIER and DAVIA C.
DOWNEY,

Intervening Defendants/Cross-Plaintiffs,
_____ /

**BRIEF OF DEFENDANTS/CROSS-DEFENDANTS SECRETARY OF STATE
AND BOARD OF CANVASSERS IN RESPONSE TO
INTERVENING DEFENDANTS/CROSS-PLAINTIFFS
CROSS CLAIM FOR MANDAMUS**

Defendants/Cross-Defendants, Secretary of State and Board of State
Canvassers, adopt and incorporate in response to the cross claim for mandamus
relief filed by Voters Not Politicians (VNP), the Secretary of State's and the Board's
brief filed in response to the complaint for mandamus by Citizens Protecting
Michigan's Constitution.

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CONCLUSION AND RELIEF REQUESTED

Defendant/Cross-Defendant Board acknowledges that it has a legal duty to issue an official declaration of the sufficiency or insufficiency of Intervening Defendant/Cross-Plaintiff VNP's petition. Defendants/Cross-Defendants will comply with any order this Court issues regarding the legal sufficiency of the petition.

Respectfully submitted,

B. Eric Restuccia (P49550)
Chief Legal Counsel

s/Heather S. Meingast
Heather S. Meingast (P55439)
Denise C. Barton (P41535)
Assistant Attorneys General
Attorneys for Defendants/Cross-
Defendants
Civil Litigation, Employment &
Elections Division
P.O. Box 30212
Lansing, Michigan 48909
(517) 373-6434

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