

EXHIBIT A

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4. The 2024 election cycle, including for the office of President of the United States is upon us. Our office has worked with election officials across Arizona for many months to prepare for the 2024 election cycle.

5. The total number of active/inactive Federal Only voters in Arizona is 42,301. Of those, only 11,008 are active presumably in-person voters, and 4,807 are on the Arizona Early Voter List.

6. In the 2020 election, the voter turnout was nearly 80%. Our office expects, and believes Arizona's counties are preparing, for at least a similar turnout in 2024.

7. On May 1, 2024, election officials sent voters their 90-day notice. *See* A.R.S. § 16-544(D).

8. The deadline to print sample ballots was June 20, 2024. *See* A.R.S. § 16-461.

9. Early voting began, and the initiative filing deadline passed, on July 3, 2024. *See* A.R.S. § 16-542(C).

10. Signature rosters were printed on July 20, 2024, the DPOC cure deadline was July 25, 2024, and early voting ended on July 30, 2024. *See* A.R.S. § 16-542(E) (early voting); Election Procedures Manual at p. 7 (incorporating LULAC Consent Decree requirements related to DPOC); A.R.S. § 16-166(A) (signature rosters).

11. Non-partisan election challenges had to be filed by July 22, 2024 and decided by August 1, 2024. Those times have passed.

12. The Primary Election occurred on July 30, 2024.

13. My office has already transmitted a 5% random sample of signatures related to ballot measures. *See* A.R.S. § 19-121.01.

14. The deadline for counties to complete review of ballot-related signature samples is August 22, 2024. Maricopa and Coconino Counties' ballot printing deadline is also August 22, 2024.

15. The deadline to print publicity pamphlets is August 29, 2024.

16. In my experience as an election official, including as the former Maricopa County Recorder, I believe that entering a stay of this Court's Judgment, at this stage, will only create confusion and chaos for voters and election officials alike in the upcoming 2024 election cycle.

17. The Election Procedurals Manual reflects and accounts for, among other things, the district court's Judgment. The Election Procedurals Manual has been approved by Arizona's Governor, Arizona's Attorney General, and myself. My Office understands that Counties across Arizona have implemented processes and procedures, or are well into the process of doing, reliant and compliant with those set forth in the Election Procedures Manual. To be sure, at this juncture in Arizona Elections, time is not only of the essence but it is in short supply. I understand that election officials across Arizona are preparing for what is expected to be a very active 2024 election cycle. Last minute state-wide policy changes like those requested in the Motion, no matter how small they may seem to some, can (and I believe will) drastically impact how affected votes are collected and processed. Such confusion and

chaos on the cusp of an election will undoubtedly cause voters to harbor doubts about our election procedures, our election officials, and our elections themselves. That risk alone, in the context of this action, strongly cautions against “creating or altering election rules close to elections to avoid voter confusion” *Mi Familia Vota v. Hobbs*, 492 F. Supp. 3d 980, 985 (D. Ariz. 2020) (citing *Purcell*, 549 U.S. 1 at 4-5).

18. Compounding these issues is the fact that most Arizona registered voters cast their ballots through early voting. For example, in the 2020 election for President of the United States, approximately 75% to 80% of registered voters used early voting to make their voices heard.

19. After the District Court entered an injunction regarding the implementation of A.R.S. § 16-121.01(C) and A.R.S. § 16-127, my office did not promulgate procedures or guidance in the current Elections Procedures Manual on how to execute those two statutes.

20. If this Court grants Applicants’ requested stay, my office and the 15 Arizona County Recorders would be forced into a chaotic frenzy in attempting to come up with processes on how to receive and process voter registration forms for state form voters versus Federal Only voters.

21. Arizona does not have any procedures to remove Federal Only voters from the Active Early Voting List or outright preclude those voters from receiving an early ballot in the mail.

22. My office and the Arizona County Recorders have ordered thousands and thousands of the new state voter registration forms. These forms have already




been distributed to Arizona's MVD and other public service agencies that are required to offer their customers the form and opportunity to register to vote.

23. In addition, those thousands and thousands of forms have already been provided to organizations that do voter outreach and register voters. At this point, it is impossible for my office, the Arizona County Recorders, or any other involved election officials to pull back the tens of thousands of blank voter registration forms with the instruction related to DPOC at this time.

I declare under penalty that the foregoing is true and correct.

Executed on this 15<sup>th</sup> day of August, 2024.

  
\_\_\_\_\_  
Adrian Fontes

Sworn to and subscribed before me  
this 15<sup>th</sup> day of August 2024.

  
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Notary Public

My Commission Expires: 11-24-2025

