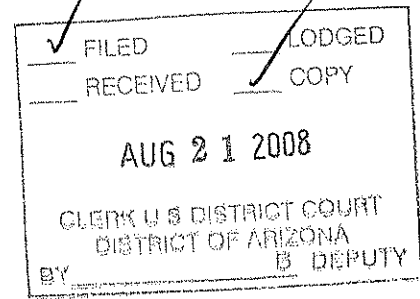


1 **SCHARF-NORTON CENTER FOR CONSTITUTIONAL LITIGATION**
2 **GOLDWATER INSTITUTE**

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9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 JOHN MCCOMISH, NANCY MCLAIN,)
13 KEVIN GIBBONS, FRANK ANTENORI,)
14 TONY BOUIE, AND DOUG SPOSITO,)

15 Plaintiffs,)

16 v.)

17 JAN BREWER, in her official capacity)
18 as Secretary of State of the State of)
19 Arizona; and GARY SCARAMAZZO,)
20 ROYANN J. PARKER, JEFFREY L.)
21 FAIRMAN, DONALD LINDHOLM and)
22 LORI S. DANIELS, in their official)
23 capacity as members of the)
24 ARIZONA CITIZENS CLEAN)
25 ELECTIONS COMMISSION,)

26 Defendants.)
27)
28)

CIV '08 1550 PHX ROS

Civil Action No.

CIVIL RIGHTS COMPLAINT

INTRODUCTION

1
2
3 1. Plaintiffs seek to have the “matching funds” provisions of the Arizona Clean
4
5 Elections Act (the “Act”), A.R.S. § 16-901 *et seq.* declared unconstitutional facially and
6
7 as applied to them, and to have the Court permanently enjoin Defendants’ enforcement
8
9 of the Act under the First and Fourteenth Amendments to the U.S. Constitution.

10 2. This lawsuit has been inspired by the recent decision of the United States
11
12 Supreme Court in *Davis v. F.E.C.*, 554 U. S. ____ (2008). There, the Court determined
13
14 that a campaign finance regulation, which creates a “drag” on the exercise of First
15
16 Amendment rights, “cannot stand unless it is ‘justified by a compelling state interest.’”
17
18 The Court further held that the goal of “leveling” electoral opportunities is not a
19
20 compelling state interest. And the Court struck down a campaign finance regulation
21
22 that created an incentive structure whereby “the vigorous exercise of the right to use
23
24 personal funds to finance campaign speech produces fundraising advantages for
25
26 opponents in the competitive context of electoral politics.” The Court based its
27
28

1 reasoning, in part, on *Day v. Holahan*, 34 F. 3d 1356, 1359–1360 (8th Cir. 1994), which
2
3 struck down the Minnesotan predecessor of the Arizona Clean Elections Act.

4
5 3. Under *Davis* and *Day*, the matching funds provisions of Arizona Clean
6
7 Elections Act unconstitutionally chill free speech by imposing a significant
8
9 discriminatory burden on supporting a traditional candidate that would not otherwise
10
11 exist and also by skewing electoral competition in favor of candidates who participate in
12
13 the Act's scheme of government-subsidized campaign speech. The burden consists
14
15 primarily of the subsidies the "Clean Elections" system showers on "participating"
16
17 candidates to "equalize" campaign contributions and expenditures which benefit
18
19 Plaintiffs and other traditional candidates. And the discrimination predominantly arises
20
21 from the fact that, even though "participating" candidates receive subsidies to
22
23 "equalize" independent expenditures that benefit traditional candidates, no
24
25 corresponding benefit accrues to traditional candidates when independent
26
27 expenditures are made to the benefit of "participating" candidates.
28

1 4. As did the campaign finance regulations struck down in *Davis and Day*, the
2
3 matching funds provisions of the Arizona Clean Elections Act cause the vigorous
4
5 exercise of free speech rights by Plaintiffs and their supporters to produce
6
7 discriminatory fundraising advantages for their opposing government-subsidized
8
9 candidates. Moreover, the Clean Election Act's actual purpose of equalizing the
10 financial resources of candidates is not a compelling state interest that can justify its
11
12 coercive speech chilling and discriminatory effects. The Act thus creates an
13
14 unconstitutional "drag" on the exercise of First and Fourteenth Amendment rights which
15
16 must be struck down.

17
18 **JURISDICTION AND VENUE**

19 5. Plaintiffs bring this action pursuant to 42 U.S.C. §§ 1983 and 1988 to
20
21 vindicate rights violated under color of state law, and seek relief under 28 U.S.C. §§
22
23 2201 and 2202, and 42 U.S.C. § 1988.

24 6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and
25
26 1343(a)(3) and (4).

1 7. Venue properly lies with this Court under 28 U.S.C. § 1391(b).

2
3 **PARTIES**

4
5 8. Plaintiff John McComish is a citizen of the United States, a resident of the
6 State of Arizona, and the current Arizona State House of Representatives Majority
7 Whip, who is running for reelection in Legislative District 20.
8

9
10 9. Plaintiff Nancy McLain is a citizen of the United States, a resident of the
11 State of Arizona, and a current member of the Arizona State House of Representatives,
12 who is running for reelection in Legislative District 3.
13

14
15 10. Plaintiff Kevin Gibbons is a citizen of the United States, a resident of the
16 State of Arizona, a licensed and practicing attorney, and a candidate who is running for
17 election to the Arizona State Senate in Legislative District 18.
18

19
20
21 11. Plaintiff Frank Antenori is a citizen of the United States, a resident of the
22 State of Arizona, Vice President of the Pima County Public Library Advisory Board, and
23 a candidate who is running for election to the Arizona State House of Representatives
24 in Legislative District 30.
25
26
27
28

1 12. Plaintiff Tony Bouie is a citizen of the United States, a resident of the State
2
3 of Arizona, Chairman and CEO of Halo Cups, Inc., and a candidate who is running for
4
5 election to the Arizona State House of Representatives in Legislative District 6.

6 13. Plaintiff Doug Sposito is a citizen of the United States, a resident of the
7
8 State of Arizona, Owner of Dasco Quality Inc. Custom Design Build Residential
9
10 Construction Company, and a candidate who is running for election to the Arizona
11
12 State House of Representatives in Legislative District 30.

13 14. Defendant Jan Brewer is the Secretary of State of the State of Arizona, and
14
15 is sued in her official capacity. As Secretary of State, Brewer's office is the repository
16
17 for all campaign-finance reports filed pursuant to the Arizona Citizens Clean Elections
18
19 Act, and is responsible for setting campaign contribution and spending limits. A.R.S.
20
21 §§ 16-924, 16-941(B), 16-958, and 16-959.

22 15. Defendants Gary Scarmazzo, Royann J. Parker, Jeffrey L. Fairman, Donald
23
24 Lindholm, and Lori S. Daniels, and any individuals subsequently appointed, are
25
26 members of the Arizona Citizens Clean Elections Commission (the "Commission"), and
27
28

1 are sued in their official capacity. The Commission is granted rulemaking and
2
3 enforcement authority under the Act. A.R.S. §§16-955-57.

4
5 **GENERAL ALLEGATIONS**

6 16. The Act, A.R.S. § 16-940 *et. seq.*, was a ballot initiative written and
7
8 sponsored by special-interest groups and was approved by a slim majority of Arizona
9
10 electors in the November 3, 1998 general election. On December 10, 1998, Governor
11
12 Jane Dee Hull issued a proclamation declaring this measure to be law.

13
14 17. The Act creates a system of “matching funds” government campaign
15
16 subsidies for statewide and legislative elected offices within the State of Arizona, and
17
18 creates the Commission, a bureau of unelected individuals granted broad enforcement
19
20 and regulatory powers that extend not only to all candidates who choose to
21
22 “participate” in the government campaign subsidy system, but even to all candidates
23
24 who do not wish to run a government-subsidized campaign.
25
26
27
28

1 18. Plaintiffs are a diverse coalition of legislators and candidates, who may
2
3 disagree on politics, but who share the recent experience of being victims of the Act's
4
5 matching funds provisions.

6 19. Plaintiffs are committed to enforcing the First and Fourteenth Amendments.
7
8 And they intend to expose how the Act's matching funds provisions create a much
9
10 worse electoral system than would otherwise exist.

11
12 **A. Decoding the Act's Matching Funds Provisions.**

13
14 20. The "matching funds" provisions of the Act, namely A.R.S. § 16-952 (A),
15
16 (B) and (C), determine the amount of government subsidies "participating" candidates
17
18 will receive when expenditures or contributions are made to the benefit of "traditional,"
19
20 privately-supported candidates, such as Plaintiffs.

21 21. In essence, the Act distinguishes between matching funds given to
22
23 "participating" candidates, which are triggered during the primary election season and
24
25 the general election season, and it further differentiates between matching funds
26
27 triggered by expenditures or contributions directly made by traditional, private-
28

1 supported candidates, and matching funds triggered by expenditures made to the
2
3 benefit of traditional candidates by independent organizations or groups, such as
4
5 political action committees. In each category, matching funds are triggered only after a
6
7 certain dollar threshold of expenditures or contributions for the benefit of a traditional
8
9 candidate is reached.

10 22. More specifically, during a primary election season, A.R.S. § 16-952(A)
11
12 authorizes the Commission to subsidize the “participating” candidate with “matching
13
14 funds” in amounts that purportedly equalize *expenditures* made by traditional
15
16 candidates above a certain threshold amount, which is called the “primary election
17
18 spending limit.”

19 23. Likewise, during the general election season, A.R.S. § 16-952(B) similarly
20
21 authorizes the Commission to subsidize the “participating” candidate with “matching
22
23 funds” equal to the amount of unspent contributions received by the traditional
24
25 candidate during the “primary season” that exceed a certain threshold, which is called
26
27
28

1 the "general election spending limit," plus "matching funds" that purportedly equal to
2
3 contributions made to traditional candidates during the general election cycle.

4
5 24. In short, A.R.S. § 16-952(A) bases "matching funds" given to participating
6 candidates on *expenditures* made by traditional candidates above the "primary election
7 spending limit," whereas A.R.S. § 16-952(B) bases "matching funds" on *contributions*
8 given to traditional candidates above the "general election spending limit."
9
10

11
12 25. Both A.R.S. § 16-952(A) and (B) base the amount of "matching funds" to
13 participating candidates on a formula that is essentially dollar-for-dollar subtracting only
14 6% "for a nonparticipating candidate's fund-raising expenses" from expenditures or
15 contributions that trigger matching funds.
16
17

18
19 26. Once the respective primary or general election "spending limit" threshold
20 has been met by a traditional candidate, A.R.S. § 16-952(C) also authorizes the
21 Commission to give the "participating" candidate "matching funds" equal to the value
22 attributed to expenditures made by *independent organizations* to support a competing
23 candidate or to oppose the "participating" candidate.
24
25
26
27
28

1 **B. The Act's Matching Funds Provisions Create a "Drag" on the Exercise of**
2 **First and Fourteenth Amendment rights.**

3
4 27. A.R.S. § 16-952(A) was applied to Plaintiff Tony Bouie in the Republican on
5 August 13, 2008, after he filed an expenditure report indicating that he had spent
6 \$31,731.69. This caused Bouie's expenditures to exceed the "primary election
7 spending limit" of \$19,382.00, thus triggering a "matching funds" subsidy to his
8 opponent, Carl Seel, in the amount of \$11,171.61. Bouie now faces the reality that his
9 electoral competitor will now receive nearly a dollar for every dollar Bouie spends on
10 promoting his campaign and getting his message out, and also for every dollar spent
11 by an independent organization which is entirely outside of Bouie's control.

12
13 28. All Plaintiffs are similarly situated to Plaintiff Bouie in that, since April of
14 2008, each has similarly triggered matching fund subsidies to opposing candidates in
15 their respective primary elections under A.R.S. § 16-952(A). Should they prevail in
16 their primary elections, each Plaintiff reasonably anticipates triggering matching fund
17 subsidies for opposing "participating" candidates in the general election based on
18 unspent primary contributions or new contributions above the general election
19
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1 spending limit. And even if they do not prevail in their primary or general elections,
2
3 each Plaintiff presently intends to run for statewide elected office again as traditional
4
5 candidates, which will subject them to the Act in the future.

6 29. Simply put, the Act's matching funds provisions have undermined the
7
8 legitimacy of Arizona's political process by unjustifiably and coercively chilling free
9
10 speech and discriminating against traditional candidates.

11
12 30. In particular, Plaintiffs have found themselves increasingly reluctant to
13
14 engage in campaign speech or to promote their campaign as they approached the
15
16 "primary election spending limit," which triggers matching funds. This is because
17
18 traditional candidates become increasingly fearful that they will lose control over their
19
20 campaign tactics and strategies if the promotion of their campaign causes an
21
22 unexpected independent expenditure to be made that triggers equally unexpected
23
24 matching funds to one or more opposing subsidized candidates.

25 31. Independent expenditures are seldom as effective in supporting a
26
27 candidate's campaign as expenditures made directly by the candidate. As a general
28

1 rule, therefore, Plaintiffs are placed at a relative competitive disadvantage when
2
3 independent expenditures trigger matching funds for opposing participating candidates.
4
5 This is because Plaintiffs have no control over independent expenditures that the
6 Commission deems benefit them, but their subsidized opponents will have absolute
7
8 control over the related matching funds that are triggered by such independent
9
10 expenditures. Additionally, Plaintiffs feel compelled to conserve money for damage-
11
12 control in anticipation of poorly-conceived independent expenditures backfiring after
13
14 they trigger matching funds to their opponents. That money would otherwise have
15
16 been spent on exercising their right to campaign speech, promoting their political ideas
17
18 and educating the public.

19 32. Additionally, after matching funds have been triggered, Plaintiffs have found
20
21 themselves even more reluctant to engage in campaign speech or to promote their
22
23 campaign than would be the case in the absence of the Act. This is because they are
24
25 very conscious of the fact that the opposing participating candidate will receive nearly
26
27 one dollar for every dollar they raise and spend, and also nearly one dollar for every
28

1 dollar someone independently spends to support their campaign. The Act's matching
2
3 funds provisions thereby impose a cost on the exercise of campaign speech rights that
4
5 would otherwise not exist.

6
7 33. Furthermore, Plaintiff McComish, who is in an electoral contest involving
8
9 multiple subsidized candidates, feels especially constrained in his exercise of First
10
11 Amendment rights because the Act's matching funds provisions generate vastly
12
13 disproportionate support for his opposing subsidized candidates. For example, for
14
15 every dollar McComish spends promoting his campaign, nearly one dollar goes to each
16
17 of McComish's subsidized opposing candidates. Confronted by three subsidized
18
19 candidates, the Act's matching funds provisions would cause—and have caused—
20
21 nearly three dollars to be spent opposing McComish for every dollar spent to support
22
23 him.

24
25 34. The Act's matching funds provisions not only create a "drag" on the exercise
26
27 of First Amendment rights as discussed above, they also establish a discriminatory
28
29 legal framework that, on its face and as applied to Plaintiffs, systematically causes

1 competitive electoral processes to generate more speech and more effective speech to
2
3 the benefit of subsidized candidates than to the benefit of traditional candidates.

4
5 35. For example, campaign fundraising costs substantially exceed 6% of the
6 gross amount of contributions received. By failing to adjust matching funds to reflect
7 the actual fundraising costs incurred by traditional candidates in the determination of
8 matching funds, A.R.S. § 16-952(A) and (B) ensure that government-subsidized
9
10 opponents will almost always have more financial resources than privately financed
11
12 candidates.
13

14
15 36. The independent expenditure matching funds provision, A.R.S. § 16-952(C),
16
17 also skews electoral competition in favor of subsidized candidates. It requires the
18
19 payment of matching funds to subsidized candidates who face traditional opponents
20
21 whenever an independent campaign expenditure is made that either opposes the
22
23 subsidized candidate or supports the traditional candidate. By comparison, no benefit
24
25 whatsoever accrues to a traditional candidate, when independent expenditures are
26
27 made to oppose a traditional candidate or otherwise to support a subsidized candidate.
28

1 37. The combined chilling and discriminatory effect of the Act's matching funds
2
3 provisions is so great, that the provisions penalize Plaintiffs, other traditional
4
5 candidates, and their supporters for choosing not to participate in the Act's subsidy
6
7 program and for refusing to submit to the Act's scheme of strict contribution and
8
9 expenditure limitations, which, standing alone and apart from the illusory option of
10
11 choosing to run as a traditional candidate, would be clearly unconstitutional.

12 **C. The Act's Matching Funds Provisions Undermine the Legitimacy of the**
13 **Electoral Process.**

14
15 38. It is easy for special interests to game the Act's matching funds system. For
16
17 example, special interests are free to promote two or more candidates, encouraging
18
19 one to run as a "traditional" candidate and the others to run as "participating"
20
21 candidates. When this happens, and there are reports that it does happen, special
22
23 interests can multiply the speech impact of their independent expenditures by buying
24
25 advertisements supporting their preferred traditional candidate, which then results in
26
27 waves of matching funds going to each of their preferred subsidized candidates.
28

1 42. Under the Fourteenth Amendment to the U.S. Constitution and 42 U.S.C. §
2
3 1983, Plaintiffs have the right to enjoy the equal protection of laws, especially where,
4
5 as here, unequal treatment under the law burdens the exercise of the fundamental right
6
7 to free speech under the First Amendment.

8 43. A.R.S. § 16-952 *et seq.* creates two classifications of candidates for public
9
10 office in Arizona: those who “participate” in the Clean Elections system by accepting
11
12 government financing, and those who do not participate in the system, choosing
13
14 instead to run “traditional,” privately supported campaigns. These provisions then treat
15
16 candidates differently with respect to direct expenditures, independent expenditures or
17
18 contributions made on their behalf, based solely on their status as a subsidized or
19
20 traditional candidate.

21 44. There is no compelling, important, substantial or legitimate state interest
22
23 that justifies A.R.S. § 16-952(C)'s discriminatory distribution of benefits and
24
25 disadvantages from independent expenditures based on a candidate's status as a
26
27 traditional or subsidized candidate. Nor is such discrimination a least restrictive,
28

1 narrowly tailored, direct, proportionate or rational means of advancing any legitimate
2
3 state interest.

4
5 45. There is no compelling, important, substantial or legitimate state interest
6 that justifies A.R.S. § 16-952(A) and (B) giving subsidies to participating candidates
7
8 which substantially exceed the effective purchasing power of the traditional candidate's
9
10 triggering direct expenditure and/or contribution. Nor is such discrimination a least
11
12 restrictive, narrowly tailored, direct, proportionate or rational means of advancing any
13
14 legitimate state interest.

15
16 46. The Act's matching funds provisions, A.R.S. § 16-952(A), (B) and (C),
17
18 facially and as applied, violate Plaintiffs' right to equal protection of the law under the
19
20 Fourteenth Amendment and 42 U.S.C. § 1983.

21
22 47. Plaintiffs have directly suffered, will continue to suffer or are imminently
23
24 threatened with suffering irreparable injury to their right to equal protection of the law
25
26 under the Fourteenth Amendment to the U.S. Constitution and 42 U.S.C. § 1983 by
27
28 virtue of the Act's matching funds provisions.

1 COUNT II

2 (FIRST AND FOURTEENTH AMENDMENTS-FREE SPEECH)

3
4 48. Plaintiffs incorporate and reallege each and every allegation contained in
5 Paragraphs 1 through 40 and 42 through 47 of this Complaint as if set forth fully herein.
6

7 49. Under the First and Fourteenth Amendments to the U.S. Constitution, 42
8 U.S.C. § 1983, *Buckley v. Valeo*, 424 U.S. 1 (1976), and its progeny, including *Randall*
9 *v. Sorrell*, 126 S. Ct. 2470 (2006), *Federal Election Commission v. Wisconsin Right to*
10 *Life, Inc.*, 127 S. Ct. 2652 (2007), and *Davis v. F.E.C.*, 554 U. S. ____ (2008), a state
11 cannot chill individuals or groups from exercising their right to freely speak through
12 coercive or punitive means.
13
14
15
16
17

18 50. The Act's matching funds provisions ensure that when Plaintiffs, other
19 traditional candidates, and their supporters exercise their First and Fourteenth
20 Amendment rights to campaign speech, doing so produces substantial fundraising
21 advantages for opposing or disfavored candidates. This chills free speech by creating
22 a coercive and punitive "drag" on the First Amendment rights, which can only be
23 sustained if it is narrowly tailored to serve a compelling state interest.
24
25
26
27
28

1 51. There is no compelling, important, substantial or legitimate state interest
2
3 that justifies the burden placed by A.R.S. § 16-952 (A), (B) and (C) on the free exercise
4
5 of First Amendment rights. Nor is placing such a burden on the free exercise of First
6
7 Amendment rights a least restrictive, narrowly tailored, direct, proportionate or rational
8
9 means of advancing any legitimate state interest.

10 52. The Act's matching funds provisions, A.R.S. § 16-952(A), (B) and (C),
11
12 facially and as applied, violate Plaintiffs' right to free speech, as well as that of other
13
14 traditional candidates and their supporters, under the First and Fourteenth
15
16 Amendments and 42 U.S.C. § 1983.

17 53. Plaintiffs have directly suffered, will continue to suffer or are imminently
18
19 threatened with suffering irreparable injury to their free speech rights under the First
20
21 and Fourteenth Amendments to the U.S. Constitution by virtue of the Act's matching
22
23 funds provisions.

24 54. Plaintiffs have also suffered, will continue to suffer or are imminently
25
26 threatened with suffering reasonably foreseeable irreparable injury arising from the
27
28

1 Act's violation of the rights of Plaintiffs' supporters, including independent
2
3 organizations, who wish to exercise their campaign speech rights to the benefit of
4
5 Plaintiffs under the First and Fourteenth Amendments to the U.S. Constitution.

6
7 **COUNT III**
8 **(ENTITLEMENT TO DECLARATORY RELIEF)**

9 55. Plaintiffs incorporate and reallege each and every allegation contained in
10
11 Paragraphs 1 through 40, 42 through 47, and 49 through 54 of this Complaint as if set
12
13 forth fully herein.

14 56. For reasons including but not limited to those stated in this Complaint, an
15
16 actual live controversy exists between Plaintiffs and Defendants, which parties have
17
18 genuine and opposing interests, which interests are direct and substantial, and of
19
20 which a judicial determination will be final and conclusive.

21 57. Plaintiffs are therefore entitled to a declaratory judgment that Defendants'
22
23 actions are unconstitutional, as well as such other and further relief as may follow from
24
25 entry of such a declaratory judgment.
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COUNT IV

(ENTITLEMENT TO INJUNCTIVE RELIEF)

58. Plaintiffs incorporate and reallege each and every allegation contained in Paragraphs 1 through 40, 42 through 47, 49 through 54, and 56 of this Complaint as if set forth fully herein.

59. For reasons including but not limited to those stated in this Complaint, as a direct and proximate result of Defendants' actions against Plaintiffs, Plaintiffs have no adequate legal, administrative, or other remedy by which to prevent or minimize the continuing and/or threatened irreparable harm to their constitutional rights. They have a likelihood of success on the merits of their constitutional claims. And the public interest and equities favor entry of a court order barring enforcement of the Act's matching funds provisions.

60. Plaintiffs are, therefore, entitled to a preliminary and permanent injunction prohibiting Defendants from committing the above-described violations of their constitutional rights, as well as such other and further relief as may follow from entry of such injunctive relief.

1 REQUEST FOR RELIEF

2
3 Plaintiffs pray for judgment and ask this Court for the following:

4
5 A. A declaration that §§ 16-952(A), (B) and (C) of the Arizona Citizens Clean
6 Elections Act, and any Commission rules promulgated in furtherance thereof, violate
7
8 the right to equal protection under the law under the Fourteenth Amendment to the
9
10 United States Constitution;

11
12 B. A declaration that §§ 16-952(A), (B) and (C) of the Arizona Citizens Clean
13 Elections Act, and any Commission rules promulgated in furtherance thereof, violate
14
15 the right to free speech under the First and Fourteenth Amendments to the United
16
17 States Constitution;

18
19 C. An Order that preliminarily and permanently enjoins Defendants from
20
21 further implementing and performing their duties in administering and enforcing the
22
23 above-referenced provisions;

24
25 D. An award for Plaintiffs' reasonable attorneys' fees and costs pursuant to 42
26 U.S.C. § 1988; and
27
28

1 E. Such further relief as this Court deems equitable, just, and proper.

2
3 **RESPECTFULLY SUBMITTED** this 21st Day of August, 2008

4
5 /Clint Bolick

6 Clint Bolick (021684)

7 SCHARF NORTON CENTER FOR

8 CONSTITUTIONAL LITIGATION

9 GOLDWATER INSTITUTE

10 500 E. Coronado Rd.

11 Phoenix, AZ 85004

12 (602) 462 5000

13 cbolick@goldwaterinstitute.org

14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on August 21, 2008, at or before 5:00 p.m., I placed for
16
17 services with a qualified process server a copy of this complaint and an original
18
19 summons on each of the following persons in their official capacity:

20
21 Jan Brewer

22 Arizona Secretary of State

23 1700 W. Washington Street, 7th Floor

24 Phoenix, AZ 85007-2888

25 Royann J. Parker

26 Member, AZ Citizens Clean Elections

27 Commission

Gary Scaramazzo

Member, AZ Citizens Clean Elections

Commission

1616 W. Adams, Suite 110

Phoenix, AZ 85007

Jeffrey L. Fairman

Member, AZ Citizens Clean Elections

Commission

1 1616 W. Adams, Suite 110
2 Phoenix, AZ 85007
3 Donald Lindholm
4 Member, AZ Citizens Clean Elections
5 Commission
6 1616 W. Adams, Suite 110
7 Phoenix, AZ 85007

1616 W. Adams, Suite 110
Phoenix, AZ 85007
Lori Daniels
Member, AZ Citizens Clean Elections
Commission
1616 W. Adams, Suite 110
Phoenix, AZ 85007

8 Finally, I certify that on the same date and time, I served by certified U.S. Postal
9
10 mail pursuant to F.R.C.P. 5.1(a)(2) and/or A.R.S. § 12-1841 a Notice of Filing and a
11
12 copy of this Complaint upon:

13
14 Terry Goddard
15 Office of the Attorney General
16 1275 West Washington Street
17 Phoenix, AZ 85007

Jim Weiers
Speaker of the House of Representatives
1700 W. Washington
Room 221
Phoenix, AZ 85007

18 Tim Bee
19 Senate President
20 1700 W. Washington
21 Room 204
22 Phoenix, AZ 85007

/Clint Bolick
Clint Bolick (021684)
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