

**STATE OF MICHIGAN  
IN THE COURT OF APPEALS**

**CITIZENS PROTECTING MICHIGAN'S  
CONSTITUTION, JOSEPH SPYKE, and  
JEANNE DAUNT,**

v Plaintiffs,

Court of Appeals  
No. 343517

**SECRETARY OF STATE and MICHIGAN  
BOARD OF STATE CANVASSERS,**

Defendants / Cross-Defendants,  
and

**AFFIDAVIT OF JAMES  
R. LANCASTER**

**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

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**AFFIDAVIT OF JAMES R. LANCASTER**

STATE OF MICHIGAN        )  
  ) SS  
COUNTY OF INGHAM        )

James R. Lancaster, being first duly sworn, deposes and states the following:

1. I have personal knowledge of the matters discussed herein, and am competent to give testimony regarding those matters if called upon to do so.

2. I am the General Counsel for Intervening Defendant / Cross-Plaintiff Voters Not Politicians (“VNP”).

3. On May 22, 2018, the Bureau of Elections issued its Staff Report for VNP’s proposal. That report stated that 315,654 valid signatures were required for certification, and estimated that VNP’s petition was supported by 394,092 valid signatures, at a confidence level of 100%. The Staff Report also noted the agreement of the parties that the Plaintiffs’ legal challenges regarding the form of VNP’s petition were properly before the courts, and concluded with the recommendation that the Board certify the petition. A copy of the Bureau of Elections Staff Report is attached as Exhibit A.

4. On May 22, 2018, I received notification that VNP’s proposal had been placed on the agenda for the Board’s meeting of May 24, 2018. A copy of that notification is attached as Exhibit B.

5. On the afternoon of May 23, 2018, I received notification that the Board’s meeting scheduled for May 24, 2018 had been cancelled. A copy of the notice of cancellation, which provided no explanation of the reason for the cancellation, is attached as Exhibit C.

6. On May 23, 2018, after learning that the Board’s meeting had been cancelled, I sent an e-mail message to Board Chairman Norman D. Shinkle, requesting that he provide an

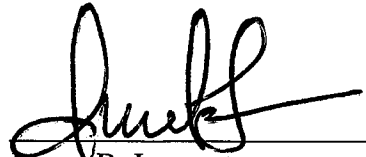


explanation of the reason for the cancellation and inquiring as to whether VNP's proposal would be on the agenda for the Board's next meeting on June 1, 2018. A copy of my e-mail message to Mr. Shinkle is attached as Exhibit D. Chairman Shinkle has not responded to that message.

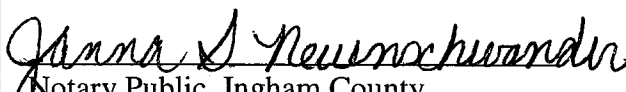
7. Explanations of Chairman Shinkle's reasons for cancelling the May 24, 2018 meeting have appeared in media reports. In *Gongwer News Service's* report for May 23, 2018, the pertinent excerpt of which is attached as Exhibit E, Secretary of State spokesperson Fred Woodhams was quoted as saying that Chairman Shinkle had cancelled the meeting "because there were legal filings this week that make it clear the board was under no immediate deadline to take up the matter." In the *MIRS News* report for May 23, 2018, the pertinent excerpt of which is attached as Exhibit F, Mr. Woodhams was quoted as saying that Chairman Shinkle had opted to cancel the meeting because there were "legal filings this week that make it clear the board was under no immediate deadline to take up the matter" and further explained that Mr. Shinkle had stated that "the matter is before the courts" and he wanted resolution there before having the Board move forward.

8. The Board of Canvassers has issued the agenda for its meeting to be held on June 1, 2018, a copy of which is attached as Exhibit G. Consideration of VNP's proposal is not included among the items listed on that agenda.

Further, Deponent sayeth not.

  
James R. Lancaster

Subscribed and sworn before me on  
the 31<sup>st</sup> day of May, 2018.

  
Notary Public, Ingham County  
Acting in Ingham County  
My Commission expires: 6/5/22

**JANNA S. NEUENSCHWANDER**  
**NOTARY PUBLIC - STATE OF MICHIGAN**  
**COUNTY OF EATON**  
My Commission Expires June 5, 2022  
Acting in the County of Ingham

