

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

BONNIE HEATHER MILLER, ROBERT
WILLIAM ALLEN, ADELLA DOZIER
GRAY, and ARKANSAS VOTERS FIRST,

Plaintiffs,

v.

JOHN THURSTON, in his official capacity
as Secretary of State of Arkansas,

Defendant.

Case No. 5:20-cv-05070-pkh

Hon. Paul K. Holmes, III

**REPLY TO DEFENDANT'S BRIEF IN OPPOSITION TO PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

EXHIBIT 3

Letter from Secretary of State to David Couch dated July 30, 2018 setting
cure period for minimum wage ballot initiative on August 29, 2018



ARKANSAS SECRETARY OF STATE

MARK MARTIN

July 30, 2018

David Couch
1501 N. University, Suite 228
Little Rock, AR 72207

Sent via email & regular mail

Re: Proposed Initiated Act
Attorney General Opinion No. 2018-043A
Popular Name: An Act to Increase the Arkansas Minimum Wage

Dear Mr. Couch,

Our office has completed our initial review of the petition submitted. The required number of signatures to propose an Initiated Act is 67,887. The total initial count of the signatures that were submitted to the Secretary of State for this proposed Act was 68,861. As of this date, we have determined that there are no more than 52,124 valid signatures. While this petition is currently insufficient, it does meet the thresholds contained within Article 5, § 1 of the Arkansas Constitution to qualify for a thirty (30) day cure period, subject to the decision of any Court on review.

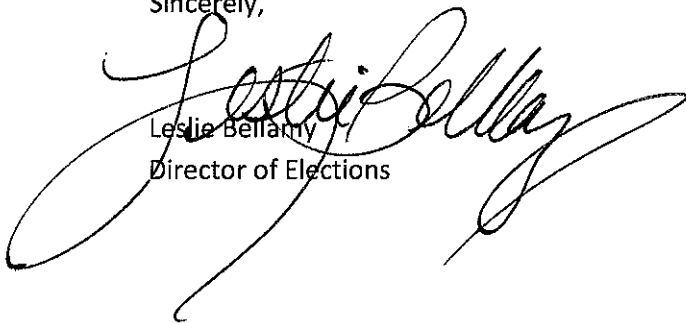
Additional petition parts were withheld from signature review due to concerns with constitutional and statutory compliance. Pursuant to Ark. Code § 7-9-111(b), the Secretary of State requires the sponsor to assume the burden described in the above-referenced code section concerning genuineness and validity of each signature on all of the pages that have been withheld from the verification process. Please advise this Office, in writing, if the Sponsor chooses to challenge any of the determinations as to constitutional and statutory compliance. In previous litigation, a Special Master indicated that this challenge, review, and resubmission must be completed within the initial 30 day review period in order to be added to the initial count; thus before August 6.

In accordance with Ark. Code § 7-9-111, you have thirty (30) days from the date of this notice to: solicit and obtain additional signatures; submit proof to show that the rejected signatures or some of them are good and should be counted, or make the petition more definite and certain. You also



have thirty (30) days to meet the burden set forth in Ark. Code § 7-9-111(b) should you desire. The deadline is close of business Wednesday, August 29, 2016. Please remember that any additional signatures submitted must be grouped by county in order to be counted. Please also be advised that meeting the burden set forth in Ark. Code § 7-9-111(b) may be a prerequisite to prevailing in any counterclaim to a signature challenge under an exhaustion of administrative remedies doctrine.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Leslie Bellamy', is written over the typed name and title.

Leslie Bellamy
Director of Elections

