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CV-20-454
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JOHN THURSTON

ARKANSAS SECRETARY OF STATE

David A. Couch
Attorney at Law
1501 N. University Ave., Suite 228
Little Rock, AR 72207

via electronic mail to arhog@me.com

August 18, 2020

Re: Declaration of Insufficiency
Petition Sponsor: Arkansas Voters First
Petition: A Constitutional Amendment Establishing Top Four Open Primary Elections and Majority Winner General Elections with Instant Runoff if Necessary

Dear Mr. Couch:

On July 24, 2020, the Arkansas Supreme Court entered a *per curiam* directing me to "begin verifying signatures on both initiative petitions." My office immediately complied with the directive.

My declaration of insufficiency after facial review was communicated to you by letter dated July 21, 2020. I have now completed verification of the 88,707 facially valid signatures from the initial count. Note, the 88,707 included the 84 signatures that I agreed to "throw-back" for verification at trial.

Pursuant to Article 5, § 1 of the Constitution of Arkansas, at least 66,864 (75% of 89,151) signatures from registered Arkansas voters are required to correct or amend an insufficient petition. I have verified that a total of 62,634 registered Arkansas voters signed the petition, thus the petition does not qualify for a cure period. All previous determinations regarding the insufficiency of the petition remain as well.

Sincerely,

John Thurston

John Thurston
Secretary of State

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Defendant's Exhibit 5

EXHIBIT A