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Counsel for Lieutenant Governor Deidre Henderson

In the Utah Supreme Court

Utah State Legislature, Utah
Legislative Redistricting Committee,
Senator Scott Sandall,
Representative Mike Schultz, and
Senator J. Stuart Adams
Defendants-Appellants,

v.

League of Women Voters of Utah,
Mormon Women for Ethical
Government, Stephanie Condie,
Malcom Reid, Victoria Reid, Wendy
Martin, Eleanor Sundwall, and Jack
Markman,
Plaintiffs-Appellees

and

Lieutenant Governor Deidre
Henderson
Defendant.

**Response to Motion for Joinder,
or, in the Alternative to
Intervene**

Case No. 20260019–SC

Trial Court Case No. 220901712

Lieutenant Governor Deidre Henderson provides the following response to the *Motion for Joinder or, in the Alternative, to Intervene*, filed by the Utah County Clerk. The Lieutenant Governor takes no position on the relief sought in the Motion. She responds solely to explain the processes necessary to implement a federal congressional map and the steps that have been taken since the district court entered its November 10 order approving Plaintiffs' Map 1 to be used in the 2026 congressional election.

The Lieutenant Governor is the state's chief election officer. Utah Code § 20A-1-105(1). In this capacity, she "is responsible to oversee, and generally supervise, all elections and functions relating to elections in the state" and to "enforce compliance by election officers with all legal requirements relating to elections." *Id.* § 20A-1-105(1)(b), (c).

When the Legislature completes the redistricting process, the Legislature provides the Lieutenant Governor with the Source GIS Data delineating the precise boundary lines for federal congressional districts. *Id.* § 20A-13-102(1); Declaration of Mark Mitchell, attached as Exhibit A, at ¶ 4.¹ The Lieutenant Governor provides this data to the Utah Geospatial Resource Center (UGRC) for review and entry in the Voter Information and State

¹ This declaration was prepared and filed in the district court in support of the Lieutenant Governor's Notice of Boundary Issues and Motion for Clarification, Dkts. 751, 752.

Tracking Application (VISTA), which is accessible to the county clerks.

Mitchell Decl. ¶ 5. This Source GIS Data often contains boundary issues, which UGRC is able to identify. Mitchell Decl. ¶ 6. Boundary issues can take different forms but usually entail congressional district boundary lines that bisect homes or apartment complexes, that fail to follow county or municipal lines, thereby creating municipal and county splits, or that create single-home precincts. Mitchell Decl. ¶ 7. Resolving these boundary issues facilitates election administration and must occur before maps can be finalized for use in elections and for services rendered by other state agencies. Mitchell Decl. ¶ 8. Only after UGRC has performed its analysis and all boundary issues are resolved may the county clerks and county legislative bodies complete the processes set forth in Utah Code §§ 20A-13-102.2 and 20A-5-303 for creating county maps and precincts. Mitchell Decl. ¶¶ 9, 11, 13; *see also* Utah Code § 20A-13-102.2(2). Although the county clerks work with UGRC to create county maps that show the federal congressional boundaries and to establish voting precincts and polling places, this process does not lead to changes to the federal congressional boundaries. *See* Utah Code § 20A-13-102.2(2), (3), (4). Both the Lieutenant Governor and UGRC must review the county clerks' proposed maps and the maps approved by the county legislative bodies to ensure they accurately reflect the boundaries of the federal congressional districts. Utah Code § 20A-13-102.2(3), (4).

After the district court entered its November 10, 2025 order approving Plaintiffs' Map 1, the Lieutenant Governor obtained the GIS Source Data from the court. *See* Mitchell Decl. ¶ 14; Dkt. 743 (Lieutenant Governor Deidre Henderson's Notice of Receipt of Court-Approved Source Data for Map 1). Upon receipt, the Lieutenant Governor immediately forwarded the GIS Source Data to UGRC. Mitchell Decl. ¶ 14. UGRC completed its review on November 17, 2025. Mitchell Decl. ¶ 15. It identified eight boundary issues in Plaintiffs Map 1. Dkt. 752 (Notice of Boundary Issues and Rule 52(b) Motion for Clarification). The Lieutenant Governor raised these issues with the court the next day. *Id.* The district court entered an order on November 21, 2025 ordering that most of the boundary issues could be resolved by the Lieutenant Governor without a change to the federal congressional boundaries. Dkt. 780. The only change the district court ordered to Plaintiffs' Map 1 was to adjust a boundary to account for a potential single-home precinct. Dkt. 780.

While this process was playing out in the district court, the Lieutenant Governor's office held a meeting with the county clerks whose counties were affected by the new congressional map. Declaration of Shelly Jackson, attached as Exhibit B, at ¶ 3. The Utah County Clerk attended this meeting. Jackson Decl. ¶ 4. In the days after this meeting, the Utah County Clerk sent the Lieutenant Governor's office two emails raising what he considered to be

boundary issues within Utah County. Declaration of Utah County Clerk at ¶ 31 and Exhibits A and B. Although the Lieutenant Governor's office did not specifically respond to these emails, it worked with the Utah County Clerk and his staff to resolve perceived boundary issues. Jackson Decl. ¶ 6. No changes to the federal congressional boundaries were contemplated or needed to resolve these perceived issues. Jackson Decl. ¶ 7.

As of the date of this filing, all affected county clerks, including the Utah County Clerk, have completed the process of creating county maps and drawing precincts within their counties, and the Lieutenant Governor has approved these maps as required by Utah Code §§ 20A-13-102.2(3) and (4). Jackson Decl. ¶ 8. Likewise, most county legislative bodies, including Utah County, have formally approved the precincts recommended by the county clerks as required by Utah Code § 20A-5-303(1). Jackson Decl. ¶ 9.

DATED January 29, 2026

Respectfully submitted,

/s/ Sarah Goldberg
Sarah Goldberg
Assistant Solicitor General
*Counsel for Lieutenant Governor Deidre
Henderson*

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of January 2026, I filed the foregoing **Response to Motion for Joinder, or, in the Alternative to Intervene** by electronic filing and served a copy via email on the following:

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/s/ Kehly Gwynn
Kehly Gwynn
Legal Assistant

Exhibit A

Declaration of Mark Mitchell in Support of Lieutenant Governor Deidre Henderson's Notice of Boundary Issues and Motion for Clarification

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Counsel for Defendant Lieutenant Governor Deidre Henderson

**IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID, WENDY
MARTIN, ELEANOR SUNDWALL, JACK
MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING COMMITTEE;
SENATOR SCOTT SANDALL, in his official
capacity; REPRESENTATIVE BRAD WILSON, in
his official capacity; SENATOR J. STUART
ADAMS, in his official capacity; and
LIEUTENANT GOVERNOR DEIDRE
HENDERSON, in her official capacity,

Defendants.

**DECLARATION OF MARK
MITCHELL IN SUPPORT OF
LIEUTENANT GOVERNOR DEIDRE
HENDERSON'S NOTICE OF
BOUNDARY ISSUES AND MOTION
FOR CLARIFICATION**

Case No.: 220901712

Honorable Diana Gibson

1. I am over the age of 18 and have personal knowledge of the facts set forth in this Declaration.
2. I am the Director of Election Systems in the Lt. Governor's Office and have served in that position since 2018. In that capacity I, together with the Elections Office staff, assist in the administration of Utah elections as authorized and directed under the Utah Elections Code. *See* Utah Code 20A-1-101, *et. seq.*
3. The Lt. Governor is the State's chief election officer. Utah Code § 20A-2-300.6(1).
4. After each redistricting process, the Legislature gives to the Lt. Governor's Office Source GIS Data delineating the precise boundary lines for congressional districts.
5. The Lt. Governor then remits these files to the Utah Geospatial Resource Center ("UGRC") for review and entry into the Voter Information and State Tracking Application ("VISTA") accessible by county clerks.
6. The Source GIS Data often contain boundary issues which UGRC is able to identify.
7. Boundary issues can take different forms but usually entail Congressional District boundary lines that bisect homes or apartment complexes, that fail to follow county or municipal lines thereby creating municipal and county splits, or that create single-home precincts.
8. The resolution of boundary issues facilitates election administration and must occur before UGRC can finalize the maps for use in elections and for services rendered by other state agencies.
9. Resolution of boundary issues must occur before *any* of the counties can begin their work of aligning precincts.

10. Historically, when boundary issues have arisen, the Legislature has provided a point-of-contact to the Lt. Governor's Office who is authorized to make decisions on how to resolve boundary issues.
11. Following resolution, finalized maps are used by county clerks and county legislative bodies to complete the processes set forth in Utah Code § 20A-13-102.2 and § 20A-5-303.
12. In the past, following resolution of boundary issues, the Legislature has formally enacted laws adopting the maps with resolved boundary issues as the official maps.
13. But only after resolution of boundary issues can the maps be used by any county for elections and other uses, even if no boundary issues are identified in that particular county.
14. Upon receipt of the Source GIS Data on November 13, 2025, the Lt. Governor immediately forwarded the Source GIS Data to the Utah Geospatial Resource Center ("UGRC") for review.
15. UGRC completed its review of Map 1 on Monday, November 17, 2025.
16. Signatures submitted by candidates are verified on a rolling basis; as signatures come in, they are verified.
17. Verifying signatures on a rolling basis prevents a backlog at the end of the signature-gathering window and allows candidates to know whether they must continue gathering signatures to meet the threshold or whether they may stop gathering.
18. Signatures can only be verified once precincts are finalized because the verification system relies on a voter's precinct location to determine if they are in the correct Congressional district.
19. Thus, having precincts established prior to signature gathering allows for the

verification process to begin immediately.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the above statements are true and based upon my personal knowledge.

DATED: November 18, 2025.

/s/ Mark Mitchell

Mark Mitchell

*(Signed copy of document bearing signature of
Mark Mitchell is being maintained in the office
of the Filing Attorney)*

Exhibit B

Declaration of Shelly Jackson in Support of Response to Motion for Joinder,
or, in the Alternative to Intervene

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Lieutenant Governor Deidre
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Defendant.

**Declaration of Shelly Jackson in
Support of Response to Motion
for Joinder, or, in the
Alternative to Intervene**

Case No. 20260019–SC

Trial Court Case No. 220901712

I, Shelly Jackson, being of lawful age, do hereby state as follows:

1. I am the Deputy Director of Elections in the Lieutenant Governor's Office (LGO). In that capacity, I assist the Lieutenant Governor in administering Utah elections as required by the Utah Election Code.

2. Together with other staff from the LGO, I work with county clerks to implement federal congressional maps and was involved in and am familiar with the process that took place after the district court entered its November 10, 2025 order approving Plaintiffs' Map 1.

3. While the Lieutenant Governor was seeking clarification from the district court on the boundary issues identified by the Utah Geospatial Resource Center, the LGO held a meeting with the county clerks whose counties were affected by the new congressional map.

4. The Utah County Clerk attended this meeting.

5. I am aware that in the days after this meeting, the Utah County Clerk sent the LGO two emails raising what he considered to be boundary issues within Utah County.

6. Although no one from the LGO specifically responded to these emails, the LGO worked with the Utah County Clerk and his staff to resolve perceived boundary issues.

7. No changes to the federal congressional boundaries were contemplated or needed to resolve these perceived issues.

8. As of the date of this filing, all affected county clerks, including the Utah County Clerk, have completed the process of creating county maps and drawing precincts within their counties, and the Lieutenant Governor has approved these maps as required by Utah Code §§ 20A-13-102.2(3) and (4).

9. Likewise, most county legislative bodies, including Utah County, have formally approved the precincts recommended by the county clerks as required by Utah Code § 20A-5-303(1).

I declare under penalty of perjury under the laws of the State of Utah that the foregoing is true and correct to the best of my knowledge, information, and belief.

Signed on this 29th day of January, 2026, in Salt Lake City, Utah.

/s/ Shelly Jackson

Shelly Jackson

*(Signed copy of document bearing
signature of Shelly Jackson is being
maintained in the office of the Filing
Attorney)*