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7 Special Master

8 **SUPERIOR COURT OF ARIZONA**

9 **MARICOPA COUNTY**

10 APRIL SMITH, NIRA LEE, and JOSHUA
11 DAVIDIAN, qualified electors,

12 Plaintiffs,

13 v.

14 ADRIAN FONTES, in his capacity as the
15 Secretary of State of Arizona,

16 Defendant,

17 and

18 MAKE ELECTIONS FAIR PAC, a political
19 committee,

20 Real Party in Interest.
21

No. CV2024-019846
No. CV2024-019880
(Consolidated)

SPECIAL MASTER'S REPORT

(Assigned to the Hon. Frank W.
Moskowitz)

22 Pursuant to Rule 53, Arizona Rules of Civil Procedure, and the Court's September 4, 2024
23 order, the undersigned Special Master submits this report to the Honorable Frank Moskowitz.

24 I was tasked with reviewing whether Plaintiffs had proved, by clear and convincing
25 evidence, that signatures collected for the I-14-2024 Initiative Petition as identified in Plaintiffs'
26 Trial Exhibits 169 through 236 – or, if the parties agreed, an updated set of Exhibits – were
27 duplicates, meaning that a “a petitioner signed more than once” under A.R.S. § 19-121.02(A)(8).¹

28 ¹ I did not address whether any of the signatures were “otherwise valid” under A.R.S. § 19-121.02(A)(8).

1 Counsel for the parties submitted written opening briefs/statements to me on September 6, 2024,
2 and I conferred with counsel for the parties on September 9, 2024 to solicit their input into the
3 review process.

4 Because the parties were unable to agree to an updated set of Exhibits, I reviewed Trial
5 Exhibits 169 through 235. (Exhibit 236 does not contain allegedly duplicate signatures for review,
6 so I, with the agreement of counsel, did not review that Exhibit.) Exhibits 169 through 235
7 included 41,387 pairs of signatures, where one signature was alleged to be a duplicate of the
8 other. Of those, I overruled 739 of the objections that Plaintiffs had made that the signatures were
9 duplicates.

10 While I was doing my work, counsel for the parties were doing theirs as well. They
11 reached an agreement that, for a variety of reasons, 3,333 of the alleged duplicate pairs identified
12 in Exhibits 169-235 were no longer at issue.

13 Combining the work I did and the work counsel did results in the attached Exhibit A. The
14 exhibit is a spreadsheet that identifies the pairs of signatures that I reviewed less the 3,333 that the
15 parties agreed were no longer at issue. The exhibit has two “tabs,” one labeled “Exact Matches”
16 and the other labeled “Near Matches.” Those descriptions were on the Excel “tracker” that
17 counsel were good enough to provide to me so that I could keep track of the rulings I was
18 making. But counsel also advised me that I was not to read anything into those descriptions and I
19 did not. You too can ignore them. But if you go down to the bottom of Page 915 of 915 of
20 Exhibit A you will see that, as to those pairs of signatures under the “Exact Matches” tab, I
21 overruled 204 of Plaintiffs’ objections that the signatures were duplicates. 35,478 of the
22 objections that the signatures were duplicates – that the same person signed twice – were
23 sustained. Likewise, if you go to the bottom of page 61 of 61 (the very last page of the exhibit)
24 you will see that, as to those pairs of signatures under the “Near Matches” tab, I overruled 193 of
25 Plaintiffs’ objections that the signatures were duplicates. 2,179 of the objections that the
26 signatures were duplicates – that the same person signed twice – were sustained.

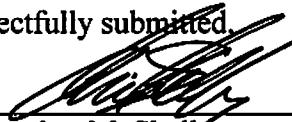
27 In total then, after the 3,333 were removed, there were 38,054 alleged duplicate signatures
28 for review. I overruled 397 (204 plus 193) of Plaintiffs’ objections that the signatures were

1 duplicates and sustained Plaintiffs' objections that 37,657 (35,478 plus 2,179) were duplicates –
2 that the person signed more than once. In summary, I found that, after the 3,333 alleged
3 duplicates were deleted from Trial Exhibits 169-235, Plaintiffs had proved by clear and
4 convincing evidence that 37,657 signatures were duplicates – that the same person had signed
5 more than once.

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Dated: September 17, 2024

Respectfully submitted,



Christopher M. Skelly
Special Master

ORIGINAL of the foregoing e-filed
this 17th day of September, 2024 with:

Superior Court Clerk
201 W. Jefferson
Phoenix, AZ 85003

COPY of the foregoing e-delivered
this 17th day of September, 2024 to:

Honorable Frank Moskowitz
Superior Court Judge
101 W. Jefferson Street, Room 914
Phoenix, AZ 85003

COPY of the foregoing e-mailed
this 17th day of September, 2024 to:

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