

DECLARATION OF [REDACTED]

[REDACTED] declares as follows:

1. I am over the age of 18 years and have personal knowledge of the facts stated herein, except for those stated upon information and belief, and as to those, I believe them to be true. I am competent to testify as to the facts stated herein in a court of law and will so testify if called upon.
2. I make this declaration in support of Contestants' Filing of the November 3, 2020 Presidential Election.
3. I am a resident of the State of California and, as a member of the public, am expressly granted the right to observe the counting of the ballots at the central counting places.
4. Furthermore, as a current Federal Government Background Investigator; former Special Agent of the Federal Bureau of Investigation, former California prosecuting attorney, active member of the California Bar, and current pro tem traffic court/criminal infraction judge in California; I traveled to Nevada to observe the election process for voter integrity reasons and not to campaign for any candidate.
5. On Sunday, October 25, 2020 I went to the Greystone facility, 2060 E. Flamingo Road, Las Vegas, NV 89119 (hereinafter referred to as Greystone) to observe mail ballot processing.
6. The main room is a large, L-shaped with 32 counting tables where two employees would open envelopes, separate the envelope from the ballot, place the envelope and ballot in sequential order, look over the ballot, and request duplicate balloting, if necessary. Requesting a duplicate ballot was done by placing a ballot inside a green folder and a runner obtaining a blank ballot from the MB vault for duplicating. Because the observer area is only a five by eight-foot area wedged in the corner of the L-shaped room, only about eight tables could be viewed. Of those eight tables, no ballots could be viewed to determine if ballots were spoiled or damaged, or any other reason which would require duplication. In effect, meaningful observation was extremely limited.
7. The temporary employee, known as an ambassador, was the only person I was allowed to ask questions of. The ambassador told me that duplicating of ballots was done at the counting tables throughout the room. I noted a table about 15 feet from me that had requested duplication, the green file taken by a runner, yet no work was performed until the green envelope was returned about 15 minutes later when the employees began their tasks again. Since duplicating involves the process of one employee calling out the candidates and the other filling in the circles, I knew now duplicating had occurred before me. In fact, no duplication was done in front

of my view. On subsequent observation days, I learned that all duplicating of ballots is done outside the view of observers at specific duplicating tables. This misinformation was troubling to me, almost an intentional diversion.

8. Blank ballots for duplicating purposes are held in two separate rooms (MB vaults). One is not observable and the other is about 25 feet from the observer area. Runners would enter the room for a blank ballot, close the door, and emerge from the vault with, presumably a blank ballot to take for duplication. There did not appear to be any security at this door, no sign in procedure and no observation by a supervisor for activities in the vault.
9. On Monday, October 26, 2020 I went to the Clark County facility located at 965 Trade Dr., North Las Vegas, NC 89030 (hereinafter referred to as Trade) and given a tour of the Agylis room, signature verification rooms (Liberty and Freedom), and ballot tabulating area.
10. When observing the Agylis machine in operation about 9:30 a.m., I was placed in the observation area, which is about 30 feet from the far end of the machine where the envelopes are directed into the machine and the computer is stationed to operate the machine. There was no meaningful observation of what the settings were on the screen, which envelope batches were being run through or if envelope batches were being re-run. Envelopes were put through the machine were sorted to trays where personnel would put them into USPS trays and a number would be put on the trays, allegedly to precinct numbers. A small portion of envelopes would be sorted by the machine into trays one and two and those would require being run through again and an even smaller number would be given to a small group of employees at computers in the room to cure minor issues such as addresses. It is unknown the purpose for rerunning trays one and two through again.
11. While observing the machine, two men appeared from a side room with a sign designating it as being for authorized employees only. The ambassador told me that the side room was a supervisor area only and blank ballots were upstairs. Each man held a small box filled with blank and/or completed ballots inserted and turned sideways into signature envelopes. This was out-of-the ordinary and the only time it was observed.
12. About 30 minutes later I was escorted to the signature rooms to verify signatures. Since signatures are sent digitally via ASAR, so I expected to see signature verifications, but none were occurring.
13. On Tuesday, October 27, 2020 I went to the Trade facility and signed the Observation of Polling Place or Clark County Election Department Locations Acknowledgement which includes a second page. The Acknowledgement is attached to this Declaration. The declaration prohibits talking to staff or arguing for or against or challenging any decisions of the county or city election personnel.
14. I observed the ballot tabulation area which is comprised of a glassed area with about six counting machines, known as the fishbowl, and a back, partially-glassed area of

about 10 counting machines. The back room has no meaningful observation. The front area allowed for only two machines to have meaningful observation. It was noted that some ballots would be placed in the machine tray and would feed through once, other times, it was more than once. The ambassador stated that the resubmitting was due make sure each vote was recorded correctly.

15. Later that day I observed the Agylis sort about 4,500 ballots and requested to return to the signature verification room known as Liberty room. Yet I noted there were no signatures being verified at the Liberty room despite thousands of ballots being processed that morning. It was requested by employees in the Liberty room that I leave since no signatures were being verified and none anticipated.
16. On Tuesday, October 27, 2010 I went to Greystone and noted the counting table employees opening envelopes, sequentially separating envelopes and ballots, requesting blank ballots by the runner and observing runners obtain blank ballots from the MB Vault, sometimes staying in the room unsupervised for thirty to sixty seconds with the door closed or partially ajar. It had become more than apparent that no ballot duplicating occurred in front of the observer area, but outside view.
17. On Thursday, October 29, 2020, I went to Trade. I observed the Agylis machine working and later request to view signature verifications at the Liberty room. Once again, no signature verification was being done. Useful, meaningful observations were nil.
18. On Thursday, October 29, 2020, I went to Greystone to observe counting tables. I noted that two runners would spend anywhere from one to four minutes in the MB vault with the door closed or partially ajar, but no observation could be made of what they were doing. I timed their stay in the MB. At the 5:30 p.m. break, employees and observers were required to leave the large room with ballots and envelopes on the counting tables, the MB remained opened. Flattened ballots were left on desks in plain view. Supervisors remained after I was escorted out.
19. On Friday October 30, 2020 I went to Trade and was escorted to the tabulation area. CNN and Fox news cameras were turned toward the only two, clearly observable machines in the Fishbowl with employees feeding ballots into the machines. I noted that on all previous occasions a female operated one of these machines, yet this time a young male was operating the machine. I was told by an ambassador that he was an IT person. The IT person also had been feeding ballots into the machine directly in front of the Fox news camera. After the cameras stopped recording, the female returned to her machine.
20. On Friday, October 30, 2020 I went to Greystone and noted that runners would spend as long as five minutes in the MB vault. I timed the duration.
21. At break time employees and observers left the room with opened ballots and envelopes on the tables. I was told by an ambassador that supervisors stay inside their office during the break and doors to the outside are locked. It was unknown if

doors to the outside of the building or the supervisors' door was locked or if anyone had access to the room including private security.

22. On Saturday, October 31, 2020, I sent to Greystone for the 7:30 am shift and noted only eight tables could be viewed of the 32 in the large room. Since the closest of the tables was 12 feet away from the observation area, it was virtually impossible to view more than general movements. It was impossible to have any meaningful observation of all eight tables and no observation of the other 24 tables.
23. When the shift started a runner with a tray of blank ballots, about 2" thick, walked from the MB vault and asked another runner where they were to go; she pointed to the area where observers cannot see, shrugging her shoulders. The runner with the ballots complied.

[REDACTED]
[REDACTED] 11/29/2020

**OBSERVATION OF POLLING PLACE OR CLARK COUNTY
ELECTION DEPARTMENT LOCATIONS
ACKNOWLEDGEMENT**

In accordance with NAC 293.245 (full text included in page 2):

I, VIRGINIA STEWART, by signing this form, hereby acknowledge that during the time I observe the conduct of voting or of any election related process, I am prohibited from the following activities:

1. Talking to voters or staff within the polling place or Election Department location;
2. Using any technical devices within the polling place or Election Department location;
3. Advocating for or against a candidate, political party or ballot question;
4. Arguing for or against or challenging any decisions of the county or city election personnel and;
5. Interfering with the conduct of voting or any election related process.

I further acknowledge that I may be removed from the polling place by the county or city clerk for violating any provisions of Title 24 of the Nevada Revised Statutes or any of the restrictions described herein.

Representing Group/Organization:

Republican Party

Contact Information:

619 656 8405

Signature:

V Stewart

Print Name:

VIRGINIA STEWART

Date:

10/27/20

Polling Place or Election Department Location:

TRAD

NAC 293.245 Observation of conduct of voting at polling place. (NRS 293.124, 293.247)

1. Subject to the provisions of subsections 2 to 8, inclusive, any person may observe the conduct of voting at a polling place.

2. Before observing the conduct of voting at a polling place pursuant to subsection 1, a person must sign an acknowledgment in the form prescribed by the Secretary of State stating that the person, during the time the person observes the conduct of voting:

(a) Acknowledges that he or she is prohibited from:

- (1) Talking to voters within the polling place;
- (2) Using a mobile telephone or computer within the polling place;
- (3) Advocating for or against a candidate, political party or ballot question;
- (4) Arguing for or against or challenging any decisions of county or city election personnel; and
- (5) Interfering with the conduct of voting; and

(b) May be removed from the polling place by the county or city clerk for violating any provision of title 24 of NRS or any of the provisions of paragraph (a).

3. The county or city clerk may, at his or her discretion, remove from a polling place a person observing the conduct of voting pursuant to this section for violating any provision of title 24 of NRS or any of the provisions of paragraph (a) of subsection 2.

4. A person observing the conduct of voting at a polling place pursuant to subsection 1 must comply with the same requirements that apply to members of the general public pursuant to NRS 293.274, 293.305 and 293.730.

5. A person observing the conduct of voting at a polling place pursuant to subsection 1 may remain in the designated area in the polling place after the polls close pursuant to NRS 293.273 so as to observe the closing of the polling place. The person shall not interfere with the closing of the polling place.

6. A person observing the conduct of voting at a polling place pursuant to subsection 1 may remain in an area designated by the chair of the election board to observe the activities conducted at the polling place without interfering with the voting. The designated area must allow for meaningful observation, but must not be located in an area that would allow an observer to infringe on the privacy and confidentiality of the ballot of the voter.

7. A person observing the conduct of voting at a polling place pursuant to subsection 1 must wear a name tag denoting the person's full name.

8. The county and city clerk shall retain the signed acknowledgments described in subsection 2 for at least 180 days following the election observed by the person who signed the acknowledgment.

9. As used in this section, "advocate" includes, without limitation, speaking, displaying or disseminating written material and wearing identifying clothing, buttons or other paraphernalia.

(Added to NAC by Sec'y of State, eff. 3-15-96; A by R072-06, 7-14-2006; R163-07, 12-4-2007; R092-09, 10-27-2009; R124-11, 12-30-2011)

NRS 293.274 Members of general public allowed to observe conduct of voting at polling place; photographing or otherwise recording conduct of voting by members of general public prohibited.

1. The county clerk shall allow members of the general public to observe the conduct of voting at a polling place.

2. A member of the general public shall not photograph the conduct of voting at a polling place or record the conduct of voting on audiotape or any other means of sound or video reproduction.

3. For the purposes of this section, a member of the general public does not include any person who:

- (a) Gathers information for communication to the public;
- (b) Is employed or engaged by or has contracted with a newspaper, periodical, press association, or radio or television station; and
- (c) Is acting solely within his or her professional capacity.