

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT 9th Kalamazoo COUNTY		SUMMONS	CASE NO. 2024-0558-CZ Honorable Curtis J. Bell
Court address Judge Charles A. Pratt Justice Center - 330 Eleanor Street, Kalamazoo, MI 49007			Court telephone no. 269.383.8837
Plaintiff's name, address, and telephone no. RAFAEL F WOLF 1418 ELKERTON AVE KALAMAZOO, MI 49048 765-714-7257		v	Defendant's name, address, and telephone no. KALAMAZOO COUNTY ELECTION COMMISSION 201 WEST KALAMAZOO AVE KALAMAZOO, MI 49007 269-384-8080
Plaintiff's attorney, bar no., address, and telephone no. N/A			<div style="border: 1px solid black; padding: 5px; text-align: center;"> FILED Sep 23, 2024 </div>

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
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Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☐ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☒ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☒ this court, ☒ 9TH CIRCUIT Court, where

it was given case number 2024-0544-CZ and assigned to Judge KENNETH N. BARNARD

The action ☐ remains ☒ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
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Issue date September 23, 2024	Expiration date* December 23, 2024	Court clerk Denise Wilson
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STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY		SUMMONS	CASE NO. 2024-0558 Honorable Curtis J. Bell
9th Kalamazoo			CZ
Court address Judge Charles A. Pratt Justice Center - 330 Eleanor Street, Kalamazoo, MI 49007			Court telephone no. 269.383.8837
Plaintiff's name, address, and telephone no. RAFAEL F WOLF 1418 ELKERTON AVE KALAMAZOO, MI 49048 765-714-7257		Defendant's name, address, and telephone no. CURTIS J. BELL 201 WEST KALAMAZOO AVENUE KALAMAZOO, MI 49007 269-384-8080	
Plaintiff's attorney, bar no., address, and telephone no. N/A			

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STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT Kalamazoo COUNTY		SUMMONS	CASE NO. 2024-0558- Honorable Curtis J. Bell
Court address Judge Charles A. Pratt Justice Center - 330 Eleanor Street, Kalamazoo, MI 49007		Court telephone no. 269.383.8837	
Plaintiff's name, address, and telephone no. RAFAEL F WOLF 1418 ELKERTON AVE KALAMAZOO, MI 49048 765-714-7257		Defendant's name, address, and telephone no. MEREDITH PLACE 201 WEST KALAMAZOO AVENUE KALAMAZOO, MI 49007 269-384-8080	
Plaintiff's attorney, bar no., address, and telephone no. N/A			

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STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY		SUMMONS	CASE NO. 2024-0558- Honorable Curtis J. Bell
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Court address

Judge Charles A. Pratt Justice Center - 330 Eleanor Street, Kalamazoo, MI 49007

Court telephone no.

269.383.8837

Plaintiff's name, address, and telephone no.

RAFAEL F WOLF
1418 ELKERTON AVENUE
KALAMAZOO, MI 49048
765-714-7257

Plaintiff's attorney, bar no., address, and telephone no.

N/A

Defendant's name, address, and telephone no.

THOMAS L. WHITENER
201 WEST KALAMAZOO AVENUE
KALAMAZOO, MI 49007
269-384-8080

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September 23, 2024

Expiration date*

December 23, 2024

Court clerk

Denise Wilson

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2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN		SUMMONS	CASE NO.
9th Kalamazoo	JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY		2024-0558- Honorable Curtis J. Bell

Court address

Judge Charles A. Pratt Justice Center - 330 Eleanor Street, Kalamazoo, MI 49007

Court telephone no.

269.383.8837

Plaintiff's name, address, and telephone no.

RAFAEL F WOLF
1418 ELKERTON AVENUE
KALAMAZOO, MI 49048
765-714-7257

Plaintiff's attorney, bar no., address, and telephone no.

Defendant's name, address, and telephone no.

KEEGEN HENSCHER
201 WEST KALAMAZOO AVENUE
KALAMAZOO, MI 49007
269-384-8080

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Approved, SCAO 9 STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	Original - Court 1st copy - Defendant COMPLAINT Page 1 of 23 pages	2nd copy - Plaintiff 3rd copy - Return CASE NO. 2024-0558- <i>CZ</i>
Court address 330 Eleanor St. Kalamazoo, MI 49007		Court telephone no. 269-383-8898
Plaintiff's name(s), address(es), and telephone no(s). Rafael F Wolf (In Pro Per) 1418 Elkerton Avenue Kalamazoo, MI 49048 765-714-7257		Defendant's name(s), address(es), and telephone no(s). Kalamazoo County Election Commission, Curtis J. Bell Meredith Place. Thomas L. Whitener, Keegen Henschel 201 West Kalamazoo Avenue Kalamazoo, MI 49007 269-384-8080
Plaintiff's attorney, bar no., address, and telephone no. N/A		

COMPLAINT

1. VIOLATION OF OPEN MEETINGS ACT, ACT 267 OF 1976, 15.265, SEC. 5, (3)
2. VIOLATION OF MCL 168.711

NOW COMES Plaintiff, by and through In Pro Per and hereby submits a complaint against the Kalamazoo County Election Commission, comprising of the individuals therein, Chief Probate Judge Curtis J. Bell (Chair), Kalamazoo County Clerk & Register of Deeds Meredith Place, Kalamazoo County Treasurer Thomas L. Whitener, and Keegan Henschel Elections Coordinator for intentional violation of two Michigan ACTS that can not be undone which disenfranchised the public and disenfranchised balloted qualified electors, candidates for public office per MCL 168.10 the ability to comment and directly comment according to law as a result of these intentional violations.

09/23/2024

Date

Signature

MC 01a (6/19) COMPLAINT

PARTIES, JURISDICTION AND VENUE

3. This is a civil matter seeking REMEDY for an intentional violation of OPEN MEETINGS ACT, ACT 267 OF 1976, 15.265, SEC. 5, (3), and VIOLATION OF MCL 168.711
4. Plaintiff Rafael Wolf is a resident of the County of Kalamazoo and qualified elector on the November 5, 2024 ballot running for House District Rep 41st District.
5. Defendants are the Kalamazoo County Election Commission, comprising of the individuals therein, Chief Probate Judge Curtis J. Bell (Chair), Kalamazoo County Clerk & Register of Deeds Meredith Place, Kalamazoo County Treasurer Thomas L. Whitener, and Keegan Henschel Elections Coordinator involved in this matter.
6. The court has jurisdiction to consider this matter pursuant to MCL 600.605, MCR 2.605, and MCR 3.305.
7. This Court has venue to consider this action pursuant to MCL 600.1615.
8. This court has jurisdiction to provide both REMEDY, and RELIEF.

INTRODUCTION

9. On the date of 08/23/2024 County Staff updated and uploaded a document known by file name "Notice of 2024 Election Commission Meetings.docx_NovemberGeneralUpdate.pdf" currently available publicly on the Commission website as of 09/23/2024. File properties and file meta data display a creation date time stamp of 8/23/2024, 8:56:33 a.m. in which it announces a scheduled meeting of the Commission for September 11, 2024 change of date and time to September 4, 2024.
10. MCL SECTION 15.265, SEC. 5, (3) states that "If there is a change in the schedule of regular meetings of a public body, there shall be posted within 3 days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.". Between the dates of 08/20/2024 and 08/22/2024 an unannounced and undocumented meeting of the Commission

occurred to discuss the change of date and time of the regular meeting scheduled for September 11 of 2024.

11. This is also highlighted and noted in the Michigan Attorney Generals Open Meeting Handbook on page 5 citing the exact language of MCL SECTION 15.265, SEC. 5, (3).

12. The document in question, the PDF named "Notice of 2024 Election Commission meetings.docx_NovemberGeneralUpdate.pdf", was uploaded per MCL guidelines which notes, "If there is a change in the schedule of regular meetings of a public body, there shall be posted within 3 days AFTER THE MEETING AT WHICH THE CHANGE IS MADE...".

13. There is no public record of the meeting at which the change is made.

14. The ACT makes no other means by which to change the date, time or place other than an open meeting to the public.

15. In the July 18, 2024 Kalamazoo County Election Commission meeting there is no mention of a schedule change. There is no public notice of any such meeting that occurred to authorize and make this change thus violating MCL SECTION 15.265, SEC. 5, (3).

16. FURTHERMORE, an additional 256 violations of MCL 168.711 by The Kalamazoo County Election Commission and Clerk Staff was committed resulting in more severity than otherwise might have been violating the rights of every balloted elector candidate as a result of the new Kalamazoo County Election Commission meeting date on September 4, 2024. MCL 168.711 states:

"(4) If a candidate desires to correct an error on the ballot, the candidate shall contact the county clerk by telephone or email with the corrections. All corrections must be received by the county clerk no later than 4 p.m. on the fifth business day after the proof copy of the ballot is mailed to each candidate as provided in subsection (1). After 4 p.m. on the fifth business day after the county clerk mails the proof copy of the ballot to each candidate as provided in subsection (1), the county clerk is authorized to begin printing the ballots."

17. Candidate Rafael Wolf (L), Candidate Jeff Messer (non-partisan) in addition to every balloted candidate which number 256 under the supervision of the Kalamazoo County Election Commission were given one business day, not five per MCL 168.711. MCL 168.711 states that email noted on the affidavit of identity is a valid means of notification. Section (1) states:

"(1) At the time of filing the proof copy of the ballot at the office of the county clerk, the county board of election commissioners shall direct the county clerk to send by first-class mail a proof copy of the official ballot to each candidate whose name appears on the ballot to the candidate's address listed on his or her affidavit of identity. If a candidate provides an email address on his or her affidavit of identity, the county clerk may also send a proof copy of the ballot to the candidate by email."

18. The Kalamazoo County Election Commissioners, per MCL 168.711 directed the county clerk to send notification to each elector. 256 electors received the same notification, whether by certified USPS mail or via email listed on his or her affidavit of identity. Candidate Rafael Wolf (L) was sent a sample ballot proof copy by ELECTIONS COORDINATOR Keegan Henschel, Office of the County Clerk / Register of Deeds on Friday, 08/31/2024 at 9:23 am. as per MCL 168.711. The notice states a deadline of September 6th, 2024 for any corrections.

19. Five business days after candidate Rafael Wolf (L) received notice on 08/31/2024 are as follows:

08/31 (Saturday) non-business day

09/01 (Sunday) non-business day

09/02 (Monday) non-business day (National Labor Day Holiday)

09/03 (Tuesday) First business day

09/04 (Wednesday) Second business day [Kalamazoo County Election Commission rescheduled ballot approval meeting at 10:00 am, met, and approved the ballot]

09/05 (Thursday) Third business day

09/06 (Friday) Fourth business day

09/07 (Saturday) non-business day

09/08 (Sunday) non-business day

09/09 (Monday) Fifth business day ending at 4 p.m.

20. This is a violation of MCL 168.711 by both the Kalamazoo County Election Commission and Kalamazoo County Election Clerk staff disenfranchising all 256 balloted electors from their five day opportunity to correct any issues as noticed on 08/31/2024 and as stated in MCL 168.711.

FACTUAL BACKGROUND

21. Monday, August 19, 2:33 p.m., a twelve minute phone call occurs between John Curran (Deputy County Clerk) with Mr. Shynal regarding Takisha Johnson's dual candidacy.

22. Tuesday, August 20 at 3:50 p.m. Mr. Shynal files his Takisha Johnson challenge in person with the Kalamazoo City Clerk's office and is accepted by Jaime Marsman. SEE EXHIBIT 1, CANDIDATE CHALLENGE.

23. Wednesday, August 21, 1:27 p.m., Mr. Shynal inquires about his previous day's filing providing additional follow up with Deputy County Clerk John Curran. County Clerk Meredith Place, the county's Election Coordinator and the City Clerks Office were included in those e-mails. SEE EXHIBIT 2 EMAIL, and EXHIBIT 2A EXPANDED LIST OF EMAILS.

24. Wednesday, August 21, 1:34 p.m., John Curran responds shortly after the e-mail inquiry directing Mr. Shynal to take the challenge to the appropriate "filing official" which is the Kalamazoo City Clerk's office citing "Guidance from the Michigan Bureau of Elections". Mr. Shynal had done this the previous day. SEE EXHIBIT 2B GUIDANCE.

25. Thursday, August 22, 5:01 p.m. Mr. Shynal receives a letter via e-mail from Kalamazoo City Clerk Scott Borling copying Dr. Darrin Slade, Superintendent of Kalamazoo Public Schools and

Michael Cockrell, Interim Director, Kalamazoo Public Library. The communication states that "the proper forum for this challenge is Kalamazoo County Circuit Court." after having been advised by the City Attorney's Office and outside legal counsel. SEE EXHIBIT 3, OFFICIAL DOCUMENT.

26. Friday, August 23, Kalamazoo County Public Information Officer Taylor P. Koopman generates a public notice with the file name of "Notice of 2024 Election Commission Meetings.docx_NovemberGeneralUpdate.pdf" and a file property with metadata bearing the date time stamp of 8/23/2024, 8:56:33 a.m. SEE EXHIBIT 4, THE FILE CONTENTS and 4A, FILE PROPERTIES AND META DATA.

27. For visual convenience of this timeline, SEE EXHIBIT 5, THE CALENDAR.

28. The regularly scheduled meeting of the Kalamazoo County Election Commission was scheduled for September 11, 2024. As noted in MCL15.265, SEC. 5, (3):

"(3) If there is a change in the schedule of regular meetings of a public body, there shall be posted within 3 days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings."

29. In order to generate a new document date time stamp of 08/23/2024 with a public notice stating new dates, times and places it is therefore reasonable to conclude there must have been a "...meeting at which the change is made..."

30. There is no change made in the July Commission meeting from September 11 to September 4.

31. When and where was this "Open Meeting" to discuss and change the September 11 meeting date to September 4 that would allow public comment?

32. Who was in attendance at that meeting?

33. The public remains unaware and there is no public record of such a meeting

34. There is however a modified PDF posted as evidence that a meeting had occurred within three days of the production of that modified and uploaded PDF to make this decision by the Kalamazoo County Commission.

35. This is a violation of the OPEN MEETINGS ACT, ACT 267 OF 1976, 15.265, SEC. 5, (3).

36. FURTHERMORE, The Kalamazoo County Election Commission and Clerk Staff violated the rights of 256 balloted electors in conjunction with the new Kalamazoo County Election Commission meeting date change to September 4, 2024. MCL 168.711 states:

"(4) If a candidate desires to correct an error on the ballot, the candidate shall contact the county clerk by telephone or email with the corrections. All corrections must be received by the county clerk no later than 4 p.m. on the fifth business day after the proof copy of the ballot is mailed to each candidate as provided in subsection (1). After 4 p.m. on the fifth business day after the county clerk mails the proof copy of the ballot to each candidate as provided in subsection (1), the county clerk is authorized to begin printing the ballots."

37. Rafael Wolf (L) was sent an email ballot proof copy by ELECTIONS COORDINATOR Keegan Henschel, Office of the County Clerk / Register of Deeds on Friday, 08/31/2024 at 9:23 a.m. as per MCL 168.711. SEE EXHIBIT 6 NOTICE.

38. The correction notice states a deadline of September 6th, 2024. Five business days after 08/31/2024 are as follows:

08/31 (Saturday) non-business day

09/01 (Sunday) non-business day

09/02 (Monday) non-business day (National Labor Day Holiday)

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09/07 (Saturday) non-business day

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09/09 (Monday) Fifth business day ending at 4 p.m.

39. This is an intentional violation of MCL 168.711 by the Kalamazoo County Election Commission, the Kalamazoo County Election Clerk's under their guidance and staff disenfranchising all 256 balloted electors from their five day opportunity to correct any issues as noticed on 08/31/2024 and as stated in MCL 168.711.

ARGUMENT

40. The Kalamazoo County Election Commission intentionally violated the OPEN MEETINGS ACT, ACT 267 OF 1976, 15.265, SEC. 5, (3) when meeting, as required by the act, to change the schedule of a regular meeting without public notice of that meeting some time between the dates of 08/20/2024 and 08/22/2024, three days prior to the generated PDF document by Taylor P. Koopman.

41. The Kalamazoo County Election Commission and the Kalamazoo County Clerk's Office ALSO violated MCL 168.711 by giving 256 balloted electors in the November 5th, 2024 general election only ONE BUSINESS DAY to make corrections, not five business days mandated by the ACT.

42. The probability of all these violations happening from skilled and experienced Commissioners along with their skilled and experienced staff, as simply being accidental or not intentional is highly improbable.

CONCLUSION

43. Because of the serious nature of this case, wherein, the County of Kalamazoo Election Commission, Kalamazoo County Clerk's, and Clerk staff having intentionally violated several noted MCL codes by unknown individuals, presumably the Election Commissioners and their staff, in an undocumented, and unannounced meeting between the dates of 08/20/2024 and 08/22/2024 which is now publicly documented in the PDF named "Notice of 2024 Election Commission Meetings.docx_NovemberGeneralUpdate.pdf" can not be undone and the extreme number of individual counts, each notification to each balloted elector with a total of 256 counts, I ask the defendants to avoid any further FOIA (Freedom of Information Act) inquiry that may reveal further detail regarding the intent of these violations or possible cover up from texts, phone call records, digital communication records such as email, teams and other communication applications, county building video, paper records, person to person conversations, etc, that include all related records to these matters, and admit intentional violation of noted MCL Acts accepting the prescribed misdemeanor penalty and prescribed liability under MCL 15.272 and 15.273.

44. It is the Plaintiff's desire to move on from this matter allowing all parties to continue the work of electing direct representation of the people in the November 5, 2024 General Election.

RELIEF

45. The County of Kalamazoo Election Commission, comprising of the individuals therein, the Kalamazoo County Clerk, and Kalamazoo County Clerk staff, admit to one count of guilt intentionally and without act of accident or act of simple oversight of violating the OPEN MEETINGS ACT, ACT 267 OF 1976, 15.265, SEC. 5, (3) accepting the RELIEF provided by violation of the OMA found in MCL 15.272 and 15.273 as determined by THE ACT.

46. The County of Kalamazoo Election Commission, comprising of the individuals therein, the Kalamazoo County Clerk, and the Kalamazoo County Clerk staff, admit to 256 counts of guilt to intentionally and without act of accident or act of simple oversight of violating MCL 168.711. For violating MCL 168.711, THE ACT itself cites no REMEDY or RELIEF.

47. For RELIEF the Plaintiff seeks to have sent by certified mail an admission of guilt sent to all balloted electors knowingly or unknowingly harmed including an admission of guilt sent to his or her email noted on each candidate's affidavit.

48. Posting an apology letter to the citizens of Kalamazoo County who may have lost confidence in the process of elections managed under the care of the Commission.

49. Publish a summarized press release sent to local media outlets WWMT, Kalamazoo Gazette (MLive), WMUK, WKZO, NowKalamazoo, and any other media outlets on the County's media outlet list of regular press release outlets describing these violations, the admission of guilt and the full apology letter to the citizens of Kalamazoo County.

50. The admission of guilt with an apology to the citizens of Kalamazoo County should be posted in a prominent and conspicuous place at both the public body's principal monthly or more frequent updates of the public meeting agendas or minutes, on a portion of the website that is fully accessible to the public which matches the language in the OMA and therefore reasonable until the November 5, 2024 general election has concluded unless for some unknown reason it has not concluded because of an electoral dispute by the top of the ballot Presidential electors.

51. Once any dispute is settled, if said dispute occurs, at that time the Kalamazoo County Clerk's may take the apology notice down fully retiring this matter from its place of predominance in the aforementioned locations. If for some reason this matter is not settled quickly and is being adjudicated in the courts after the November 5, 2024 General Election, then the public apology letters will need to

remain in place until the next scheduled General Election ends, presumably 2028, 2032 and subsequent years.

Respectfully,

A handwritten signature in black ink, appearing to read 'Rafael Wolf', with a long, sweeping horizontal line extending to the right.

Rafael Wolf

EXHIBIT INDEX

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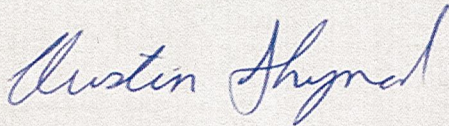
EXHIBIT 1, CANDIDATE CHALLENGE

Tuesday August 20, 2024

Candidate Challenge – re: Takisha Johnson

I challenge Takisha Johnson's eligibility to appear on the November 5, 2024 general election ballot as a candidate for Kalamazoo Public Library district Board of Trustees. She has already qualified to appear on the same ballot as a candidate for Kalamazoo Public Schools Board of Education. These are incompatible offices under Michigan election law. The two entities share a common history and continue to have a number of partnerships, like OneCard, which functions both as a library card and school identification card for students and staff – hence the direct conflict. I would also suggest that a more rigorous screening process should be followed as to avoid this type of retroactive correction having to now be performed.

Respectfully submitted,



Austin Shynal

[REDACTED] Kalamazoo, MI 49048

[REDACTED]
LPKalamazoo@Gmail.com



RECEIVED

AUG 20 2024

Kalamazoo City Clerk

EXHIBIT 2, EMAIL

Candidate Challenge - Takisha Johnson ➤

Inbox x



Kalamazoo LP <lpkalamazoo@gmail.com>

to elections, elections, jbcurr, mxplac, bcc: me ▼

Wed, Aug 21, 1:27 PM



Attention Jaime Marsman and Kalamazoo City & County staff:

I would like to follow up on the petition which was submitted and stamped received yesterday at 350pm at your office on W South Street, and to provide some additional information/resources which are attached to this message for consideration (to be included in the package already accepted)

*please see attached images

The event today at Central branch of KPL further demonstrates the clear and direct involvement of these two local entities and establishes the framework to additionally justify a need for local "checks and balances". This is in addition to the already established State Law of Michigan pertaining to election process/eligibility.

***It should also be noted that there is already a KPS employee on the KP Library board:

EXHIBIT 2A, EXPANDED LIST OF EMAIL ADDRESSES

from: **Kalamazoo LP** <lpkalamazoo@gmail.com>
to: elections@kalamazoocity.org,
elections@kalcounty.com,
jbcurr@kalcounty.com,
mxplac@kalcounty.com
bcc: rfwolf@gmail.com
date: Aug 21, 2024, 1:27 PM
subject: Candidate Challenge - Takisha Johnson

EXHIBIT 2B, GUIDANCE

Kalamazoo LP <lpkalamazoo@gmail.com>
to bcc: me ▾

Wed, Aug 21, 1:34 PM



~~~~~ Forwarded message ~~~~~

From: John B. Curran <jbcurr@kaicounty.com>

Date: Wed, Aug 21, 2024, 1:32 p.m.

Subject: RE: Candidate Challenge - Takisha Johnson

To: Kalamazoo LP <lpkalamazoo@gmail.com>, elections@kalamazoo-city.org <elections@kalamazoo-city.org>, Elections <elections@kaicounty.com>, Meredith X.

Place <mxplac@kaicounty.com>

Hi Austin,

Just sharing with this full group what I had emailed to you the other day:

Guidance from the Michigan Bureau of Elections:

"After speaking with one of our attorneys, I was informed that there is no formal challenge process relating to incompatible offices. There also is no deadline provided in election law regarding this type of challenge. The individual would submit the information to the filing official, and the filing official would review the information with their attorney. They would then make their determination based on Attorney General's opinions."

The "filing official," in this instance, is the City of Kalamazoo Clerk: <https://www.kalamazoo-city.org/Government/Departments/City-Clerks-Office>

## EXHIBIT 3, OFFICIAL DOCUMENT



**City Clerk's Office**  
241 W. South Street  
Kalamazoo, MI 49007-4796  
Ph. 269.337.8792  
Fx. 269.337.8494  
[www.kalamazoo-city.org](http://www.kalamazoo-city.org)

August 22, 2024

Austin Shynal  
5519 East Cork Street  
Kalamazoo, MI 49048

*Sent via email to: [lpkalamazoo@gmail.com](mailto:lpkalamazoo@gmail.com)*

Dear Mr Shynal:

I am in receipt of your letter with the subject *Candidate Challenge – re: Takisha Johnson*, dated August 20, 2024. Please be advised that I have consulted with the City Attorney's Office and outside legal counsel, and the proper forum for this challenge is Kalamazoo County Circuit Court. Nothing in Section 168.558(5) or the Incompatible Offices Act requires the City Clerk to make a legal determination of whether the offices are incompatible.

Best Regards,

Scott A. Borling  
City Clerk

c: Dr. Darrin Slade, Superintendent, Kalamazoo Public Schools  
Michael Cockrell, Interim Director, Kalamazoo Public Library

## EXHIBIT 4, THE FILE CONSENTS



Meredith Place  
OFFICE OF THE CLERK | REGISTER OF DEEDS

**NOTICE OF MEETINGS**  
**(AMENDMENTS HIGHLIGHTED IN YELLOW)**  
**OF**  
**KALAMAZOO COUNTY ELECTION COMMISSION**

**PLEASE TAKE NOTICE** that the Kalamazoo County Election Commission will meet on the following days for the stated purpose shown below. All meetings will take place in Room 105 at the Kalamazoo County Administration Building, 201 W Kalamazoo Ave., Kalamazoo, MI 49007.

- **Thursday, March 21st at 9AM** for the purpose of approving ballots for May 7<sup>th</sup>, 2024, Special Election
- **Tuesday, June 13 at 11AM** for the purpose of approving ballots and appointing early voting election inspectors for August 6<sup>th</sup>, 2024, Primary Election
- **Thursday, July 18th at 9AM** until completion for the purpose of performing Public Accuracy Test for August 6<sup>th</sup>, 2024, Primary Election
- **Wednesday, September 4th at 10AM** for the purpose of approving ballots for November 5<sup>th</sup>, 2024, General Election
- **Thursday, October 10th at 9AM** until completion for the purpose of appointing early voting election inspectors and performing Public Accuracy Test for November 5<sup>th</sup>, 2024, General Election

All meetings are open to the public and there will be an opportunity for Public Comment.

Posted: Tuesday, April 30, 2024

# EXHIBIT 4A, FILE PROPERTIES AND META DATA

Document Properties ✕

Description Security Fonts Custom Advanced

Description

File: Notice of 2024 Election Commission Meetings.docx\_NovemberGeneralUpdate

Title:

Author: Taylor P. Koopman

Subject:

Keywords:

Created: 8/23/2024 8:56:33 AM

Modified: 8/23/2024 9:00:50 AM

Application: Acrobat PDFMaker 11 for Word

Advanced

PDF Producer: Adobe PDF Library 11.0

PDF Version: 1.5 (Acrobat 6.x)

Location: C:\temp\county\

File Size: 185.50 KB (189,948 Bytes)

Page Size: 8.50 x 11.00 in

Number of Pages: 1

Tagged PDF: Yes

Fast Web View: No

OK Cancel



EXHIBIT 5, THE CALENDAR

| AUGUST 2024 |                                                                                    |                                                                                    |                                                                                    |                                                                                     |                                                                                      |     |
|-------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-----|
| SUN         | MON                                                                                | TUE                                                                                | WED                                                                                | THU                                                                                 | FRI                                                                                  | SAT |
|             |                                                                                    |                                                                                    |                                                                                    | 1                                                                                   | 2                                                                                    | 3   |
| 4           | 5                                                                                  | 6                                                                                  | 7                                                                                  | 8                                                                                   | 9                                                                                    | 10  |
| 11          | 12                                                                                 | 13                                                                                 | 14                                                                                 | 15                                                                                  | 16                                                                                   | 17  |
| 18          | 19                                                                                 | 20                                                                                 | 21                                                                                 | 22                                                                                  | 23                                                                                   | 24  |
|             |  |  |  |  |  |     |
| 25          | 26                                                                                 | 27                                                                                 | 28                                                                                 | 29                                                                                  | 30                                                                                   | 31  |

EXHIBIT 6, NOTICE

Please Review: November 2024 Ballot Proof

Inbox x rfwolf@vote3p.com x

⌵ ⏻ ↗

Elections

to Elections ▾

Fri, Aug 30, 9:32 AM ☆ ☺ ⏮ ⋮


Dear Candidate,

Attached please find a proof copy of the ballot for the November 5, 2024, General Election. This proof copy is being sent to you as required by Michigan Election Law, [MCL 168.711](#).

Please review the attached proof copy of the ballot for any errors. If you desire to correct any error on the ballot, please contact our office by telephone at 269-384-8080, or email at [elections@kalamazoo.org](mailto:elections@kalamazoo.org). All corrections must be received no later than 4 p.m. on Friday, September 6, 2024.

Please do not hesitate to reach out with any questions at the contact number listed below.

Thank you,



Keegen Henschel

Elections Coordinator

Office of the County Clerk/Register of Deeds

o. 269-384-8080

201 W. Kalamazoo Ave., Kalamazoo, MI 49007

[www.kalamazoo.org/clerk/elections\\_voting](http://www.kalamazoo.org/clerk/elections_voting)







EXHIBIT 7, CALENDAR A

| AUGUST 2024 |     |     |     |     |                                                                                          |                                                                                          |
|-------------|-----|-----|-----|-----|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| SUN         | MON | TUE | WED | THU | FRI                                                                                      | SAT                                                                                      |
|             |     |     |     | 1   | 2                                                                                        | 3                                                                                        |
| 4           | 5   | 6   | 7   | 8   | 9                                                                                        | 10                                                                                       |
| 11          | 12  | 13  | 14  | 15  | 16                                                                                       | 17                                                                                       |
| 18          | 19  | 20  | 21  | 22  | 23                                                                                       | 24                                                                                       |
| 25          | 26  | 27  | 28  | 29  | 30  | 31  |

# EXHIBIT 7A, CALENDAR B

| SEPTEMBER 2024                                                                         |                                                                                                     |                                                                                        |                                                                                        |                                                                                        |                                                                                          |                                                                                          |
|----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| SUN                                                                                    | MON                                                                                                 | TUE                                                                                    | WED                                                                                    | THU                                                                                    | FRI                                                                                      | SAT                                                                                      |
| 1<br> | 2<br>Labor Day<br> | 3<br> | 4<br> | 5<br> | 6<br> | 7<br> |
| 8<br> | 9<br>              | 10                                                                                     | 11                                                                                     | 12                                                                                     | 13                                                                                       | 14                                                                                       |
| 15                                                                                     | 16                                                                                                  | 17                                                                                     | 18                                                                                     | 19                                                                                     | 20                                                                                       | 21                                                                                       |
| 22                                                                                     | 23                                                                                                  | 24                                                                                     | 25                                                                                     | 26                                                                                     | 27                                                                                       | 28                                                                                       |
| 29                                                                                     | 30                                                                                                  |                                                                                        |                                                                                        |                                                                                        |                                                                                          |                                                                                          |