

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ANDY GOTTLIEB, et al.	:	CIVIL ACTION NO. 3:20-CV-00623(JCH)
	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
NED LAMONT, GOVERNOR OF THE	:	
STATE OF CONNECTICUT, and	:	
DENISE MERRILL, SECRETARY OF	:	
THE STATE OF CONNECTICUT	:	
<i>Defendants</i>	:	JUNE 2, 2020

**DEMOCRATIC STATE CENTRAL COMMITTEE’S OPPOSITION TO PLAINTIFFS’
MOTION FOR PRELIMINARY OR PERMANENT INJUNCTIVE RELIEF**

Preliminary Statement

The Connecticut Democratic State Central Committee (“DSCC”) is the governing body of the Connecticut Democratic Party. The DSCC has intervened in this case to protect its First Amendment right of association as a political party and oppose the plaintiffs’ Motion for Preliminary or Permanent Injunction. The plaintiffs’ amended complaint alleges that Executive Order 7LL issued by Governor Ned Lamont on May 11, 2020 violates their First Amendment rights with regard to access to the primary ballot. The amended complaint, in fact, also challenges the DSCC’s primary ballot access process. The DSCC’s primary ballot access process is an essential part of the Connecticut Democratic Party’s core purpose: to select candidates to represent its interests in government.

The DSCC operates in accordance with the Connecticut General Statutes and its State Party Rules (attached hereto as Exhibit A). The State Party Rules are filed with the Secretary of the State and are available online. Declaration of Jacqueline Kozin, Executive Director of the DSCC,

¶13 (attached hereto as Exhibit B). The State Party Rules may be approved and amended only by a majority vote of the delegates at the biannual State Convention. Kozin, Decl. ¶12.

The Connecticut Democratic Party is a democratically run organization with elections held every two years where its members elect representatives to the town committees for each of the 169 towns, 72 representatives to the State Central Committee, and hundreds of representatives to federal and state conventions. Throughout the Connecticut Democratic Party, the leaders volunteer their time to help the party pursue its objectives and support its policies.

The COVID-19 pandemic has caused disruption to many facets of society and Governor Lamont recognized that this includes gathering signatures to access election ballots. It is our position that the modifications included in Executive Order 7LL properly compensate for the additional burden that the pandemic places on candidates gathering signatures for the August primary.

The primary in August is not an election to determine who represents the voters of Connecticut. It is an election to determine who represents Connecticut Democrats in the November election to determine who represents the voters of Connecticut. As discussed below, the government has a role in regulating and overseeing primaries but that role has limits. Lowering the requirements to access the primary ballot could undermine the work that the party's members do as part of the candidate-selection process. If the requirements are too low, then candidates could choose to skip the arduous work of working on town committees, dropping literature, making telephone calls, stuffing envelopes, reaching out to town committee members or delegates to ask for support for their candidacies or their candidates. If that becomes the case, one has to wonder why people would volunteer their time and put the effort into working on behalf of the party. This is how the ballot-access requirements are linked inextricably to the

viability of the party.

For that reason, we carefully analyze and consider proposed changes to ballot-access requirements. In this instance, we recognize that the pandemic will alter or otherwise impact the petitioning process. We submit that modifications in Executive Order 7LL fairly compensate for the current conditions. We strenuously oppose any further lowering of the ballot-access requirements and oppose plaintiff's Motion for a Preliminary and Permanent Injunction.¹

I. ARGUMENT

a. A Political Party Has a First Amendment Right to a Candidate-Selection Process and That Process Is Its Core Function

“[A] political party has a First Amendment right to limit its membership as it wishes, and to choose a candidate-selection process that will in its view produce the nominee who best represents its political platform.” *New York State Bd. of Elections v. Lopez Torres*, 552 U.S. 196, 202 (2008). The idea behind a political party is that a group of similarly minded people join together to support and elect candidates to represent their interests on the local, state, and federal levels of government. The party structure is the means by which the members become a cohesive group able to achieve this purpose.

The party structure has to ensure, above all else, that it creates and maintains a process to select the candidates that the membership supports. The candidate-selection process is why a party exists and it determines whether the party continues to exist. Therefore, a political party has a right to choose a candidate-selection process that will in its view produce the nominee who best represents its political platform. *Democratic Party of United States v. Wisconsin ex rel. La Follette*, 450 U.S. 107, 122 (1981); *California Democratic Party v. Jones*, 530 U.S. 567, 574-

¹ The DSCC will defer to Defendants Lamont and Merrill's argument on discussing the appropriate standard for injunctive relief rather than repeat them in this memorandum.

575 (2000). The candidates are essential to express the views of the members, to enact the policies that the members support and to oppose the policies its members oppose. Necessarily the process by which the party selects its candidates is of paramount importance.

b. The Connecticut Democratic Party Operates Within a Structure and With an Engaged Membership and in accordance with Democratic Principles

A political party starts with individuals who want to work together to promote their position on public matters and issues. The party grows as others choose to join it. Today if a person eligible to vote wants to join the Democratic Party in Connecticut, that person simply checks a box on the voter registration card filed with the municipality's Registrar of Voters. There is no barrier to entry: no ideology test, no fee, no obligation to attend meetings, work on campaigns or to contribute money. Each individual decides his or her level of involvement.

For an established party, such as the Connecticut Democratic Party, the challenge is to remain vibrant, unified, and relevant. As more members join, the debate to find consensus becomes more complex and more important. Tension among factions within the party over issues, policies and personalities are inevitable and the only antidote is for the party to adhere to a fair and democratic process. The smoke-filled room of party bosses from the 1900's could not survive in today's world. Instead, the Connecticut Democratic Party has to rely on its democratic process that allows individuals and groups a fair chance to participate, campaign and make the case for their positions and candidates. These individuals or their candidates may not prevail but there is a process that gives them a fair opportunity to do so.

It is important to understand what a Connecticut political party actually is in 2020 as opposed to the outdated image of party-bosses sitting back in smoke-filled rooms doling out patronage positions and, through that, asserting their influence. The foundation of the Connecticut Democratic Party today is the town committee. Each of the 169 towns in this state

has one. Every two years, the Democrats in each town meet to elect people to serve on the town committee. It is known as a caucus. Kozin, Decl. ¶4. The outgoing town committee leadership is required to publish a public notice detailing the date and time of the caucus. The sole eligibility to participate in the caucus or for election to serve on the town committee is that you are a registered voter and member of the party. That is it.

The town committees of the Connecticut Democratic Party have several fundamental responsibilities. These include the following:

- meeting to discuss issues of importance;
- determining the committee’s position on those issues;
- finding candidates who will support its position on those important issues; and
- helping those candidates get elected to office.

The town committee’s ultimate objective is the nomination of a candidate for each general election. In the pursuit of that objective, the party’s core role is the endorsement process.

c. The Connecticut Democratic Party Endorsement Process

Per Title 9 of the Connecticut General Statutes and the State Party Rules, Connecticut Democrats may endorse their candidates for office in one of the following three ways:

1. Town Committee;
2. Caucus; or
3. Convention

Conn. Gen. Stat. §9-309a; Democratic State Party Rules Article III. The first two methods are used for local offices and state legislative districts that comprise only one municipality.² For a town committee endorsement, the members of the town committee that reside in the district may

² Conn. Gen. Stat. §9-372(7) defines such offices as “municipal offices” which can cause some confusion.

vote to endorse.³ *Democratic State Party Rules, Article VII*. For a caucus endorsement, all Democrats residing in the district, which tend to be smaller municipalities, may vote to endorse. For both town committee and caucus endorsements, the winning candidate must receive a majority of those present and voting.

The third method of endorsement is a convention. Delegates elected either by their town committees or caucuses may vote to endorse at conventions. *Democratic State Party Rules, Article III, Section 6.c.*; Kozin, Decl. ¶5. The election of delegates by a town committee is determined by a vote of each town committee member who resides in the district that the candidate would represent. Each delegate to the respective conventions also must reside in the district that the candidate would represent. *Democratic State Party Rules, Article III, Section 8*. A delegate must receive a majority of those town committee members present and voting. *Democratic State Party Rules, Article III, Section 14.c*. The town committee publishes a list of the delegates to all of the convention. *Democratic State Party Rules, Article III, Section 14.b*.

The convention endorsement process is fair and accessible. Kozin, Decl. ¶9. Candidates seeking the endorsement will typically network with the delegates before the conventions, working to gain the delegates' support. Kozin, Decl. ¶9. Any candidate may attempt to win the endorsement and the first step is to simply be nominated and seconded at a convention. Kozin, Decl. ¶9. A candidate wins the endorsement upon gaining a majority vote of all delegates present and voting. Kozin, Decl. ¶7.

³In some towns, there is competition to serve on a town committee and in others there are vacancies that will go unfilled for the two-year term. Some town committees are highly active, others are not. In smaller towns, the town committee often will be the sole entity raising and spending money to support the election of its municipal candidates in odd number years. In some towns, the town committee members put substantial hours volunteering for the candidates in their towns. In other, the town committee members do not participate much in the campaigns. In short, the engagement of town committees differs from town to town.

In even-numbered years when the state legislature is up for election, the endorsement process begins in March when the town committees meet for the start of their two-year term. Town committee meetings to endorse candidates, caucus meetings to endorse candidates and conventions to endorse candidates are held over a period of time in May of the election year as set forth in statute. *See Conn. Gen. Stat. §§ 9-382, 9-383.*

After organizing themselves by electing officers, the town committees' next order of business is to elect delegates to the conventions. The election of delegates takes place several weeks before the conventions. The town committees publish the names of all delegates. This allows candidates and other advocates the opportunity and the time to ask the delegates for their support in advance of the convention.

The DSCC values its First Amendment rights of free speech and association. Jacqueline Kozin, DSCC Executive Director, Decl. ¶16. The nominating convention process is the means by which the Democratic Party shows support for its candidates. It reflects the will of the people that comprise the Democratic Party's membership. Kozin, Decl. ¶16. The party exercises its free speech in the endorsement process itself, and upon the nomination of a specific candidate for a particular office, it also exercises its freedom of association by determining which candidates to represent the party and promote the Democratic Party's platform. Kozin, Decl. ¶16.

There are certain similarities and also notable differences between the town committee or caucus primary ballot access processes and the convention primary ballot access process. One similarity is that all three require that a candidate receive a nomination and a second in order to participate in the endorsement vote. Another similarity is that all three require a majority vote of those present and voting to obtain the endorsement.

A notable difference between the three is that there are two ways to get on a primary

ballot under the town committee or caucus endorsement process. *Democratic State Party Rules, Article III, Section 13*. The first is to win the endorsement by receiving a majority of those present and voting. The second is to collect the statutorily required number of signatures on petitions. *Democratic State Party Rules, Article III, Section 13*. The convention endorsement process adds an additional mechanism. At a convention, a candidate “that receives 15% on any announced, final or accepted roll call vote shall be eligible to primary.” *Democratic State Party Rules, Article III, Section 13*.⁴

Per the State Party Rules and the Connecticut General Statutes, a candidate who fails win a convention or to receive at least 15% of the delegates present and voting may still gain access to the primary ballot by collecting the required number of signatures from enrolled party members. *Democratic State Party Rules, Article III, Section 13*; Conn. Gen. Stat. § 9-400. The percentage of signatures differs depending on the office the candidate is seeking.^{5 6} The first day that candidates may seek petition forms coincides with the final day for nominating conventions. Conn. Gen. Stat. § 9-404a. Candidates have fourteen days to secure signatures and file their petitions with the registrars of voters of the towns in which the petition pages were circulated. Conn. Gen. Stat. § 9-400. The registrars of voters must then certify the signatures on each petition page against the enrolled party members and file the certification with the Secretary of

⁴ In *N.Y. State Bd. of Elections v. Lopez Torres*, 552 U.S. 196 (2008) the Court unanimously held that “[s]election by convention has never been thought unconstitutional, even when the delegates were not selected by primary but by party caucuses Selection by convention has been a traditional means of choosing party nominees. While a State may determine it is not desirable and replace it, it is not unconstitutional.” *Id.* at 202. In 2003, Connecticut amended its election laws to permit the petitioning process for primary and general ballots after a ruling by the district court concluded that the state’s primary ballot access system was unconstitutional. *Campbell v. Bysiewicz*, 213 F. Supp.2d 152 (Conn. 2002).

⁵ For United States Congress, the petition signature requirement is 2% of enrolled party members in the district. For the remaining offices on the 2020 ballot, other than United States President, the petition signature requirement is 5% of the enrolled party members in the district or town. Conn. Gen. Stat. §9-400. For municipal offices there is more flexibility: the signature requirement is 5% or “such lesser number of electors as such party by its rules prescribes.” Conn. Gen. Stat. § 9-406.

the State. Conn. Gen. Stat. § 9-404c.

The ballot access provisions as modified by Executive Order 7LL in light of the COVID-19 pandemic are reasonable. Kozin, Decl. ¶15. A state may demand a minimum degree of support for candidate access to a ballot, see *Jenness v. Fortson*, 403 U.S. 431, 442 (1971). The question ultimately before the court is what level of support ought to be required to allow a candidate access to a primary ballot. This necessarily also means protecting the political party's role in the candidate-selection process which the First Amendment grants it. The plaintiffs' demand that the First Amendment be used to impose additional competition in the parties' nominee-selection process relies on an implausible reading of the First Amendment that should be rejected.

II. *The State Has a Role to Monitor Intraparty Competition to Ensure Fairness but the Role Is Subject to Limits Set by the Constitution*

A political party's First Amendment freedom to gather in association for the purpose of advancing shared beliefs is protected by the Fourteenth Amendment from infringement by any State. *Wisconsin ex rel. La Follette*, 450 U.S. at 122, citing *Kusper v. Pontikes*, 414 U.S. 51, 57; *Williams v. Rhodes*, 393 U.S. 23, 30-31. See also *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 460. This freedom to associate necessarily includes the right to identify the people who constitute the association, and to limit the association to those people only. Interference with a political party means interference with the will of its members. *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957); *Eu v. San Francisco County Democratic Central Comm.*, 489 U.S. 214 (1989).

While it is well settled that states “have a major role to play in structuring and monitoring the election process, including primaries” to assure the intraparty process adheres to democratic principles (*California Democratic Party v. Jones*, 530 U.S. 567, 572, citing *Burdick v. Takushi*,

504 U.S. 428 (1992); *Tashjian v. Republican Party of Conn.*, 479 U.S. 208, 217 (1986); *American Party of Tex. v. White*, 415 U.S. 767 (1974)), “the processes by which political parties select their nominees are not wholly public affairs that states may regulate freely. *Id.* at 572-573. The government’s “power to prescribe party use of primaries or conventions to select nominees for the general election is not without limits.” *N.Y. State Bd. of Elections v. Lopez Torres*, 552 U.S. 196 (2008); *California Democratic Party v. Jones*, 530 U.S. 567, 577. Put simply, when a state regulates parties’ internal processes, they must act within limits imposed by the Constitution. *See, e. g., Eu v. San Francisco County Democratic Central Comm.*, 489 U.S. 214 (1989); *Democratic Party of United States v. Wisconsin ex rel. La Follette*, 450 U.S. 107 (1981). When a state regulates the manner in which a political party selects its candidates, it is “the party’s associational rights [that] are at issue” *N.Y. State Bd. of Elections v. Lopez Torres*, 552 U.S. at 203.

The Connecticut Democratic Party’s constitutional right to association is inextricably linked to the petitioning process for primary ballot access. Lowering the requirements for primary ballot access too much undermines the party because it lessens the importance of acting within the party structure. There is a reason candidates, activists and others dedicate the time and make the effort to participate within the party. This includes attending town committee meetings, making endless phone calls, serving in leadership, working at conventions, raising money, going door to door to hand out campaign literature, and numerous other activities that are necessary for a political party function.

These efforts are also examples of the necessary steps one should take in order to build support within a party to become a town committee member, a delegate, a chair or a candidate.⁷

⁷ In contrast to this approach, the lead plaintiff in this case, Andy Gottlieb, in 2018 returned to his hometown at age 24, joined the Guilford Democratic Town Committee and announced in late April that he would seek the party

If some do not want to contribute to the party structure, it may make more sense for them to run outside the Democratic Party. One may want to have its cake and eat it too but there is no constitutional right to it.

In order to maintain its legitimacy, the Democratic Party must actively discourage party splintering, minimize voter confusion at the ballot box, maintain the integrity of the petition process, and discourage cross party raiding and manipulation. *See Storer v. Brown*, 415 U.S. 724, 730 (1974).

III. Executive Order 7LL Modifies the Petitioning Process for Primary Ballot Access in Light of the COVID-19 Pandemic in a Manner That Is Fair

Governor Lamont issued Executive Order 7LL on May 11th, modifying the petitioning process for primary ballot access in three substantive ways. Executive Order 7LL is a recognition and response to the fact that social distancing measures implemented to respond to the pandemic will make collecting signatures more difficult for certain candidates. This Order also acknowledges that “the process of qualifying for ballot access through in-person petitioning as required under Title 9 of the General Statutes is a basic and vital requirement of our state constitution and our election laws, the purpose of which is to ensure that voters have the opportunity to choose among viable candidates who have qualified for the ballot based on a minimum threshold of support, and to promote an election that is orderly, fair and transparent.”

Below are the three modifications to the petitioning process contained within Executive Order 7LL:

1. Extends the deadline for candidates to submit the required signatures by two days, until June 11, 2020;
2. Reduces by 30% the number of signatures a petitioning candidate must collect to obtain ballot access; and

endorsement for State Senate. He received one vote at the 2018 12th State Senate Convention. See April 20, 2018 Press Release from Andy Gottlieb (attached hereto as Exhibit C).

3. Makes it easier for candidates to obtain those signatures by allowing the option of electronic signature, allows the signature to be sent directly to the candidate (who may compile the signatures and then send them to the Registrar of Voters)⁸, and eliminates the need for a circulator.⁹

The modification to permit electronic signatures is especially significant because it eliminates the time and effort necessary to walk streets and climb stairs to knock on doors to solicit signatures – all within the limited time period available to candidates and campaigns (typically daylight hours and later in the day when people are home from work). Per Executive Order 7LL, candidates and campaigns may solicit signatures by email, social media, digital advertising, etc. Done electronically, this may be done at any time of the day, not just during a limited window.

In light of the COVID-19 pandemic, Executive Order 7LL attempts to balance the interests and obligations of the state regarding ballot access with the varied rights of the political actors. The DSCC does not object to Executive Order 7LL because we do not believe that it will unnecessarily reduce the requirements to access the primary ballot. We would also argue that the plaintiffs lack a compelling argument that the Order leaves them with a higher burden to access the primary ballot.

Conclusion

Diminishing the meaning of the party's endorsement undermines the reason that some people dedicate so much time and effort volunteering for the party. You cannot separate diminishing the meaning of the party's endorsement from diminishing the member's First

⁸Executive Order 7LL provides that “a petitioning signature shall be accepted as valid” if it: (1) is mailed to the candidate and then to the Registrar of Voters by the applicable deadline; or (2) it is “scanned or photographed electronically, and returned to the candidate by electronic mail and later to the Registrar of Voters by the applicable deadline along with a copy of the email demonstrating the electronic transmission of the petition by the registered voter.”

⁹Conn. Gen. §§ 9-400 and 9-410 require that petitions must be circulated, and that signatures must be collected, submitted, and attested to, by an eligible circulator.

Amendment rights.

The plaintiffs seek a level of influence in the Democratic Party through this lawsuit because they either could not or do not believe they otherwise could attain such influence. The First Amendment does not give party members lacking a base of support within the party itself the right to compel the state to do their bidding and encroach further upon the party's rights so as to provide them with a more hospitable political environment. In *NY Board of Elections v. Lopez Torres*, the Supreme Court held that "we have, as described above, permitted States to set their faces against "party bosses" by requiring party-candidate selection through processes more favorable to insurgents, such as primaries. But to say that the State can require this is a far cry from saying that the Constitution demands it. *New York State Bd. of Elections v. Lopez Torres*, 552 U.S. at 205.

Respectfully Submitted,

DEFENDANT
CONNECTICUT DEMOCRATIC STATE
CENTRAL COMMITTEE



By: _____
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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2020, I caused a true and correct copy of the foregoing document to be served upon all counsel of record registered with the Court's ECF system, by electronic service via the Court's ECF transmission facilities.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Kevin N. Reynolds". The signature is written in a cursive style with a horizontal line underneath the name.

KEVIN N. REYNOLDS (ct12305)

EXHIBIT A

CONNECTICUT DEMOCRATIC
STATE PARTY RULES



Connecticut Democratic State Central Committee
30 Arbor Street
Hartford, CT 06106
(860) 560-1775
(860) 560-1522 (Fax)
www.ctdems.org

PREAMBLE

1. All public meetings at all levels of the Democratic Party in Connecticut should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, economic status, philosophical persuasion or physical disability (hereinafter collectively referred to as "status").
2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in Connecticut should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on "status".
3. The time and place for all public meetings of the Democratic Party in Connecticut on all levels should be publicized fully and in such a manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
4. The Democratic Party in Connecticut, on all levels, should support the broadest possible registration without discrimination based on "status".
5. The Democratic Party in Connecticut should publicize fully and in such manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of this State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization.
6. The Democratic Party in Connecticut should publicize fully and in such manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within this State Democratic Party will have full and adequate opportunity to compete for office.
7. The Democratic Party in Connecticut in electing its delegates to the National Convention, at both the district and state levels, shall attempt to reasonably reflect the apportionment of women, young people, and minority group members of the registered Democrats in each district and the state.
8. The Democratic Party in Connecticut shall adopt an affirmative action plan designed to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, with particular concern for African Americans, Hispanics, Native Americans, Asian/Pacific Americans, women, youths, the LGBTQ community, and persons with disabilities.
9. Any person, who is an enrolled Democratic elector, may participate in any and all party meetings, caucuses and conventions and may be elected to any Party office except where specifically prohibited by law.

ARTICLE I STATE CENTRAL COMMITTEE

Section 1: Duties and Responsibilities

The State Central Committee shall be the governing body of the Connecticut Democratic Party between conventions. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully and adequately the decisions and instructions of the convention and to promote the aims and principles of the Democratic Party at the national, state and local levels. State Central Committee members shall (a) be the liaison between state and local party officials, (b) establish communications with the town committee or committees within their district, (c) assist within their local Democratic Party organizations in the election of their candidates and education of their voters, (d) disseminate statements of national and state party policy, (e) participate in other activities as the membership deems appropriate and (f) be automatic delegates, without the need for any further action, to the State Convention from the towns in which they reside and they will serve in addition to the regularly allocated number of delegates from that town, provided however, that such automatic delegates are not permitted to designate alternates and must appear at the State Convention in person to cast their ballot, and are not considered automatic delegates for any other purpose or Convention. Members of the Democratic State Central Committee shall work to promote harmony among all people, regardless of race, gender, ethnicity, language, religion or sexual orientation.

Section 2: Composition of State Central Committee Members

A. The Democratic State Central Committee shall be composed of two representatives, one man and one woman, elected from each senatorial district in the state for a term of two years in the manner prescribed by Article I, Section 3. Members of the State Central Committee shall hold office from the completion of the last and final session of the State Convention following their election, until the end of the next state convention, or until they otherwise vacate their office. State Central Committee Members must reside in the district from which they were elected for their entire term. If the State Central Committee Member moves from the district from which he or she was elected during the elected term, his or her seat will be declared vacant by the State Chair and shall be filled under Article I, Section 4.

B. In addition to the above paragraph, the State Chair, in consultation with the Connecticut Young Democrats, shall nominate two representatives, one man and one woman, for election to the State Central Committee. Additional nominations of Young Democrats may be made from the floor at the State Central meeting and the two representatives shall then be chosen by a majority of the members present and voting. Members chosen under this paragraph, shall be elected after the State Central Committee meeting to elect the State Chair and shall serve for a term to expire with the term of the State Chair. Members must be residents of the State of Connecticut. If a member moves from Connecticut or a vacancy, however arrived at, occurs, the seat shall be filled by the process set forth in this paragraph and the member shall serve for the balance of the term. The Young Democrats representatives chosen pursuant to this section shall not be permitted to vote for the State Central Committee Officers, or to fill any vacancy for these offices, or vacancies in the Democratic National Committee, and all other rights and privileges of DSCC Membership is reserved to the elected DSCC Members.

Section 3: Election of State Central Committee Members & State Convention Committees

The State Convention delegates from each senatorial district shall meet at least fifteen (15) days but not more than twenty-five (25) days prior to the first session of each State Convention, at a time and place to be designated by the State Central Committee members from the district. One of the State Central Committee members from the district shall act as a chair of the meeting. Upon due notice, the delegates to the State Convention from each senatorial district, who shall not exceed the number of delegates representing each town or portion of a town at the state senatorial convention in that senatorial district, shall meet and select by a majority vote of those present and voting, a man and woman member of the State

Central Committee, who may or may not be delegates to said convention. These delegates will also select from their numbers a vice-president and secretary for the State Convention, and shall also select one member for each of the following convention Committees: 1. Committee on Credentials; 2. Committee on Permanent Organization; 3. Committee for Rules and Resolutions; 4. Committee on Platform (when one is necessary in accordance with Article III, Section 11); and 4. Such other committees as shall have been determined by the State Central Committee. Votes shall not be taken by secret ballot at such elections. Such elections shall be certified by the secretary of such meeting to the Secretary of the State Central Committee within five (5) days subsequent to such meeting.

If said meeting has not been held in the period prescribed above, it shall be called by the Chair of the State Central Committee, to be held prior to the opening of the State convention, at a place and time to be designated by the State Chair. All elections made by such meeting shall be certified by the secretary of the meeting to the Secretary of the State Central Committee prior to the first session of such convention.

Section 4: Vacancies in State Central Committee Membership

Vacancies, however arrived at, in the membership of the State Central Committee shall be filled by a majority vote of those present and voting at a special meeting of state convention delegates from the preceding state convention from the senatorial district in which the vacancy has occurred. This special meeting shall be held within sixty (60) days after a vacancy arises. The remaining representative on the State Central Committee from said senatorial district shall set a time and place for said meeting and written notice of said meeting shall be sent to each state convention delegate, in good standing, from said senatorial district and the vacancy shall be filled by a majority vote of those present and voting at said meeting.

In order to be eligible to be a participant in the special meeting, the State Convention delegates must be in good standing, which is defined as being a valid Democratic elector, residing in the district at the time the special meeting occurs. A delegate in good standing may appoint an alternate for such special meeting, subject to the provisions of Article I, Section 9. If a delegate is not in good standing, his or her alternate to the prior State Convention, if in good standing and if appointed prior to the adjournment of the State Convention, shall participate in his or her place. If neither the delegate nor the alternate is in good standing, no new appointment shall be made.

Section 5: Election and Composition of State Central Committee Officers

Not earlier than the tenth (10th) day, nor later than the twenty-fourth (24th) day of January, in every odd-numbered year, the State Central Committee shall meet and shall elect a Chair and Vice Chair, one of whom shall be a male and the other a female. The Committee at the same meeting shall elect a Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and any other Officers the Committee deems necessary. Beginning on the first day of February of the same year, officers shall commence their two year term. Officers need not be members of the State Central Committee. Each officer shall have the duties usually incident to the office of that name, and such other duties as the Committee may prescribe from time to time.

Section 6: Vacancies in State Central Committee Officer Positions

When a vacancy occurs in any of the aforementioned offices, the State Central Committee shall within sixty (60) days elect a successor to fill the unexpired term, by a majority vote of those present and voting at a meeting duly noticed and held for such purpose,

Section 7: Meetings

Meetings of the State Central Committee shall be held at least five (5) times yearly and may be held at any time upon call of the State Chair, or by vote of the Committee, or within ten (10) days of the receipt by the State Chair of a written request signed by not less than twenty (20) members of the Committee and stating the purpose for which such meeting is to be called. The announcement of the meeting shall contain a statement of the business to come before such meeting and will be sent to all Town Chairs at the same time and in the same manner as it is sent to the members of the Committee. Minutes of all meetings of this committee will be sent by email or regular mail to all members of this committee and, upon request, to all Town Chairs.

Section 8: Quorum

Two-fifths (2/5) of the membership in good standing of the State Central Committee shall constitute a quorum at any meeting.

Section 9: Proxies

Any member of the State Central Committee who is unable to attend any meeting of said committee may in writing select any enrolled Democratic elector of either gender within his or her senatorial district as their proxy. The selection of a proxy shall be filed with the secretary of the meeting, and the proxy may participate as a full member of the Committee until the meeting is adjourned. Notwithstanding the foregoing an automatic delegate to the State Convention must appear and cast their ballot in person, and shall not be permitted to designate an alternate delegate.

Section 10: Procedure of Meeting

Each meeting shall be convened and presided over by the Chair of the Party, or, in their absence the Vice Chair. After general orders of business, acts and/or resolutions may be brought up. In order to bring an act or resolution to the floor at a State Central Committee Meeting, it must first be brought to the Chair of the Party, who may refer the act or resolution to the appropriate committee. If there is not an appropriate committee, the Chair has the power to convene a special committee to hear the act or resolution. In committee, it can be amended. If passed in committee by a majority of members present, the Chair must bring the act and/or resolution to the floor of the next State Central Committee Meeting.

Section 11: Financial Report

The Treasurer of the Committee shall send an annual financial report to all members of the State Central Committee and all Town Chairs within sixty (60) days of the close of the fiscal year.

Section 12: Constituency Caucuses

The State Central Committee may, from time to time, establish and maintain various Constituency Caucuses, whose membership shall be open to any Connecticut Democratic electorate, to help recruit and recognize groups of importance to the Party, including the Hispanic, Black, Women's, Asian American and Pacific Islander, and Gay, Lesbian, Bisexual and Transgender (GLBT) American Caucuses. The Constituency Caucuses are subsumed by the Connecticut Democratic Party, and for all operational, legal and campaign finance purposes are part of the Connecticut Democratic Party. Constituency Caucuses shall be governed by separate By-Laws, which shall fully comport with the Connecticut State Democratic Party Rules, and such By-Laws shall be approved by the State Central Committee. Whenever there is a conflict

between Caucus By-Laws and the Connecticut Democratic State Party Rules, the Party Rules shall prevail.

ARTICLE II DEMOCRATIC NATIONAL COMMITTEE

Section 1: Selection of Members and Terms

There shall be elected to the Democratic National Committee, in the year of the election of President of the United States, such number of National Committee members as have been apportioned to the State of Connecticut pursuant to the By-Laws of the Democratic Party of the United States. With exceptions noted elsewhere, each such member shall serve for a term of four (4) years or until a successor has been duly selected.

Section 2: Membership

Of the National Committee members to be elected, two (2) shall be the Chair and Vice Chair of the Democratic State Central Committee. The remaining members of the National Committee, who shall be registered Democrats in the State of Connecticut but need not be elected delegates to the National Convention, shall each be elected individually by a majority vote of the delegates to the Democratic State Convention to be held in the year of the Presidential election.

Section 3: Membership in the State Central Committee

Individuals elected to represent Connecticut on the Democratic National Committee, without the need for further action, shall be automatically delegates to the State Convention from the towns in which they reside, in addition to the regularly allocated number of delegates from that town.

Section 4: Change in Office

In the event that the Chair or Vice Chair of the State Central Committee is succeeded in office prior to the expiration of his or her National Committee term, his or her successor in office at the State Central Committee shall fill the remainder of such National Committee term.

Section 5: Vacancy in Membership

Except as provided in Section 3 of this Article, when a vacancy occurs in the office of National Committee Member, the State Central Committee shall within sixty (60) days elect a successor to fill the unexpired term, by a majority vote of those present and voting at a meeting duly noticed and held for such purpose,

ARTICLE III CONVENTIONS

Section 1: Convention Calls

The State Central Committee, at a meeting called for such purpose, shall fix:

- A. The date, time, and place of meeting of the state convention;
- B. The date, time, and place of meeting of the congressional district conventions; and
- C. The date of the senatorial, assembly and probate district conventions in senatorial, assembly and probate districts that cross one or more town lines. Only the State Central Committee members representing any part of a senatorial, assembly or probate district shall fix the time and place of conventions in such districts. Each

such convention shall originate by call of the Chair of the State Central Committee or his or her designee.

Section 2: Convention Dates

Each convention held to endorse candidates for congressional districts or state or district office to be voted upon at a state election shall be convened in the even numbered years, no later than the ninety-eighth day and closed not later than the seventy-seventh day preceding the day of the primary for such office. All congressional district conventions shall be held on the same day. All senatorial district conventions shall be held on the same day. All multi-town assembly district conventions shall be held on the same day. All multi-town probate district conventions shall be held on the same day. No congressional, senatorial, assembly, or probate district convention shall begin later than the twenty-first (21st) day following the close of the state convention.

Section 3: Delegate Representation

At each congressional, senatorial, assembly, and probate district convention, each town or portion of the town to be represented at that convention shall be entitled to one (1) delegate for each five-hundred (500) or fraction thereof derived from the average of the following factors: (a) Democratic registration as shown on the last list published by the Office of the Secretary of the State, and (b) votes cast for the Democratic candidate for President in the last preceding presidential election. At each State Convention, each town shall be entitled to the sum of the delegates representing each such town at the several senatorial district conventions whereat each such town is represented, and each town's delegation shall include a number of delegates residing in each of said senatorial districts equal to the number of delegates representing said town at each of such senatorial district conventions.

Section 4: Delegate List

It shall be the duty of the Chair of each town committee to send to the Secretary of the State Central Committee, on forms furnished by the State Central Committee, a list of the delegates to each convention duly chosen from his or her town, properly attested by the Democratic Registrar of Voters or, in the event of his or absence, by the Town Chair only with the express approval of the State Chair. Such list shall be delivered, whether by paper or electronically, no later than the one hundred thirty-second day proceeding the day of the primary for such state or district office.

Section 5: Convention Roll

The temporary roll of each convention shall be comprised of the duly chosen delegates to such convention as filed with the Secretary of the State Central Committee by the Town Chair.

Section 6: Temporary Chairs

The State Central Committee shall elect a Temporary Chair for each State Convention at least sixty (60) days prior to such convention. The Temporary Chairs of all congressional, senatorial, assembly, and probate district conventions shall be chosen by the State Central Committee members representing all or part of such a district and shall be chosen at least thirty (30) days prior to such convention. The Temporary Chair shall assume the administrative duties to call and arrange for each district convention, but, in the event that he or she fails timely to do so, such duties shall forthwith be assumed by the State Chair or his or her designee. The Temporary Chair need not be a delegate to the convention he or she chairs. A Temporary Chair while serving as such shall have the additional right to cast a vote dissolving a tie, but this provision shall not affect his or her right to vote as a delegate in the first place. He or she shall serve until

the election by the convention of a Permanent Chair.

Section 7: Sessions

The times, length and agenda of the State Convention shall be determined by the State Chair, with the approval of the State Central Committee.

Section 8: Qualification of Delegates

Each delegate or alternate shall be an enrolled Democratic elector residing in the district which he or she represents.

Section 9: Alternates

Except with respect to automatic delegates (such automatic delegates consisting of either State Central Committee members as provided for in Article I Section 1(f), or individuals elected to represent Connecticut on the Democratic National Committee as provided for in Article II Section 3), each delegate to a convention elected in conformity with law and with these rules may, if in good standing, designate in writing an alternate delegate to act for him or her in his or her absence at any convention or other meeting of delegates held under these rules. Such appointment of an alternate shall cease to be effective upon adjournment of the respective convention or meeting, except as otherwise provided in Article I, Section 4. In the absence of such alternate delegate, the Town Chair shall have the right to fill vacancies in delegations to conventions during conventions and until the respective convention adjourns. This right to fill vacancies shall cease upon adjournment of the convention.

Section 10: Challenges to Delegates

A. Prior to the opening of the State Convention, five percent (5%) of the enrolled Democrats or five hundred (500) enrolled Democrats in any town (whichever is less) may challenge any delegate or delegates elected from their town.

B. The challenge shall be provided to the State Chair by registered or certified mail, and must be received at least seven days before the opening of the State Convention. A copy of the challenge shall be sent to all delegates challenged and to the Town Chair from the municipality from which each challenged delegate was elected.

C. The State Chair shall notify the Committee on Credentials and a meeting of said committee shall be called to order at least twenty-four (24) hours prior to the first session of the Convention, and both sides shall be allowed equal time to present their case.

D. The Committee on Credentials shall issue a decision prior to the convening of said convention. No challenged delegate may vote on the report of the committee involving his or her respective challenge, nor shall a challenged delegate participate as a committee member with respect to his or her respective challenge.

Section 11: Pre-Convention Platform Committee and Rules Committee

A. When, in accordance with these rules, a Platform Committee is to be formed, then the State Chair, not less than ten (10) weeks prior to the opening of the State Convention, shall appoint two (2) persons from each state senatorial district to a Pre-Convention Platform Committee which shall conduct hearings on the platform and recommend a platform to the Platform Committee of the Convention.

B. Not less than ten (10) weeks prior to the opening of each State Convention, the State Chair shall appoint a Pre-Convention Rules Committee to recommend changes in the State Party Rules and to recommend convention rules to the Rules Committee of the Convention.

Section 12: State Convention Committees

The committees of the State Convention shall include a Committee on Credentials; a Committee on Permanent Organization, a Committee on Rules and Resolutions, and such other committees as shall be determined by the State Central Committee. There shall be a Committee on Platform at each State Convention wherein a candidate for governor shall be nominated. The memberships of each committee shall be elected in accordance with Article I, Section 3. The committees shall fulfill the following functions along with any others designated by the State Central Committee:

A. Credentials - Report on all challenges to delegates in accordance with Article III, Section 10, above.

B. Permanent Organization - To nominate the Permanent Chair and Permanent Secretary of the State Convention and to appoint the Sergeants-at-Arms and the Pages of the State Convention.

C. Rules and Resolutions - To propose changes deemed necessary in these rules and to propose procedures for the State Convention and such resolutions as shall be deemed necessary or appropriate by the committee.

D. Platform - To present to the State Convention a platform and such resolutions deemed appropriate by the committee. A draft of the platform shall be prepared by a Preliminary Platform Committee appointed by the Chair of the State Central Committee which Preliminary Platform Committee shall hold public hearings throughout the state and prepare its draft at least two weeks prior to the opening of the State Convention.

Any member of any committee shall be allowed to make a minority report to the convention on any matter decided by his or her committee. The function of each committee shall end with adjournment of the State Convention.

Section 13: Endorsement of Candidates

A. The State or Congressional District Convention shall endorse a candidate for nomination to each of the statewide offices or congressional district office, as the case may be. Candidates so chosen shall run in the primary as party-endorsed candidates. Any candidate that receives fifteen percent (15%) on any announced, final or accepted roll call vote shall be eligible to primary. A candidate shall be the nominee of the Democratic Party if no other person has received at least fifteen percent (15%) of the votes of the convention delegates present and voting on any roll call vote taken for endorsement or proposed endorsement of a candidate for such office, or if no other person receives two percent (2%) of the valid signatures of registered Democrats in the state or congressional district, or if no valid opposing candidacy has been filed for nomination to such office by four o'clock (4:00) p.m. on the fourteenth (14th) day following the close of the convention.

B. The State Senatorial, Assembly or Judge of Probate District Convention shall endorse a candidate for nomination to each of the state senate, assembly, or judge of probate offices, as the case may be. The only requirement to participate in a caucus shall be that the candidate is a registered Democrat in the applicable district. Candidates so chosen shall run in the primary as party-endorsed candidates. Any candidate that receives 15% on any announced, final or accepted

roll call vote shall be eligible to primary. Such a candidate shall be the nominee of the Democratic Party if no other person has received at least fifteen percent (15%) of the votes of the convention delegates on any roll call vote taken for endorsement or proposed endorsement of a candidate for such office, or if no other person receives five percent (5%) of the valid signatures of registered Democrats in the district, or if no valid opposing candidacy has been filed for nomination to such office by four o'clock (4:00) p.m. on the fourteenth (14th) day following the close of the convention.

Section 14: Nomination and Selection of Party Endorsed Candidates

A. Candidates for nomination may be proposed from the floor of the convention by any delegate. Whenever two (2) or more candidates for nomination to any office are proposed, the vote as between them shall be taken by roll call.

B. The secretary of the convention shall call the roll and keep a true record, in writing, of the vote of each delegate entitled to vote and voting at the convention, and shall, at the conclusion of the roll call, announce the result of the vote. The secretary shall file such record at the headquarters of the State Central Committee where it shall be preserved for a period of six (6) months after the adjournment of the convention and such record shall be open to public inspection at all reasonable times.

C. To obtain the endorsement of a convention, a candidate must receive a majority of the votes of the convention delegates present and voting. In the event that a vote taken on the selection of a party endorsed candidate results in a tie, such tie shall be dissolved by the vote of the permanent chairperson of the convention, but this provision shall not affect his or her right to vote as a delegate in the first place.

Section 15: Certification of List.

The secretary of each convention shall prepare an accurate list, printed by hand or typewritten, of the candidates endorsed by the convention, and also of any candidates receiving at least fifteen percent (15%) of the votes of the convention delegates present and voting on any roll call vote taken on the endorsement or proposed endorsement of a candidate, whether or not the party endorsed candidate received a unanimous vote on the last ballot, with the names, street addresses and towns of the person so endorsed or receiving fifteen percent (15%) of the votes and the title of the office for which each person is a candidate. This list shall be certified by the permanent chairperson and the secretary of the convention and shall be delivered to the Secretary of the State by the chairperson of the convention not later than forty-eight (48) hours after the close of the convention. Together with such list, said chairperson shall also file with the Secretary of the State the names, street addresses and towns of persons selected as the nominees for Presidential Electors. Copies of such lists shall be delivered to the Secretary of the State Central Committee.

Section 16: Plurality Vote Determinative of Nomination.

Whenever a primary for nomination to a state or district office is to be held under the provision of the State Primary Law, as the same may be amended from time to time, the nominee of the Democratic Party for such office shall be the person receiving a plurality of the votes cast.

Section 17: Presidential Electors.

In the year of a presidential election, Presidential Electors shall be nominated at the State Convention by a majority vote of the delegates present and voting.

Section 18: National Convention Delegates.

Delegates to National Conventions shall be elected in accordance with Democratic National Party Rules. The delegate selection process should be completed early enough to enable delegates to participate fully in National Convention Committees.

Section 19: Unit Rule.

The unit rule shall not be permitted at any convention.

ARTICLE IV VACANCIES

Section 1: In Nomination

A. If a nomination has been made for an office and the nominee thereafter but prior to twenty-four (24) days before the opening of the polls on the day of the election for which such nomination has been made, withdraws his or her name, or for any reason becomes disqualified to hold the office for which he or she has been nominated, the vacancy shall be filled as prescribed in Conn. Gen. Stat. §9-460, except as otherwise provided herein. If a nominee dies prior to twenty-four (24) hours before the opening of the polls on the day of the election for which such nomination has been made, the vacancy shall be filled as prescribed by Conn. Gen. Stat. §9-460, except as otherwise provided herein.

B. In the case of an office for which all the electors of the state may vote, the vacancy shall be filled by the State Central Committee, meeting upon no less than five (5) days' notice.

C. In the case of the office of congressman, the vacancy shall be filled by the members of the State Central Committee representing territory within the congressional district, meeting upon no less than five (5) days' notice.

D. In the case of the office of judge of probate, state senator, state representative, convention delegate, or any other office not otherwise specifically provided for herein, the vacancy shall be filled by reconvening the body which previously decided the party endorsement for the office, meeting upon no less than five (5) days' notice, except that where the previous endorsing body was a caucus the town committee shall be convened to fill the vacancy. The provisions of this section shall also apply in the case of a town's State Convention delegation not properly apportioned as required by Art. III, Section 3. In the event of such improper apportionment, the endorsing body shall fill any vacancies for under-represented senatorial districts and shall correspondingly reduce the number of delegates from over-represented senatorial districts.

E. If a vacancy in a nomination under subsection (c) or (d) of this section shall occur in a multi-town district less than sixty (60) but prior to ten (10) days before the opening of the polls on the day of the election for which such nomination has been made or, in the case of the death of a nominee, prior to twenty-four (24) hours before said opening of the polls, in such case the vacancy shall be filled by the State Central Committee members and Town Chairs for the district within which the vacancy has occurred meeting upon no less than three (3) days' notice. If such vacancy shall occur less than eight (8) days prior to the opening of the polls, reasonable notice shall suffice. In filling a vacancy under the provisions of this subsection (e), each participating Town Chair shall be entitled to cast the number of votes to which his or her town was entitled in the body which previously decided the party endorsement.

F. If a vacancy in a nomination under subsection (d) of this section shall occur in a single-town district less than sixty (60) but prior to ten (days) before the opening of the polls on the day of the election for which such nomination has been made or, in the case of the death of a

nominee, prior to twenty-four (24) hours before said opening of the polls, in such case the vacancy shall be filled, meeting upon no less than three (3) days' notice, by the town committee of the town within which the vacancy has occurred or as the local party rules may otherwise provide. If such vacancy shall occur less than eight (8) days prior to the opening of the polls, reasonable notice shall suffice.

G. Where a State Central Committee member or Town Chair who is called upon under subsection (e) of this section to fill a vacancy does not reside within the district for which a vacancy is to be filled, he or she shall appoint a representative who is a voter in said district to act in his or her place for the purpose of filling such vacancy.

H. No candidate shall be deemed to have withdrawn until a letter of withdrawal signed by such candidate is filed as prescribed by statute, except as otherwise provided herein.

Section 2: Tie Vote in Filling Vacancy.

A. The State Chair shall have the right to cast a vote to dissolve a tie when a vacancy in an endorsement or nomination is to be filled by the State Central Committee.

B. When a tie vote occurs among members of the State Central Committee or Town Committee Chairs in filling a vacancy under the provisions of this Article, the State Central Committee member who is senior in terms of cumulative service as a State Central Committee member representing the district within which the vacancy occurs, or a portion thereof, shall have the right to cast a vote to dissolve the tie.

C. If seniority of two or more State Central Committee members is identical for the purposes of dissolving a tie under this Article, the member who shall dissolve the tie shall be determined by random process.

Section 3: Certification of Filled Vacancy.

A. Whenever a vacancy in a nomination for a state or district office, is filled, pursuant to this Article, the action shall immediately be communicated to the State Chair, who shall certify the same as prescribed by statute, except as otherwise provided herein. In the absence of the Chair, such certification shall be made by the Secretary of the State Central Committee. B. Whenever a vacancy in a nomination to an office for which only the electors of a single town may vote is filled, the Chair or Secretary of the town committee shall immediately certify the same as prescribed by statute, except otherwise provided herein. Certification of such nomination to fill a vacancy due to death or disqualification shall include a statement setting forth the reason for such vacancy.

Section 4: Vacancy, Presidential Elector, Delegate, Alternate Delegate to National Convention

Any vacancy in the position of delegate or alternate delegate to the Democratic National Convention shall be filled in accordance with the Connecticut Delegate Selection Plan. A vacancy in the position of presidential elector shall be filled by the State Central Committee, meeting upon no less than five (5) days' notice, if such vacancy occurs prior to the election at which presidential electors are to be chosen.

ARTICLE V FINAL COMMITTEE TO RESOLVE ENDORSEMENT DISPUTE

A. Any dispute concerning endorsements for any office, or for delegate or for town committee member or officer, and any dispute concerning the interpretation and effect of party rules and procedures must first be referred to the State Central Committee members in the

applicable district for local resolution. In order to expedite any such disputes, State Central Members may seek legal opinions from Counsel for State Central. If the parties involved cannot bring about a resolution to their differences, then the issue may be referred to the State Chair in writing asking that the issue be resolved through a Dispute Resolution Committee. If the dispute is brought before a Dispute Resolution Committee, the issuing of a previous legal opinion by State Central Counsel concerning the dispute shall not prohibit said Counsel from advising the Dispute Resolution Committee.

B. A Dispute Resolution Committee shall be composed of no less than three (3) nor more than five (5) members of the State Central Committee, appointed by the chairperson thereof, none of whom shall represent the district or districts concerned. The decision of the committee shall be conclusive and binding upon all parties.

C. The committee shall be appointed no later than five (5) business days after the State Chair receives a written request for the resolution of a dispute pursuant to this article. The committee shall set a time and place for a hearing of said dispute within five (5) business days of its appointment. The parties to the dispute shall receive notice at least seven (7) business days prior to the hearing unless exigent circumstances warrant less notice. The Committee shall issue its decision within five (5) days of the close of the hearing, and a written copy of such decision shall be filed with the State Central Committee, and provided to each party to the dispute. However, when exigent circumstances arise, the State Chairman shall have the authority to modify these requirements.

ARTICLE VI PRIMARY LAW

The nominations of the Democratic Party to all public offices and the election to a town committee and delegates to conventions shall be made in all respects in accordance with the State Party Rules, as may be amended from time to time, provided that no person may contest in a primary for any State or District office unless such person has received at least fifteen percent (15%) of the votes of the convention delegates present and voting in at least one roll call vote at a duly called and conducted convention for the endorsement of candidates for such offices, in accordance with the provisions of Article III of these rules, or such person has received two percent (2%) of the valid signatures of registered Democrats in the State or congressional district, or five percent (5%) of the valid signatures of registered Democrats in the State Senatorial, Assembly or Judge of Probate district.

ARTICLE VII RULES GOVERNING THE DEMOCRATIC PARTY IN ALL TOWNS

The following rules shall govern the activities of the Democratic Party in each town of the state, whether or not the local party has adopted its own rules, notwithstanding any local party rule to the contrary.

Section 1: Election of Town Committees

A. Party endorsed candidates of any local party for town committee members shall be selected by the enrolled members of such party in caucus or via a direct primary held in accordance with the Connecticut General Statutes. At caucus meetings, any eligible person may be nominated from the floor, notwithstanding any notice or pre-registration requirements in the local rules. Notice of the time, place and purpose of said caucus shall be given to all enrolled Democratic voters of the municipality at least five (5) days, but not more than fifteen (15) days, in advance of the caucus by publication of the same in a newspaper having general circulation in the municipality.

B. The payment of dues shall not be a requirement for the endorsement or election of a

candidate for any local party or town committee position. A town committee may be endorsed and elected on a district basis as such rules may prescribe. At any caucus duly called for the endorsement of members of a town committee, nominations for such town committee members may be made by (1) presentation to the caucus of a full slate composed of a number of persons equal to the number of town committee members prescribed by local party rules or (2) by nomination of individual candidates. Voting by slate is only permissible when the election is between two or more full slates. In the endorsement of such candidates, voting shall be in accordance with the local party rules, but in no event shall a member of the caucus vote for a greater number of candidates than those to be elected. In the event no endorsement is made by the above stated method, then there shall be no endorsement and election to such town committee shall be made by direct primary as provided by law. No person shall be eligible to serve on the town committee unless he or she is a registered member of the Democratic Party.

Section 2: Primary Date

On the first Tuesday in March in each even-numbered year, each town committee, if needed, shall hold a primary for the election of town committee members.

Section 3: Terms of Members

Unless otherwise provided in this Article, members of the town committee shall serve for a term of two (2) years, commencing on the Wednesday after the first Tuesday in March in each even-numbered year and ending on the first Tuesday in March of the next even-numbered year.

Section 4: Election and Call of Organizational Meeting

A. Not more than thirty (30) days following the day fixed for the holding of a primary for the election of town committee members, the chair of the town committee in office at the time of said primary shall call a meeting of the newly elected town committee for the purpose of electing such officers of the town committee pursuant to the local party rules. If such Town Chair fails, for any reason, to call such meeting by the end of the prescribed thirty (30) day period, the Vice Chair in office at the time of the primary shall call the meeting within forty-eight (48) hours.

B. If, for any reason, the Vice Chair does not call the meeting within the prescribed forty-eight (48) hour period, the State Central Committee members in the district shall call the meeting within the next forty-eight (48) hours. When the meeting must be called by the Vice Chair or a State Central Committee member, the call of the meeting will be valid notwithstanding any otherwise applicable rule concerning time and notification of town committee meetings.

Section 5: Quorum

Two fifths (2/5) of the membership of the town committee shall constitute a quorum at any meeting.

Section 6: Slate Endorsement

A. At any caucus or town committee meeting duly called for the election of delegates to any convention, nominations for said delegates may be made (1) by presentation to the caucus or town committee of a slate composed of a number of persons not exceeding the number of such delegates to which the town is entitled under the state rules of the Democratic Party or (2) by nomination of individual candidates. Voting by slate is only permissible when the election is between two or more full slates.

B. In the selection of such delegates, each member of the caucus or town committee member

present and voting shall vote for a number of delegates not to exceed the number of a full slate as defined above.

C. The voting for delegates to each convention shall be done by individual convention.

Section 7: Increased Membership.

The town committee, at a meeting called for the purpose, may, by majority vote of those present and voting, increase its membership, provided that all new members shall be duly elected by the time of the next primary date in the state election calendar, shall begin in office the next day, and shall continue in office only until the next date for election of town committee members.

Section 8: Town Committee Meetings

In accordance with the Charter of the Democratic National Committee, all meetings of Democratic town committees, subcommittees and all other Democratic Party committees shall be open to the public, and votes shall not be taken by secret ballot.

Section 9: Limitation on Proxy Voting in Town Committee Meetings

Unless specifically provided for in local party rules, proxy voting shall not be allowed at any town committee meeting or for the endorsement of candidates or delegates.

Section 10: Filing of Local Rules and List of Officers and Members

Within one week after swearing in a new town committee and the election of Officers for any given term, the Chair of the town committee shall file a copy of the town committee's Local Rules, as well as a list of the names and addresses and other pertinent contact information of the officers and members of the town committee (in a format designated by the Democratic State Central Committee) with the Secretary of the Democratic State Central Committee.

ARTICLE VIII RULES GOVERNING THE DEMOCRATIC PARTY IN TOWNS NOT HAVING LOCAL PARTY RULES

The following rules shall govern the activities of the Democratic Party in each town of the state in which no rules have been adopted by the local Democratic Party or have not been filed in accordance with Article VIII. The following rules also shall govern the activities of the Democratic Party in each town for circumstances where the local rules are silent or otherwise void. Where alternate sections bearing the same number are given, the applicable one, as indicated in the margin, shall govern.

Section 1: Town Committee Composition

A. For Towns Not Divided Into Voting Districts

The town committee shall consist of not less than ten (10) members, who shall be elected at large. Representation should be given to each section of the town.

B. For Towns Divided Into Voting Districts

The town committee shall consist of not less than three members from each of the voting districts of the town. The members of the town committee shall be elected to vote from their respective voting districts. In the vote in a primary for the election of town committee members from a voting district, only persons currently registered as members of the Democratic Party in such

voting district shall be eligible to vote.

Section 2: Terms of Members

Members of the town committee shall serve for a term of two (2) years, commencing on the day following the day established for holding a primary for the election of said town committee members and ending with the day established for the holding of a primary for the election of the members of the succeeding town committee. The provisions of this section shall apply notwithstanding the lack of cause for a primary to elect said members.

Section 3: Vacancy

Any vacancy on the town committee, arising from any cause including failure to elect, may be filled by the town committee by a majority vote of those present and voting at a meeting called for that purpose.

Section 4: Election and Call of Organizational Meeting

Not more than thirty (30) days following the day fixed for the holding of a primary for the election of town committee members, the chair of the town committee in office on the day of said primary shall call a meeting of the newly elected town committee for the purpose of electing such officers of the town committee as are prescribed in local party rules. If such Town Chair fails, for any reason, to call such meeting by the end of the prescribed thirty (30) day period, the Vice Chair in office at the time of the primary shall call the meeting within forty-eight (48) hours. If, for any reason, the Vice Chair does not call the meeting within the prescribed forty-eight (48) hour period, the State Central Committee members in the district shall call the meeting within the next forty-eight (48) hours. When the meeting must be called by the Vice Chair or a State Central Committee member, the call of the meeting will be valid notwithstanding any otherwise applicable rule concerning time and notification of town committee meetings.

Section 5: Qualifications

The officers of the town committee need not be members of the committee.

Section 6: Term

Officers so elected shall hold office until their successors have been elected.

Section 7: Duties

Each of such officers shall have the duties usually incident to his or her office and such other duties as the town committee may from time to time prescribe. In the event that a vote is taken that shall result in a tie, such tie vote shall be dissolved by the vote of the chair of the town committee, but this provision shall not affect his or her right to cast any vote, as a member of the town committee, to which he or she is otherwise entitled.

Section 8: Filing List of Officers and Members

Within one week after organization of the town committee, the Secretary shall file a list of the names and addresses of the officers and members of the town committee with the Secretary of the Democratic State Central Committee.

Section 9: Vacancy in Town Committee Office

If there shall be a vacancy in any office of the town committee, arising from any cause, the town committee may fill the same by a majority vote of those present and voting, at a meeting called for that purpose.

Section 10: Meetings, Minimum Meetings

The town committee shall meet at least four times a year.

Section 11: Special Meetings

Special meetings of the town committee may be called upon written request, signed by twenty percent (20%) of the members of the committee, presented to the Chair. Upon receipt of such request, the Chair shall instruct the Secretary to give reasonable notice of the time and place and purpose of such meeting to all members of the committee.

Section 12: Selection of Party Endorsed Candidates

A. For Towns of Five Thousand (5,000) or More Population Under the Last Federal Census

The enrolled members of the Democratic Party in the municipality, at a caucus called for the purpose, shall, by majority vote of those present and voting, select party endorsed candidates for the town committee. The town committee, at a meeting called for the purpose, shall, by a majority vote of those present and voting, elect delegates to conventions and select party endorsed candidates for all other offices. In the endorsement of any person for an office, or election of a delegate, for whom only the electors of a political subdivision of the municipality may vote, only the members of the town committee elected from said political subdivision may participate.

B. For Towns of Less Than Five Thousand (5,000) Population Under the Last Federal Census

The enrolled members of the Democratic Party in the municipality, at a caucus called for the purpose, shall, by a majority vote of those present and voting, select party endorsed candidates for each municipal office and for town committee members, and shall elect delegates to conventions. In the endorsement of any person for an office or for a position as committee member, or election of a delegate, for whom only the electors of a political subdivision of the municipality may vote, only the enrolled members of the Democratic Party in such political subdivision may participate. The time and place of holding all such caucuses shall be determined by the town committee, and notice of the time, place and purpose of any such caucus shall be given to all enrolled Democratic voters of the municipality at least five (5) days, but not more than fifteen (15) days, in advance of the caucus by publication of the same in a newspaper having general circulation in the municipality and by posting the same on the public sign post in said municipality. The time of any such caucus shall be fixed so as to comply with the provisions of the Connecticut General Statutes. The chair of the town committee shall be the temporary chairperson of all such caucuses and shall preside until the meeting has selected its permanent chairperson. In like manner, the Secretary of the town committee shall act as secretary at all such caucuses until the meeting has selected its permanent secretary.

Section 13: Slate Endorsement

At any caucus or town committee meeting duly called for the election of delegates to any convention, nominations for said delegates may be made by (1) presentation to the caucus or town committee of a slate composed of a number of persons not exceeding the number of such delegates to which the town is entitled under the state rules of the Democratic Party or (2) by nomination of individual candidates. In the election of such delegates, each member of the

caucus or town committee member present and voting shall vote for a number of candidates not to exceed the number of a full slate as defined above. The voting for delegates to each convention shall be done separately for each convention.

Section 14: Party Endorsed Candidates for Municipal Office

Candidates for municipal office chosen as provided in Section 12 above shall run in the primary for such office as party endorsed candidates. Any candidate shall be the nominee of the Democratic Party for the office for which he or she is a candidate if no valid opposing candidacy has been filed for nomination to such office by four o' clock (4:00) p.m. on the twenty-first (21st) day preceding the day of the Democratic primary for such office.

Section 15: Party Endorsed Candidates for Town Committee

Candidates for town committee members chosen as provided in Section 12 above shall run in the primary for town committee members as party endorsed candidates. Any candidates shall be deemed elected as members of the town committee if no valid opposing candidacies have been filed for town committee members by four o' clock (4:00) p.m. on the twenty-first (21st) day preceding the Democratic primary for town committee members.

Section 16: Insufficient Endorsements

If, for any reason, sufficient endorsements of candidates for municipal office or town committee members are not made, any eligible person may seek to become a candidate in accordance with Conn. Gen. Stat. §§9-405, 9-406, and 9-372 et seq.

Section 17: Certification of Party Endorsed Candidates and Elected Delegates

The Secretary and the Chair or presiding officer of the town committee, caucus or convention, as the case may be, shall certify to the municipal clerk the names and street addresses of the party endorsed candidates selected, and delegates elected, as provided in Sections 12 and 13 above. Such certification shall include the title of the office or position as committee member for which each person is endorsed and the date upon which the primary is to be held, or the convention for which the delegate has been elected. In the case of the endorsement of a person for an office or for a position as committee member, or election of a delegate, for whom only the electors of a political subdivision of the municipality or for a senatorial district located entirely within the municipality may vote, the Secretary of the town committee shall certify to the municipal clerk the name or number of such political subdivision or senatorial district.

Section 18: Date of Party Endorsement of Candidates

Each party endorsement of a candidate to run in a primary for the nomination of candidates for municipal office or for election as town committee members shall be made within the time frame established by the Connecticut General Statutes. Said endorsement shall be certified to the clerk of the municipality by the following two officials: the Chair and Secretary of the town committee, the permanent chair and secretary of the caucus or the permanent chair and secretary of the convention.

Section 19: Tie vote

A. For Towns of Five-Thousand (5,000) or More Population Under the Last Federal Census

In the event that a vote taken on selection of a party endorsed candidate results in a tie, such tie vote shall be dissolved by the vote of the chair of the town committee, but this provision shall not affect his or her right to cast any vote as a member of the town committee in the first place.

B. For Towns of Less Than Five-Thousand (5,000) Population Under the Last Federal Census

In the event that a vote on the selection of a party endorsed candidate results in a tie, such tie vote shall be dissolved by the vote of the permanent chairperson of the caucus, but this provision shall not affect his or her right to cast any vote as a member of the caucus in the first place.

Section 20: Vacancies in Party Endorsed Candidacy

A. If a party endorsed candidate for nomination to a municipal office or for election as Town Committee member, prior to twenty-four (24) hours before the opening for the polls at the primary, dies, or prior to ten (10) days before the day of the primary withdraws his or her name from nomination, or for any reason becomes disqualified to hold office or position for which her or she is a candidate, an endorsement may be made to fill such vacancy by the town committee, by a majority vote of those present and voting, at a meeting called for that purpose; provided if the original endorsement was made by the members of the town committee elected from only one political subdivision of the municipality, only such members shall participate in the endorsement to fill such vacancy.

B. The chair of the town committee may cast a vote on such endorsement to break a tie, but this provision shall not affect his or her right to cast any vote, as a member of the town committee, to which he or she is otherwise entitled. The Secretary of the town committee shall immediately certify the endorsement to fill such vacancy to the Democratic Registrar of Voters.

C. No candidate shall be deemed to have withdrawn until a letter of withdrawal signed by such candidate is filed with the municipal clerk.

Section 21: Plurality Vote Determinative of Nomination

The nominations of the Democratic Party to all offices and the election of members of the town committee and delegates to conventions shall be made in all respects as provided in the State Primary Law, as the same may be amended from time to time. At a primary for nomination to a municipal office or for election of town committee members the winner shall be determined by a plurality of votes cast.

Section 22: Vacancy in Nomination.

If a nomination has been made for a municipal office and the nominee thereafter, but prior to twenty-four (24) hours before the opening of the polls on the day of the election for which such nomination has been made, dies, withdraws his or her name, or for any reason becomes disqualified to hold the office for which he or she has been nominated, a nomination to fill such vacancy may be made by the town committee, by a majority vote of the town committee members present and voting at a meeting called for that purpose. The chair of the Town Committee may cast a vote on such nomination to break a tie, but this provision shall not affect his or her right to cast any vote, as a member of the town committee, in the first place. In the case of a withdrawal, said nomination shall not be valid until the candidate who has withdrawn has filed a letter of withdrawal, signed by such candidate, with the Secretary of the State, and also has filed a copy with the municipal clerk. The Chair of the town committee shall certify the nomination to fill such vacancy to the Secretary of the State, and shall file a copy with the municipal clerk. Such certification of a nomination to fill a vacancy due to death or disqualification shall include a statement setting forth the reason for such vacancy.

Section 23: Definitions

As used in these rules, "municipal office" means any elective office of a town, city or borough and the offices of justice of the peace, state representative in an assembly district composed of a single town or part of a single town, state senator in a senatorial district composed of a single town or part of a single town, and judge of probate in a probate district composed of a single town. The other terms used in these rules shall have the same meanings as in the State Primary Law, as the same may be amended from time to time.

Section 24: Special Caucuses.

Special caucuses may be called for any lawful purpose by a majority of the town committee or by not less than ten percent (10%) of the registered Democratic voters in the town. The call for any such special caucus shall be in writing and signed by each of the persons issuing the same, and notice of the time, place and purpose of said special caucus shall be given to all registered Democratic voters in the town, at least five (5) day in advance of such caucus, by publication in a newspaper having circulation in said town and by posting on the public sign post.

ARTICLE IX FILING OF LOCAL RULES

Within seven (7) days after party rules or any amendments to party rules are adopted by the Democratic Party in any town, a copy of the same shall be filed with the Secretary of the State Central Committee and the Secretary of the State and as otherwise required by law. Any amendments so filed shall set forth in full the section to be amended. Matter to be omitted or repealed shall be surrounded by brackets, and new matter shall be indicated by capitalization. Adopted party rules or amendments shall not be effective until sixty (60) days after the filing with the Secretary of the State Central Committee.

ARTICLE X AMENDMENTS TO LOCAL PARTY RULES

Local party rules may be amended by one of the three following methods:

1. By a caucus of the enrolled Democratic electors of the municipality called in the same manner as a caucus for selecting party endorsed candidates as provided in Section 12 of Article VIII of these rules.
2. By a convention of delegates chosen by the enrolled Democratic electors of the municipality in a manner prescribed in the local party rules of each municipality.
3. By the Democratic town committee at a meeting called in the same manner as a town committee meeting for selecting party endorsed candidates as provided in Section 12 of Article VIII of these rules, or as provided in local party rules.

In any municipality in which the town committee has not so adopted and filed such rules or amendments, the chair of the town committee in any municipality consisting of one voting district, or in the event of his or her failure to act, the Vice Chair, shall call a caucus within twenty (20) days upon filing with the Registrar of Voters of such party in such municipality a petition signed by at least five percent (5%), but no more than five hundred (500), of its enrolled party members, to take action on such petition.

In all other municipalities, the chair of the town committee, or, in the event of his or her failure to act, the Vice Chair, shall call a convention within twenty (20) days upon the filing with the Registrar of Voters of such party in such municipality of a petition signed by at least five percent (5%), or at least five hundred (500) (whichever is less), of its enrolled party members, to take action on such petition.

Such convention shall consist of three (3) delegates from each voting district elected at a caucus of the enrolled party members of that district. It shall be the duty of the Town Chair, or, in the event of his or her failure to act, the Vice Chair, to call such caucuses, which shall be held on the same day, designating the time, place and day by publishing said call in a newspaper having a circulation in such municipality, at least five (5) days before the day of such caucuses.

In the event the enrolled Democratic electors or the town committee in any town shall fail to adopt a method for amending the local party rules, then the method of amending said local party rules of said municipality shall be the same method used to select party endorsed candidates until such time as a method of amendment is lawfully adopted and filed by the proper authority.

ARTICLE XI COVERAGE

A copy of these rules shall be available on the State Party website and shall be deemed to cover the operations of the Democratic Party in each municipality until such time as the party within such municipality adopts a rule or amendment on the same subject matter, consistent with these rules and files the same with Secretary of the State Central Committee and the Secretary of the State and as otherwise required by law.

ARTICLE XII AMENDMENTS TO STATE PARTY RULES

Section 1:

These Rules may be amended by any State Convention. The State Central Committee, at a meeting duly called for such purpose, by a vote of at least two-thirds (2/3) of its entire membership, may make such amendments and only such amendments, as may be made necessary by changes in the laws of the United States or the State of Connecticut or by the National Democratic Party Rules. Any changes or amendments made by the State Central Committee shall be in force only until the next succeeding State Convention, at which they must be submitted for ratification or rejection.

Section 2:

Nothing herein shall be construed to permit the State Central Committee to alter the basis of representation at conventions as provided in Section 3 of Article III of these rules unless such alteration be required by change in the laws of the United States or of the State of Connecticut or by the National Democratic Party Rules.

ARTICLE XIII ROBERT'S RULES GOVERNING

Robert's Rules of Order (newly revised) shall be construed as applicable, controlling and conclusive on parliamentary issues, except as herein otherwise provided.

Amendments: Amended July, 1986 Amended July, 1994 Amended July, 1996 Amended July, 2000 Amended May, 2004 Amended May, 2008 Amended May, 2010 Amended May, 2012 Amended May, 2014 Amended May, 2016

EXHIBIT B

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ANDY GOTTLIEB, et al.	:	CIVIL ACTION NO. 3:20-CV-00623(JCH)
	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
NED LAMONT, GOVERNOR OF THE	:	
STATE OF CONNECTICUT, and	:	
DENISE MERRILL, SECRETARY OF	:	
THE STATE OF CONNECTICUT	:	
<i>Defendants</i>	:	JUNE 2, 2020

DECLARATION OF JACQUELINE KOZIN

Pursuant to 28 U.S.C. § 1746, I, Jacqueline Kozin, hereby declare as follows:

1. I submit this Declaration in support of potential intervenor Defendant Connecticut Democratic State Central Committee, Defendant Governor Ned Lamont, and Defendant Secretary of the State Denise Merrill. I am the Executive Director of the Connecticut Democratic State Central Committee, which is the Democratic Party of the State of Connecticut (hereinafter the “DSCC” or “Connecticut Democratic Party”), a position I have held since approximately January, 2019. In that capacity, I am responsible for managing the day to day operations of the entire organization, including planning and organizing nominating conventions.
2. Nominating conventions are the process by which the Democratic Party in the State of Connecticut determines what candidate for any particular office becomes the party-endorsed candidate for the primary election. Although such endorsement essentially deems the

candidate the “party favorite” (in colloquial terms), a party-endorsed candidate can still certainly face a primary challenger (by virtue of a petitioning candidate who collects a sufficient number of signatures, or a candidate who merely garners 15% of the delegate votes at a convention).

3. The State Central Committee is the governing body of the Connecticut Democratic Party (akin to the DSCC’s board). It is composed of seventy-two members total, drawing two representatives, one man and one woman, from each state senate district. The State Central Committee sets the date, time, and location of the nominating conventions (which are at least partially the subject matter of this lawsuit).

4. Democratic town committees are the Democratic Party apparatus of the municipalities. Town committee members themselves are elected by a caucus open to all registered Democrats in a Connecticut town. Every municipality in Connecticut has a Democratic town committee; therefore there are 169 Democratic town committees in Connecticut.

5. Delegates to a convention come from the municipalities that are represented by the office up for election (be it a state assembly district, state senate district, U.S. congressional district, etc.). These delegates are elected prior to the conventions either by a caucus open to all registered Democrats in a municipality or by a meeting of their Democratic town committees.

6. Nominating conventions are held within a window of time established by statute before the primary election in order to endorse candidates for each particular office, including state representative, state senator, judge of probate, all five Connecticut constitutional officers (Governor, Lt. Governor, Secretary of the State, Treasurer and Attorney General), as well as for federal offices including U.S. Representative and U.S. Senator. The mechanics of a convention vary somewhat from one to the next, but all adhere to state party rules, follow Roberts Rules of

Order, and the following protocol. First, a convention is opened by a temporary chair and a temporary secretary, and then a permanent chair and permanent secretary are nominated (never by one's self, but by others), then voted on by all delegates present and voting to run the convention. A permanent chair and permanent secretary are then elected by a majority vote of all delegates *present and voting*. The permanent chair then calls for nominations for the respective elected office(s). An individual cannot nominate one's self; rather, one must be nominated by another. Such nomination must then be seconded, by yet another, different individual (that is, the initial nominator and seconder cannot be the same person). *Any registered Democrat* who is otherwise qualified to hold a particular office can seek the party nomination simply by being nominated and seconded, including the Plaintiffs in this case. There can be and often are numerous candidates nominated for endorsement to a particular office. Additionally, nominations may always be made spontaneously from the floor of the convention (as long as the nominations period remains open). Furthermore, before nominations are closed by the chair – which itself must be done by a motion from the delegates and seconded - the chair of the convention literally calls out – “*are there any other nominations,*” providing the final opportunity for anyone to throw their hat into the ring and ensuring no would-be candidates seeking the party endorsement are missed or otherwise overlooked.

7. In order to be the “party-endorsed candidate” one must win a majority of votes from those delegates present and voting. When there is a contentious convention with numerous candidates vying for the party endorsement, and on the first round of voting, no candidate wins a majority of delegate votes (of those delegates present and voting), multiple rounds of voting will occur, where delegates vote numerous times for the various candidates before one candidate ultimately wins a majority of votes present and voting.

8. Once the party-endorsed candidate is elected, then the convention, by motion, second, and vote of the delegates, is closed. The convention chair or secretary also completes a certificate of endorsement, signifying that the candidate is the party-endorsed candidate, which is filed with the Secretary of the State.

9. The process of endorsing a candidate is fair and accessible. People seeking endorsement for the elected office typically network with the convention delegates well before the conventions, working collaboratively to obtain the delegates' support and reaching out to the delegates early and often. Furthermore, any serious contenders can attempt to become the party-endorsed candidate simply by being nominated and seconded at a convention and use their own political capital and personal contacts to develop their base of support. In any event, the most successful convention candidates are typically those who have tirelessly planned and sought the widespread support of their local Democratic electorate.

10. The fact that a candidate only needs 15% of the delegate votes to automatically qualify for the primary ballot underscores the reasonableness of the nomination process.

11. Even if a candidate does not win 15% of the delegate votes at a convention, they are not precluded from participating in the primary. Under both state party rules and the state statute – which not coincidentally mirrors the state party rules - one can employ the petitioning process by obtaining petition signatures from 5% of the registered Democrats in a district. *See* Connecticut Democratic State Party Rules, Art. III, Section 13(2), found here:

<https://ctdems.org/wp-content/uploads/2018/07/2018-DSCC-Party-Rules-2.pdf>

12. The Democratic State Party Rules are democratically determined, with the rules themselves and any subsequent amendments voted on by the delegates at the State Convention.

It takes a majority vote of the delegates present and voting in order to adopt the rules and any amendment to the rules.

13. State Party rules are filed with The Secretary of the State and available online. The State gives much deference to the state party to determine its own pre-primary processes, including endorsements, which is an inherently political task best determined by the party structure.

14. In light of the Covid-19 global pandemic, Governor Lamont's May 11, 2020 Executive Order 7LL reduced the required number of signatures required of a candidate for nomination by a political party to a state, district, or municipal office by thirty percent (30%). It also allowed for signatures to be obtained via electronic mail and eased the attestation requirements found in statute.

15. Executive Order 7LL, to which the DSCC does not object, was reasonable given the Covid-19 global pandemic and lowered the statutory and party-rules based bar for petitioning candidates like Plaintiffs. Plaintiffs would have known about Executive Order 7LL prior to the commencement of this year's petitioning timeframe. For that matter, the DSCC does not presently contemplate how many candidates are petitioning under Executive Order 7LL, much less how many of these potential petitioning candidates will be successful in gaining ballot access through the petitioning process under Executive Order 7LL.

16. The DSCC values its First Amendment rights of free speech and association. The nominating convention process is the means by which the Democratic Party shows support for its endorsed candidates and it reflects the will of the people that comprise the Democratic Party's membership. The party exercises its free speech in the nominating process itself, and upon the nomination of a specific candidate for a particular office, it also exercises its freedom of

association in determining which candidates it has chosen to best represent the Party and promote the Democratic Party's platform.

17. The endorsement process is also how the Connecticut Democratic Party as a whole develops unity and coalesces its early support behind the candidates of its members' democratic choosing. To disband endorsement convention process would harm the DSCC's ability to manage its own party – that is, its own self.

18. I have no knowledge of how many candidates who have challenged Democratic Party incumbents obtained 15% of the delegate votes at a convention. I also have no knowledge of how many candidates petitioned in the past, or in 2020 specifically. Nor do I have any knowledge of how many candidates qualified for the ballot by petitioning to challenge Democratic incumbents.

19. I do know that in the past, the named Plaintiffs in this case sought seats that were not open, but rather already held by Democratic incumbents. To the best of my knowledge, information and belief, I also understand that the named Plaintiffs in this case are/were not collecting signatures or otherwise attempting to be petition candidates at the time this suit was filed.

20. I declare under penalty of perjury, that the foregoing is true and correct.

Executed: June 2, 2020



JACQUELINE KOZIN
Executive Director
Democratic State Central Committee

EXHIBIT C

Guilford Democrat Andy Gottlieb Joins 12th District State Senate Race

- Press Release from Andy Gottlieb
- Apr 20, 2018

Andy Gottlieb, a 24-year-old progressive Democrat from Guilford, announced today his candidacy for the open 12th District Senate seat.

"This country and this state are in crisis," said Gottlieb. "Now more than ever, we need a Democratic Party that lives up to its values and delivers for the working and middle class in Connecticut."

Gottlieb is a proud graduate of the Guilford public schools, and was his high school class' co-valedictorian. He graduated from Wesleyan University, and received his master's in international relations and economics from the Johns Hopkins School of Advanced International Studies. He interned for Senator Chris Murphy in Washington, and was a Robert Schuman Trainee at the European Parliament in Brussels, where he was posted to the Civil Liberties, Justice and Home Affairs Committee. He currently studies electoral reform under former Senator Russ Feingold at the Yale Policy Lab.

Locally, Gottlieb is a member of the Guilford Democratic Town Committee, Shoreline Indivisible's Connecticut Politics Action Team and the Guilford Land Conservation Trust's Westwoods Trails Committee.

"My biggest priority as state senator will be to fight back against the short-sighted austerity budgets that have been enacted in recent years. Connecticut is one of the wealthiest states in the nation and has nearly unparalleled income inequality. Instead of cutting services for the most vulnerable, we should ensure that the wealthy pay their fair share of taxes, including closing the carried interest tax loophole."

Other priorities will include safeguarding and expanding the right to vote, protecting the environment, equitable education funding, criminal justice reform and improving public transit.

"The scheduled cuts to Shore Line East are outrageous. Should they go into effect this

July, I will not rest until service is restored. Reducing access to public transportation is exactly the wrong direction for the state to go in."

Gottlieb sees state government as a potent means to push back against the Trump Administration.

"Given the current occupant of the White House, I think we in Connecticut need to push even harder to combat racial injustice," said Gottlieb. "There are many steps we can take in the General Assembly, including more police accountability and civilian oversight, and reforming our drug laws that disproportionately punish black offenders. We must also ensure that children in Bridgeport can receive just as good an education as children in Branford."

"Andy is a smart, thoughtful leader who's going to take the General Assembly by storm," said Alex Taubes, the 2014 Democratic nominee for state representative in Madison and Durham. "He's built for this."