

FILED

November 2, 2020

OFFICE OF

APPELLATE COURTS

STATE OF MINNESOTA
IN SUPREME COURT

Case No. A20-1362

Donald J. Trump for President, Inc.,
Senate Victory Fund, House Republican
Campaign Committee, and Ryan J. Beam,

Petitioners,

v.

Steve Simon, in his official capacity as
Minnesota Secretary of State,

Respondent,

and

Robert LaRose, Teresa Maples, Mary
Sansom, Gary Severson, and Minnesota
Alliance for Retired Americans
Educational Fund,

Intervenor-Respondents.

**DECLARATION OF
ABHA KHANNA**

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I, Abha Khanna, hereby declare as follows:

1. My name is Abha Khanna. I am an attorney with the law firm of Perkins Coie LLP and am admitted to practice law in the states of Washington and New York. I am an attorney for Intervenor-Respondents Robert LaRose, Teresa Maples, Mary Sansom, Gary Severson, and Minnesota Alliance for Retired Americans Educational Fund (collectively, the “Alliance”). I make this declaration to provide the Court true and correct copies of certain documents submitted in connection with the Alliance’s motion to add record materials.

2. I am familiar with the matter captioned above, and other litigation in which the Alliance is involved and that is related to the petition before this Court, including an action brought by the Alliance in Minnesota state court titled *LaRose v. Simon*, No. 62-CV-20-3190 (Ramsey Cty. Dist. Ct. May 13, 2020), *appeal dismissed*, Nos. A20-1040, A20-141 (Minn. Aug. 18, 2020), and a pending federal court action titled *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 22, 2020).

3. Exhibit 1 is a true and correct copy of Complaint for Declaratory and Injunctive Relief, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. May 13, 2020).

4. Exhibit 2 is a true and correct copy of Plaintiffs' Memorandum of Law in Support of Motion for Temporary Injunction, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. July 2, 2020).

5. Exhibit 3 is a true and correct copy of Declaration of Kenneth R. Mayer, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. July 2, 2020).

6. Exhibit 4 is a true and correct copy of Proposed Intervenor-Defendants' Memorandum in Opposition to Plaintiffs' Motion for Temporary Injunction, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. July 17, 2020).

7. Exhibit 5 is a true and correct copy of Proposed Intervenor-Defendants' Objections to Stipulation and Partial Consent Decree, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. July 19, 2020).

8. Exhibit 6 is a true and correct copy of Plaintiffs' Reply in Support of Motion for Temporary Injunction, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. July 27, 2020).

9. Exhibit 7 is a true and correct copy of Order Entering Consent Decree, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. Aug. 3, 2020).

10. Exhibit 8 is a true and correct copy of Stipulation and Partial Consent Decree, *LaRose v. Simon*, No. 62-CV-20-3149 (Ramsey Cty. Dist. Ct. Aug. 3, 2020).

11. Exhibit 9 is a true and correct copy of Stipulation to Dismiss Appeals, *LaRose v. Simon*, Nos. A20-1040, A20-1041 (Minn. Aug. 18, 2020).

12. Exhibit 10 is a true and correct copy of Order Dismissing Appeals, *LaRose v. Simon*, Nos. A20-1040, A20-1041 (Minn. Aug. 18, 2020).

13. Exhibit 11 is a true and correct copy of Complaint, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 22, 2020), ECF No. 1.

14. Exhibit 12 is a true and correct copy of Exhibit 17 to the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 29, 2020), ECF No. 39 (Declaration of Michael Madden, dated September 28, 2020).

15. Exhibit 13 is a true and correct copy of Exhibit 18 to the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 24, 2020), ECF No. 39 (Declaration of Elizer Darris, dated September 28, 2020).

16. Exhibit 14 is a true and correct copy of Exhibit 21 to the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 24, 2020), ECF

No. 39 (email and attachments sent by the Office of the Minnesota Secretary of State to county election administrators on August 28, 2020).

17. Exhibit 15 is a true and correct copy of Exhibit 22 to the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 24, 2020), ECF No. 39 (*Vote Early by Mail*, Office of Minn. Sec’y of State, <https://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-by-mail>, accessed on September 29, 2020).

18. Exhibit 16 is a true and correct copy of Exhibit 23 the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 24, 2020), ECF No. 39 (Jeremiah Jacobsen, *2020 Voter Guide: What to Know about Minnesota’s Elections*, KARE, <https://www.kare11.com/article/news/politics/elections/voters-toolkit/what-to-know-about-minnesotas-elections-2020-voter-guide/89-624b105e-cc30-4fa5-95e5-eb0a0ccba725> (Sept. 22, 2020), accessed on September 29, 2020).

19. Exhibit 17 is a true and correct copy of Exhibit 24 to the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 24, 2020), ECF No. 39 (Paul LeBlanc & Kate Sullivan, *Minnesota Extends Absentee Deadline and Drops Mail-in Voting Witness Requirement Ahead of November Election*, CNN (Aug. 4, 2020), <https://www.cnn.com/2020/08/03/politics/minnesota-vote-by-mail-witness-requirement/index.html>, accessed on September 29, 2020).

20. Exhibit 18 is a true and correct copy of Exhibit 26 to the Declaration of Abha Khanna, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Sept. 24, 2020), ECF No. 39 (Arielle Mitropoulos, *Minnesota Sees ‘Absolute Shattering’ of Record for Absentee*

Ballot Request, ABC News (Sept. 18, 2020), <https://abcnews.go.com/Politics/minnesota-sees-absolute-shattering-record-absentee-ballot-requests/story?id=73101334>, accessed on September 29, 2020).

21. Exhibit 19 is a true and correct copy of Order Granting Injunction, *Carson v. Simon*, No. 20-CV-2030 (NEB/TNL) (D. Minn. Oct. 30, 2020), ECF No. 72.

22. Exhibit 20 is a true and correct copy of *Voting by Mail*, U.S. Postal Serv., <https://faq.usps.com/s/article/Voting-by-Mail> (Oct. 8, 2020), accessed on October 31, 2020.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: November 2, 2020

/s/ Abha Khanna
Abha Khanna