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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
MARLEA JUSTICE CENTER

2010 JUN 17 AM 10:12

CLERK OF THE COURT

BY _____ DEPUTY

SUPERIOR COURT OF CALIFORNIA
Laguna Hills Division
Dr. ORLY TAITZ, ESQ, IN PRO PER
Plaintiff,

v.

DAMON DUNN &

John Does 1-18

Defendants.

30-2010
00381664
PRESIDING
Civil Action:
ELECTIONS CONTEST
ELECTIONS FRAUD
VOTER FRAUD
7th amendment common law jury
trial is demanded on all counts
and all issues of law and fact
INJUNCTIVE RELIEF
Declaratory Relief

JURISDICTION

Legal action at hand involves contest of June 2010 Statewide Primary election. Any California Superior Court is a proper jurisdiction. Defendant Damon Dunn is a resident of Irvine, CA with a business address in Irvine, CA. As such Superior Court of the Laguna Hills Division is a proper jurisdiction. This complaint includes violation of CEC (California Elections Code) §§ 18203, 18500, 18501, 18502, 8001.

Due to violations of the above Elections Code statutes, primary votes were not properly cast and cannot be certified. Petitioner is seeking Declaratory Relief due to violation of the following California Elections Code Statutes by the candidate on the ballot, Damon Dunn, and as such, votes received by this candidate cannot be certified.

18203. Any person who files or submits for filing a nomination paper or declaration of candidacy knowing that it or any part of it has been made falsely is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in the state prison for 16 months or two or three years or by both the fine and imprisonment.

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3 18500. Any person who commits fraud or attempts to commit fraud,
4 and any person who aids or abets fraud or attempts to aid or abet
5 fraud, in connection with any vote cast, to be cast, or attempted to
6 be cast, is guilty of a felony, punishable by imprisonment for 16
7 months or two or three years.

8 18501. Any public official who knowingly violates any of the
9 provisions of this chapter, and thereby aids in any way the illegal
10 casting or attempting to cast a vote, or who connives to nullify any
11 of the provisions of this chapter in order that fraud may be
12 perpetrated, shall forever be disqualified from holding office in
13 this state and upon conviction shall be sentenced to a state prison
14 for 16 months or two or three years.

15 18502. Any person who in any manner interferes with the officers
16 holding an election or conducting a canvass, or with the voters
17 lawfully exercising their rights of voting at an election, as to
18 prevent the election or canvass from being fairly held and lawfully
19 conducted, is punishable by imprisonment in the state prison for 16
20 months or two or three years.

21 18002. Every person charged with the performance of any duty under
22 any law of this state relating to elections, who willfully neglects
23 or refuses to perform it, or who, in his or her official capacity,
24 knowingly and fraudulently acts in contravention or violation of any
25 of those laws, is, unless a different punishment is prescribed by
26 this code, punishable by fine not exceeding one thousand dollars
27 (\$1,000) or by imprisonment in the state prison for 16 months or two
28 or three years, or by both.

Parties to the dispute

29 Plaintiff *in propria persona* is Dr. Orly Taitz, Esq, hereinafter Taitz, was a
30 Republican Party candidate in the June 2010 primary election for Secretary of State
31 of California.

32 Defendant Damon Dunn, hereinafter "Dunn," was also a Republican party
33 candidate on the ballot in the June 2010 primary election for the same position of
34 Secretary of State.

Summary of the complaint

1. Taitz alleges that Dunn has committed knowingly fraud in registering to vote in California as a Republican, declaring his candidacy and running as a candidate for the position of Secretary of State. Taitz has suffered damages in losing the election to an ineligible candidate and having to spend over \$40,000 running against an ineligible candidate in the primary election. Damages

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suffered by Taitz are the direct result of fraud committed by Dunn and were foreseeable. Taitz is seeking a Declaratory Relief from this honorable court, deeming Dunn ineligible candidate and seeking declaratory relief that votes for Dunn as ineligible candidate cannot be certified by the Secretary of State of CA, due to fraud committed by Dunn and is seeking reimbursement of damages suffered, as well as punitive damages from Dunn.

2. On or around April 2010 Taitz filed a **timely complaint** with the Registrar of Voters of Orange County. The Registrar forwarded the complaint to the Secretary of State. As of yet no action in relation to Dunn has been taken.
3. On April 16 Attorney Danny Kepner of the prominent law firm of Shell Fleming, Davis and Menge of Pensacola, Florida filed a complaint with the Attorney General of California, Jerry Brown, and Secretary of State Debra Bowen. Mr. Kepner forwarded to Mr. Brown and Ms. Bowen information regarding Dunn's registration in Florida and has asked them to investigate possible criminal violations of CEC §18500 and §18203. No response was received from either the Attorney General Brown nor Secretary of State Bowen.
4. The Primary Election was held in an environment of harassment and intimidation of Taitz as a candidate on the ballot and her supporters and voters. Results of an election held in the midst of campaign of intimidation and harassment are invalid *per se*.
5. Secretary of State Bowen did not verify the eligibility or identity of either of the candidates or voters. Results of an election held in the environment of lack of verification of eligibility of either voters or candidates are invalid.
6. Taitz was not given an opportunity to put her candidate statement on the ballot brochure and therefore was at a disadvantage.

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3 **Dunn was not eligible to run as a Republican Candidate in the June 8,**
4 **2010 Republican Primary because of invalidation of voter registration due to**
5 **the backdated signature on his voter registration card.**

6 Defendant Dunn was a life time Democrat and former professional football player
7 from Jacksonville, Florida, who registered to vote as a Republican only last year in
8 2009, however he intentionally backdated his registration card with the date 1976
9 instead of 2009. Backdating invalidates the signature and voter registration. (Exhibit
10 1 Voter registration executed by Damon Dunn in March of 2009, but backdated as
11 March of 1976.) Lack of valid voter registration invalidates one's ability to be a
12 Candidate on the ballot. Incredibly, Dunn was seeking the very office that validates
19 voter registration thus the backdating was not a mere oversight but an attempt to
20 avoid committing perjury since he previously registered as a Democrat and did not
21 disclose this information.

22 **Invalidation of voter registration due to fraud in lack of mandatory**
23 **disclosure of voter registration from at least two other states.**

- 24 1. Dunn registered for the first time as a Republican in California in March of
25 2009.
- 26 2. Section 16 on the voter registration card asks for mandatory disclosure of the
27 prior voter registration
- 28 3. Dunn left section 16 blank. Based on that fact, the Registrar of Orange County
Neil Kelly, as well as voters, including Taitz, reasonably believed that Dunn
had never registered to vote before. During numerous meetings with voters
Dunn described himself as a "recovering non-voter" further reinforcing the
deceit.
4. On April 7, 2010 Taitz reviewed PublicRecords.com for available public
information for Damon Dunn. (Exhibit 2)

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5. PublicRecords.com revealed that though Dunn presented himself as someone, who never registered before, this was not true. Dunn had registered to vote before, and not in one but in two other states: Texas and Florida. While PublicRecords.com did not provide specific information regarding party affiliation in Texas, it showed Dunn as a Democrat in FL and it showed him active there as a voter.
6. One might believe that a person could simply forget about voter registration in one state and give such individual a benefit of a doubt, however it is unreasonable to believe that an individual would forget about being registered to vote in two states, particularly in light of the fact that such individual is running for the position of Secretary of State and will be in charge of elections and voter registration of millions of citizens of CA.
7. On April 13 2010 Taitz traveled to Florida and met with the staff of the Registrar of Jacksonville FL where Dunn used to reside and where he previously registered to vote.
8. Taitz received from Jean Marie Atkins, Manager of Elections in Duval County Dunn's voter registration card there (exhibit 3), which clearly showed Dunn registered as a Democrat.
9. Jean Marie Atkins provided Taitz with a letter (Exhibit 4), stating that on July 10, 2009 Dunn contacted the Jacksonville Registrar of Voters and asked to delete his voter registration from the database voter records.
10. If previously one could believe that possibly Dunn forgot about his registration in two states, the fact that he contacted the Registrar in Duval County and asked to delete his records, attests to the fact that it was not lack of recollection, but rather an intend to defraud and violation of CEC §§18500 and CEC18502. Voter registration in California achieved and executed by virtue of fraud invalidates such voter registration. Without valid voter registration one

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cannot be a candidate on the ballot and cannot run for office. Additionally such actions constitute violation of CEC §18502, as when a candidate in an election registers without providing mandatory disclosure of prior voter registration, particularly registration with an opposing party, it takes away from voters, particularly Republican voters the ability to participate in a fair and lawful election.

11. Dunn also violated §18002, whereby he took an oath “ I understand that it is a crime to intentionally provide incorrect information on this form. I declare under the penalty of perjury and under the laws of the state of California that the information on this form is true and correct”. Dunn committed fraud and perjury, as well as violation of CEC §§18002, 18500, 18502. He knowingly provided false information with the intent to defraud California Republican voters and the Registrar.

12. If one was to believe that Dunn did not attempt to defraud, then one would expect Dunn to contact the Registrar in Orange County CA and re-register, providing mandatory disclosure of the record of prior registration in Texas and Florida where he registered as a **Democrat**. Dunn did not do that either at the time of his registration in March of 2009, nor on July 10, 2009 when he called the Florida Registrar and asked to delete his records from the database. Exhibits 2, 3 and 4 combined clearly point to an intentional obfuscation of record with an intent to defraud the voters. Fraud invalidates voter registration. Without valid voter registration in CA, one cannot be a candidate on the ballot, therefore Dunn’s candidacy needs to be invalidated due to fraud. Votes received by him cannot be certified as valid, and therefore Taitz should be certified as a Republican Party nominee for Secretary of State. Currently according to the unofficial count Taitz is the second place candidate with 440,015 votes.

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13. On November 5, 2009 Dunn filled out his Declaration of candidacy, wherein he attested that all the information on the declaration was correct. (Exhibit 6) At that time Dunn clearly knew that he did not provide mandatory disclosure of his prior voter registration record, and had an opportunity to correct the record. Dunn did not do that, which serves as additional evidence of fraud and perjury.

14. On March 10, 2010 Dunn signed his registration as a candidate on the ballot and took the oath of the candidate. (Exhibit 7) Yet again he swore to the truthfulness of his statements and eligibility, knowing full well, that he did not provide truthful information. This is yet more evidence of fraud committed.

Invalidation of voter registration due to invalid nominations

1. On June 13, 2010 TV reporter and talk show host William Wagener prepared an affidavit regarding his personal knowledge of fraud committed in nomination of Damon Dunn. (Exhibit 10) On June 14, 2010 William Wagener and his cameraman Robert McGuire met Taitz and forwarded above affidavit to her. Affidavit stated the following:
 2. Prior to the June 8 election, Mr. Wagener, talk show host and producer of TV program "On Second Thought" in Santa Maria CA, contacted Max and Vetele Liston, residents of the retirement community Leisure World in Laguna Woods.
 3. Max and Vetele Liston are among the registered Republicans who appear in official records of individuals who nominated Dunn for the position of Secretary of State of CA. (Exhibit 8)
 4. Wagener has interviewed the Listons on camera and posted the interview on YouTube™ under the name "Nomination Fraud".
 5. On camera the Listons categorically denied ever signing any nomination for Dunn.

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- 6. Taitz visited offices of the Registrar of Voters in Orange County CA and obtained the list of Registered Republicans, who nominated Dunn.
- 7. Wagener called Gloria Duthie, 3201 Via Buena Vista B, Laguna Woods, 92637, phone 949-587-0709. Ms. Duthie stated that not only she didn't sign Dunn's nomination, she also stated that she was not even in California the week she supposedly affixed her name, address and signature on the nomination.(Exhibit 8)
- 8. Taitz has noticed that according to the addresses submitted by Dunn, the majority of the signatories are residents of the same retirement community "Leisure World".
- 9. Taitz has called several of the individuals on the list. Taitz was advised by signatories that they can't remember signing the nomination and that when they gather in the clubhouse there, many papers are brought to them for signature, usually petitions for propositions.
- 10. On May 28th, Taitz was invited to speak at one such clubhouse at Leisure World. Taitz has noticed that many of the residents are very elderly: in their eighties or even nineties. Many could not see well or could not hear well.
- 11. If nominations were obtained without valid signatures, or by virtue of obtaining signatures by misrepresentation, by telling the signatories that this is a petition for a proposition, then the nomination is not valid, and consequently, the candidacy is disqualified. Additionally, such acts fall under violation of CEC §§ 18203, 18500, 18502, 18002.
- 12. On March 10, 2010 Dunn took an oath of office to uphold the Constitution and the laws of California. If it is found that he indeed committed fraud, and/or uttering, and /or forgery, he will be disqualified from holding office under CEC §18501. As an official candidate on the ballot Dunn took an Oath of Office on March 10, 2010, which made him a public official and subject to

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§18501. As of March 10, 2010, Dunn knew that he registered in two other states and didn't disclose this information on his voter registration card. He knew that he called Florida to have his voter registration record deleted, but didn't disclose this information in California and he knew that at least some of the individuals who supposedly signed his nominations, didn't really sign them. As such, Dunn committed fraud that disqualifies him from holding office. therefore votes received by him cannot be certified.

Common law Fraud

Motif

Dunn had a motif to commit fraud.

1. CEC § 8001(a)2 require one to disassociate from another party at least twelve months prior to declaration of candidacy. Dunn knew that he never disassociated himself from the Democratic party.
2. An e-mail from the registrar of voters of Duval county FL Jerry Holland states that Dunn has never contacted them to change his party affiliation from Democrat to Republican. (Exhibit 5)
3. Dunn was concerned that disclosure will reveal that he did not disassociate himself from the Democratic party.
4. Dunn met with voters all over the state and repeatedly told them that he became a Republican after meeting Candolleza Rice and her father, when Dunn was a college student, and being deeply influenced by former secretary of state Candoleeza Rice. Disclosing the fact that Dunn registered to vote as a Democrat after graduation from college, and the fact that he switched his affiliation to Republican only last year, some sixteen years after being so deeply influenced by Rice, would have shown that his assertions were nothing but a sham, fraud. It would make it clear that Dunn is simply throwing around names of famous Republican leaders, while his true motifs to run as a

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Republican in CA are questionable in light of the fact that he did not vote in 2008 pivotal election and in recent interview with StanfordScout.com called Barack Obama his “political hero”.

5. Act of Fraud count one: Dunn defrauded Taitz, voters of the state of CA and registrar by not disclosing his registration in TX on his voter registration card filled out in March of 2009.
6. Act of Fraud count two: Dunn defrauded Taitz, voters of the state of CA and registrar by not disclosing his registration in FL on his voter registration card filled out in March 2009.
7. Act of Fraud count three: Dunn defrauded Taitz, voters of the state of CA and registrar by not disclosing his affiliation with the Democratic party on his voter registration card filled out in March 2009.
8. Act of Fraud count four: Dunn did not disclose his prior registration in TX while filling out his intent do declare candidacy, filled out in November 2009.
9. Act of Fraud count five: Dunn did not disclose his registration in FL on his intend to declare candidacy filled out in November 2009.
10. Act of Fraud count six: Dunn did not disclose his voter registration in TX, while he took an oath of office and declared himself as a candidate in March 2010.
11. Act of Fraud count seven: Dunn did not disclose his voter registration in TX, while he took an oath of office and declared himself as a candidate in March 2010.

Intend to defraud

Dunn intended to defraud Taitz, voters of the state of CA and Registrar and make them believe that he did not register before.

Dunn had a particular intend to defraud Taitz, to make her believe that he did not register before so she will not file a contest of the election.

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Taitz was an actual and foreseeable victim of fraud perpetrated by Dunn, as her campaign committee suffered damages of around \$45,000, in having to run against Dunn.

Taitz has filed a timely complaint with Orange County Registrar of voters Neil Kelly.

Taitz has called Dunn's campaign headquarters and talked to Dunn's spokesperson Hector Barajas, asking to schedule a meeting with Dunn.

Taitz has seen Dunn at two events and asked him to have a meeting and discuss issues described above. Dunn refused.

Taitz was concerned that above issues would be embarrassing for the Republican party and she is filling this complaint very reluctantly and after allot of deliberation, since facts described above constitute embarrassment for the Republican party and constitute basis for criminal indictment of Dunn, however a possibility of Dunn becoming the next Secretary of State of California, in charge of legitimacy of elections in the most populated state in the nation, outweighed her reluctance in filing above complaint.

Dunn defrauded Taitz and while doing so violated CEC §§ 18203, 18500, 18501, 18502 18002 and possibly 8001, which invalidates his registration and invalidates his candidacy, which serves as basis for denial of certification of votes received by Dunn in June 8, 2010 primary.

Possible Common Law Uttering

According to Affidavit by William Wagener as well as YouTube.com video tape "Nomination Fraud" Vetele and Max Liston did not sign nomination for Dunn, even though they are listed among individuals who signed nomination for Dunn. According to affidavit by William Wagener Gloria Duthy did not sign the nomination as well.

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3 Taitz has no ability to investigate this matter further, however Taitz requests this
4 Honorable court to forward this matter further to the office of the District
5 Attorney of Orange county for criminal investigation for possible uttering,
6 forgery, misrepresentation, fraud related to nomination of the candidate on the
7 ballot.

8 **Possible fraud related to Residency**

- 9 1. On March 10, 2010 Dunn has took an oath of office, as a candidate on the
10 ballot, attesting to his residency.
11 2. Taitz has reviewed Dunn's residency on PublicRecords.com
12 3. PublicRecords.com show multiple addresses for Dunn in TX, FL, AZ and CA
13 4. Notably Dunn's address 1126 E. Thunderhill Pl, Phoenix, AZ is listed as an
14 active address from 2002-2010. (Exhibit 11)
15 5. Two of the states on the list: FL and TX do not have state taxes.
16 6. At the moment Taitz has no access to Dunn's tax returns or homestead
17 exemption filing. If during the discovery, it is found that Dunn has filed his taxes
18 in another state or filed his homestead exemption in another state, it would
19 constitute yet another count of fraud committed by Dunn and would serve as an
20 additional reason for invalidation.
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27 **Possible violation of CEC§8001**

- 28 1. Taitz has investigated discrepancy between PublicRecords.com showing Dunn
as an active voter in FL and a letter by Jean Marie Atkins, showing Dunn as
ineligible to vote. This discrepancy looked suspicious.
2. While visiting Duval county FL, Taitz has asked to review Dunn's voting
record. Dunn's voting card record showed him as placed for the first time on
inactive status in 2005.
3. FL statute 98.045 Administration of voter registration (i)(2) Removal of
Registered Voters (a) states: "Once a voter is registered, the name of that voter

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may not be removed from the statewide voter registration system except at the written request of the voter, by reason of the voters conviction of a felony or adjudication as mentally incapacitated with respect to voting, by death of the voter or pursuant to registration list maintenance activity conducted pursuant to s. 98.065 or s.98075

4. Subsequent FL statute 98.065 **Registration list maintenance programs (4)(c)**

“...A voter on the inactive list may be restored to the active list of voters upon the voter updating his or her registration, requesting an absentee ballot, or appearing to vote. However, if the voter does not update his or her registration information,, request an absentee ballot, or vote by the second general election after being placed on the inactive list, the voters name shall be removed from the statewide voter registration system and the voter shall be required to reregister to have his name restored to the statewide voter registration system.”

5. Dunn’s voter card audit clearly shows him as placed on the inactive list for the first time in 2005. Second general election after 2005 was in 2008, there is no notation in 2008 or later. Any attempt to mqke Dunn ineligible before 2008 would have been invalid per FL statute 98.065 and would have constituted violation of Dunn’s civil rights. Therefore there was no valid transfer from inactive status to ineligible status.

6. Taitz further investigated a March 30, 2010 letter from Jerry Holland, Supervisor of election to Mark Loren, chief investigator Election fraud Investigation Unit (Exhibit 12)

7. Above letter from Mr. Holland states that Dunn was put on inactive status in 2002 and became ineligible to vote in 2005. This is not a true statement, since the very first time Dunn appears as inactive, is in 2005, not 2002, and therefore he could not have been placed legally on ineligible status in 2005.

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8. It is not clear if there was a violation of §8001, however it is clear that Dunn was concerned about possible violation of §8001 and committed fraud to cover up. He attempted to violate §8001 and by engaging in cover up, he violated §18500.

9. Invalidation due to intimidation and harassment of the candidate on the ballot and family of the candidate

1. Children of Taitz received highly inappropriate insulting paintings under the title "Birther Orly Taitz" These paintings depicted their mother nude in a highly inappropriate light, giving birth, holding something that looked like a placenta with blood gushing out of it. In an interview to Mother Jones magazine reporter Stephanie Mencimer, creator of those paintings Dan Lacey admitted that he was commissioned, paid to make such paintings. So far, Lacey refused to provide the name of the individual, who commissioned him. Taitz intends to conduct discovery to find out who paid to harass her, as a candidate on the ballot in the statewide election, and her whole family, to intimidate and pressure her to withdraw from the campaign. Taitz reserves her right to plead additional causes of action upon completion of discovery.
2. Such inappropriate paintings were posted all over the Internet and some local newspapers.
3. Taitz's children received e-mails stating "-you poor kid, your mom will be thrown in prison, your mom will be thrown in a mental institution".
4. Taitz's websites were repeatedly hacked, and viruses deposited, which caused the web sites to be blacklisted by the search engines and inaccessible to readers, wherefore Taitz could not conduct her campaign on the Internet or get donations.
5. Taitz's newsletters were redirected to a different server and blocked by that server. That created a situation where Taitz could not conduct outreach to voters, supporters and donors.

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Prayer for relief:

Wherefore, Taitz respectfully requests this Honorable court to grant the following relief:

1. Declaratory relief based on contest of election deeming violation of CEC §§18203, 18500, 18502, 18002 and common law fraud and not qualified and not eligible for certification of votes. Additionally Plaintiff is seeking Declaratory relief deeming Dunn disqualified to hold office in California due to violation of §18501.
2. Damages sustained by Taitz up to the amount allowed by this court’s limited jurisdiction due to her need to campaign against an ineligible candidate, who committed fraud.
3. Request for expedited discovery, to ascertain the identities of John Does, who aided and abetted Dunn in commission of fraud and John Does who were complicit in intimidation and harassment of Taitz and her family.
4. Request to forward *sua sponte* above pleadings and adjudication order to the Orange County District Attorney for criminal investigation of Dunn and prosecution under CEC §§ 18203, 18500, 18501, 18502, 18002, as well as request to forward to Orange County Registrar of Voters and Secretary of State any and all adjudication, order and declaratory relief prior to completion of canvassing on July6, 2010 and Certification of Votes on July 11, 2010.
5. Punitive damages for fraud committed.
6. Any and all further relief this court deems necessary.

Respectfully submitted,

/s/ DR ORLY TAITZ ESQ

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By: 
Dr. Orly Taitz, Esq. (California Bar 223433)
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PROOF OF SERVICE

I CERTIFY THAT TRUE AND CORRECT COPY OF THE ABOVE
PLEADINGS WERE SERVED by registered mail on 06.16.10. on
Damon Dunn
3131 Michelson, unit 708 west
Irvine, CA 92612

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/s/Orly Taitz



Dr. Orly Taitz Esq
29839 Santa Margarita PKWY
Rancho Santa Margarita CA 92688

Exhibit 1

628 MAR 13 2009 A7

CALIFORNIA VOTER REGISTRATION FORM

Fill out this form if you are a first voter, have moved or changed your name, or wish to change your political party choice. You must be a U.S. citizen and at least 18 years old by the next election to use this form. Use blue or black ink. Print clearly.



Your legal name: First name
1 Dawn Middle name
Joyell

Last name
2 Dunn 13 M. Ms. Mr. Mrs.

Home address - use a P.O. Box or business address (Homeless, Street, Ave., Drive, etc.; include R.S.E.N.) Apt. or unit #
4 3131 NICHOLSON UNIT 705W

City State Zip California county
15 IRVINE CA 92612 Orange County

If you do not have a street address, describe where you live (Street address, Apt. #, S.E.N.)

16 Mailing address - if different from above, use P.O. Box
17 2070 Business Center Dr Suite 140
City State Zip Foreign country
18 IRVINE CA 92612

Date of birth U.S. state or foreign country of birth
19 03 15 1976 TEXAS

CA driver's license or CA ID card # If you do not have a CA driver's license or ID card, list the last 4 numbers of your Social Security number, if you have one. * * * 0 0 4 ?

20 Email Address? dawn.dunn@yale.com Please number addresses

21 Do you want to register with a political party?
Yes, I want to register with a political party (check one):
 Democratic Party Green Party Libertarian Party Republican Party Other party (describe) _____
If I don't want to register with a political party, I do not want to receive any party mailings or other communications from any political party.

22 To receive a vote-by-mail ballot in all elections, check here: Yes No

23 If you were registered to vote before, fill out below:
First name _____ Address (initial) (Last name) _____

24 Previous address where you were registered:
State Zip Previous county _____

25 Are you a U.S. citizen?
Yes No If "No" answer to question 26.
26 Was you 18 or older by the next election? Yes No

27 Read and sign below.
I am a U.S. citizen and will be at least 18 years old on election day. I am not in prison or on parole for a felony. I understand that it is a crime to intentionally provide incorrect information on this form. I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

[Signature] 03 15 76
Date of birth Month Year Day

70 HJ 066244 130001

Important! To vote in the next election, you must mail or deliver this card at least 15 days before the next election. New voters who register by mail may have to show their ID at the polling place the first time they vote.

This form is available in Spanish, Chinese, Vietnamese, and Korean. For more information, contact the Registrar of Voters, Orange County, California, 1600 11th Street, Bakersfield, CA 93311.



This instrument is a copy of the original information on file in this office. An affidavit of registration shall be deemed evidence of citizenship for voting purposes only. Elections Code Section 21 (?)

DATE: JUNE 2, 2010

Registrar of Voters
County of Orange
[Signature]

Questions, problems or to report fraud:
Contact the Secretary of State.
Call: 1-800-345-VOTE (8683)
Email: elections@sos.ca.gov
Web site: www.sos.ca.gov

628 MAR 08 2008 2 2

628 MAR 13 2009 A7

CALIFORNIA VOTER REGISTRATION FORM



Fill out this form if you are a new voter, have moved or changed your name, or want to change your political party choice. You must be a U.S. citizen and at least 18 years old by the next election to use this form. Use blue or black ink. Print clearly.

1 Your legal name: first name Last name Middle name
2 Damon Jarell
3
4 Home address - not a P.O. Box or business address
5 3131 MICHELSON UNIT 708W
6 Irvine CA 92612 Orange County
7
8 Mailing address - if different than above, or P.O. Box
9 2070 Business Center Dr suite 140
10 Irvine CA 92612
11 Date of birth U.S. state or foreign country of birth
12 03 15 1976 TEXAS
13
14 Do you want to register with a political party?
15 To receive a voter-by-mail ballot in all elections, initial here: DA
16 If you were registered to vote before, fill out below:
17
18 Are you a U.S. citizen? Will you be 18 or older by the next election?

If you take this form with you and wish to register to vote, please send it to: Secretary of State, 1500 11th Street, Sacramento, CA 95834

70 HJ 066244 130001
Important: To vote in the next election, you must mail or deliver this card at least 15 days before the next election. New voters who register by mail may have to show their ID at the polling place the first time they vote.



Questions, problems or to report fraud:
Contact the Secretary of State.
Call: 1-800-345-VOTE (8683)
Email: elections@sos.ca.gov
Web site: www.sos.ca.gov
Or contact your county elections office.

Optimal
A. Check here if you can be a poll worker.
B. Your ethnicity/race
C. Check your language preference: English Spanish Chinese Vietnamese Korean Tagalog Japanese
Did someone help you fill out or deliver this form?
Signature Name
City, county, address, and zip, if any

628 MAR 09 2009 2
This instrument is a copy of the original information on file in this office.
An affidavit of registration shall be deemed evidence of citizenship for voting purposes only.
Elections Code Section 2117
3/9/10
Registrar of Voters
County of Orange
By: Jency Alvarado

Exhibit 2

Dates: Nov 30, 2001 - Dec 3, 2001

 **Professional License(s):**
[None Found] **FAA Certifications:**
[None Found] **FAA Aircrafts:**
[None Found] **Watercraft:**
[None Found] **Voter Registration:**

Name: DAMON DUNN
Address: 2058 KNOLL CREST DR, ARLINGTON TX 76014-3686
DOB: 3/15/1976
Gender: Male
State of Registration: Texas
Status: INACTIVE

Name: DAMON J DUNN
Address: 10135 GATE PKWY N APT 1111, JACKSONVILLE FL 32246-8264
DOB: 3/15/1976
Gender: Male
Political Party: DEMOCRAT
State of Registration: Florida
Status: ACTIVE

 **Hunting/Fishing Permit:**
[None Found] **Bankruptcies:**
[None Found] **Liens and Judgments:**
[None Found] **UCC Filings:**
[None Found] **Possible Properties Owned by Subject:****Property:**

Parcel Number - 804-101-04
Property Address: - 23626 VIA ORTEGA, TRABUCO CYN CA 92679-4134, ORANGE COUNTY
Owner Address: 23626 VIA ORTEGA, COTO DE CAZA CA 92679-4134, ORANGE COUNTY
Sale Date - 11/15/2009
Sale Price - \$905,000
Loan Amount - \$724,000
Loan Type - CONVENTIONAL
Data Source - A

Property:

Parcel Number - 804-101-04
Property Address: - 23626 VIA ORTEGA, TRABUCO CYN CA 92679-4134, ORANGE COUNTY
Owner Address: 1 POLARIS WAY STE 100, ALISO VIEJO CA 92656-5360, ORANGE COUNTY
Data Source - A

Property:

Exhibit 3

Apr 16 2010 10:40am P006/009 SHELL FLENNING DAVIS ME Fax 85043918172

DUV 103908683

Are you a U.S. citizen? YES		I was not a convicted felon or, if I was, my rights relating to voting have been restored <input checked="" type="checkbox"/>		I have not been adjudicated mentally incapacitated or, if I have, my competency has been restored. <input checked="" type="checkbox"/>		Official Use Only	
Type: NBW							
Last Name DUNN		Suffix	First Name DAMON		Middle Name JERELL		Sex M
Legal Residence Address 10135 GATE PKWY N 1114			City JACKSONVILLE		Zip Code FL 32246-0000		
Mailing Address 10135 GATE PKWY N 1111			City JACKSONVILLE		Zip Code FL 32246-0000		County DUVAL
Date of Birth 03-15-76	9	Race 3	10	Social Security Number		11	Daytime Phone
Party Affiliation Democratic Party			Former Name (if making a Name Change)		Name & Address where last registered		
Voting Assistance? NO							
					<p>16 I do solemnly swear (or affirm) that:</p> <ul style="list-style-type: none"> I will protect and defend the Constitution of the United States and the Constitution of the State of Florida. I am qualified to register as an elector under the Constitution and laws of the State of Florida. I am a U.S. citizen. I am a legal resident of Florida. <p>All information on this form is true. I understand that if it is not true, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to five years.</p>		
					<p>Signature or Mark</p> <p>04/22/09 13:03 105042</p>		

NOTE: All data that was registered to vote at this office will remain confidential and used for voter registration purposes only. Disclosure of your

Exhibit 4

COPY CERTIFICATION BY DOCUMENT CUSTODIAN

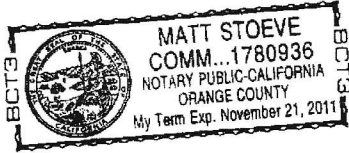
State of CALIFORNIA

County of ORANGE

I, Orly Taitz
Name of Custodian of Original Document

hereby declare that the attached reproduction of
April 13, 2010 letter from FE Registrar
Description of Original Document

is a true, correct, and complete photocopy of a document
in my possession or control.



[Signature]
Signature of Custodian of Original Document

29839 S. Marguerite Way
Address
RSM, CA 92688

Subscribed and sworn to (or affirmed) before me on this 1st day of JUNE

2010 by ORLY TAITZ

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[Signature]
Signature (Notary seal)

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Attached Document

Title or Type of Document: LTR FROM FE REGISTRAR - OFFICE OF THE SUPERVISOR OF ELECTIONS

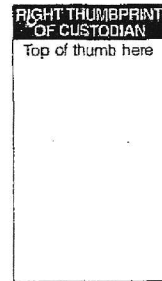
Document Date: APRIL 13, 2010 Number of Pages: 1

Signer(s) or Issuing Agency: JEAN MARIE ATKINS

Capacity Claimed by Custodian

- Individual
- Corporate Officer — Title: _____
- University or School Officer — Title: _____
- Governmental Officer or Agent — Title: _____
- Business Proprietor or Manager
- Attorney
- Trustee
- Other: _____

Custodian Is Representing: _____





OFFICE OF THE SUPERVISOR OF ELECTIONS

JERRY HOLLAND
SUPERVISOR OF ELECTIONS
OFFICE (904) 630-1414
CELL (904) 318-6877

105 EAST MONROE STREET
JACKSONVILLE, FLORIDA 32202
FAX (904) 630-2920
E-MAIL: JHOLLAND@COJ.NET

April 13, 2010

Dear Sir or Madam:

I am writing to document my correspondence with Mr. Damon Dunn. On July 10, 2009 Mr. Dunn contacted our office via telephone and asked for his ineligible voter registration record to be removed from the Duval County database. I contacted the Division of Elections later that day to inquire if this was possible and the Legal Department for the Division informed me that the record could not be deleted from the database because voter registration is permanent record.

I then mailed a letter to Mr. Dunn informing him of my findings. I have not had additional correspondence with Mr. Dunn since this incident.

Thank you,

A handwritten signature in black ink, appearing to read "JMA".

Jean Marie Atkins
Director of Voter Administration

103906683 Dunn, Damon J (Audit)

DUV 103906683

Date	Only	Operator	Field	New Value	Old Value
6/16/2005 12:12 PM	DUV	Vrsys	Stus	P	I
6/16/2005 12:12 PM	DUV	Vrsys	Reasn	R (R(P) Returned Mail, Inactive 2 yrs)	A (A(I) Inactive)
3/1/2004 3:33 PM	DUV	Phillips	Stret	Gate Pkwy N	Gate Pkwy N
10/31/2003 12:00 AM		BHenry	Comm-In	Scanned Front of Card Img	
10/30/2003 3:18 PM		Vrsys	Comm-In	Scanned Front of Card Img	Signature converted from Old System
3/14/2002 12:00 AM		Vrsys	Comm-Out	Final Notice	Converted from Old Duval System

Exhibit 5

-----Original Message-----

From: Gen Rajaska [mailto:rajaska7@gmail.com]
Sent: Wednesday, March 10, 2010 11:46 PM
To: Holland, Jerry
Subject: Registration is Public Record

Dear Sir:

May we know the party affiliation of a certain Damon J. Dunn. He was known as a Democrat, but he claimed to have switched to Republican.

Do we have any record that he changed to Republican? If we, when did he do it?

Thanks for any information.

Very truly yours,

Felicito Papa
Reply

Forward

Reply

|
Holland, Jerry
to me

show details 9:07 AM (3 hours ago)

Good morning,
In further response to your questions Mr. Dunn was registered as a Democrat and we do not show any change of party.
Thank you,
Jerry Holland

Exhibit 6

Candidate Intention Statement

RECEIVED AND FILED
 in the office of the Secretary of State
 of the State of California
 Type or Print in Ink.
COPY

NOV 13 2009

DEBRA BOWEN
 Secretary of State

CANDIDATE INTENTION STATEMENT
CALIFORNIA FORM 501
 For Official Use Only

Check One: Initial Amendment (Explain) _____

1. Candidate Information:

NAME OF CANDIDATE (Last, First, Middle Initial) Dunn, Damon J. DAYTIME TELEPHONE NUMBER (949) 660-0716 FAX NUMBER (optional) () E-MAIL (optional) 1322751

STREET ADDRESS 2070 Business Center Drive, Suite 140 CITY Irvine STATE CA ZIP CODE 92612

OFFICE SOUGHT (POSITION TITLE) Secretary of State AGENCY NAME State of California DISTRICT NUMBER, if applicable. n/a NON-PARTISAN

OFFICE JURISDICTION State (Complete Part 2) City County Multi-County: _____ (Name of Multi-County Jurisdiction) _____ (Year of Election)

PARTY: Republican

2. State Candidate Expenditure Limit Statement:

(CalPERS candidates, judges, judicial candidates, and candidates for local offices are not required to complete Part 2.)

2010 Primary/general election Special/runoff election
 (Year of Election) (Year of Election)

(Check one box)

- I accept the voluntary expenditure ceiling for the election stated above.
 I do not accept the voluntary expenditure ceiling for the election stated above.

Amendment:

- I did not exceed the expenditure ceiling in the primary or special election held on: _____ and I accept the voluntary expenditure ceiling for the general or special run-off election.

(Mark if applicable)

- On _____, I contributed personal funds in excess of the expenditure ceiling for the election stated above.

3. Verification:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 11/05/09
 (month, day, year)

Signature Damon J. Dunn
 (Candidate)

Exhibit 7

If nominated I will accept the nomination/office and not withdraw.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

3/10/20
Date

Signature of Candidate

State of California }
County of Orange } ss.

Subscribed and sworn to before me this 10th day of March, 2010.

[Signature]
Notary Public (or other official)

Examined and certified by me this 10th day of March, 2010.

NEAL KELLEY, Registrar of Voters By [Signature] Deputy

WARNING: Every person acting on behalf of a candidate is guilty of a misdemeanor who deliberately fails to file at the proper time and in the proper place any declaration of candidacy in his/her possession which is entitled to be filed under the provisions of the Elections Code (Elections Code Section 18202).

OATH OF OFFICE

I, **DAMON DUNN**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

State of California }
County of Orange } ss.

Signature of Candidate

Subscribed and sworn to before me this 10th day of March, 2010.

[Signature]
Notary Public (or other official)

Examined and certified by me this 10th day of March, 2010.

NEAL KELLEY, Registrar of Voters By [Signature] Deputy

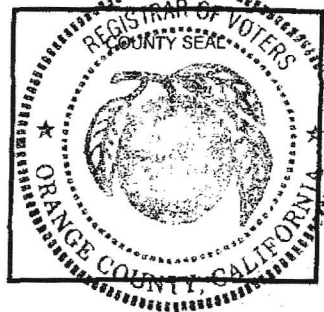
Certificate as to Candidate's Political Party Affiliation

(Elections Code Section 8004)

State of California }
County of Orange } ss.

I hereby certify that (1) at the time of presentation of this declaration and continuously for not less than three months immediately prior thereto, or for as long as he/she has been eligible to vote in the state, the above-named candidate is shown by his/her affidavit of registration, executed on 3-17-09, to be affiliated with the political party the nomination of which he/she seeks, and (2) the candidate has not been registered as affiliated with any other political party for the twelve-month period immediately preceding the filing of this declaration.

Dated this 10th day of March, 2010.



Party Affiliation	Prior Registration	Dates
<u>No Prior Registration</u>		

NEAL KELLEY,
Registrar of Voters

By [Signature] Deputy

Declaration of Candidacy - Partisan 2010

All code section references are to the California Elections Code unless stated otherwise.

Exhibit 8

TO BE ENTERED BY CLERK	NAME	RESIDENCE	VERIFICATION (TO BE ENTERED BY CLERK)
6. PRINT	KUMBE R. HOSKIN	RESIDENCE ADDRESS ONLY 3931-C, Bahia Blanca	
SIG		CITY OR TOWN L.H. Calif. 92637	
7. PRINT	VETELLE LISTON	RESIDENCE ADDRESS ONLY 5583 VIA DICHA	
SIG		CITY OR TOWN LAGUNA WOODS	
8. PRINT	MAX LISTON	RESIDENCE ADDRESS ONLY 5583 VIA DICHA	
SIG		CITY OR TOWN LAGUNA WOODS	
9. PRINT		RESIDENCE ADDRESS ONLY	
SIG		CITY OR TOWN	
10. PRINT		RESIDENCE ADDRESS ONLY	
SIG		CITY OR TOWN	

AFFIDAVIT OF CIRCULATOR

(To be completed in circulator's own hand)
§8041(b)

I, DANTE G. SALAZAR, solemnly swear (or affirm) that the signatures on this section of the nomination paper were obtained between 03-01, 2010 and 03-06, 2010; that I circulated the petition and I witnessed the signatures on this section of the nomination paper being written; and that, to the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

My voting residence is: 11532 FAYE AVE GARDEN GROVE 92840
Street Address City Zip

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 03-09-2010 Signature of Petition Circulator: _____
Signature of Pe.....

Subscribed and sworn to before me this 9th 10th day of MARCH March, 2010.

STATE OF CALIFORNIA

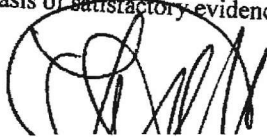
COUNTY OF ORANGE

Subscribed and sworn to (or affirmed) before me: FARSHID FADAKAR

A Notary Public on this 10th day of March, 2010, by
DANTE G. SALAZAR, Proved

To me, on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature




OFFICIAL FILING FORM

NEAL KELLEY
REGISTRAR OF VOTERS

BY: [Signature]

DATE ISSUED: 2-24-10

NOMINATION PAPER

(Elections Code Sections 100, 104, 8041, 8062, 8066, 8068, 8069; Code of Civil Procedure Section 2015.5)

CONTEST ID: 1042
CANDIDATE ID: 1

I, the undersigned signer for **DAMON DUNN**, for the **Republican Party** nomination to the office of **Secretary of State**, to be voted for at the **Statewide Primary Election** to be held **June 8, 2010**, hereby assert as follows:

I am a resident of ORANGE County and registered to vote at the address shown on this paper and affiliated with the **Republican Party**. I am not at this time a signer of any nomination paper of any other candidate for the above-named office, or in case there are several places to be filled in the above-named office, I have not signed more nomination papers than there are places to be filled in the above-named office.

My residence is correctly set forth after my signature hereto:

TO BE ENTERED BY CLERK	NAME	RESIDENCE	VERIFICATION (TO BE ENTERED BY CLERK)
S A M P L E	PRINT Jane Doe	RESIDENCE ADDRESS ONLY 1234 Main St	
	SIGN Jane Doe	CITY OR TOWN Anytown, CA 95814	
	1. PRINT <u>PATRICIA M. HUFF</u>	RESIDENCE ADDRESS ONLY <u>337 D Avenida Mariposa</u>	✓
	SIGN	CITY OR TOWN <u>LAGUNA WOODS, CA 92657</u>	
	2. PRINT <u>Ruth Shelton</u>	RESIDENCE ADDRESS ONLY <u>222 B Avenida Mariposa</u>	✓
	SIGN	CITY OR TOWN <u>LAGUNA WOODS, CA 92657</u>	
	3. PRINT <u>DOROTHY EGER</u>	RESIDENCE ADDRESS ONLY <u>917-D VIA ALHAMBRA</u>	✓
	SIGN	CITY OR TOWN <u>LAGUNA WOODS CA 92637</u>	
	4. PRINT <u>CHARIN DUTHIE</u>	RESIDENCE ADDRESS ONLY <u>3201 Via BUENAVISTA B.</u>	✓
	SIGN	CITY OR TOWN <u>LAGUNA WOODS, 92637</u>	
	5. PRINT <u>LAURA E WILLIAMS</u>	RESIDENCE ADDRESS ONLY <u>3241A SAN AMADEO</u>	✓
	SIGN	CITY OR TOWN <u>LAGUNA WOODS 92637</u>	

Please complete Affidavit of Circulator on reverse side →

Exhibit 9

SHELL, FLEMING, DAVIS & MENGE ATTORNEYS AT LAW

FACSIMILE TRANSMITTAL SHEET

TO: Orly Taitz	FROM: Danny L. Kepner
COMPANY:	DATE: April 16, 2010
FAX NUMBER: 949-766-7603	TOTAL NO. OF PAGES INCLUDING COVER: 9
PHONE NUMBER: 949-683-5411	SENDER'S PHONE NUMBER: 850-434-2411
RE: Dunn	YOUR REFERENCE NUMBER: K398.24757

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

POST OFFICE BOX 1831
 226 SOUTH PALAFOX STREET
 NINTH FLOOR, SEVILLE TOWER
 PENSACOLA, FLORIDA, 32598-1831
 TELEPHONE (850) 434-2411 • FACSIMILE (850) 435-1074

DANNY L. KEPNER

PO BOX 1831, PENSACOLA, FL 32591
TELEPHONE * (850) 479-7767
E-MAIL * dkepner@shellfleming.com

April 16, 2010

Honorable Edmond G. Brown, Jr.
Attorney General's Office
California Department of Justice
PO Box 944255
Sacramento, CA 94244-2550

Re: Damon Dunn
Candidate for Secretary of State of California

Dear Mr. Brown:

Please accept the following information relating to the candidacy of Damon Dunn (as a Republican) for the office of Secretary of State of California. It appears to me that Mr. Dunn is being less than honest with the voters, but more importantly less than honest in his dealings with the election officials in your state.

I have seen (although I have not retained it) a copy of Mr. Dunn's California voter registration card, on which he simply left blank the inquiries about any prior registration to vote, the state where registered, and party affiliation. Mr. Dunn was last registered to vote in the State of Florida, as a Democrat. Failure to answer form questions like these, it seems to me, is tantamount to fraud.

Enclosed are copies of correspondence from the Office of the Supervisor of Elections in Duval County, Florida. The March 30 letter has attached to it Mr. Dunn's voter registration card from 1999, and a record of that office's handling of his status - - from active, to inactive and eventually to "ineligible." The copy of the July 10, 2009, letter authored by Jean Marie Atkins, Director of Voter Administration, is significant, especially when considered with the letter she wrote on April 13, 2010, which is also enclosed herein.

In July, 2009, Damon Dunn asked the election officials to remove the record of his prior registration (as a Democrat). Under Florida law, such a removal was not authorized, and he was so informed. Had he been successful in his efforts, he would have given "cover" for his intentional misrepresentation on his voter registration card. He knew he had been registered in Florida as a Democrat; he just did not want anyone else to know that.

April 16, 2010
Page 3 of 3

bcc w/enc.: Orly Taitz, Esq. (Via Fax Only)

