STATE OF MICHIGAN
IN THE SUPREME COURT

ATTORNEY GENERAL BILL SCHUETTE, ON BEHALF OF THE PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

BOARD OF STATE CANVASSERS; CHRIS THOMAS, DIRECTOR OF ELECTIONS,

Defendants.

Supreme Court No. 154886

Court of Appeals No. 335947

DONALD J. TRUMP,

Plaintiff-Appellee,

v

BOARD OF STATE CANVASSERS; CHRIS THOMAS, DIRECTOR OF ELECTIONS,

Defendants,

and

JILL STEIN,

Defendants-Appellants.

Supreme Court No.

Court of Appeals No. 335958

_____/

ATTORNEY GENERAL BILL SCHUETTE'S
BRIEF IN OPPOSITION TO STEIN'S APPLICATION FOR LEAVE

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Dated: December 8, 2016

TABLE OF CONTENTS

INDEX OF AUTHORITIES

Page

Cases

Statutes

Other Authorities

Dictionaries/Books

STATEMENT OF JURISDICTION

This Court has jurisdiction over Jill Stein's application for leave to appeal under Michigan statutory law, and court rule. See MCL 600.232, MCR 7.303(B)(1).

STATEMENT OF QUESTION PRESENTED

Consistent with Michigan law, the Court of Appeals has applied Michigan's recount statute, MCL 168.879, in a straightforward way, holding that under the statute's plain text, a candidate seeking a recount is not "aggrieved" under subsection 879(1)(b) unless the candidate can allege a good-faith belief that but for mistake or fraud, the candidate would have had a reasonable chance of winning the election. This application of subsection 879(1)(b) continues past state practice regarding recount petitions, is consistent with over 100 years of Michigan case law on recounts, and is in accord with the opinions of the state officials who have offered interpretations of the statute at issue, including the Director of Elections and the Attorney General. The only question presented is as follows:

> Whether Jill Stein was "aggrieved" under the Michigan recount statute where she won only 1% of the vote and there is no good-faith basis to believe that she would have gained well more than 2 million votes and won the election if the votes were properly counted.

STATUTE INVOLVED

Mich. Comp. Laws 168.879:

(1) A candidate voted for at a primary or election for an office may petition for a recount of the votes if all of the following requirements are met:

* * *

(b) *The petition alleges that the candidate is* ***aggrieved*** *on account of fraud or mistake in the canvass of the votes by the inspectors of election or the returns made by the inspectors, or by a board of county canvassers or the board of state canvassers.* The petition shall contain specific allegations of wrongdoing only if evidence of that wrongdoing is available to the petitioner. If evidence of wrongdoing is not available, the petitioner is only required to allege fraud or a mistake in the petition without further specification.

(c) Except as otherwise provided in this subdivision, the petition for a recount is filed not later than 48 hours following the completion of the canvass of votes cast at an election. If the recount petition relates to a state senatorial or representative district located wholly within 1 county or to the district of a representative in congress located wholly within 1 county, the petition for a recount shall be filed not later than 48 hours following the adjournment of the meeting of the board of state canvassers at which the certificate of determination for that office was recorded pursuant to section 841. However, for a special election for representative in congress, state senator, or state representative for a district located wholly within 1 county, the petition for recount shall be filed not later than 48 hours after the certificate of determination is filed with the secretary of the board of state canvassers.

INTRODUCTION

The Court of Appeals resolved the question of Michigan law that any ordinary citizen could answer. A candidate only seeks a recount when there is reason to believe that counting errors or fraud cost her the election. That is the meaning of "aggrieved" as a matter of Michigan law and common sense. It is the only question that Green Party candidate Jill Stein raises at this late hour. The Court of Appeals has applied the statute as written, and the question – now rightly answered – no longer requires this Court's review.

The fact that Stein is not aggrieved is plain. She received approximately *1%* of the nearly 4.8 million votes cast in Michigan for president of the United States. As is obvious to her and everyone else, any possible counting errors did not cost her the presidential election in Michigan. She does not claim otherwise. But in Michigan, that is what recounts are for, to enable an "aggrieved" candidate to petition. She has not even cited any evidence of fraud or mistake. The Court of Appeals has explained all of this.

And the possible federal intrusion into a quintessentially state law matter – the conduct of elections – has been averted. Yesterday, the federal district court dissolved its temporary restraining order because of the lower court's decision here. An immediate denial of Stein's application will confirm that the state courts have spoken definitively about Michigan election law. No longer is a bypass needed. The only risk to Michigan's election decision is posed by this tardy recount effort, where the State must communicate the final results by December 13, 2016. The rejection of this meritless application will safeguard Michigan law and its election results.

STATEMENT OF FACTS AND PROCEEDINGS

The recount and mandamus request

On November 28, 2016, the Board of State Canvassers certified the 2016 presidential election results. See Certified 2016 Presidential Election Results, available at http://www.michigan.gov/sos/0,4670,7-127-1633_8722-397762--,00.html (last visited Nov. 30, 2016). Republican candidate Donald Trump received the highest number of votes (2,279,543), and Democrat candidate Hillary Clinton received the second-highest, trailing Mr. Trump by 10,704 votes. Green Party candidate Jill Stein came in fourth place, receiving 51,463 votes—only 1.07% of the nearly 4.8 million total votes cast.

On November 30, 2016 – at nearly the last minute when Stein could request a recount under state law, MCL 168.879(1)(c) – Stein petitioned for a statewide recount, to be conducted by hand. See Petition for a Recount (Nov. 30, 2016). Stein cited no evidence of any fraud or mistake in the canvass of the votes, and she provided no explanation for how she may have been aggrieved by any hypothetical fraud or mistake given the mammoth voting deficit that she faced. See *id.*

On December 1, 2016, President-Elect Trump filed objections to the recount. The following day, December 2, 2016, the Board of Canvassers considered the petition and deadlocked 2-to-2 on whether to approve the recount petition. As a consequence, the recount moved forward.

Also on December 2, 2016, the Attorney General filed an original mandamus action in the Court of Appeals, asking that court to honor Michigan's recount law

and stop the recount process from beginning. President-Elect Trump also filed a mandamus action. Both Plaintiffs also filed bypass applications in this Court to ensure the expeditious resolution of the matter.

The federal district court TRO

While the matter was pending, on December 5, 2016, the U.S. District for the Eastern District issued an order, directing the Board of Canvassers to begin the recount immediately, *Stein v Thomas,* No. 16-cv-14233 (ED Mich, 2016), rather than waiting two business days after the Board of State Canvasser resolved the objections, as required by Michigan law. MCL 168.882(3). The federal court also directed that the recount would continue until "further order of this Court." *Stein,* slip op, p 7. On appeal, in a 2-to-1 decision, the U.S. Court of Appeals affirmed this decision, but it noted that "If, subsequently, the Michigan courts determine that Plaintiffs' recount is improper under Michigan state law for any reason, we expect the district court to entertain any properly filed motions to dissolve or modify its order in this case." *Stein v Thomas,* No. 16-2690, slip op, p 9.

The Court of Appeals' unanimous ruling

On December 6, 2016, the Court of Appeals ruled unanimously in favor of the Attorney General and President-Elect Trump, directing the Board of Canvassers to reject the November 30, 2016 petition because Stein is not an aggrieved candidate: "the candidate must be able to allege a good faith belief that but for mistake or

fraud, the candidate would have had a reasonable chance of winning the election." *Attorney General v Board of Canvassers,* ___ Mich App ___ (2016), slip op, p 5.

The Court of Appeals began by examining the meaning of the word "aggrieved" at the time it was used in Michigan's original recount statute and concluded it had the same meaning as it does today: "having suffered loss or jury"; "having legal rights that are adversely affected." *Id.* at 4. The unanimous panel concluded this definition was consistent with decisions of this Court and the Court of Appeals both within and without the election context. *Id.* at 5 (numerous citations omitted). This meaning, said the Court of Appeals, was also consistent with the election statutory scheme as a whole and reflected the legislative purpose in providing for a recount: "to determine whether the results of the first count of ballots should stand or should be changed because of fraud or mistake in the canvass of the votes." *Id.* (quotation omitted). Because Dr. Stein could not possibly make up the 2,228,080-vote difference with Mr. Trump in a recount, she is not an aggrieved party; indeed, Dr. Stein herself "readily admits that she is unlikely to change the result previously announced." *Id.* at 6. Accordingly, the Court of Appeals granted the request for issuance of a writ of mandamus, and it "direct[ed] the Board of State Canvassers to reject the November 30, 2016 petition of candidate Stein that precipitated the current recount process." *Id.* at 7.

The federal district court dissolves the *TRO*

Immediately after the Court of Appeals issued its opinion, the Attorney General moved the federal district court to dissolve the TRO. The next morning, on

December 7, 2017, the federal district court held a lengthy hearing and, at the end of the day, issued a comprehensive opinion and order dissolving the temporary restraining order, recognizing that the Michigan courts had resolved the meaning of the term "aggrieved" in the recount statute. *Stein v Thomas,* No. 16-14233, Order, Dec 7, 2016, slip op p 6 ("Because there is no basis for this Court to ignore the Michigan court's ruling and make an independent judgment regarding what the Michigan Legislature intended by the term 'aggrieved,' Plaintiffs have not shown an entitlement to a recount under Michigan's statutory scheme.").

The district court believed that under *Bush v Gore*, 531 US 98 (2000), federal courts may have a duty to step in when a state court upsets a legislative election scheme as applied to candidates for federal election. *Id.* at 4–5. But the court concluded that the Michigan Court of Appeals opinion did no such thing. *Id.* at 5. "[T]he Michigan court [of appeals] utilized traditional tools of analysis [in concluding that a recount petitioner must show a likelihood of changing the election result], pointing to dictionaries and precedents in other contexts where the 'aggrieved' concept is utilized in Michigan law." *Id.* Plaintiffs' arguments did not lead "to the conclusion that the Michigan court disregarded or plainly misread the legislature's intent." *Id.* at 6.

In addition, the district court held that Stein has "not shown an entitlement to a recount that derives from a source other than the recount procedures established by the Michigan Legislature—i.e., Stein has no right to a recount under federal constitutional law. *Id.* at 6. The court explained that any federal right to a

recount "certainly requires facts amounting to an actual impact on the right to vote," which the court held that Stein had not shown. *Id*. at 6–7 (recognizing that "to date, Plaintiffs have not presented evidence of tampering or mistake," noting that "[i]nstead, they present speculative claims going to the vulnerability of the voting machinery – but not actual injury"). Thus, it found there was no basis to maintain the TRO.

Also on December 7, 2016, the State Board of Canvassers voted 3-to-1 to halt the recount in accordance with any dissolution of the TRO by the district court. Accordingly, the recount has not been stopped.

STANDARD OF REVIEW

A lower court's "decision regarding a writ of mandamus is reviewed for an abuse of discretion." *Township of Casco v Secretary of* State, 472 Mich 566, 571; 701 NW2d 102 (2005) (citing *In re MCI Telecom* Compl, 460 Mich 396, 443; 596 NW2d 164 (1999). An abuse of discretion occurs only when a court chooses a decision that falls outside the range of reasonable and principled outcomes. *Maldonado v Ford Motor Co*, 476 Mich 372, 388; 719 NW2d 809 (2006).

The Court of Appeals' decision to grant a writ of mandamus here did not fall outside the range of outcomes. Indeed, the federal district court has essentially already reached that very conclusion. *Stein*, Slip Op at 6 (none of Dr. Stein's arguments "leads to the conclusion that the Michigan court disregarded or plainly misread the legislature's intent."). Accordingly, this Court should summarily deny the application for leave. And because even the possibility that the recount may be

restarted casts a pall over Michigan's presidential-election results, the Attorney General requests that the Court deny the application immediately.

ARGUMENT

I. Consistent with Michigan law, the Court of Appeals applied the plain meaning of "aggrieved" in the recount statute and ruled that Jill Stein did not meet the definition and thus could not seek a recount.

The decision below is a rather pedestrian application of ordinary statutory language. The Court of Appeals held that "aggrieved" required that a candidate who seeks a recount be able to legitimately allege that a recount may change the outcome so that candidate might win. This common-sense understanding meets the everyday meaning of the word aggrieved. The answer is a simple one that requires no further review. It also fits squarely with over 100 years of Michigan's past precedent, continues past state practice regarding recount petitions, and is consistent with the interpretation of the Director of Elections. So, contrary to Stein's assertions in her application, the decision reflects no change in Michigan's legal standards. And since the certification of Michigan's vote is due on December 13, 2016, the surest guarantee of Michigan law and its election decision is to deny leave immediately.

A. As held by the Court of Appeals, a candidate is not "aggrieved" where that candidate has no good-faith basis to allege that a recount would make her the winning one.

Michigan law allows a candidate who has been "*aggrieved* on account of fraud or mistake in the canvass of votes" to seek a recount. MCL 168.879(1)(b) (emphasis added). The Court of Appeals noted that MCL 168.879(1)(b) is "clear and unambig-

uous," slip op, p 4, and relied on a dictionary definition. *Id.* at 4, quoting *Black's Law Dictionary* from 1910, p 51, which defined "aggrieved" as "[h]aving suffered loss or injury." This is a contemporaneous definition. Consulting a dictionary is proper in defining the common meaning of a word. *Title Office v Van Buren Co Treasurer*, 469 Mich 516, 522 (2004).

As a consequence, the Court then gave the term "aggrieved" its "plain and ordinary meaning": the recount statute requires the candidate "allege a loss or injury that resulted from fraud or mistake in the canvassing of votes." Slip op, p 4. This conclusion conforms to the average citizen's expectations for recounts that the candidate who lost might have otherwise won if a counting error had not occurred. The contrast here to the 2000 presidential Florida recount could not be more stark.

As further support for this point, Michigan Compiled Laws 168.879(1)(b) specifies what a candidate seeking a recount can merely allege, and what allegations must have some support. The candidate must allege that she "is aggrieved on account of fraud or mistake in the canvass of the votes." *Id.* But the statute goes on to say that the petition "need only contain specific allegations of wrongdoing [i.e., fraud or mistake] . . . if evidence of that wrongdoing is available to the petitioner." *Id.* "If evidence of wrongdoing is not available, the petitioner is only required to allege fraud or a mistake in the petition without further specification." *Id.*

In other words, fraud or mistake must be alleged, but that allegation need not have any evidence whatsoever to support it. In contrast, the statute has no

such exception for the allegation that a candidate be "aggrieved." That means if evidence of aggrievement is not available, the petitioner cannot simply rest on a naked allegation. If the State Defendants' interpretation of the statutory scheme were correct, it would effectively rewrite Michigan law, Mich. Comp. Laws 168.879(1)(b), as follows:

> The petition shall contain specific allegations of wrongdoing **or aggrievement** only if evidence of that wrongdoing **or aggrievement** is available to the petitioner. If evidence of wrongdoing **or aggrievement** is not available, the petitioner is only required to alleged fraud or a mistake **or an aggrievement** in the petition without further specification.

But the Constitution vests the *state legislature* with drafting election law, not the judiciary.

Importantly, a generalized injury to the integrity of the voting and canvassing process that does not affect the petitioner candidate's chances of winning is not enough to cause the candidate to be "aggrieved" within the meaning of the statute. If such a generalized injury is enough, then the word "aggrieved" has been written out of the statute entirely, because *any* candidate could seek a recount, for any reason. And this Court avoids constructions of a statute that would nullify words in a statute. *Lesner v Liquid Disposal*, 466 Mich 95, 101–102 (2002).

The Legislature also indicated in other election statutes that recounts are for situations where the recount may change the result of the election in favor of the candidate seeking the recount. For example, the Legislature directs the state bureau of elections to refund a petitioner's deposit "[i]f, by reason of the recount, the *petitioner* establishes fraud or mistake as set forth in his or her petition *and receives*

a certificate of election . . . ." Mich. Comp. Laws 168.881(5) (emphasis added). And in MCL 168.880a, Michigan declares a candidate for statewide election "aggrieved" as a matter of law (and thus mandates a recount) when the vote differential is 2,000 votes or less. As the Michigan Court of Appeals correctly recognized, this automatic-recount provision reflects "that our Legislature has recognized the same remedial purpose of recounts," i.e., that they are warranted when potentially outcome-determinative. Slip op, p 5.

In the circumstances here, the Court of Appeals rightly concluded that Stein could not possibly have been "aggrieved" by any unidentified fraud or mistake. Stein received approximately 1.07% (51,463 votes) of the total votes cast for President in Michigan (approaching 5 million votes), and over 2.2 million votes separate her from the number of votes received by the winner, Donald Trump. Certified 2016 Presidential Election Results.[1] She has no possible chance of winning Michigan in a recount. Indeed, Stein has publicly acknowledged that her recount effort is "*not about flipping the vote*." Jill Stein on Twitter (Nov. 30, 2016).[2]

Accordingly, Stein has suffered no loss or injury from any supposed irregularities in the canvass of votes; she has not been "aggrieved" as MCL 168.879(1)(b) requires.

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[1] Available at goo.gl/Cdi1EW (last visited Dec. 8, 2016).

[2] Available at goo.gl/TQgT0p (last visited Dec. 8, 2016) (emphasis added).

B. The Court of Appeals' decision was consistent with prior cases and did not change the existing standards for recounts.

In enforcing the statute as written, the Court of Appeals noted that the plain meaning of "aggrieved" was "consistent" with its previous "statements regarding petitions for recount." Slip op, p 5. Indeed, the Michigan courts have repeatedly indicated that a candidate is not "aggrieved" under the statute if there is no basis to believe that, but for the alleged fraud or mistake in the canvass of votes, the candidate would have had a reasonable chance of winning the election. See, e.g., *Ward v Culver*, 144 Mich 57, 58–59 (1906) (issuing mandamus to compel recount where "slight changes in one or all of the wards specified," if in the plaintiff's favor, would "be *sufficient to change the result*" (emphasis added)); *McKenzie v Bd of City Canvassers of Port Huron*, 70 Mich 147, 148 (1888) (granting mandamus and ordering recount where "aggrieved" party alleged that *he would have won* if votes had been counted correctly); *Kennedy v Bd of State Canvassers*, 127 Mich App 493, 497 (1983) (denying petition for mandamus seeking to prohibit recount where "only a slight change in the totals would have been sufficient to *change the outcome* of the election" (emphasis added)); see also *Mich Ed Assoc v Secretary of State*, 241 Mich App 432, 440 (2000), quoting Attorney General Frank Kelley that "the purpose of a recount is to determine whether the results of the first count of ballots should stand or should be changed because of fraud or mistake in the canvass of votes[.]"

The Court of Appeals further noted that this application of "aggrieved" matched the way it was used in other contexts, requiring "an actual injury." Slip op, p 5 n 2. The point is well supported in law. The Court's definition of the term

"aggrieved" elsewhere is consistent with its meaning here. See, e.g., *Federated Ins Co v Oakland County Rd Comm'n*, 475 Mich 286, 291 (2006) ("An aggrieved party is not one who is merely disappointed over a certain result. Rather, to have standing on appeal, a litigant must have suffered a concrete and particularized injury . . . ."); *Herman Brodsky Enterprises v State Tax Comm'n*, 204 Mich App 376, 383 (1994) (party not aggrieved for purposes of MCL 207.570 where "no substantial rights of the petitioners were prejudiced."); *Emerick v Saginaw Twp*, 104 Mich App 243, 247 (1981) (aggrieved party in a fraud case must "allege a causal link between the inequitable conduct and the resulting harm").

Furthermore, other Michigan election decisions have likewise focused on a candidate's particularized injury in fact that is distinct from a generalized injury that all candidates suffer. See, e.g., *Martin v Sec'y of State*, 482 Mich 956 (2008) (candidate has a concrete injury in fact when "he or she is prevented from being placed on the ballot or must compete against someone improperly placed on the ballot," adopting the dissent's reasoning in *Martin v Sec'y of State*, 280 Mich App 417, 431 (2008), which noted that an incumbent candidate forced to run in a contested election is "aggrieved" where he must spend more time and money on the election).

In Stein's application, she contends that the decision of the Court of Appeals conflicts with its prior decision in *Kennedy v State Bd of Canvassers*, 127 Mich App at 496. See Stein's App, pp 6–9. Not so.

In *Kennedy*, the Court of Appeals ruled that allegations of fraud or mistake were sufficient in the absence of proof, because the statute only "requires allegations." 127 Mich App at 497. But the question whether the petitioner was aggrieved was not at issue, where he clearly was. Out of almost 50,000 total votes cast for him and his opponent, Thomas Kennedy – who was a candidate for 37th district court – lost by 17 votes (24,885 to 24,868). *Id.* at 495. Thus, the Court explained that "only a slight change in the totals would have been sufficient to change the outcome of the election." *Id.* at 497. That is razor thin margin. In contrast, President-elect Trump received more than 2.2 million votes and Stein received only 172,136 votes. *Kennedy* supports the Court of Appeals' interpretation (as the Court of Appeals noted in its opinion), not Dr. Stein's.

Past practice also supports the Court of Appeals' decision. Michigan's Director of Elections – who is vested with the powers and duties of the Secretary of State "with respect to the supervision and administration of the election laws," MCL 168.32(1) – agrees with the Court's interpretation of "aggrieved" and has indicated that "the Bureau of Elections has rejected recount petitions when the petitioner *fails to identify a sufficient number of precincts with enough votes to reverse the outcome of the election*." Thomas Affidavit (Exhibit 1), ¶¶ 6, 7 (emphasis added). According to the Director, "it is not the primary purpose of a recount to investigate fraud," *id.*, ¶ 7, and that "[r]ecounts have never been used primarily as an audit tool or for conducting a forensic analysis of tabulator performance, as suggested by" Jill Stein, *id.*, ¶ 8. Instead, "[a]ny individual or organization desiring

to undertake an academic study of the ballots or whether a manual count of votes cast for President of the United States would alter the outcome of the election may file a" FOIA request to view the ballots. *Id.*, ¶ 9. The Director noted that "a statewide recount is a rarity demanding the mobilization of enormous resources within each county and by the State to accomplish successfully." *Id.*, ¶ 8.c.

In sum, the Court of Appeals's decision was well-established by precedent in ruling that the Legislature required a candidate to be "aggrieved" before seeking a recount to prevent the exact situation presented here – where a candidate who has no possible chance of victory in a recount is endangering Michigan's votes in the Electoral College and imposing millions of dollars in cost to the taxpayers on a meritless recount.[3] Because the decision that Stein has not been "aggrieved" under MCL 168.879(1)(b) as a matter of law does not break ground or provide a controversial definition of the plain terms, no further review is necessary.

C. The timing of the issue counsels in support of an immediate denial of Stein's application.

Under federal law, Michigan's electors are not guaranteed full participation in the federal electoral process *unless* the State resolves any dispute over their appointment before December 13, 2016. 3 USC 5. Title 3, Section 5 provides a "safe

[3] Under Michigan law, Stein was only required to deposit $125 for each of Michigan's 6,300 precincts in order to launch the recount, MCL 168.881(4), an amount that totals $787,500. The Secretary of State has publicly stated that the hand recount could cost the taxpayers as much as $5 million. See Chad Livengood, *Mich. recount to start Friday barring Trump challenge*, The Detroit News (Dec. 1, 2016), available at goo.gl/DrNbLP (last visited Dec. 1, 2016).

harbor" that guarantees the counting of a State's electoral votes *if* any "controversy or contest" regarding those electors is resolved "at least six days before the time fixed for the meeting of electors." *Id.*; *Bush v Palm Beach Cty Canvassing Bd*, 531 US 70, 77–78 (2000).

Because 3 USC 7 fixes the meeting of electors this year for December 19, 2016, Michigan must resolve any "controversy or contest" regarding its electors "at least six days before" that date, i.e., by December 13, 2016, to guarantee the counting of its electoral votes under this safe harbor. *Bush v Gore*, 531 US 98, 110 (2000) (noting that "[3 USC 5] requires that any controversy or contest that is designed to lead to a conclusive selection of electors be completed by" the safe harbor date).

If Michigan *does not* resolve a dispute as to its electors by the "safe harbor" date, Michigan's electoral votes are potentially vulnerable to objection once Congress convenes on January 6, 2017 to count the states' electoral votes. That is because the President of the Senate, who presides over the session, "shall call for objections" upon reading aloud "the certificates and papers purporting to be certificates of the electoral votes." 3 USC 15. If there is an objection to Michigan's electoral return, the State's return must be counted if it was "regularly given" by electors whose appointment has been "lawfully certified" under 3 USC 6. But if the House and Senate agree that the State's return was not "regularly given" – which is undefined – the State's electoral return is at risk of being rejected. 3 USC 15.

This means that any recount results – and indeed any controversy or contest over the appointment of Michigan's electors – *must* be resolved and certified to the federal government before the safe harbor date of December 13, 2016, for Michigan to comply with the Legislature's directive that Michigan's electors take part in the federal electoral process. *Bush v Gore*, 531 US 98, 110 (2000).

As a result, the surest way of protecting Michigan law and safeguarding the election here is to summarily deny the application to end this unwarranted challenge to Michigan's electoral process.

CONCLUSION AND RELIEF REQUESTED

This Court should immediately deny Stein's application for leave.

Respectfully submitted,

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Dated: December 8, 2016