

**STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE**

In re: Challenge to Primary Nomination
Petition of Donald J. Trump,
Republican Candidate for President of the
United States

AFFIDAVIT OF DONALD SHERMAN

I, Donald Sherman, under oath and subject to the penalties of perjury, hereby state on my own knowledge and belief as follows:

1. I am Executive Vice President and Chief Counsel at Citizens for Responsibility and Ethics in Washington. I am counsel of record for Plaintiffs in the case of *New Mexico ex rel. White v. Griffin*, D-101-CV-2022-00473 (N.M. Dist. Ct. 2022) (“*Griffin*”), and for Petitioners in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023), *appeal pending*, 2023SA300 (Colo. 2023) (“*Anderson*”).

2. I submit this affidavit in the above-referenced matter in support of Challengers Kimberly Rosen, Thomas Saviello, and Ethan Strimling (“Challengers”) solely to authenticate certain court records from the *Anderson* and *Griffin* cases, which are included in a flash drive being hand delivered to the Secretary of State contemporaneously herewith. As counsel of record in *Anderson* and *Griffin*, I have personal knowledge of the authenticity of these court records. This affidavit is provided for authentication purposes only and not as substantive evidence in support of Challengers’ case. If called upon, I would testify competently to the matters set forth in this affidavit.

3. The accompanying flash drive includes the following exhibits:

- a. Ex. 1 is a true and correct copy of the trial transcript from August 15, 2022 in the case of *New Mexico ex rel. White v. Griffin*, D-101-CV-2022-00473 (N.M. Dist. Ct. 2022).
- b. Ex. 2 is a true and correct copy of the trial transcript from August 16, 2022 in the case of *New Mexico ex rel. White v. Griffin*, D-101-CV-2022-00473 (N.M. Dist. Ct. 2022).
- c. Ex. 3 is a true and correct copy of the district court's Findings of Fact, Conclusions of Law and Judgment in the case of *New Mexico ex rel. White v. Griffin*, D-101-CV-2022-00473 (N.M. Dist. Ct. 2022).
- d. Ex. 4 is a true and correct copy of the Brief of Amicus Curiae NAACP New Mexico State Conference and NAACP Otero County Branch filed in the case *New Mexico ex rel. White v. Griffin*, D-101-CV-2022-00473 (N.M. Dist. Ct. 2022).
- e. Ex. 5 is a true and correct copy of the trial transcript from October 30, 2023 in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- f. Ex. 6 is a true and correct copy of the trial transcript from October 31, 2023 in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- g. Ex. 7 is a true and correct copy of the trial transcript from November 1, 2023 in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- h. Ex. 8 is a true and correct copy of the trial transcript from November 2, 2023 in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- i. Ex. 9 is a true and correct copy of the trial transcript from November 3, 2023 in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).

- j. Ex. 10 is a true and correct copy of the transcript of closing arguments in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023), held on November 15, 2023.
- k. Ex. 11 is a true and correct copy of the Brief of Amicus Curiae Constitutional Accountability Center filed in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- l. Ex. 12 is a true and correct copy of the Brief of Amicus Curiae Mark Graber filed in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- m. Ex. 13 is a true and correct copy of the Brief of Amicus Curiae Free Speech for People filed in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- n. Ex. 14 is a true and correct copy of the Brief of Amicus Curiae Colorado Common Cause and Mary Estill Buchanan filed in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- o. Ex. 15 is a true and correct copy of the Brief of Amicus Curiae Floyd Abrams, Bruce Ackerman, Maryam Ahranjani, Lee C. Bollinger, Erwin Chemerinsky, Alan Chen, Kent Greenfield, Martha Minnow, and Geoffrey R. Stone filed in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- p. Ex. 16 is a true and correct copy of the Brief of Amicus Curiae Professors Carol Anderson and Ian Farrell filed in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- q. Ex. 17 is a true and correct copy of the district court's Order re: Donald J. Trump's Special Motion to Dismiss Pursuant to C.R.S. § 13-20-1101(3)(a) in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).

- r. Ex. 18 is a true and correct copy of the district court's Omnibus Ruling on Pending Dispositive Motions in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- s. Ex. 19 is a true and correct copy of the district court's Order re: Donald J. Trump's Motion to Dismiss filed September 29, 2023 in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- t. Ex. 20 is a true and correct copy of the district court's Order re: Donald J. Trump's Brief Regarding Standard of Proof in this Proceeding in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- u. Ex. 21 is a true and correct copy of the district court's Final Order in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).
- v. Ex. 22 is a true and correct copy of the Opening Brief of Petitioners in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- w. Ex. 23 is a true and correct copy of the Petitioners' Answer-Reply Brief in the case *Anderson v. Griswold*, 2023SA300 (Colo. 2023).
- x. Ex. 24 is a folder containing certain admitted trial exhibits in the case of *Anderson v. Griswold*, 2023CV32577 (Colo. Dist. Ct. 2023).

I declare under penalty of perjury under the law of Maine that the foregoing is true and correct. Executed on the 14th day of December, 2023, at Washington, DC.


Donald Sherman

Sworn and subscribed to before me the 14th day of December, 2023.


Shaila Bornstein
Notary Public
Shaila Bornstein

