

RETURN DATE: SEPTEMBER 20, 2022

CONNECTICUT SUPERIOR COURT

ROBERT STEFANOWSKI; LAURA DEVLIN;  
LAWRENCE DE PILLO; JOSEPH J. PODCHAISKI;  
AND CYNTHIA MCCORKINDALE,

JUDICIAL DISTRICT  
OF HARTFORD

Plaintiffs,

v.

MARK F. KOHLER, SECRETARY OF THE STATE  
OF CONNECTICUT; MICHAEL TELESCA; AND  
INDEPENDENT PARTY OF CONNECTICUT,

Defendants.

SEPTEMBER 1, 2022

**VERIFIED COMPLAINT SEEKING EMERGENCY  
TEMPORARY AND PERMANENT INJUNCTIVE RELIEF**

**I. PARTIES**

1. The plaintiff, Robert Stefanowski (“Plaintiff Stefanowski”), is a person residing at 1046 Boston Post Road in the town of Madison, Connecticut. Plaintiff Stefanowski is the Republican candidate for Governor of the State of Connecticut, and also sought to be the endorsed nominee for Governor from the Independent Party of Connecticut.

2. The plaintiff, Laura Devlin (“Plaintiff Devlin”), is a person residing at 85 Brett Lane in the town of Fairfield, Connecticut. Plaintiff Devlin is the Republican candidate for Lieutenant Governor of the State of Connecticut, and also sought to be the endorsed nominee for Lieutenant Governor from the Independent Party of Connecticut.

3. The plaintiff, Lawrence De Pillo (“Plaintiff De Pillo”), is a person residing at 11 Steuben Street in the City of Waterbury, Connecticut. Plaintiff De Pillo is a member of the Independent Party of Connecticut.

4. The plaintiff, Joseph J. Podchaiski (“Plaintiff Podchaiski”), is a person residing at 15 Cranberry Lane in the City of Bristol, Connecticut. Plaintiff Podchaiski is a member of the Independent Party of Connecticut.

5. The plaintiff, Cynthia McCorkindale (“Plaintiff McCorkindale”), is a person residing at 19 Elgin Avenue in the town of Bethel, Connecticut. Plaintiff McCorkindale is a member of the Independent Party of Connecticut.

6. The defendant, Mark F. Kohler, is the Secretary of the State of Connecticut.

7. The defendant, Michael Telesca (“Defendant Telesca”), is a person residing at 154 Bunker Hill Avenue, Waterbury, Connecticut. Defendant Telesca is the Chairman of the Independent Party of Connecticut.

8. The defendant, Independent Party of Connecticut, is a state minor political party pursuant to General Statutes § 9–372(6).

## **II. THE GOVERNMENT’S SIGNIFICANT INTERESTS IN REGULATING MINOR PARTIES AND BALLOT ACCESS**

9. Conn. Gen. Stat. § 9-3 appoints the Secretary of the State as the Commissioner of Elections of the state with the power to issue declaratory rulings and opinions, including orders to correct any irregularity or impropriety, related to the conduct of elections. Any such ruling or order “shall be executed, carried out or implemented,” including through enforcement by appropriate decree or order issued by the Superior Court upon application from the Secretary of the State or the Attorney General.

10. A primary purpose underlying the government’s regulation of minor parties is the government’s interest in ensuring that candidates can make a preliminary showing of substantial support in order to qualify for a place on the ballot. It is wasteful and confusing to encumber the ballot with the names of candidates who cannot make the requisite showing of support.

11. The State has enacted reasonable regulations of parties, elections, and ballots to reduce election and campaign-related disorder. Such regulations advance important state interests such as making sure that minor parties who are granted access to the ballot are bona fide and actually supported, and ensuring that voters are treated fairly.

12. Connecticut also has an interest in adopting and enforcing election regulations to avoid undue factionalism in its political system and the splintering of political parties.

13. Printing the name of a political organization's candidate on the ballot without the requisite showing of majority support from the organization would result in an unfair advantage over other minor parties who are seeking that status through the petition process. Such inequity is impermissible, as the state also has an important interest in ensuring that all minor parties are treated fairly. Requiring that minor party candidates make a threshold showing of support for statewide ballot access serves this important interest.

14. As Commissioner of Elections for the State of Connecticut, the Secretary of State is charged with administering, interpreting and implementing election laws and ensuring fair and impartial elections in accordance with these significant state interests.

15. The Secretary of State accomplishes its statutory mandate pursuant to Conn. Gen. Stat. § 9-3 by implementing state laws pertaining to elections, nominating procedures, and the acquisition and exercise of voting rights.

### **III. FACTS**

16. On March 22, 2010, the Independent Party of Connecticut filed its Rules and Bylaws, Amended March 20, 2010, with the Connecticut Secretary of State. A true copy of the Rules and Bylaws, Amended March 20, 2010 ("Rules and Bylaws"), are attached hereto as **Exhibit A.**

17. Article 3 of the Rules and Bylaws is titled “INDEPENDENT PARTY STATE CAUCUSES.”

18. Article 3, Section 2 of the Rules and Bylaws provides that “State Caucuses will follow Robert’s New Rules of Order, Revised; **unless otherwise stated in the Independent Party State Bylaws.**” (Emphasis added).

19. Article 3, Section 3 of the Rules and Bylaws provides that “[o]ne must be a registered member of the Independent Party for a minimum of 90 continuous days prior to a state caucus to have voting rights at that state caucus.”

20. Article 3, Section 4 of the Rules and Bylaws states as follows:

Section 4. Date and Location of State Caucuses

... The time and place of statewide party caucuses will be announced by the chair of the party a minimum of 21 days in advance [of the caucus] through email notifications to all members that have provided the secretary with email addresses, and with a notification in the Hartford Courant. Notification will also be delivered to the Secretary of State’s office a minimum of 7 days in advance of the meeting.

21. Article 3, Section 5 of the Rules and Bylaws states as follows:

Section 5. Nomination of Statewide Candidates for Public Office

Independent Party candidates for statewide public offices (even numbered years) will be determined at the first state caucus of the year. The State Central Committee will nominate one candidate for each state wide office through majority vote at a State Central Committee meeting at the state caucus. Independent Party members with voting eligibility (see Section 3) may nominate additional candidates from the floor. All registered members of the party with voting eligibility (see Section 3) in attendance may vote for one of the nominated candidates for each office. **The candidate for each office who receives 51% of the votes at the state caucus will be the nominee of the party. If there are three or more candidates for an office and no one gets at least 51% of the votes then the candidate with the lowest number of votes shall be removed from the candidates list and a new vote will take place until a candidate receives 51% or more of the vote.** The presiding officer of the state caucus will file an endorsement

letter for each nominated candidate with the Secretary of State's office within 5 business days, and apply for all necessary paperwork (petitions, etc.) to get the candidate on the ballot in November.... (Emphasis added).

22. Conn. Gen. Stat. § 9-324 provides:

Any elector ... who claims that such elector ... is aggrieved by any ruling of any election official in connection with any election for Governor[] [or] Lieutenant Governor ... held in such elector's ... town, or that there has been a mistake in the count of the votes cast at such election for candidates for said offices or any of them ... may bring such elector's ... complaint to any judge of the Superior Court, in which such elector ... shall set out the claimed errors of such election official, the claimed errors in the count or the claimed violations of said sections.... If such complaint is made prior to such election, such judge shall proceed expeditiously to render judgment on the complaint and shall cause notice of the hearing to be given to the Secretary of the State and the State Elections Enforcement Commission.

23. Conn. Gen. Stat. § 9-329b provides “[a]t any time ... prior to any election, the Superior Court may issue an order removing a candidate from a ballot where it is shown that said candidate is improperly on the ballot.”

24. Conn. Gen. Stat. § 9-451 provides:

The nomination by a minor party of any candidate for office, including an office established after the last-preceding election, and the selection in a municipality by a minor party of town committee members or delegates to conventions may be made in the manner prescribed in the rules of such party, or alterations or amendments thereto, filed with the Secretary of the State in accordance with section 9-374.

25. Article 3, Section 3 of the Rules and Bylaws requires that voters in attendance at an Independent Party state caucus must be registered members of the Independent Party for a minimum of 90 continuous days in order to have voting rights at the caucus. Plaintiffs De Pillo, Podchaiski, and McCorkindale are all registered members of the Independent Party and have been for at least 90 continuous days prior to the state caucus that occurred on August 23, 2022.

26. Article 3, Section 5 of the Rules and Bylaws provides that (a) Independent Party members with voting eligibility may nominate candidates from the floor during the state caucus; (b) candidates for statewide office are to be nominated by receiving 51% of the votes at a state caucus; (c) only registered members of the Independent Party with voting eligibility can vote for nominated candidates for each office; (d) a candidate who receives 51% of the votes at the state caucus will be the nominee of the Independent Party; and (e) a second round of balloting occurs (again, with each registered party member casting a single vote for the candidate of their choice) if the first round of voting fails to produce a candidate receiving 51% of the vote, thereby receiving the Party's nomination.

27. The Independent Party elected to nominate a candidate for various statewide offices, including the Offices of Governor and Lieutenant Governor, at the caucus that occurred on August 23, 2022. Conn Gen. Stat. § 9-451 requires that the Independent Party can only nominate candidates for office in the manner prescribed in the Rules and Bylaws filed with the Secretary of the State in accordance with Conn. Gen. Stat. § 9-374.

28. On July 22, 2022, the State Central Committee of the Independent Party of Connecticut notified candidates of the process by which such candidates were to seek nomination by the Independent Party of Connecticut for the November 8, 2022 general election. The July 22, 2022 notice stated that candidates seeking the Independent Party nomination shall come forward by August 8, 2022, and that caucuses would be held by September 7, 2022.

29. On July 24, 2022, Plaintiff Stefanowski registered on the Independent Party of Connecticut website (<https://www.ctindyparty.org/>) as a candidate seeking the Independent Party nomination for the Office of Governor for the November 8, 2022 general election.

30. On July 24, 2022, Plaintiff Stefanowski sent a letter to Defendant Telesca, seeking the nomination and cross-endorsement of the Independent Party of Connecticut for the Office of Governor for the November 8, 2022 general election. A true copy of Plaintiff Stefanowski's letter is attached hereto as **Exhibit B**.

31. On July 31, 2022, Defendant Telesca announced the Independent Party of Connecticut would hold a statewide party caucus to nominate candidates for the Office of Governor for the November 8, 2022 general election in an email directed to the members of the State Central Committee (the "Caucus Notice"). The Caucus Notice provided that the statewide caucus would be held on August 23, 2022, starting at 7:30PM at the Guildford Community Center in Guilford, Connecticut (the "Caucus"). A true copy of the Caucus Notice is attached hereto as **Exhibit C**.

32. On August 2, 2022, notice of the Caucus was published in the Hartford Courant.

33. On August 2, 2022, Independent Party Member Margaret O'Brien emailed Defendant Telesca and the State Central Committee of the Independent Party a series of questions concerning the Caucus, including:

- (1) Will the Independent Party officials have a certified list of eligible voters that are registered with the party 90 days in advance of the caucus?
- (2) What will be the process for checking in eligible voters?
- (3) Who will be doing the checking in and how will this be handled?
- (4) Will those who are not registered with the Independent Party 90 days in advance be segregated from eligible voting members during the caucus because they are ineligible by our Bylaws?
- (5) Will candidates' representatives be permitted to observe the check-in and vote tallying processes?
- (6) How will the actual vote be cast and counted?

A true copy of the Email to Defendant Telesca and the State Central Committee is attached hereto as **Exhibit D**.

34. On August 5, 2022, Defendant Telesca provided the following answers:

(1) Yes

(2) Show ID

(3) State Central Committee

(4) Yes

(5) Yes as always

(6) Paper ballots as we always do then hand counted.

Defendant Telesca further stated “[i]f you are representing the Republican candidates please let us know who from their side will be their observer. He must be an Independent Party member. Remember only Independent Party members can participate and vote. Rank choice voting is in our bylaws.” A true copy of the Email from Defendant Telesca is attached hereto as **Exhibit E**.

35. Contrary to Defendant Telesca’s assertions, the Rules and Bylaws do not provide for ranked choice voting.

36. On August 15, 2022, Plaintiff Stefanowski met with Defendant Telesca and State Central Committee member John Mertens via Zoom to discuss the process for the August 23, 2022 Independent Party Caucus. During that meeting, Defendant Telesca and Mr. Mertens advised that Plaintiff Stefanowski’s name would be pre-printed on the ballot as a candidate for the statewide office of Governor because he pre-registered with the Independent Party.

37. On August 18, 2022, Plaintiff Stefanowski sent a letter to Defendant Telesca advising that the Independent Party’s anticipated use of Ranked Choice Voting was contrary to Article 3, Section 5 of the Rules of the Bylaws, requesting that the Independent Party follow the



voting process set forth in Article 3, Section 5 of the Rules and Bylaws, and asking additional questions regarding the Caucus process, including “How will ballot order be determined?” Defendant Telesca did not respond to this letter. A true copy of the Letter from Plaintiff Stefanowski to Defendant Telesca is attached hereto as **Exhibit F**.

#### **IV. INDEPENDENT PARTY CANDIDATE NOMINATION VIOLATED PARTY RULES AND LAW**

38. On August 23, 2022, the Independent Party held the Caucus to elect candidates for statewide office, including the Offices of Governor and Lieutenant Governor.

39. Upon arrival at the Caucus, individuals were presented with a flyer explaining the Independent Party’s Rules and Bylaws concerning voter eligibility, the process Independent Party officials were going to follow to credential voters, and the process officials were going to employ with respect to voting (the “Voting Rules”). A true copy of the Voting Rules flyer distributed to Independent Party members at the Caucus is attached hereto as **Exhibit G**.

40. The Voting Rules flyer indicated that the Caucus would follow Ranked Choice Voting if there were more than two candidates for an office, by providing as follows:

On your ballot you are asked to put a number 1 next to your preferred candidate. You may put a number 2 next to your second choice, a 3 next to your third choice, etc.

##### **VOTING ROUND 1**

Ballots with a “1” for each candidate are counted. If a candidate receives a 1 on more than 50% of the ballots, they are the winner. If no candidate receives more than 50%, we move to VOTING ROUND 2.

##### **VOTING ROUND 2**

The candidate receiving the lowest total of “1”s is eliminated, and the ballots of the eliminated candidate will be redistributed to the second choice candidate on each ballot (the candidate with a “2”). If a candidate now has more than 50% of the ballots, they are the winner. If no candidate has more than 50%, the process is continued (VOTING ROUND 3, etc.) until a candidate exceeds 50%.

The forgoing rules are not included in the Rules and Bylaws for the Independent Party of Connecticut.

41. Voter eligibility was determined by members of the Independent Party State Central Committee. Individuals who wished to enter and cast a ballot at the Caucus were asked to show a photo identification, a social security card, or two other forms of identification to establish their eligibility, i.e., to prove that they were registered members of the Independent Party for 90 or more continuous days.

42. Individuals who were listed on the state voter database as Independent Party members who had been registered for 90 or more days were provided with name tags to indicate they were eligible to vote. Those who were ineligible to vote did not receive name tags. Eligible voting members were segregated from non-eligible members during the Caucus.

43. After Independent Party members were checked into the Caucus, Defendant Telesca called the Caucus to order and made opening remarks wherein he attempted to dissuade Independent Party members from voting for Plaintiff Stefanowski.

44. Defendant Telesca then announced that Independent Party members would first vote to nominate candidates for the Offices of Governor and Lieutenant Governor (as a slate) and opened the floor to receive nominations.

45. Members of the Independent Party nominated (1) Plaintiff Stefanowski and Plaintiff Devlin, (2) Robert Hotaling and his running mate, Stuart “Chip” Beckett, and (3) Ernestine Holloway for the Offices of Governor and Lieutenant Governor.

46. Chairman Telesca next explained the balloting process to members and advised that Independent Party officials would conduct the vote process according to the Ranked Choice voting procedure outlined in the Voting Rules flyer in violation of the Rules and Bylaws.

47. Mr. Hotaling and Ms. Holloway's names were pre-printed on the ballots that were distributed to Independent Party members. Plaintiff Stefanowski's name was not, even though he had registered with the Independent Party as a candidate seeking the Independent Party's nomination, even though he formally sought the nomination and cross-endorsement of the Independent Party of Connecticut for the Office of Governor, and even though Mr. Telesca and Mr. Mertens advised Plaintiff Stefanowski that his name would be pre-printed on the ballot.

48. Independent Party members could not vote for Plaintiff Stefanowski unless they wrote his name on the ballot and placed the number "1" next to his name.

49. In order for Independent Party members to receive their ballot, their name tags were marked with an "X" or similar mark to indicate they had received a ballot to vote and could not seek to obtain another ballot to vote again.

50. Independent Party members observed Defendant Telesca's name tag with the "X" mark indicating he had received his ballot, and other Independent Party members witnessed Defendant Telesca cast his ballot into the ballot box.

51. After all Independent Party members had voted during the first round of voting, Independent Party officials tallied the ballots. The Independent Party officials determined that 158 ballots were validly cast and tallied the votes on those ballots.

52. The first round of voting produced 79 votes for Mr. Stefanowski/Ms. Devlin, 75 votes for Mr. Hotaling/Mr. Beckett, and four (4) votes for Ms. Holloway. Thus, no candidate achieved the required 51% of the votes (i.e., 81 votes) during the first round of the nominating process.

53. Pursuant to the Rules and Bylaws, when the first round of voting failed to produce a candidate receiving 51% of the vote, Independent Party officials should have eliminated Ms.

Holloway from the ballot and conducted a second round of voting between Plaintiff Stefanowski and Mr. Hotaling. Instead, Independent Party officials redistributed the four first-preference votes Ms. Holloway received to Mr. Hotaling, who was purportedly listed as the second choice on each of those ballots, creating a 79-79 tie between Plaintiff Stefanowski and Mr. Hotaling.

54. After deliberation, Chairman Telesca announced that, rather than conduct a new round of voting as mandated by the Rules and Bylaws, he was going to cast a second vote in favor of Mr. Hotaling to break the tie between Plaintiff Stefanowski and Mr. Hotaling. Chairman Telesca misrepresented to the Caucus in attendance that he had the authority under the Bylaws to cast the deciding vote, declaring Mr. Hotaling to be the endorsed nominee of the Independent Party.

55. Following the Caucus, Chairman Telesca went on record and acknowledged that he had no authority to cast a second vote to break a tie. The Rules and Bylaws are clear that if a candidate does not achieve 51% of the vote, a re-vote is to be held.

56. By voting twice, Defendant Telesca unilaterally and improperly made a decision on behalf of the Independent Party that his vote was at least twice as important as other members' votes.

57. Over the objection of numerous Independent Party members, Defendant Telesca announced that Mr. Hotaling would receive the endorsement of the Independent Party as its candidate for the Office of Governor, even though he had not achieved 51% of the vote to receive the Independent Party's nomination as required by the Rules and Bylaws.

58. The nomination of the Independent Party's endorsed candidates for Governor and Lieutenant Governor was performed contrary to and in violation of Article 3, Sections 2, 3, 5 and 6 of the Rules and Bylaws, Conn. Gen. Stat. § 9-451 and § 9-374, as follows:

- a. Mr. Hotaling did not achieve 51% of the vote at the Caucus;
- b. Defendant Telesca unilaterally changed the threshold to attain the Independent Party nomination from 51% as mandated by the Bylaws, to more than 50%;
- c. The Independent Party improperly conducted Ranked Choice voting in violation of Article 3, Section 5 of the Rules and Bylaws; and
- d. Defendant Telesca unlawfully cast at least two votes when he purported to break the claimed tie between Plaintiff Stefanowski and Mr. Hotaling.

59. However, the Independent Party of Connecticut has not legally changed its Rules and Bylaws to modify the way in which candidates are required to be nominated.

60. Article 3, Section 6 of the Rules and Bylaws states as follows:

Section 6. Change of Party Rules

Party Rules can only be changed by a majority vote of eligible voting members ... of the Independent Party in attendance at a statewide party caucus. The chair of the party will delivery any changes to the party rules to the Secretary of State's office within 5 business days.

61. The Independent Party of Connecticut failed to file an amendment of the Rules and Bylaws within 180 days before nominations to modify the way in which candidates are nominated.

62. Conn. Gen. Stat. § 9-374 provides:

... In the case of a minor party, no authority of the state or any subdivision thereof having jurisdiction over the conduct of any election shall permit the name of a candidate of such party for any office to be printed on the official ballot unless at least one copy of the party rules regulating the manner of nominating a candidate for such office has been filed in the office of the Secretary of the State at least one hundred eighty days before the nomination of such candidate.... Party rules shall not be effective until sixty days after the filing of the same with the Secretary of the State..... The term 'party rules' as used in this section includes any amendment to such party rules. When any amendment is to be filed as required

by this section, complete party rules incorporating such amendment shall be filed, together with a separate copy of such amendment.

63. Conn. Gen. Stat. § 9-374 prohibits the Secretary of State from printing the name of a candidate from a minor party on the official ballot if the party rules or any amendment to the party rules has not been filed in with the Secretary of State at least 180 days before the candidate's purported nomination.

64. Since the Independent Party of Connecticut failed to file an amendment of the Rules and Bylaws changing the nominating process within 180 days of the nomination of candidates as required by Conn. Gen. Stat. § 9-374, the Rules and Bylaws, Amended March 20, 2010, are the operative "party rules" of the Independent Party of Connecticut.

65. The Independent Party of Connecticut nominated Mr. Hotaling in violation of the Rules and Bylaws and Connecticut law.

66. As such, the Independent Party of Connecticut's putative endorsement of Mr. Hotaling is contrary to and in violation of Article 3, Section 5 of the Rules and Bylaws and Conn. Gen. Stat. § 9-451.

67. The Rules and Bylaws provide that the candidate who receives 51% of the votes at the state caucus will be the nominee of the party. As Mr. Hotaling did not achieve the requisite majority vote of 51% – even with Defendant Telesca's illegally cast second vote – Independent Party members, including Plaintiffs De Pillo, Podchaiski, and McCorkindale, and those other Independent Party members similarly situated, were deprived of the right to cast a ballot in a second round to determine who would be their nominee for the statewide offices of Governor and Lieutenant Governor.

68. Defendant Telesca and the Independent Party deprived Plaintiffs and other eligible Independent Party members of their legal political right to cast a ballot in a second round for the candidate of their choice when no candidate achieved 51% of the vote.

69. There is no lawful nominee of the Independent Party because no candidate achieved 51% of the votes cast at the Caucus. The purported endorsement letter of Mr. Hotaling filed with the Secretary of State by Defendant Telesca following the Caucus is void, resulting from the *ultra vires* act of Defendant Telesca, and in derogation of the Rules and Bylaws and Connecticut law and resulted in the disenfranchisement of the voting rights of the Plaintiffs and other eligible voting members of the Independent Party.

70. Accordingly, the Secretary of State is prohibited as a matter of law from placing Mr. Hotaling on the ballot for the November 8, 2022 general election as the endorsed candidate of the Independent Party of Connecticut.

71. On August 25, 2022, counsel for Plaintiff Stefanowski's campaign submitted a letter to the Defendant Secretary of the State objecting on the campaign's behalf to the purported nomination of Mr. Hotaling as the endorsed candidate of the Independent Party for the Office of Governor based upon, among other things, (i) Mr. Hotaling did not achieve 51% of the vote at the Caucus as required by the Rules and Bylaws to receive the Independent Party nomination, (ii) the Independent Party improperly conducted Ranked Choice Voting in violation of Article 3, Section 5 of the Rules and Bylaws, and (iii) Defendant Telesca unlawfully cast a second vote to break a claimed tie between Plaintiff Stefanowski and Mr. Hotaling, instead of calling for a second vote as mandated by the Rules and Bylaws.

72. Later that day, the Office of the Secretary of State responded with a letter declining to reject the certificate of nomination filed by the Independent Party where it endorsed Mr. Hotaling for the Office of Governor.

73. Pursuant to Conn. Gen. Stat. § 9-462, the Secretary of State is to send a list of candidates for state offices to town clerks throughout the State of Connecticut. The Secretary of State's refusal to reject the illegal nomination of Mr. Hotaling amounts to a ruling or order from the Secretary of State pursuant to Conn. Gen. Stat. § 9-3 that the Secretary of State intends to include Mr. Hotaling's name on the list of candidates for the Office of Governor that it will send to town clerks to print on the official ballot on September 15, 2022.

74. The Plaintiffs are aggrieved by the Secretary of State's refusal to reject the certificate of nomination of Mr. Hotaling filed by the Independent Party and by printing of Mr. Hotaling's name on the ballot.

75. Pursuant to Conn. Gen. Stat. § 9-324, the Plaintiffs have sent a copy of the complaint by first-class mail to the State Elections Enforcement Commission.

## **V. EMERGENCY INJUNCTIVE RELIEF WARRANTED**

76. Emergency injunctive relief is warranted because pursuant to Conn. Gen. Stat. § 9-462, the Secretary of State must send the list of candidates for state offices to town clerks to print on the ballot by September 15, 2022.

77. Plaintiffs De Pillo, Podchaiski, and McCorkindale, as members of the Independent Party of Connecticut, as well as all other similarly situated members of the Independent Party, were harmed as they were deprived of the opportunity and right to cast a second ballot for the candidate of their choice as required by the Rules and Bylaws.



78. The Plaintiffs and other eligible Independent Party members have no adequate remedy at law.

79. The Independent Party of Connecticut, through *ultra vires* act of its Chairman, Defendant Telesca, purported to nominate a candidate contrary to and in violation of the Rules and Bylaws. Accordingly, the Secretary of State cannot legally direct town clerks to place the name of the improperly nominated candidate on the ballot.

80. The Plaintiffs and other eligible Independent Party members will suffer irreparable harm, absent a temporary and permanent injunction prohibiting the Secretary of State from placing Mr. Hotaling on the ballot as the endorsed candidate of the Independent Party of Connecticut.

81. A balancing of the hardships involved in this case tips decidedly in favor of the Plaintiffs.

**COUNT ONE**  
**(Failure to Follow Rules and Bylaws in Violation of C.G.S. § 9-374)**

82. Plaintiffs repeat and reallege the allegations of Paragraphs 1-82 as if fully set forth herein.

83. C.G.S. § 9-374 requires minor parties to file rules regulating the manner of nominating candidates for office at least 180 days before the nomination of such candidate.

84. Party rules are not effective until 60 days after they are filed with the Secretary of the State.

85. The Secretary of the State is prohibited from permitting the name of a party-endorsed candidate for an office to be printed on the official ballot if the provisions of C.G.S. § 9-374 have not been followed.

86. The Voting Rules distributed at the Caucus constituted a purported amendment to the Rules and Bylaws.

87. The Independent Party did not file the Voting Rules at least 180 days before the purported nomination of Mr. Hotaling.

88. Defendant Telesca and the Independent Party violated the Rules and Bylaws when they conducted Ranked Choice voting in violation of Article 3, Section 5 of the Bylaws.

89. Defendant Telesca and the Independent Party violated the Rules and Bylaws when Defendant Telesca voted a second time to break the purported tie between Plaintiff Stefanowski and Mr. Hotaling.

90. Defendant Telesca and the Independent Party violated Article 3, Section 5 of the Rules and Bylaws when they purported to endorse Mr. Hotaling for the Office of Governor when he failed to achieve 51% of the votes cast at the Caucus.

**COUNT TWO**  
**(Violation of C.G.S. § 9-324)**

91. Plaintiffs repeat and reallege the allegations of Paragraphs 1-91 as if fully set forth herein.

92. C.G.S. § 9-324 permits any candidate who claims they are aggrieved by any ruling of an election official in connection with any election for Governor, or that there has been a mistake in the count of the votes cast at such election for candidates for said office, may bring such candidate's complaint to any judge of the Superior Court, in which such candidate shall set out the claimed errors of such election official or the claimed errors in the count.

93. Plaintiff Stefanowski and Plaintiff Devlin are aggrieved by the August 25, 2022 letter from the Secretary of State declining to reject the Independent Party's illegal endorsement of Mr. Hotaling.

94. As a result of these violations, Plaintiff Stefanowski is entitled to a temporary and permanent injunction preventing the defendant, Secretary of State, from providing town clerks with a list of candidates that includes Robert Hotaling and Stuart “Chip” Beckett as Independent Party candidates for the Offices of Governor and Lieutenant Governor, as well as preventing the Secretary of State from placing the names of Robert Hotaling and Stuart “Chip” Beckett as Independent Party candidates for the Offices of Governor and Lieutenant Governor on the November 8, 2022 general election ballot.

**COUNT THREE**  
**(Declaratory Judgment)**

95. Plaintiffs repeat and reallege the allegations of Paragraphs 1-95 as if fully set forth herein.

96. There exists an actual controversy between Plaintiffs and the Defendants that lies within the jurisdiction of this Court.

97. There is an actual bona fide and substantial question or issue in dispute or substantial uncertainty of legal relations which requires settlement between the parties.

98. Plaintiffs seek a declaration that the Independent Party of Connecticut violated the Rules and Bylaws, Amended March 20, 2010, when nominating candidates for Governor and Lieutenant Governor.

99. Plaintiffs seek a declaration that the Independent Party of Connecticut failed to nominate a candidate for Governor and Lieutenant Governor in accordance with the Rules and Bylaws, Amended March 20, 2010.

100. Plaintiffs seek a declaration that Defendant Telesca improperly cast multiple votes in violation of the Rules and Bylaws.

101. A declaration by this Court is necessary and appropriate at this time under the circumstances in order that Plaintiffs may ascertain their rights and duties.

WHEREFORE, the Plaintiffs seek:

1. An order declaring that the Independent Party of Connecticut violated the Rules and Bylaws, Amended March 20, 2010;
2. An order declaring that the Independent Party of Connecticut failed to nominate a candidate for Governor and Lieutenant Governor in accordance with the Rules and Bylaws, Amended March 20, 2010;
3. An order finding that Defendant Telesca improperly cast multiple votes in violation of the Rules and Bylaws;
4. An order declaring that Mr. Hotaling did not receive the requisite 51% of the votes cast at the Caucus;
5. A temporary and permanent injunction preventing the defendant, Secretary of State, from providing town clerks with a list of candidates that includes Robert Hotaling and Stuart “Chip” Beckett as Independent Party candidates for the Offices of Governor and Lieutenant Governor;
6. A temporary and permanent injunction preventing the defendant, Secretary of State, from placing Robert Hotaling and Stuart “Chip” Beckett on the November 8, 2022 general election ballot as the nominee of the Independent Party of Connecticut;
7. An order removing Messrs. Hotaling and Beckett from the ballot for the November 8, 2022 state election;

8. An order that the defendants, Secretary of State and the Independent Party of Connecticut, to appear before the Court to show cause, if any, why said mandatory injunction should not be issued; and
9. Such other equitable relief as the court deems necessary and proper.

**THE PLAINTIFFS,**

**ROBERT STEFANOWSKI, LAURA  
DEVLIN, LAWRENCE DE PILLO,  
JOSEPH PODCHAISKI, AND  
CYNTHIA MCCORKINDALE,**

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E-mail: [sstankus@hinckleyallen.com](mailto:sstankus@hinckleyallen.com)

Firm Juris No. 428858

RETURN DATE: SEPTEMBER 20, 2022

CONNECTICUT SUPERIOR COURT

ROBERT STEFANOWSKI; LAURA DEVLIN;  
LAWRENCE DE PILLO; JOSEPH J. PODCHAIKI;  
AND CYNTHIA MCCORKINDALE

JUDICIAL DISTRICT  
OF HARTFORD

Plaintiffs,

v.

MARK F. KOHLER, SECRETARY OF THE STATE  
OF CONNECTICUT; MICHAEL TELESCA; AND  
INDEPENDENT PARTY OF CONNECTICUT,

Defendants.

SEPTEMBER 1, 2022

**STATEMENT OF AMOUNT IN DEMAND**

The plaintiffs seek injunctive relief.

**THE PLAINTIFFS,**

**ROBERT STEFANOWSKI, LAURA  
DEVLIN, LAWRENCE DE PILLO,  
JOSEPH PODCHAIKI, AND  
CYNTHIA MCCORKINDALE,**

By: 

Peter J. Martin, Esq.

Jared Cohane, Esq.

Sara J. Stankus, Esq.

HINCKLEY, ALLEN & SNYDER LLP

20 Church Street, 18<sup>th</sup> Floor

Hartford, CT 06103

Telephone: 860-331-2726

Facsimile: 860-331-2727

E-mail: [pmartin@hinckleyallen.com](mailto:pmartin@hinckleyallen.com)

E-mail: [jcohane@hinckleyallen.com](mailto:jcohane@hinckleyallen.com)

E-mail: [sstankus@hinckleyallen.com](mailto:sstankus@hinckleyallen.com)

Firm Juris No. 428858


VERIFICATION

I, Lawrence De Pillo, being duly sworn, hereby depose and state that I have read the Verified Complaint in this matter and that the allegations made therein are true to the best of my knowledge and belief.

  
Lawrence De Pillo

STATE OF CONNECTICUT     )  
  )     ss: Hartford  
COUNTY OF Hartford     )

Subscribed and sworn to before me this 29th day of August, 2022.

  
Notary Public  
My Commission Expires:

KATHLEEN ALBINO  
Notary Public  
Connecticut  
My Commission Expires Oct 31, 2023

# **EXHIBIT A**



**INDEPENDENT PARTY OF CONNECTICUT  
RULES AND BYLAWS  
Amended March 20, 2010**

INDEPENDENT PARTY OF CONNECTICUT  
LEGISLATIVE ELECTORAL  
ADMINISTRATION DIVISION  
2010 MAR 22 PM 3:09

## **PURPOSE AND OBJECTIVES**

The Independent Party has been established to provide all Connecticut residents an alternative political organization dedicated to ensuring open, honest government, with realistic objectives.

The Independent Party is open to all electors without discrimination on the grounds of race, color, creed, gender, or religious beliefs. We welcome the participation by any and all Connecticut residents who desire to join the Independent Party and participate in its goals and objectives.

The Independent Party hereby dedicates itself to ensuring that all regular meetings and conferences will be conducted openly, and invites members and nonmembers alike to attend these meetings.

The Independent Party invites and solicits all residents of Connecticut to become active members and participate in a movement to bring honest, open, non-partisan problem-solving to government; to promote responsible and sustainable governmental policies; to fight corruption; and to promote ballot access for citizens who want to be public servants.

The Independent Party provides assurance that it will strive to protect all of Connecticut's assets; improve and maintain them through a continuing, rigorous plan of action designed to enhance the economic well being of all Connecticut residents.

The Independent Party is committed to succeed in returning Connecticut to the esteemed position it once enjoyed through the proper usage of all its resources and economic potential.

## **The Independent Party of Connecticut Rules and Bylaws**

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| Article I:   | Independent Party State Central Committee   | 1 |
| Article II:  | Independent Party Rules for Town Committees   |   |
| Article III: | Independent Party State Caucuses  |   |
| Article IV:  | Independent Party District and Town Caucuses<br>for Nominating Candidates for Public Office and<br>Electing State Central Committee Members |   |

## ARTICLE 1: INDEPENDENT PARTY STATE CENTRAL COMMITTEE

### Section 1. Membership

The State Central Committee shall consist of:

- (a) One representative from each state senatorial district that:
  - (i) has ballot status for the Independent Party in the state senate election in the next even-year election, or
  - (ii) contains at least part of one state representative district that has ballot status for the Independent Party in the state representative election in the next even-year election.

and

- (b) One representative from each town that has an Independent Party Town Committee (see ARTICLE II) and has a member of the Independent Party holding an elected municipal public office.

A State Central Committee member may not be both a state senatorial district representative and a town representative.

### Section 2. Election of Members

State Senatorial District representatives and Town representatives will be elected in district and town caucuses (see ARTICLE IV). Other than the first term beginning under these rules in 2010, members will be elected in odd numbered years, no later than May 1.

### Section 3. Terms of Members

Other than the first term beginning under these rules in 2010, members shall serve for a term of not less than 20 months or more than 28 months, commencing at the caucus session at which they were elected until the next caucus session called to elect the same representative position. Members can be re-elected.

### Section 4. Election of Officers

The State Central Committee members will elect a Chair, Vice Chair, Treasurer, Secretary, and Parliamentarian at the first State Central Committee meeting after May 1 of each odd number year. In the first term beginning in 2010, officers shall be elected at the first state caucus of 2010. Officers shall hold office from the time they are elected until their successors are elected. Any registered member of the Independent party can be elected by the State Central Committee to serve as an officer of the State Central Committee without being an elected member of the State Central Committee.

### Section 5. Voting at State Central Committee meetings.

Each member of the state committee that represents a Town Committee shall have one vote on the State Central Committee. Members that represent state senatorial districts will have voting power based on the number of enrolled Independent Party members in the state senatorial district they represent, to be determined as follows:

| Number of enrolled Independent Party members in District | Number of votes |
|--|-----------------|
| Less than 500  | 1               |
| 500 to 1,000 inclusive                                   | 1½              |

Any member of the State Central Committee who is unable to attend any State Central Committee meeting may appoint in writing any Independent Party member who resides in the member's representative area to act on his or her behalf and the appointed person must be present to vote and can not already be a member of the State Central Committee. You can only represent one State Central Committee member at a time. The appointment will be dated and signed by the principal and shall be valid only for the specified meeting.

#### Section 6 Quorum for State Central Committee Meetings.

The presence of 50% of the members eligible to attend shall constitute a quorum.

#### Section 7 Meetings.

The State Central Committee shall meet at least 3 times a year to discuss Party business. The next meeting date will be set at the close of a current meeting by those in attendance. The Chairman may call a meeting at any time by notifying all members five days in advance.

### **ARTICLE 2 INDEPENDENT PARTY RULES FOR TOWN COMMITTEES**

#### Section 1 Composition of Town Committees

The number of membership positions and the basis of representation on each town committee shall be set by local rules. However, a town committee shall consist of not less than three (3) members.

#### Section 2 Election of Town Committee

Town Committee members shall be elected by the enrolled members according to local Independent Party town rules. If local rules have not been written, local party members shall form a caucus with at least 15 days notice in the local newspaper to elect members at large or by district. Any member of the Independent Party of the State of CT may assist local members to form a caucus, but can not vote unless he or she lives within that town.

#### Section 3 Terms of Members

Town Committee members shall serve for a term of not less than 18 months or more than 26 months, commencing at the caucus session they were elected until the next caucus session called to elect town committee members.

#### Section 4 Increased Membership

A Town Committee, at a meeting called for that purpose with at least 15 days notice to town committee members, may by majority vote of a quorum defined by the local town rules, increase its membership anytime during a term, provided that they abide by local bylaws written to address those events. Any increased membership would serve for only the remainder of the present term.

Section 5 Vacancy

Any vacancy on a town committee arising from any cause, including failure to elect, may be filled by the town committee by a majority vote of those present and voting, at a meeting called for that purpose with at least 15 days notice to town committee members.

Section 6 Election and call of Organizational Meeting

The chairperson in office immediately prior to the election of new town committee members shall call a meeting of the newly elected town committee not more than fourteen days after the election, for the purpose of electing new officers of the town committee as prescribed in party rules. If the current Chairman fails to act, any three members of the newly elected town committee can call for a meeting to elect officers by notifying all members of the new town committee.

Section 7 Term of Town Committee Officers

Officers shall hold office for the term of the town committee electing them, and until their successors are elected.

Section 8 Ratification

Town committee rules are not valid until submitted to the State Central Committee, and accepted by the State Central Committee by majority vote. State Central Committee must meet within 30 days of submission, or rules become effective automatically.

Section 9 Existing Town Committees

Any Independent Party Town Committees that have been formed and have filed Independent Party Town Committee By-Laws with the CT Secretary of the State office for their towns or cities before these Independent Party State by-laws are filed with the CT Secretary of the State will be accepted by the Independent Party State Central Committee without any further review and will be the accepted Town Committee for that Town or City. Any changes or updates or any new town committees must be presented to the State Central committee for review and approval before going to the CT Secretary of the State for filing.

**ARTICLE 3 INDEPENDENT PARTY STATE CAUCUSES**

Section 1 Presiding Officer

The presiding officer of state caucuses will be the chair of the State Central Committee, or the vice chair of the State Central Committee if the chair is unable to attend. If neither the chair or the vice chair is present, the State Central Committee shall elect a temporary chair for the caucus.

Section 2 Rules of State Caucuses

State Caucuses will follow Robert's New Rules of Order, Revised; unless otherwise stated in the Independent Party State Bylaws.

Section 3. Voting Eligibility

One must be a registered member of the Independent Party for a minimum of 90 continuous days prior to a state caucus to have voting rights at that state caucus.

Section 4. Date and Location of State Caucuses

A state caucus will be held a minimum of once per calendar year. In even numbered years, one caucus will be held no later than May 1. In odd numbered years, one caucus will be held no later than June 1, and no earlier than May 1 or after the election of all new members at district and town caucuses (see ARTICLE IV). Additional state caucuses may be called by a majority vote of the State Central Committee. The date and place of every state caucus will be determined by majority vote of the State Central Committee. The time and place of statewide party caucuses will be announced by the chair of the party a minimum of 21 days in advance through email notifications to all members that have provided the secretary with email addresses, and with a notification in the Hartford Courant. Notification will also be delivered to the Secretary of the State's office a minimum of 7 days in advance of the meeting.

Section 5. Nomination of Statewide Candidates for Public Office

Independent Party candidates for statewide public offices (even numbered years) will be determined at the first state caucus of the year. The State Central Committee will nominate one candidate for each state wide office through majority vote at a State Central Committee meeting at the state caucus. Independent Party members with voting eligibility (see Section 3) may nominate additional candidates from the floor. All registered members of the party with voting eligibility (see Section 3) in attendance may vote for one of the nominated candidates for each office. The candidate for each office who receives 51% of the votes at the state caucus will be the nominee of the party. If there are three or more candidates for an office and no one gets at least 51% of the votes then the candidate with the lowest number of votes shall be removed from the candidates list and a new vote will take place until a candidate receives 51% or more of the vote. The presiding officer of the state caucus will file an endorsement letter for each nominated candidate with the Secretary of the State's office within 5 business days, and apply for all necessary paperwork (petitions, etc.) to get the candidate on the ballot in November. Nominations of candidates for public office chosen at a statewide party caucus can only be changed with permission of the nominated candidate. A request by a majority vote of the State Central Committee must be made in writing, with proof of delivery, to the candidate to step down. The candidate must respond in writing to the party chair within two weeks of the delivery of the request. If the candidate agrees to step down, the State Central Committee will call another statewide party caucus to nominate a new candidate if there is time left on the election calendar to accomplish this; if not then: The State Central Committee shall fill any statewide office left vacant by the statewide caucus or for any other reason that a vacancy occurs by a simple majority of it's members at a meeting called for that purpose.

Section 6. Change of Party Rules

Party Rules can only be changed by a majority vote of eligible voting members (see Section 3 above) of the Independent Party in attendance at a statewide party caucus. The chair of the party will deliver any changes to the party rules to the Secretary of the State's office within 5 business days.

**ARTICLE 4 INDEPENDENT PARTY DISTRICT AND TOWN CAUCUSES  
FOR NOMINATING CANDIDATES FOR PUBLIC OFFICE AND  
ELECTING STATE CENTRAL COMMITTEE MEMBERS**

Section 1 Presiding Officer

Independent Party members in attendance with voting eligibility (see Section 3 below) shall elect the presiding officer for the caucus.

Section 2 Rules of Caucuses

Caucuses will follow Robert's New Rules of Order, Revised; unless otherwise stated in the Independent Party State Bylaws.

Section 3. Voting Eligibility

One must be a registered member of the Independent Party for a minimum of 90 continuous days prior to a caucus to have nominating and voting rights at that caucus. For nominating candidates for public office, one must also be able to vote in the upcoming public election for the office that is being considered to have nominating or voting eligibility for that nomination. For State Central Committee membership, one must reside in the state senate district, or town, that that member will represent to have nominating or voting eligibility.

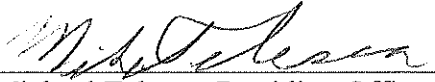
Section 4. Date and Location of Caucuses

District and Town caucuses to elect members of the State Central Committee must be held prior to May 1 of each odd-numbered year. District and Town caucuses to nominate candidates for public office must be held no later than August 1. The date and place of every caucus for nominating candidates for public office or electing State Central Committee members will be determined by the Town Committee of the town with the most number of registered members of the Independent Party that also overlaps or contains the voting district boundary. The number of registered members in each town will be determined using the most recent Secretary of the State's electronic voter database that is available to the State Central Committee. The time and place of the caucus will be announced a minimum of 21 days in advance through email notifications to all members that have provided the Town Committee with email addresses, and through notifications in the local newspapers of the district. Notification will also be delivered to the Secretary of the State's office a minimum of 5 days in advance of the meeting.

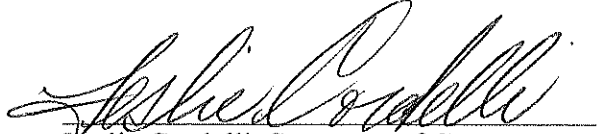
In plain English: Candidates for office and State Central Committee members will be determined by eligible members of the Independent Party that live in the district or town that the candidates represent. The Independent Party provides local control to its members.



The above rules and bylaws of the Independent Party of Connecticut were passed unanimously at a State wide caucus of registered Independent Party members called for the purpose of updating Independent Party of Connecticut By-Laws on March 20, 2010.



Michael Telesca, Presiding Officer of  
Caucus and Agent of Independent Party  
State Central Committee



Leslie Cordelli, Secretary of Caucus

INDEPENDENT PARTY of CONNECTICUT

STATE CENTRAL COMMITTEE

MAY 13, 2012

ATTN: Attorney Ted Bromley

State Elections Division

Acting under the Independent Party State Bylaws as amended on March 20, 2010 by a State wide Caucus of Registered and active Independent Party members and time stamped into the State Election Division on March 22, 2010; Our acting Chairman of The Independent Party of Connecticut Michael J. Telesca, of 154 Bunker Hill Ave, Waterbury, CT did act legally and is required to call for a state-wide caucus of party members to conduct party business that is necessary for this year's election ballot.

Acting under the Independent Party Bylaws as amended on March 20, 2010, Michael J. Telesca was authorized to act as **the agent and acting Chairman of The Independent Party of CT** for all business necessary with the Connecticut Election Division until further notice, at a meeting on August 21, 2010 of the State Central Committee. That authorization was signed by 7 members of the State Central Committee and time stamped into the State Election Division on Aug 23, 2010. We have been conducting the business of the Party and acting under the current Independent Party bylaws since they went into effect on or about May 22, 2010 for the past two years.

As far as the claim of Robert Fand that Michael Telesca somehow acted illegally and without his knowledge on March 20th of 2010; has no basis in fact. The facts are that a notice of the Caucus meeting and the business at hand to wit "Ratify State Party Rules" was placed in The Republican American on 3/5/10 and was also placed in The Hartford Courant 3/15/10. We also paid "Flagship mailing Co." of 44 Chase River Road, Waterbury to produce and mail hundreds invites and notices to active Independent Party members though out the State which in fact Robert Fand and John Dietter names were included on that list. In addition a full copy of the proposed Party rules were posted at [www.independentpartyct.blogspot.com](http://www.independentpartyct.blogspot.com) and Michael Telesca personally met and delivered to Robert Fand a copy of the proposed new Independent Party State Bylaws before the Caucus was held and he has a witness to that meeting.

In any case The CT State Statues allows for a 60 day hold before any Party Rules can go into effect and Robert Fand or anyone else for that matter could have filed a protest with your office in that time period but choose not to do it. They do not have the right to now try to set the clock back after two years have passed.

The Independent Party State Central Committee **recognizes John Dietter and Robert Fand as agents for the Independent Party in Danbury** and as such they can act as presiding Officers of meetings and Caucuses for Independent Party business in and around the Danbury area as can other Independent Party agents in other Independent Party Town Committees as allowed in the Independent Party bylaws as amended on March 20, 2010. **They are not to act**

SECRETARY OF THE STATE  
LEGISLATION & ELECTION  
ADMINISTRATION  
2012 MAY 15 P 12:56

**as agents of The Independent Party for any State wide election, US Senate or US Congressional Districts endorsements or for any CT State Senate or Ct Representative races outside of the Danbury area.**

Those endorsements for State wide races, US Senate and Congressional Districts will be made by the Independent Party State Central Committee sanctioned meeting and conventions to be announced. **Local Independent Party Town Committees may make endorsements in State Senate and State Representatives in their local areas.**

M. Telesca  
Waterbury Town Committee  
MICHAEL TELESCA

Lex Nesta  
15<sup>th</sup> State Senate District  
Lex Nesta

Marylyn J. Chaplen  
16<sup>th</sup> State Senate District  
MARYLYN J. CHAPLEN

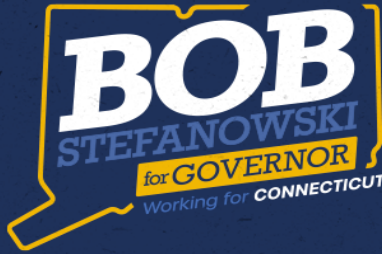
Rocco J. Frank Jr.  
14<sup>th</sup> State Senate District  
Rocco J. Frank Jr.

Alan D. Mickel  
Watertown Town Committee  
ALAN D. MICKEL

Bruce W. Walczak  
Newtown Town Committee  
Bruce W. Walczak

2017 MAY 15 10:02:39  
SECRETARY OF THE STATE  
ELECTORAL & ELECTIONS

# **EXHIBIT B**



July 24, 2022

**VIA EMAIL [[Info@ctindparty.org](mailto:Info@ctindparty.org)]**

**& CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Michael Telesca, Chairman  
State Central Committee  
Independent Party of CT  
154 Bunker Hill Avenue  
Waterbury, CT 06708

Michael Telesca, Chairman  
State Central Committee  
Independent Party of CT  
569 Meriden Road  
Waterbury, CT 06705

**RE: NOMINATION / CROSS-ENDORSEMENT REQUEST**

Dear Chairman Telesca:

By this letter, I seek the nomination and cross-endorsement of the Independent Party of CT for the Office of Governor for the November 8, 2022 general election. I have also registered on the Independent Party of CT website today (<https://www.ctindyparty.org/>). Please confirm receipt of this letter.

Four years ago, during my first run for public office, I was honored to be endorsed by Independent Party members as their candidate for Governor as part of a fair and open caucus vote.

I have maintained strong relationships with Independent Party members across the state since then and am grateful for all the support they've shown me during this year's campaign. This time, working together, I know we are going to win and make our state safer and more affordable.

I am optimistic that I can garner the support of your caucus members and assume that the caucus process will be run in accordance with the Independent Party of CT Rules and Bylaws filed with Connecticut's Secretary of State. Please let us know as soon as possible when the Independent Party of CT intends to hold its gubernatorial caucus for 2022.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Bob Stefanowski', with a long horizontal line extending to the right.

Bob Stefanowski

Cc: John Fahan, Treasurer  
40 Clarendon Street  
Stratford, CT 06614-47

Independent Party of CT State Central Committee Members:

[admickel@optonline.net](mailto:admickel@optonline.net)

[bruce@relocationconsultants.us](mailto:bruce@relocationconsultants.us)

[cbbookerjr@snet.net](mailto:cbbookerjr@snet.net)

[info@independentsfornewwalk.com](mailto:info@independentsfornewwalk.com)

[jfahan1@hotmail.com](mailto:jfahan1@hotmail.com)

[joepotemri@gmail.com](mailto:joepotemri@gmail.com)

[john.mertens@trincoll.edu](mailto:john.mertens@trincoll.edu)

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[wmartinezbea771@yahoo.com](mailto:wmartinezbea771@yahoo.com)

[mikolay@gmail.com](mailto:mikolay@gmail.com)

Paid for by Bob for Governor. David Becker, Treasurer.  
Approved by Bob Stefanowski.

Contact the campaign: [Info@bobforgovernor.com](mailto:Info@bobforgovernor.com)

Press inquiries: [Press@bobforgovernor.com](mailto:Press@bobforgovernor.com)

PO Box 1076, Branford, CT 06405

# **EXHIBIT C**



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## **Independent Party Caucus**

August 23, 2022 7:30PM at Guilford Community Center, 32 Church St, Guilford, CT to nominate Governor, Lt. Governor, Sec. of the State, Treasurer, Comptroller, Attny. General for Nov 08,2022 elections.  
8/2/2022 7261684

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# **EXHIBIT D AND E**

---

**From:** [teleman2@aol.com](mailto:teleman2@aol.com) <[teleman2@aol.com](mailto:teleman2@aol.com)>  
**Sent:** Friday, August 5, 2022, 5:23 PM  
**To:** [margaret.ob56@gmail.com](mailto:margaret.ob56@gmail.com) <[margaret.ob56@gmail.com](mailto:margaret.ob56@gmail.com)>; [marcy06082@gmail.com](mailto:marcy06082@gmail.com) <[marcy06082@gmail.com](mailto:marcy06082@gmail.com)>; John.Mertens@trincolledu <[John.Mertens@trincoll.edu](mailto:John.Mertens@trincoll.edu)>  
**Cc:** [indigoknite@hotmail.com](mailto:indigoknite@hotmail.com) <[indigoknite@hotmail.com](mailto:indigoknite@hotmail.com)>  
**Subject:** Re: 2nd request

I was surprised you did not bring up any of these questions at the ZOOM meeting.

1. yes
2. show ID
3. State central Committee
4. yes

5. yes as always

6. Paper ballots as we always do then hand counted

If you are representing the Republican candidates please let us know who from their side will be their observer. He must be an Independent Party member. Remember only Independent Party members can participate and vote.

Rank choice voting is in our bylaws

Mike Telesca

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

From: Margaret O'Brien <[margaret.ob56@gmail.com](mailto:margaret.ob56@gmail.com)>

To: MrTeleman2 <[teleman2@aol.com](mailto:teleman2@aol.com)>; Marcy Taliceo <[marcy06082@gmail.com](mailto:marcy06082@gmail.com)>; Mertens, John D <[John.Mertens@trincoll.edu](mailto:John.Mertens@trincoll.edu)>

Cc: Margaret O'Brien <[indigoknite@hotmail.com](mailto:indigoknite@hotmail.com)>

Sent: Fri, Aug 5, 2022 2:25 pm

Subject: 2nd request

Mike Telesca / SCC:

On Tuesday, August 2ND, I emailed you and the entire SCC a series of questions that I have again attached to this e-mail.

A number of Waterbury Independents are aware the Statewide Caucus has been scheduled for August 23RD in Guilford and are asking what to expect.

What type of ID is required, how will their 90 day membership in the party be validated, can they bring a non-voting friend or family member and will eligible voting members be separated from voters not registered with the party 90 days to avoid confusion, is there a paper ballot and is there going to be ranked voting?

I will sincerely appreciate if you can provide the answers by early next week, I am sure I am not the only member of the SCC being queried by Independents in their districts.

Questions submitted to SCC Tuesday, August 2ND and again attached:

1. Will the Independent Party officials have a certified list of eligible voters that are registered with the party 90 days in advance of the caucus?

2. What will be the process for checking in eligible voters?

3. Who will be doing the checking in and how will this be handled?

4. Will those who are not registered with the Independent Party 90 days in advance be segregated from eligible voting members during the caucus because they are ineligible by our Bylaws?

5. Will candidates' representatives be permitted to observe the check-in and vote tallying processes?

6. How will the actual vote be cast and counted?

Thank you

Margaret O'Brien

Chair, Independent Party Waterbury Town Committee

Ind. Party of CT 16TH Dist. Representative

# **EXHIBIT F**



August 18, 2022

VIA EMAIL [[Info@ctindparty.org](mailto:Info@ctindparty.org); [john.mertens@trincoll.edu](mailto:john.mertens@trincoll.edu); [teleman2@aol.com](mailto:teleman2@aol.com)]

Michael Telesca, Chairman  
State Central Committee  
Independent Party of CT

John Mertens, Member  
State Central Committee  
Independent Party of CT

**RE: FOLLOW-UP ON MONDAY'S DISCUSSION**

Dear Chairman Telesca and Mr. Mertens:

I want to thank you both for speaking with me on Monday evening about the process for the August 23, 2022 Independent Party Caucus. I found it helpful and informative. I have a few follow-ups for you both.

First, we understand that the Independent Party intends to conduct Ranked Choice Voting at the Caucus, which we believe is contrary to Article 3, Section 5 of the Independent Party Bylaws. As you explained, your plan is to only have one ballot at the Caucus. If there are 3 or more candidates and no one achieves 51%, then the low vote getter's votes are reallocated to the remaining candidates based on the second choice selections made on those ballots. However, Article 3, Section 5 of the Independent Party Bylaws requires one vote per candidate, the candidate receiving the lowest number of votes being dropped after the first ballot and then multiple ballots as necessary until one candidate reaches 51%. We request that the Independent Party follow the voting process set forth in Article 3, Section 5 of the Independent Party Bylaws.

Additionally, we have the following additional questions for you on the Caucus process:

1. Will voting eligible Independent Party members be given credential tags/badges at the Caucus so they can clearly be identified as eligible voters?
2. Will there be a credentials committee appointed to resolve credentialing disputes? If not, how will credentialing disputes be resolved?
3. How will ballot order be determined?
4. Will we be given a sample ballot in advance of the Caucus?

5. How will actual voting be conducted to ensure ballot security?
6. Do observers at check-in need to be Independent Party members?

We look forward to your response.

Sincerely,



Bob Stefanowski

Cc: John Fahan, Treasurer  
40 Clarendon Street  
Stratford, CT 06614-47

Independent Party of CT State Central Committee Members:

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# **EXHIBIT G**

Welcome to the Independent Party of Connecticut Statewide Caucus!

To be eligible to vote you must have been a registered member of the party for 90 or more days. We will confirm this using the state voter database as you enter the room. Please be ready to show either a) a photo I.D.; b) social security card; or c) two other forms of I.D.

In addition, you will be asked to sign in, attesting that you have been a member of the Independent Party for at least 90 days.

From 7:00-7:45pm we are only allowing eligible voters into the room. If there's space, at approximately 7:45pm we will allow observers (non-voters) into the room. Observers will be seated in the back half of the room, separate from eligible voters. Observers, thank you for your understanding and patience while we process the eligible voters.

#### RANKED CHOICE VOTING (if more than 2 candidates for an office)

We will be using the same process we've been using since 2012. On your ballot you are asked to put a number 1 next to your preferred candidate. You may put a number 2 next to your second choice, a 3 next to your third choice, etc.

#### **VOTING ROUND 1**

Ballots with a "1" for each candidate are counted. If a candidate receives a 1 on more than 50% of the ballots, they are the winner. If no candidate receives more than 50%, we move to VOTING ROUND 2.

#### **VOTING ROUND 2**

The candidate receiving the lowest total of "1"s is eliminated, and the ballots of the eliminated candidate will be redistributed to the second choice candidate on each ballot (the candidate with a "2"). If a candidate now has more than 50% of the ballots, they are the winner. If no candidate has more than 50%, the process is continued (VOTING ROUND 3, etc.) until ~~only~~ a candidate exceeds 50%.