

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: NOMINATION PAPERS OF	:	
ROBERT F. KENNEDY, JR. AND NICOLE	:	
SHANAHAN AS THE WE THE PEOPLE	:	
CANDIDATES FOR PRESIDENT AND VICE	:	NO.
PRESIDENT OF THE UNITED STATES IN	:	
THE NOVEMBER 5, 2024 GENERAL	:	ELECTION LAW MATTER
ELECTION	:	
	:	
PETITION OF: ALEXANDER REBER AND	:	
JANNEKEN SMUCKER	:	

ORDER

AND NOW, _____, 2024, upon consideration of the Petition to Set Aside the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as the We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election (the "Objection"), it is hereby **ORDERED** that:

1. The Objection is hereby **SUSTAINED**;
2. The Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as the We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election are hereby **STRICKEN** and set aside;
3. The Secretary of the Commonwealth shall not place Robert F. Kennedy, Jr. and Nicole Shanahan's names on the General Election ballot for President and Vice President of the United States in the November 5, 2024 General Election; and
4. Robert F. Kennedy, Jr. and Nicole Shanahan shall pay attorney fees and the costs of the proceedings.

BY THE COURT:

, J.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: NOMINATION PAPERS OF	:	
ROBERT F. KENNEDY, JR. AND NICOLE	:	
SHANAHAN AS THE WE THE PEOPLE	:	
CANDIDATES FOR PRESIDENT AND VICE	:	NO.
PRESIDENT OF THE UNITED STATES IN	:	
THE NOVEMBER 5, 2024 GENERAL	:	ELECTION LAW MATTER
ELECTION	:	
	:	
PETITION OF: ALEXANDER REBER AND	:	
JANNEKEN SMUCKER	:	

**PETITION TO SET ASIDE THE NOMINATION PAPERS OF
ROBERT F. KENNEDY, JR. AND NICOLE SHANAHAN AS THE WE THE PEOPLE
CANDIDATES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES
IN THE NOVEMBER 5, 2024 GENERAL ELECTION**

Petitioners Alexander Reber and Janneken Smucker, by and through their undersigned counsel, file this Petition to Set Aside the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as the We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election.

1. In their drive for placement on the November 5, 2024 General Election ballot, Candidate Robert F. Kennedy, Jr. and Candidate Nicole Shanahan filed Nomination Papers that demonstrate, at best, a fundamental disregard of the circulation process and Pennsylvania law.

2. First, Candidate Kennedy provided the wrong address on his Candidate's Affidavit and his Nomination Papers with the intent to deceive Pennsylvania voters. Candidate Kennedy needed to deceive Pennsylvania voters because, if his residency is in California where he lives with his wife, then the Twelfth Amendment bars California's presidential electors from casting their electoral votes for Candidate Kennedy and Candidate Shanahan, who also lives in California. Candidate Kennedy's deceit is essential to his campaign, which has promised to be different from

other independent presidential campaigns by appearing on the ballot in all fifty states—including California.

3. In addition, incredibly, 287 sheets in the Nomination Papers appear to have a different circulator statement taped over the circulator statement on the original nomination paper sheet on all four sides, so that the circulator statement on the original nomination paper cannot be inspected without damaging the original nomination paper.

4. At worst, the Nomination Papers show a concerted effort to cover up Candidate Kennedy's petition circulation process. *See In re Farnese*, 17 A.3d 375, 380 (Pa. 2011) ("Significantly, there is precedent from this court to support the proposition that evidence regarding the procurement process is a legitimate factual inquiry, and that the existence of a large number of signature irregularities on a signature page may raise a reasonable inference that that the circulator's affidavit attesting to the legitimacy of the signatures is false.") (citation omitted). They also prevent potential objectors from verifying that circulators had the personal knowledge required to validate those pages, as required by Pennsylvania law. *See In re Flaherty*, 770 A.2d 327, 336 (Pa. 2001), *overruled in part on other grounds*, *In re Vodvarka*, 140 A.3d 639 (Pa. 2016).

5. Pennsylvania voters should not be left to guess what Candidate Kennedy is hiding underneath these new, additional circulator statements. Pennsylvania voters cannot presume that these circulators had the personal knowledge required to validate those pages—if the voters listed on those pages actually completed the signature lines at all.

6. Between Candidate Kennedy's nomination paper circulation practices and problems with individual lines circulated by the campaign, Candidate Kennedy and Candidate Shanahan have not submitted enough valid signature lines, whether under the 5,000-signature threshold accepted by the Department of State or the 33,034-signature threshold required by

statute. This Court should set aside the Candidate Kennedy and Candidate Shanahan’s Nomination Papers.

I. PARTIES

7. Petitioners are qualified and validly registered electors in Pennsylvania. *Constitution Party of Pa. v. Cortes*, 116 F. Supp. 3d 486, 491 (E.D. Pa. 2015) (“[A]ny registered voter in the Commonwealth, regardless of party affiliation, may challenge the nomination paper of a non-major party candidate seeking a place on the general election ballot.”) (citing *In re Barlip*, 428 A.2d 1058, 1060 (Pa. Cmwlth. 1981)), *cf. id.*, 824 F.3d 386 (3d Cir. 2016).

8. Petitioner Alexander Reber resides at 227 Union Street, Millersburg, Dauphin County, Pennsylvania.

9. Petitioner Janneken Smucker resides at 1121 East Columbia Avenue, Philadelphia, Philadelphia County, Pennsylvania.

10. Respondent Al Schmidt is the Secretary of the Commonwealth, whose office address is 302 North Office Building, 401 North Street, Harrisburg, Pennsylvania.

11. Respondent Robert F. Kennedy, Jr. (“Candidate Kennedy”), whose purported address is 84 Croton Lake Road, Katonah, New York, filed on June 21, 2024 Nomination Papers (“Nomination Papers”) seeking to be listed on the ballot as the We the People candidate for President of the United States in the November 5, 2024 General Election. The Nomination Papers were supplemented on July 29, 2024 and again on August 1, 2024.

12. Respondent Nicole Shanahan (“Candidate Shanahan”), whose address is 271 Dedalera Drive, Portola Valley, California, sought to be listed on the ballot as the We the People candidate for Vice President of the United States in the November 5, 2024 General Election in the same Nomination Papers.

II. JURISDICTION

13. This Court has original jurisdiction over this matter pursuant to 42 Pa. C.S. § 764 and 25 P.S. § 2937.

14. The Pennsylvania Election Code governs the matters at issue in this Petition. *See generally* 25 P.S. §§ 2600 *et seq.*

III. FACTUAL BACKGROUND

15. On November 5, 2024, the Commonwealth of Pennsylvania will hold a General Election, at which registered voters will vote for presidential electors to cast Pennsylvania's nineteen electoral votes for President and Vice President of the United States.

16. Candidate Kennedy and Candidate Shanahan's Nomination Papers consist of 1,750 pages accompanied by Candidate's Affidavits for Candidate Kennedy, Candidate Shanahan, and each of their nineteen presidential electors. Copies of the Nomination Petition are attached to this Petition as **Exhibit A**. Copies of the Candidate's Affidavits are attached to this Petition as **Exhibit B**.

17. The Nomination Papers purportedly contain 23,680 signature lines counting to the last line on each sheet, but, as detailed below, there are numerous ineligible signature and defects in the signatures. Candidate Kennedy and Candidate Shanahan's Nomination Papers are fatally defective.

IV. RESIDENCY

18. Candidate Kennedy's Candidate's Affidavit falsely states that his address is 84 Croton Lake Road, Katonah, in Westchester County, New York.

19. Since Candidate Kennedy married his wife Cheryl Hines in 2014, however, Candidate Kennedy's primary residence has been in California.

20. Compounding Candidate Kennedy's misrepresentation, he further intended to mislead Pennsylvania voters by listing his New York address on each sheet of his Nomination Papers presented to Pennsylvania voters for their signature. Candidate Kennedy led Pennsylvania voters to believe that he resides in New York.

21. Under the Twelfth Amendment to the United States Constitution, however, a state's presidential electors cannot vote for candidates for President and Vice President if both candidates are inhabitants of the same state as the electors. U.S. Const. amdt. XII.

22. Candidate Kennedy has chosen a running mate, Candidate Shanahan, who also resides in California.

23. Accordingly, under the Twelfth Amendment, Candidate Kennedy's residence must be in New York for Candidate Kennedy and Candidate Shanahan to be eligible for California's electoral votes. If Candidate Kennedy resides in California, then Candidate Kennedy and Candidate Shanahan are not eligible for California's electoral votes.

24. Central to his campaign, Candidate Kennedy has claimed that his campaign is different from other independent candidacies for the presidency by promising to appear on the ballot in all fifty states.

25. For these reasons, Candidate Kennedy listed his New York address with the intent to deceive Pennsylvania voters. Providing a California address would contradict his campaign and its goals.

26. Because Candidate Kennedy acted with the intent to deceive Pennsylvania voters, he is not entitled to amend his Candidate's Affidavit or his Nomination Papers. Thus, his Candidate's Affidavit and the Nomination Papers are fatally defective and the Nomination Papers must be set aside.

V. NUMBER OF SIGNATURES

27. To qualify for the General Election ballot, the Pennsylvania Election Code requires minor political parties and political bodies to nominate candidates “for any office to be filled by the electors of the State at large” by circulating nomination papers in which “the number of qualified electors of the State signing such nomination paper shall be equal to two per centum of the largest entire vote cast for any elected candidate in the State at large at the last preceding election at which State-wide candidates were voted for.” 25 P.S. § 2911(b).

28. According to the Department of State, the Election Code requires minor political parties and political bodies to collect 33,043 signatures to nominate presidential candidates for the November 5, 2024 General Election ballot. See “Third Party Nomination Paperwork,” *Commonwealth cf Pennsylvania* (last accessed Aug. 8, 2024), <https://www.pa.gov/en/agencies/dos/programs/voting-and-elections/running-for-office/third-party-nomination-paperwork.html#accordion-21c3b2a9ea-item-604f71d017>.

29. The Department of State also stated, however, that “[t]he Secretary of the Commonwealth will accept nomination papers for presidential candidates which contain 5,000 signatures,” citing the *Constitution Party cf Pa. v. Cortes* litigation in federal court. *Id.*

30. In that case, however, the United States District Court for the Eastern District of Pennsylvania held that the signature requirement was “unconstitutional *as applied* to the plaintiffs” there—the Constitution, Libertarian, and Green Parties—“but they are *facially valid*.” *Constitution Party*, 116 F. Supp. 3d at 489 (emphases added). The Court specifically stated that its conclusion “is not to be construed as invalidating Section 2911(b)’s signature requirements which the Third Circuit has upheld.” *Id.* at 508 n.38 (citing *Rogers v. Corbett*, 468 F.3d 188, 197 (3d Cir. 2006)).

31. Candidate Kennedy has not established that Section 2911(b)’s signature

requirements are unconstitutional as applied to him. Unless and until he does, the Election Code's signature requirement remains facially valid and applies to his Nomination Papers here. *Cf. In re Scroggin*, 237 A.3d 1006, 1017 n.7 (Pa. 2020) ("Pursuant to that agreement, the Secretary has further stipulated that candidates for statewide election nominated by the Constitution Party, the Green Party, or the Libertarian Party need only submit 5,000 valid signatures to obtain access to the general election ballot as candidates for president and vice president.").

32. Moreover, the signature requirement is not unconstitutional as applied to Candidate Kennedy and Candidate Shanahan. Upon information and belief, the signature requirement does not impose a severe burden on their associational rights, as the United States District Court for the Eastern District of Pennsylvania found that the signature requirement imposed as applied to the plaintiffs there. By contrast, an August 7, 2024 press release declared, "The campaign's aggressive ballot access operation has surpassed all its milestones to ensure the Kennedy-Shanahan ticket is on the ballot in all 50 states and the District of Columbia. The ballot access operation is fully funded with more than \$15 million raised." Press Release, "Kennedy Victory Fund United Independent Parties, Increasing Campaign Donations Nearly 12 Times," *Kennedy Shanahan* (Aug. 7, 2024), https://www.kennedy24.com/kennedy_victory_fund_increases_campaign_donations. In a recent hearing in New York, Candidate Kennedy, when asked if he had "fully funded ballot access," testified under oath, "Yeah."

33. Because the Nomination Papers do not even purport to contain 33,034 signatures, the Nomination Papers are fatally defective and must be set aside under applicable Pennsylvania law.

VI. ALLEGATIONS OF FRAUD

34. In addition, Petitioners believe that fraud took place in the procurement process and

are prepared to support those allegations with evidence. *In re Farnese*, 17 A.3d at 379.

35. Inspection of the original Nomination Papers filed in the Department of State revealed a startling concern: 287 sheets submitted by Candidate Kennedy and Candidate Shanahan contain a different circulator statement that was taped on all four sides over the circulator statement on the original nomination paper sheet.

36. Nomination Papers sheet pages 9, 10, 96, 100, 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 118, 119, 120, 121, 122, 123, 124, 125, 126, 135, 136, 137, 138, 139, 140, 141, 142, 144, 145, 146, 147, 148, 149, 150, 152, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 170, 171, 180, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 206, 207, 208, 209, 210, 211, 212, 214, 216, 217, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 244, 245, 246, 247, 248, 249, 250, 279, 365, 367, 369, 370, 382, 389, 390, 393, 400, 412, 429, 438, 446, 447, 450, 454, 455, 495, 497, 499, 508, 509, 512, 513, 525, 526, 527, 528, 530, 545, 546, 547, 549, 551, 552, 569, 572, 574, 575, 576, 579, 581, 583, 584, 586, 589, 590, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 738, 739, 740, 741, 742, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 756, 757, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 833, 834, 835, 836, 837, 838, 839, 840, 843, 845, 852, 853, 854, 855, 856, 857, 885, 888, 890, 892, 893, 894, 895, 896, 898, 899, 900, 932, 933, 943, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1178, 1215, and 1230 all contain a different circulator statement taped on all four sides over the circulator statement on the original nomination paper sheet.

37. On each of these sheets, the circulator statement on the original nomination paper sheet cannot be inspected without damaging the original nomination paper sheet.

38. Not all of the additional circulator statements are visible without inspecting the original nomination paper. In some cases, there are indications in the copy, such as more than one line for box surrounding the circulator statement, as in the following example of page 390:

Commonwealth of Pennsylvania 2024 NOMINATION PAPER

NOTE: You must fill in all information at A, B & C before you begin collecting for signatures.

A. PREAMBLE

TO THE SECRETARY OF THE COMMONWEALTH:

We, the undersigned, all of whom are qualified electors of Pennsylvania, of the County, and of the electoral district designated below, hereby nominate the persons designated in "B" below as candidates representing the political body named herein, and also support the persons designated in "C" below as the committee authorized to fill any vacancy caused by the death or withdrawal of any such candidates.

1. Name of Political Body: We The People
(No more than 3 words)

2. County of Signers: Philadelphia

B. CANDIDATE INFORMATION

OFFICE TITLE	DISTRICT	NAME OF CANDIDATE	PLACE OF RESIDENCE	OCCUPATION
			House No. Street or Road City, State or Zip	
President of U.S.	PA	Robert F. Kennedy Jr.	84 Croton Lake Road Katonah, NY	Attorney
Vice President of U.S.	PA	Nicole Shanahan	271 Dedala Drive Pontola Valley, CA	Attorney

PRESIDENTIAL ELECTORS:

NAME	RESIDENCE	OCCUPATION	NAME	RESIDENCE	OCCUPATION
1. Craig Island Homes, 1127 1/2 Pine Crest Rd. Monaca, PA 18801	11. Victoria J. Rabinov, 200 Pleasant View Dr, N. Abington, PA 19006	Message Designer	12. Misha P. Pichuk-Wilbur, 31 Rock Springs Rd. Honesdale, PA 18411		
2. Fred W. Kuntz, 47 Birch St. American Township, PA 19311	13. Prince J. McInnis, 3338 Grandview Ave. Reading, PA 19604	Specialist - Organizational Resources, Retired	14. James Elizabeth Kistner, 319 1st Ave. Canby, OR 97001		
3. Niamh M. Vail, 141 Inverness Rd. Dr. W 1102, PA 19024	15. Imogene Marie, 1472 Bradford Rd. Overland, PA 19076	Teacher	16. Elise Kay Mackin, 1258 Linn St. Allentown, PA 18106		
4. Rachelle Nicole Bousard, 7 The Catalyst Drive, Apt 606, Pottsville, PA 17424	17. Timothy Joseph Cabal, 1801 W. King Rd. Allentown, PA 18103	Financial Engineer	18. Frederick Andrew Olson, 300 Broadview Rd. Overland, PA 19076		
5. Matthew J. Igo, 349 N. Arthur Dr. Pottsville, PA 17424	19. [Signature]		20. [Signature]		
6. Madison Kyle Pendergast, 1245 Pines, 142 Rd. Pottsville, PA 17424	21. [Signature]		22. [Signature]		
7. [Signature]	23. [Signature]		24. [Signature]		
8. [Signature]	25. [Signature]		26. [Signature]		
9. [Signature]	27. [Signature]		28. [Signature]		
10. [Signature]	29. [Signature]		30. [Signature]		

C. COMMITTEE TO FILL VACANCIES

Must name 3, 4 or 6 committee members	House No.	Street or Road	City, State or Zip
1. [Signature]	1809	S. 11th St	Philadelphia
2. [Signature]	860	Blk. Arthur Dr	Pottsville
3. [Signature]	411	Springfield Rd	Elm of Hill
4. [Signature]	43	Stage Rd	Newcomer Square
5. [Signature]	1100	W. King Rd	Allentown

D. SIGNATURES OF ELECTORS

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, State or Zip	
[Signature]	Jessie Elizabeth	5709	W. 11th St	Philadelphia	10/24
[Signature]	Valerie English	2010	Lauer St	Philadelphia	10/24
[Signature]	Lina Rivera	520	River	Philadelphia	10/24
[Signature]	Alpharadon Silk	9227	Hobbs Rd	Philadelphia	10/24
[Signature]	Carla S. [Signature]	3310	Haverford	Philadelphia	10/24
[Signature]	Anthony [Signature]	1705	South St	Philadelphia	10/24
[Signature]	Anthony [Signature]	1705	South St	Philadelphia	10/24
[Signature]	Martina Brown	5216	Jefferson	Philadelphia	10/24

D. SIGNATURES OF ELECTORS (Continued)

SIGNATURE OF ELECTOR	PRINTED NAME OF ELECTOR	PLACE OF RESIDENCE			DATE OF SIGNING
		House No.	Street or Road	City, State or Zip	
[Signature]	Lisa Williams	2510	S. Cecil	Philadelphia	10/24
[Signature]	[Signature]	556	Delaware	Philadelphia	10/24
[Signature]	Karen Fearon	584	Brynthon	Philadelphia	10/24
[Signature]	[Signature]	6137	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	5526	Lansdown	Philadelphia	15/24
[Signature]	[Signature]	1932	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1415	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1108	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1109	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1667	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1001	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1400	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	215	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	4125	Rose	Philadelphia	10/24
[Signature]	[Signature]	2138	W. 11th St	Philadelphia	10/24
[Signature]	[Signature]	1315	N. [Signature]	Philadelphia	10/24
[Signature]	[Signature]	1130	S. Front	Philadelphia	10/24

E. STATEMENT OF CIRCULATOR

I, the undersigned, declare in an affidavit below that the signers to the foregoing nomination paper signed the same with full knowledge of the circumstances that they are eligible to be elected to the office stated therein, that they are duly qualified to hold the office, that each signed the same in person, and that to the best of my knowledge and belief the signers are qualified electors of the electoral district designated in this nomination paper.

By signing below, I agree to attend to the conditions of the Commonwealth of Pennsylvania, regarding any duties or obligations any elected office holder will incur while in office, which are set forth in the laws of the Commonwealth of Pennsylvania.

Philadelphia County

[Signature]

[Signature]

[Signature]

Address of Circulator: 710 Knickerbocker Ave #12
Philadelphia, PA 19121

NOTE: THIS STATEMENT MUST BE COMPLETED AFTER ALL SIGNATURES HAVE BEEN OBTAINED.

DSSE '23 (Rev. 2/24) Department of State Page 390

39. The inability to inspect the circulator statement on the original nomination sheet destroys any presumption that the circulator on the additional, taped statement had the personal knowledge required to validate those pages, as required by Pennsylvania law.

40. At best, these additional, taped sheets are defects on the face of the nomination

papers.

41. At 287 sheets, there can be no question that Candidate Kennedy and Candidate Shanahan, and/or their campaigns, were aware of the practice of covering up the circulator statement on the original nomination paper and taping on all four sides to prevent the inspection of the circulator statement on the original nomination paper.

42. There are other problems. Pages 218 and 221 are completely torn. That destroys any presumption that voters below the tear were presented with the preamble and had knowledge of what they were signing. And it destroys any presumption that the circulator had personal knowledge of the voters who signed the nomination petition above the tear.

43. In addition, a number of pages, including 98, 103, 181, 183, 184, 204, 241, 242, 284, 285, 296, and 456, including handwriting patterns and corrections suggestive that the indicated voters did not sign those sheets.

44. Finally, upon information and belief, including based upon Candidate Kennedy's circulator practices in other states, the following purported circulators were not the circulator of pages and did not circulate the pages to the voters who allegedly signed those pages, and therefore lacks the personal knowledge required to validate those pages, which must be stricken:

- Joseph Bernstein: pages 1126 and 1284
- Donna Bervinchak: pages 276, 480, 973, 977, 982, 1029, 1030, 1031, 1032, 1096, 1169, 1248, 1249, 1250, 1261, 1356, 1357, and 1358
- Dwaitta Bogan: pages 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 951, and 952
- Christopher McMorrow: pages 45, 46, 134, 348, 349, 350, 351, 404, and 473
- Nina McNichol: pages 12, 15, 16, 17, 18, 30, 417, 420, 510, 533, 534, 536, 562, 1052, 1053, 1054, 1055, 1056, 1065, 1088, 1123, 1133, 1134, 1135, 1150, 1156, 1182, 1185, 1239, 1240, 1241, 1337, 1338, 1339, 1340, and 1732

- Alix Paul: 1, 29, 485, 563, 597, 598, 611, 614, 616, 654, 696, 519, 736, 1026, 1037, 1049, 1071, 1075, 1078, 1083, 1084, 1085, 1091, 1125, 1141, 1153, 1159, 1161, 1162, 1201, 1206, 1211, 1232, 1233, 1235, 1236, 1253, 1317, 1318, 1319, 1320, 1321, 1322, 1373, 1374, and 1484.
- Christina Lee Preston: pages 69, 70, 71, 72, 73, 74, 218, 219, 220, 221, 239, 240, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 406, 419, and 462
- Ajani Smith: pages 143, 144, 145, 146, 147, 150, 189, 190, 191, 192, 193, 195, 196, 197, 198, 199, 200, 200, 282, 283, 411, 495, 530, 532, 821 822, 823, 824, 825, 888, 944, 969, 970, 1008, 1009, 1010, 1011, 1012, 1021, 1440, 1533, and 1534

45. Petitioners further avers that Candidate Kennedy and Candidate Shanahan could not have been unaware of these procurement practices.

46. These allegations of fraud are material to the determination of the validity of the Nomination Papers, including the truth of the Candidate’s Affidavits and circulator statements. The Nomination Papers must be set aside.

WHEREFORE, the Petitioners pray this Honorable Court enter an Order as follows:

A. Sustaining the objections of the Petitioners to the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election;

B. Declaring that Robert F. Kennedy, Jr. and Nicole Shanahan have not identified enough eligible candidates for presidential electors for placement on the ballot;

C. Declaring that Robert F. Kennedy, Jr. and Nicole Shanahan do not have the requisite number of valid signatures as required under the Election Code to be nominated by a minor political party or political body for a statewide office in a general election;

D. Setting aside the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as We the People Candidates for President and Vice President of the United States in the November

5, 2024 General Election;

E. Directing the Secretary of the Commonwealth to set aside the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election and further directing them not to place Robert F. Kennedy, Jr. and Nicole Shanahan's names on the General Election ballot for President and Vice President of the United States in the November 5, 2024 General Election;

F. Ordering Robert F. Kennedy, Jr. and Nicole Shanahan to pay attorney fees and costs, as the Court deems just, pursuant to 25 P.S. § 2937 and 42 Pa. C.S. § 2503; and

G. Granting such further relief as the Court deems necessary and just.

Dated: August 8, 2024

Respectfully submitted,

/s/ Timothy J. Ford

Timothy J. Ford (Pa. Id. No. 325290)

Margaret Spitzer Persico (Pa. Id. No. 320718)

David Rodkey (Pa. Id. No. 325698)

Jack Small (Pa. Id. No. 330788)

DILWORTH PAXSON LLP

1500 Market Street, Suite 3500E

Philadelphia, Pennsylvania 19102

tford@dilworthlaw.com

mpersico@dilworthlaw.com

drodkey@dilworthlaw.com

jsmall@dilworthlaw.com

Tel.: (215) 575-7000

Fax: (215) 754-4603

Attorneys for Petitioners

VERIFICATION

The undersigned, Alexander Reber, is a duly qualified, enrolled, and registered elector, and states that he is a Petitioner in the foregoing Petition to Set Aside the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as the We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election, and verifies that the statements made in the foregoing Objection are true and correct to the best of his knowledge, information, and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: 8/7/24

Alexander A. Reber

VERIFICATION

The undersigned, Janneken Smucker, is a duly qualified, enrolled, and registered elector, and states that she is a Petitioner in the foregoing Petition to Set Aside the Nomination Papers of Robert F. Kennedy, Jr. and Nicole Shanahan as the We the People Candidates for President and Vice President of the United States in the November 5, 2024 General Election, and verifies that the statements made in the foregoing Objection are true and correct to the best of her knowledge, information, and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: 7 Aug 2024


