

SETTLEMENT AGREEMENT

This settlement agreement (the “Agreement”) as set forth below is entered into by the Arizona Republican Party, its Chairwoman, Gina Swoboda, and the Maricopa County Republican Committee (together, the “Plaintiffs”); and by the Maricopa County Board of Supervisors (the “Defendant Board”). The Plaintiffs and the Defendant Board together are the “Parties.”

Recitals

WHEREAS, the Plaintiffs filed the lawsuit styled *Arizona Republican Committee et al. v. Sellers et al.*, No. CV2024-018439, in Maricopa County Superior Court on July 12, 2024, against the Defendant Board; and,

WHEREAS, the Plaintiffs allege that the Defendant Board do not conduct the statutorily-required logic and accuracy testing of Maricopa County’s tabulators and accessible voting devices in the manner and at the time that is required by law; and,

WHEREAS, the Defendant Board denies those allegations and affirmatively asserts that its various logic and accuracy tests that it conducts and have conducted in all elections in the past fully comply with all legal requirements; and,

WHEREAS, the Parties recognize the uncertainty of litigation and prefer to settle their differences outside of court; and,

WHEREAS, the Parties are all represented by counsel;

NOW THEREFORE, the Parties freely and volitionally enter into this Agreement.

Conditions

1. **Effective Date.** The Agreement becomes effective upon the date that the final signatory to the Agreement signs it.
2. **Signing in Counterparts.** The Agreement may be signed in counterparts.
3. **Choice of Law.** Any dispute arising under the Agreement shall be resolved according to the law of Arizona.

Terms

1. When the Secretary of State performs logic and accuracy testing of Maricopa County’s tabulators and accessible voting devices pursuant to A.R.S. § 16-449(C) before an election, the Defendant Board shall provide only its tabulators and accessible voting devices that the Defendant Board intends to deploy to early voting locations and election


day vote centers from which the Secretary of State shall make his random selection to test. The Defendant Board will inform the Secretary of State that it wants the test to be of at least six of the tabulators and twelve of the accessible voting devices scheduled to be deployed to early voting locations and vote centers. As to the accessible voting devices, the random selection shall be drawn from a single pool that consists of all accessible voting devices that will be deployed to both early voting locations and election day vote centers. See 2023 Elections Procedures Manual, Ch. 4, Part I.A.1. at 92 (providing that the Secretary of States performs logic and accuracy testing on “selected equipment”); *id.* at Part I.D.3. at 95 (requiring that the machines that are tested be “selected at random”).

2. The Defendant Board will continue to comply with all relevant legal requirements concerning publicly noticing their logic and accuracy tests and inviting political party representatives to attend.

3. The Plaintiffs will dismiss their lawsuit, *Arizona Republican Party et al. v. Sellers et al.*, No. CV2024-018439, as to the Defendant Board with prejudice and with each side to bear their own fees and costs.

Signatures

Arizona Republican Party

By: 
[Gina Swoboda \(Aug 12, 2024 17:27 PDT\)](#)
Gina Swoboda, Chair


Date: 08/12/2024

Maricopa County Republican Committee

By: 
[Craig Berland \(Aug 12, 2024 18:25 PDT\)](#)
Craig Berland, Chair

Date: 08/12/2024

Gina Swoboda

By: 
[Gina Swoboda \(Aug 12, 2024 17:27 PDT\)](#)
Gina Swoboda

Date: 08/12/2024

Maricopa County Board of Supervisors

<p>By: <u>Jack Sellers</u> Jack Sellers, Chair</p> <p>Date: <u>8/12/2024</u></p>	<p>Approved as to form:</p> <p>By: <u>Joe La Rue</u> Joe La Rue, Deputy County Attorney</p> <p>Date: <u>8/12/2024</u></p>
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