

IN THE SUPREME COURT

Action No. _____

Travis Broadhurst;)
PLAINTIFF.)
)
versus)
)
Paul Kushner,)
 Chair, Board of Elections;)
Andy Hoang,)
 Member, Board of Elections;)
Arunabha Debnath,)
 Member, Board of Elections;)
Joanna Zhang,)
 Member, Board of Elections;)
Zaid Khatib,)
 Member, Board of Elections;)
Zach Johnson,)
 Member, Board of Elections;)
Lucy Best,)
 Member, Board of Elections)
)
DEFENDANTS.)

COMPLAINT

I. Jurisdiction

The Student Supreme Court has jurisdiction over this matter pursuant to both III S.G.C. §600(A)(1) and III S.G.C. §600(A)(2), which state that Student Supreme Court’s jurisdiction shall extend to “...controversies regarding actions of...all independent agencies of Student Government” and to “questions of law arising under this Constitution, the laws enacted under its authority of actions of the...Board of Elections.”

II. Standing

The Plaintiff has standing in this matter pursuant to III S.G.C. §630, which states that “[s]tanding to bring an action before the Supreme Court for an election error or fraud in the acts, decisions and rulings of the Board of Elections extends to plaintiffs who must have his/her powers, rights, privileges, benefits or immunities adversely affected, restricted impaired or diminished” and that the plaintiff must be “[a] student directly and adversely affected by a regulation, ruling, or determination of the Board of Elections” (III S.G.C. §630(2)).

The Board of Elections, the Defendants, determined that Mr. Broadhurst, the Plaintiff, to have collected fewer than the required 1,250 unique signatures necessary to become a Certified Candidate and appear on the ballot as a candidate for Student Body President, as required by VI S.G.C. §404(B) and VI S.G.C. §404(C)(1). The Board of Elections certified Elizabeth Adkins and Maurice Grier, but this complaint alleges that Ms. Adkins and Mr. Grier should not have been certified. Because Ms. Adkins and Mr. Grier were certified and will therefore appear on the ballot for Student Body President, Mr. Broadhurst is at a severe disadvantage in his pursuit of the office of Student Body President.

III. Necessary Defendants

According to VI S.G.C. §707(A), “[n]ecessary defendants include all students who caused or contributed to the plaintiff’s injury.” Board of Elections Chair Paul Kushner and Board of Elections Members Andy Hoang, Arunabha Debnath, Joanna Zhang, Zaid Khatib, Zach Johnson, and Lucy Best failed to follow the Student Code’s requirements regarding the gathering of ballot petition signatures by potential Student Body President candidates, and because of this failure Mr. Broadhurst was declared ineligible to run as a candidate for Student Body President. Therefore, Chair Kushner and Members Hoang, Debnath, Zhang, Khatib, Johnson, and Best “caused or contributed to the plaintiff’s injury” and qualify as “necessary defendants.”

IV. Relief

Plaintiff Broadhurst alleges that the Defendants failed to properly apply the rules regarding the gathering of signatures for ballot petitions by allowing electronic signatures that were not Onyen-verified. If the Defendants had properly invalidated the improperly collected electronic signatures, it is extremely likely that neither Ms. Adkins nor Mr. Grier would have been certified by the Board of Elections.

VI S.G.C. §404(F) states that “*Onyen verified* electronic signatures can be used to fulfill the signature requirement [for ballot petition signatures]” (emphasis added). Because no other provision of the Code addresses non-Onyen-verified electronic signatures, it logically follows that only Onyen-verified electronic signatures are valid and can count toward the 1250-signature requirement for a candidate to appear on the ballot as stipulated in VI S.G.C. §404(C)(1). The Board of Elections has historically interpreted this clause to mean that electronic signatures require the signatory to enter both an Onyen and a password corresponding to that Onyen. Please see Evidence C and D, PowerPoint presentations from both past BOE Chairs Grayson Berger and Alex Piasecki affirming this fact. Evidence E further compounds upon the necessity of verification of Onyens through University methods in an email from past Chair Berger sent last year to all candidates following declaration. The fact that Onyen verification, as the term is used in the Student Code, requires a password is further supported by the entire purpose of Onyen verification—fraud prevention. If signatories were not required to enter a password, their Onyens could be obtained in fraudulent ways, such as through UNC’s email system. Methods exist to gather PIDs and student names from other sources as well. This could bring about the possibility

of persons entering signatures that are not the signatories themselves, which goes directly against the latter line of VI S.G.C. §404(E).

The two Certified Candidates for Student Body President, Ms. Adkins and Mr. Grier, collected online signatures that were not Onyen-verified by both Onyen and password (Evidence A and B). Therefore, the entirety of Ms. Adkins and Mr. Grier's electronic signatures should be nullified, and their signatures should be recounted to determine whether or not they shall be Certified Candidates.

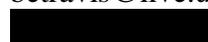
V. Demand for Judgment

- (1) Mr. Broadhurst requests that the Student Supreme Court order the Board of Elections to nullify Ms. Adkins and Mr. Grier's electronic ballot petition signatures that were collected without Onyen verification.
- (2) Mr. Broadhurst requests that the Student Supreme Court order the Board of Elections, upon completion of (1), recount Ms. Adkins and Mr. Grier's ballot petition signatures to determine whether or not they shall be Certified Candidates.

I do affirm that I have read in full the foregoing brief and that the allegations contained therein are true to the best of my knowledge and belief.

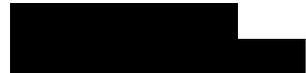
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