

**COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT**

Essex, ss.

Civil Action Docket No.

ANNE MANNING-MARTIN,
 Plaintiff

v.

STATE BALLOT LAW COMMISSION,
 Defendant,

SHAWN OLIVER,
 Defendant/Interested Party,

ADAM ROOF,
 Defendant/Interested Party.

Verified Complaint

Plaintiff ANNE MANNING-MARTIN (“Plaintiff”), Republican candidate for Lt. Governor of Massachusetts, brings this action for judicial review and relief to overturn the decision of the Massachusetts Ballot Law Commission (“SBLC”) to remove her name from the ballot for the Republican Primary to be held on September 1, 2026 despite her having met all the statutory requirements. A copy of the SBLC’s June 26, 2026 Decision (“the Decision”) is attached as Exhibit A.

The SBLC’s decision, which was made without any live testimony from people whose names were allegedly forged to confirm same, without relying on any handwriting expert,

without exemplars of voter signatures, or any evidence of purported forgery, was manifestly unjust, exceeded its jurisdictional authority, and violated Plaintiff's federal constitutional right to ballot access, the Massachusetts General Laws and Declaration of Rights regarding ballot access and running for office, the SBLC promulgated rules, the procedural rules for a fair hearing, departed from all standards regarding evidentiary rulings, rested upon documents that were not in evidence, improper hearsay, conjecture and speculation, took improper judicial notice, prevented Plaintiff from calling witnesses and cross examining witnesses, ignored their standard of substantial evidence, overrode judicial admissions, reversed the burden of proof, departed from all legal precedent, was arbitrary and capricious and was the result of an amalgam of intentional legal errors designed specifically to prevent Plaintiff from ballot access and running for office as a candidate in the Republican Primary for Lt. Governor.

In addition, even if this Court finds that the SBLC did not commit any legal or procedural error, which Plaintiff does not concede, and strikes signatures based solely on the speculation of a signature gathering expert's testimony, the SBLC made arithmetic errors and despite all of the SBLC's efforts to sink her candidacy, Plaintiff exceeded the 10,000 signature requirement by a range of at least 50-100 signatures and her name must be placed on the ballot as a matter of law.

Parties

1. Plaintiff ANNE MANNING-MARTIN, who resides in Peabody, Essex County, Massachusetts, is a Republican candidate for Lt. Governor and has met all the statutory

qualifications therefor to include garnering 10,692¹ timely filed verified voter signatures on her nomination papers, in excess of the required 10,000 verified signatures, and exceeded the 15% minimum number of delegate votes at the Republican Convention garnering 27%, among other requirements.

2. SBLC is an agency created by M.G.L. c. 55B, and its powers are limited by its organic statute which is strictly construed.

3. Defendant and Interested Party SHAWN OLIVER (“Oliver”), an individual and a Republican Candidate for the office of Lt. Governor, who came in last at the Republican convention, who joined with the Massachusetts Democrat Party to file a successful Objection against Plaintiff before the STATE BALLOT LAW COMMISSION to remove her from the ballot.

4. Defendant and Interested Party ADAM ROOF (“Roof”), an individual and the Executive Director of the Massachusetts Democrat Party, who joined with Oliver and filed a successful Objection against Plaintiff before the STATE BALLOT LAW COMMISSION.

Jurisdiction and Venue

5. Pursuant to G.L. c. 55, § 4 and c. 30A, the Superior Court has jurisdiction over this matter.

6. Pursuant to G.L. c. 223, §1, venue lies in Essex County, as that is where

¹ Among its many errors, the Commission found that Plaintiff garnered only 10,662 signatures prior to the Objection rather than 10,692 that she did indeed garner according to their own records, a copy the receipt of which was admitted into evidence. Another significant error to Plaintiff’s great prejudice.

the Plaintiff resides.

Facts

7. On June 2, 2026 Plaintiff qualified to have her name placed on the primary ballot as a Republican candidate for Lt. Governor of Massachusetts, having met all the statutory requirements, subject to a successful Objection pursuant to M.G.L. c. 55B.

8. On June 3, 2026, Roof filed his Objection with the SBLC.

9. Roof was required to serve Plaintiff with a copy of his Objection by certified mail by June 4.

10. Roof filed a false certificate of service under the penalty of perjury stating that he himself served the Objection upon the Plaintiff by certified mail. In fact, a third party served the Objection, and it was not sent by certified mail.

11. On June 5, 2026, Oliver filed his Objection with the SBLC.

12. Oliver was required to serve Plaintiff with a copy of his Objection by certified mail by June 6.

13. Oliver filed a false certificate of service under the penalties of perjury stating that he himself served the Objection upon the Plaintiff by certified mail on June 5. In fact, a third party served the Objection other than by certified mail with no proof that it was mailed by the June 6 deadline. The materials Oliver submitted regarding service appear to have been manufactured to look like certified mail and are the subject of a complaint to the US Postal Inspectional Services for mail tampering.

14. Failure to serve by certified mail deprived the SBLC of jurisdiction over both

Oliver's and Roof's Objections.

15. In its Decision, the SBLC acknowledged that service by certified mail is a strict requirement and failure to do so is grounds for automatic dismissal but made an exception solely for this case, indicating that it won't do so again in the future, and took jurisdiction against all legal precedent and statutory jurisdiction requirements.

16. In doing so the SBLC improperly expanded its jurisdiction in order to rule against Plaintiff.

17. The SBLC's inappropriate expansion of its jurisdiction is a violation of its organic statute, the promulgated rules, statutes and legal precedents and placed unlawful, arbitrary and capricious and impermissible restrictions on Plaintiff's ballot access and deprived Plaintiff of due process, substantive due process, and her constitutional right to run for office, protected by her First Amendment right to freedom of association as implemented by the Fourteenth Amendment under the United States Constitution and recognized by the Massachusetts Declaration of Rights, Article 9.

18. Pursuant to 950 CMR 59.04 (1)(f), Oliver and Roof were each required to serve upon Plaintiff a list of Specific Objections, showing the page and line of each challenged signature, by 5:00 p.m. on June 11, the third business day prior to the June 16 SBC hearing. Neither of them did so.

19. Roof did not serve his coded list of Specific Objections upon Plaintiff until after 5:00 p.m. on June 11, 2026 which is deemed by 950 CMR 59.02 (8)(b)(2) to be June 12, 2026, a day too late. He didn't serve the enumerated nomination papers to which the coded list referred to until midday the next day, June 12. His submission did not show the list of signatures

challenged on time.

20. Oliver served his coded list of Specific Objections upon Plaintiff prior to 5:00 p.m. on June 11, 2026 but didn't serve the enumerated nomination papers to which the coded list referred until after 5:00 p.m. which is deemed by 950 CMR 59.02 (8((b)(2) to be June 12, 2026, a day late.

21. Both Oliver and Roof each served a meaningless coded list and did not provide the enumerated nomination papers to which the list referred until after 5:00 p.m. on June 11, 2026, which is deemed by the rules to be June 12, 2026. His submission did not show the list of signatures challenged on time.

22. The SBLC was deprived of jurisdiction because of Oliver's and Roof's failure to serve Plaintiff with a list of Specific Objections showing the challenged signatures.

23. There has never been a case, before now, where the SBLC allowed an Objector to proceed with his case where he did not provide a list showing the challenged signatures prior to the 5:00 p.m. deadline on the third day prior to the hearing.

24. On June 16, 2026 the SBLC heard the Motions to Dismiss, took them under advisement for the duration of the cases, improperly took jurisdiction over the cases, and did not deny Plaintiff's motions to dismiss until after the SBLC allowed the Objectors to present their cases, which was improper, and a clear violation of the law and legal precedent.

25. In its decision to expand its jurisdiction where the Objectors failed to serve the Specific Objections in a timely and meaningful manner, the SBLC committed clear legal error when it improperly ruled that, despite the clear language of the regulation, 950 CMR 59.04 (1)(f), Objectors were not required to "show" the challenged signatures and were not required to

provide the enumerated nomination papers to which their coded lists refer.

26. The SBLC's improper expansion of its jurisdiction is a violation of its organic statute, the promulgated rules, statutes and legal precedents and placed unlawful, arbitrary and capricious and impermissible restrictions on Plaintiff's ballot access and deprived Plaintiff of due process, substantive due process, and her constitutional right to run for office, protected by her First Amendment right to freedom of association as implemented by the Fourteenth Amendment under the United States Constitution and recognized by the Massachusetts Declaration of Rights, Article 9.

27. Oliver and Roof joined in a motion to consolidate their cases, which was allowed at the beginning of taking evidence on June 18, over Plaintiff's objection.

28. Plaintiff pointed out in her Opposition to the motion to consolidate that the consolidation of the cases does not consolidate Oliver and Roof's burden of proof, each must show by substantial evidence that at least 693 signatures Plaintiff submitted were invalid for forgery.

29. Oliver presented his case and concluded it on June 22.

30. Roof presented no case at all—not one witness and not one document, his attorney didn't even ask one question.

31. At the close of the Oliver's and Roof's cases, prior to the commencement of Plaintiff's case, Plaintiff moved for a Directed Verdict against Roof for failing to present any evidence at all. The Motion was denied without comment. In its decision, the SBLC commented that Roof was allowed to adopt Oliver's case without having to present any evidence. This was a clear violation of law. Roof did not meet his burden of production of

evidence and did not meet his burden of proof by a preponderance of evidence that 693 of Plaintiff's signatures were invalid.

32. At the same time, Plaintiff moved for a Directed Verdict against Oliver for failing to present substantial evidence and failing to meet his burden of proof that 693 of Plaintiff's signatures were invalid. The SBLC denied the motion without comment and in its Decision it sustained Oliver's Objection despite Oliver failing to meet his burden of proof by substantial evidence—in doing so the SBLC committed errors of law, was arbitrary and capricious and its decision was against the weight of the evidence.

33. The SBLC Decision is the first time that the SBLC sustained an Objection without any live testimony from witnesses confirming that their signatures were forged, without any testimony from a handwriting expert opining that the signatures are forged, without any affidavits disavowing the signatures, and without any exemplars of voter handwriting against which to compare the signatures.

34. The SBLC intentionally departed from all legal precedents to rule against Plaintiff to deny her ballot access in violation not only of legal precedent, but also of her constitutional right to ballot access.

35. Both Objections must be dismissed for lack of evidence. Kiley v. Tso, SBLC 26-01 (January 22, 2026)(failure to present live testimony from the voters whose signatures were challenged).

36. There has never been a case where an Objector was able to be successful on merely expert testimony to invalidate signatures without substantial supporting evidence that would eliminate all innocent possibilities for the state of the signatures—even with a

handwriting expert, which was not present in this case because the Oliver's handwriting expert's testimony was rejected by the SBLC. See Buonomo v. Oneisemo, SBLC #78-P-12 1978 (July 24, 1978) (handwriting expert testimony backed up by signatures on voter cards, affidavits and death certificates); McKeown v. Zagar, SBLC #78-P-12 (July 24, 1978)(handwriting expert testimony backed up by live testimony); Sullivan v. McDonough, SBLC #78-P-17)(handwriting expert testimony backed up by order of signatures in same order as telephone book and elimination of any geographical explanation for the order).

37. There has never been a case, prior to this one, where the SBLC relied on an expert who was not a handwriting expert to determine that signatures are invalid.

38. There has never been a case, prior to this one, where the SBLC relied on the opinion of a lay witness to determine that signatures are invalid.

39. There has never been a case, prior to this case, where the SBLC relied solely on the order of signatures on a candidate's nomination papers to conclude that the signatures are invalid.

40. The SBLC's reliance on these witnesses sweeping unsubstantiated opinions rather substantial evidence invalidating signatures as required by law does not meet the substantial evidence standard required by law to determine whether signatures are valid, does not amount to a preponderance of evidence, was arbitrary and capricious and amounted to legal error.

41. The SBLC, over Plaintiff's objection, allowed both the expert signature gatherer and the lay witness to opine, to include the expert's "report," based on information that was not in evidence, namely a purported electronic list of Weymouth voters,

nomination papers of Mike Walsh, and nomination papers of Anne Brensley.

42. Over Plaintiff's objections, the SBLC concluded, based solely on the word of the lay witness, with nothing more to substantiate it, that some of Plaintiff's Weymouth signatures were in the same order as Anne Brensley's nomination papers without her nomination being placed into evidence for comparison or cross examination. This was legal error, the nomination papers not in evidence and not on file with the Secretary of the Commonwealth, and the content and the order in which the names appeared is hearsay.

43. Over Plaintiff's objections, the SBLC concluded, based solely on the word of the lay witness, with nothing more to substantiate it, that some of Plaintiff's Weymouth signatures were in the same order as a purported electronic list of Weymouth voters without the purported electronic list being placed into evidence for comparison or cross examination. This was legal error, the nomination papers not in evidence and not on file with the Secretary of the Commonwealth, and the content and the order in which the names appeared is hearsay.

44. Over Plaintiff's objections, the SBLC concluded, based solely on the word of the expert witness, who was not a handwriting expert, with nothing more to substantiate it, that some of Plaintiff's Weymouth signatures were in the same order as a purported electronic list of Weymouth voters and were thus forged without the purported electronic list being placed into evidence for comparison or cross examination. This was legal error, the nomination papers not in evidence and not on file with the Secretary of the Commonwealth, and the content and the order in which the names appeared is hearsay.

45. Over Plaintiff's objections, the SBLC concluded, based solely on the word of

the expert witness, who was not a handwriting expert, with nothing more to substantiate it, that some of Plaintiff's Weymouth signatures were in the same order as Mike Walsh's nomination papers and were thus forged without Mike Walsh's nomination papers being placed into evidence for comparison or cross examination. This was legal error, the expert should not have been allowed to testify to the ultimate issue before the SBLC and nomination papers were not in evidence, were not on file with the Secretary of the Commonwealth, and the content and the order in which the names appeared is hearsay. The SBLC improperly took judicial notice of Mike Walsh's papers on file without notice to Plaintiff and they were not produced for inspection or cross-examination and the content and order of the names is hearsay.

46. The SBLC improperly ignored all of the evidence adduced that undercut the lay witness and the expert signature gatherer's testimony: documentary evidence authenticated by Anne Brensley demonstrated that she had altered the purported electronic Weymouth voter list upon which she and the signature gathering expert based their testimony; that the signature gathering expert had been provided the purported electronic Weymouth voter list and Mike Walsh's signatures by the Massachusetts Democrat Party and not from an authenticated source; at least four witnesses, including one of Oliver's witnesses and his own expert signature gatherer, testified that signature gatherers often gather signatures for more than one candidate at a time and that the signatures would be in the same order; and two witnesses' testimony, one of Oliver's own witnesses, that the purported electronic Weymouth voter list could have been created after the Weymouth signatures were gathered and the resulting list would have been in the same order as the

Weymouth nomination papers, that the nomination papers had been circulating for months prior to the purported electronic Weymouth voter list being downloaded; and that multiple people had access to and could have downloaded the purported electronic list.

47. The SBLC drew illogical inferences and showed their extreme prejudice towards Plaintiff and improperly ignored the benign possibilities, backed up by testimony, that could account for Plaintiff's Weymouth signatures being in the same order as documents that didn't come into evidence and instead adopted wholesale the opinions of two people who were biased: one the failed candidate Anne Brensley, a lay witness who was improperly allowed to give opinion testimony, who produced no documentation backing up any of her assertions, and the other a paid signature gatherer who had an interest in eliminating his competition, who produced no documents to back up any of his assertions, who claimed to be testifying for no fee and that Oliver owed him a little money, but in truth had already been paid \$65,000 by Oliver and was owed another \$150,000 by Oliver while he was sitting on the stand for the signature gathering services he performed for Oliver's campaign—enough incentive to generate biased testimony.

48. The SBLC prevented Plaintiff from cross-examining Anne Brensley with her own nomination papers which had been rejected by town clerks but were tampered with after the fact prior to her submitting the altered nomination papers to the Secretary of the Commonwealth, which is a crime. The SBLC sustained Oliver's objection to this line of questioning which went directly to Brensley's credibility.

49. The SBLC committed legal error and seriously prejudiced Plaintiff's case when it took evidence contradicting judicial admissions regarding the validity of Plaintiff's Weymouth signatures and compounded by the error by miscalculating the signatures that

were being challenged, resulting in the SBLC's conclusion that Plaintiff fell 317 short, when in fact, Plaintiff still surpassed the 10,000 threshold by at least 45 voters' signatures and qualified for the ballot even if one were to ignore all the legal errors it made.

50. Roof and Oliver both initially challenged all the signatures from Weymouth, some 1,400 or so in total. However, by the end of their case in chief, both Objectors had reduced their Weymouth challenged signatures to 711 and withdrawn their challenges to and admitted that 739 of the Weymouth signatures they had initially challenged were valid.

51. The Commission committed an error of law when it allowed testimony from the signature gathering expert to contradict and indeed wipe out Roof and Oliver's judicial admissions regarding the validity of these 739 signatures. Judicial admissions "conclusively determine an issue." Quinn v. Mar-Lees Seafood, LLC, 69 Mass. App. Ct. 688 (2007). See Bancroft v. Cook, 264 Mass. 343 (1928); see G.L. c. 231, §87.

52. It was legal error for the SBLC to replace judicial admissions that signatures were valid with testimony from the signature gathering expert that they were invalid. The SBLC's reliance on the signature gatherer's expert testimony to undermine, and indeed ignore, these judicial admissions that 739 of the challenged signatures were valid, cleared the path for the Commission to expand the challenged signatures, ballooning it back to 1279 which included 739 signatures that the Objectors already conceded were valid.

53. The mistake that was made is that the expert signature gatherer testified about whole pages that he claimed were invalid and did not specify particular signatures—he testified that every signature on every page he cited was invalid.

54. In the category of signature pages that matched up with Mike Walsh's pages, the

expert testified that signatures were invalid on Weymouth pages 3, 7, 10, 11, 12, 13, 16, 22, 23, 25, 26, 27, 29, 30, 32, 34, 38, 44, 45, 46, 47, 50, 51, 52, 54, 58, 60 and 61, amounting 634 invalid signatures.² But of these, Roof and Oliver had already withdrawn their challenges to and admitted that 316 of these signatures were valid, accounting for the 38 additional signatures that the clerks invalidated. The SBLC made an error by adopting the expert's testimony wholesale and should have deducted the 316 admittedly valid signatures from his tally. Even if one were to go along with the expert's opinion, which Plaintiff does not concede is legally correct, the most the duplicate Walsh signature theory would yield is 316 invalid signatures.

55. The Commission repeated this error when it adopted the expert's testimony on the signatures that matched up with the purported electronic Weymouth voter list. The expert testified that all the signatures on Weymouth pages 1, 2, 5, 6, 14, 15, 17, 19, 20, 21, 24, 28, 33, 35, 36, 39, 40, 41, 42, 43, 48, 49, 53, 55, 56, 57 fell into this category, but he included page 27 erroneously both in this category and the previous category, causing a double count. The count for page 27 has been removed from this category. A correct count of these pages, eliminating the double count of page 27, shows that he challenged 578 signatures in this category. However, Oliver and Roof admitted that 247 of these signatures were valid, leaving a balance of 331 signatures that this purported electronic Weymouth voter list theory could yield.

56. Adding the signatures from the two categories challenged by the expert, only 647 could be invalidated solely by the expert's testimony after subtracting out the signatures that Roof and Oliver admitted were valid. Plaintiff's 10,692 total verified signatures minus 647

² The signature gathering expert testified to a different amount in each category, but that was due to arithmetic errors. The correct tallies from the nomination papers are relayed here and are used for calculations. The SBLC's reliance on the expert's bad math is also a legal error that prejudiced the Plaintiff.

purported by the signature gathering expert be forged leaves a balance of 10,045 valid signatures, exceeding the 10,000 threshold and establishing Plaintiff's right to have her name be included on the ballot for the Republican Primary for Lt. Governor

57. Even if one were to credit the expert's testimony that in his opinion the signatures submitted on the identified pages are fraudulent, despite that it is baseless and relies on hearsay lists and other documents not in evidence, Plaintiff still meets the minimum required signatures, and her name cannot be removed from the ballot. The Commission was simply wrong in ignoring judicial admissions by adopting the expert's contrary assertions and adopted serious mathematical errors to the significant prejudice of Plaintiff.

REMEDIES REQUESTED AND PRAYERS FOR RELIEF

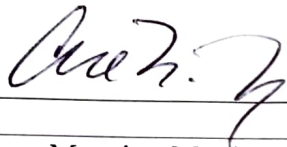
Plaintiff respectfully requests that the court:

1. Stay the implementation of the SBLC's Decision until further order of the court after hearing;
2. Set aside or vacate the SBLC's Decision;
3. Compel the Commonwealth to place the name of Anne Manning-Martin on the Republican ballot for the September 1, 2026 primary election;
4. Find that substantial rights of Plaintiff have been prejudiced because the SBLC decision is:
 - (a) in violation of her constitutional right to ballot access;
 - (b) amounts to an unconstitutional Bill of Attainder;
 - (c) violates her due process rights as a "Class of One;"
 - (b) In excess of the SBLC's statutory authority or jurisdiction;
 - (c) Based upon errors of law;

- (d) Made upon unlawful procedure;
- (e) Unsupported by substantial evidence;
- (f) Unwarranted by facts found by the court on the record as submitted or as amplified, in those instances where the court is constitutionally required to make independent findings of fact;
- (g) Arbitrary or capricious, an abuse of discretion, or otherwise not in accordance with law.

I swear under oath under the pains and penalties of perjury that the above factual assertions are true this 1st day of July 2026.

Signed:



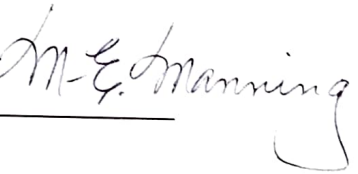
Anne Manning-Martin

Respectfully submitted,

ANNE MANNING-MARTIN

By her attorney,

/s/ Mary-Ellen Manning



Mary-Ellen Manning
BBO#559711
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Peabody, MA 01960
(978) 648-0658
Memanning99@gmail.com

Dated: July 1, 2026

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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION
Docket No. 26-03
Docket No. 26-05

ADAM ROOF,
Objector
v.
ANN MANNING MARTIN,
Respondent

SHAWN OLIVER,
Objector
v.
ANN MANNING MARTIN,
Respondent

DECISION

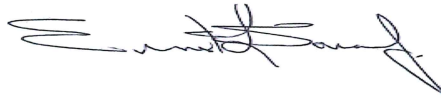
For the reasons stated in the attached Statement of Reasons, the Objections of Adam Roof and Shawn Oliver are SUSTAINED on the merits and the Respondent's name shall not be printed on the Republican State Primary ballot.

STATE BALLOT LAW COMMISSION

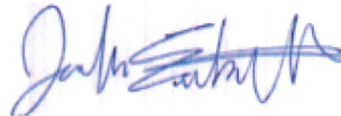
The Office of the Commission is:

State Ballot Law Commission
c/o Elections Division
Office of the State Secretary
One Ashburton Place, Room 1705
Boston, Massachusetts 02108

617-727-2828



Hon. Ernest L. Sarason, Jr. (Ret.), Chair



Joseph Eisenstadt, Esq.



Jed Nosal, Esq.



Kaitlyn Sprague, Esq.

Dated: June 26, 2026

IMPORTANT:

Judicial review of this decision may be sought by civil action under G. L. c. 30A, § 14, within 5 days after receipt of this notice.

ELECTIONS DIVISION
2026 JUN 26 PM04:53

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION

Docket No. 26-03

Docket No. 26-05

_____)
 ADAM ROOF,)
 Objector)
))
 v.)
))
 ANN MANNING MARTIN,)
 Respondent)
 _____)

STATEMENT OF REASONS

_____)
 SHAWN OLIVER,)
 Objector)
))
 v.)
))
 ANN MANNING MARTIN,)
 Respondent)
 _____)

I. INTRODUCTION

The Respondent, Ann Manning Martin, a Republican candidate for Lieutenant Governor, timely filed with the Secretary of the Commonwealth nomination papers containing 10,662 certified signatures. To qualify as a candidate for Lieutenant Governor, the Respondent needed to file at least 10,000 certified signatures. G. L. c. 53, § 44 (2024 ed.). Thereafter, two (2) objections were filed with the State Ballot Law Commission challenging the validity of certain signatures appearing on the Respondent’s nomination papers.

The State Ballot Law Commission (Commission) has jurisdiction to determine whether she satisfies these criteria pursuant to General Laws chapter 55B, section 4.

II. OBJECTIONS

On June 3, 2026 and June 5, 2026, objections were filed, one by Adam Roof, and one by Shawn Oliver, challenging some of the Respondent's signatures appearing on her nomination papers as being written in the same hand, not signed in person by the voter, signed by people who were not registered voters, signed by people who, although registered, were not eligible to be registered, non-genuine and fraudulently obtained and certified twice. The Objectors must prove that 693 signatures filed with the Secretary of the Commonwealth to be invalid. If proven, the Respondent would have an insufficient number of signatures to appear on the ballot.

III. PRELIMINARY PROCEDURAL MATTERS

On June 16, 2026, a hearing was noticed by the Commission in order to consider preliminary matters. The Commission considered several preliminary matters before hearing the Objection itself, which was continued on June 18, 2026 and June 22, 2026.

A. Respondent's Motions to Dismiss for Lack of Certified Mail

The Respondent filed a Motion to Dismiss each of the Objections based on the grounds that each Objector failed to mail a copy of his Objection by registered or certified mail, return receipt requested, as set out in G.L. c 55B, § 5 paragraph 9. This paragraph states, in part, that failure to do so shall invalidate any objection filed with the Commission. The Commission's regulations provide that "[n]ot later than the day after the objection is filed the objector shall mail a copy of the objection to the respondent by registered or certified mail return receipt requested." 950 CMR 59.02(4)(a).

A hearing was held on the Motion at which Objector Oliver presented evidence that the mailing of his Objection was done by the law firm representing him. Objector's counsel indicated that law firm staff affixed the appropriate certified return receipt mail labels to the envelope containing the Objection and deposited the same in the firm mailroom's USPS mail bin to be

transported to the United States Postal Service. At the time of the hearing, Objector Oliver did not present any evidence of the receipt of the mailing by the USPS but indicated that it would be supplemented upon the return of the “green card” indicating delivery. On June 22, 2026, Objector Oliver filed a copy of the “green card” stamped by the USPS showing proof of mailing stamped June 13, 2026.

Objector Roof also responded to the Respondent’s Motion to Dismiss his Objection. Objector Roof presented an affidavit from an agent of the Objector, John Alexander Bausch, indicating that this agent was tasked with the responsibility to mail the Objection first class certified with a return receipt requested. Mr. Bausch’s affidavit indicates that he went to a United States Postal Service office and left the Objection with a postal clerk requesting that the Objection be mailed first class certified with a return receipt requested. Mr. Bausch left the office without confirmation that the Objection was properly mailed. Objector Roof presented no other evidence or information to the Commission regarding this mailing. In the Respondent’s support of her Motion to Dismiss, the Respondent presented a photo of a first class mailing received by her, with the return address of the “Massachusetts Democratic Party” dated June 3, 2026 that apparently contained the Roof Objection. The Commission relies upon this photo to demonstrate that Objector Roof’s Objection was indeed not sent “by registered or certified mail return receipt requested.” However, it also demonstrates that the Objection was sent and received by the Respondent in a timely fashion.

Accordingly, the Commission finds that the Objection by Objector Oliver was mailed by registered or certified mail return receipt requested as set out in paragraph 9 of section 5 of chapter 55B of the General Laws and 950 CMR 59.02(4)(a). The Commission also finds that the mailing by Objector Roof was not mailed by registered or certified mail return receipt requested as set out in paragraph 9 of section 5 of chapter 55B of the General Laws and 950 CMR 59.02(4)(a). However,

the Commission declines to grant the Motion to Dismiss Roof's Objection based on a failure to meet the statutorily prescribed mailing requirement where actual, timely receipt of the Objection occurred, and no prejudice was demonstrated by the Respondent.¹

The Commission is statutorily charged with the responsibility, as gatekeeper of ballot access, to ensure that access to the ballot is gained in a manner and process consistent with the overall statutory and constitutional standards and requirements relating to election laws and access to the ballot.

Consistent with this charge, the Commission further finds that the lack of a certified mailing had no adverse consequences whatsoever relating to the Respondent's defense of the claims made in the Objections at issue. The Respondent, by her own acknowledgement, received a copy of the Roof Objection via e-mail from the Objector on June 4, 2026, a day after it was filed with the Commission but a day before the deadline to file an objection. The Respondent also received the Objection from the Secretary of the Commonwealth via e-mail on June 3, 2026, the same afternoon as it was filed. Hence, the electronic notice of the Objections was received well in advance of when the Objection would have been received if only sent by certified mail. The Respondent readily admits that she received actual timely notice of the Objection, but just not by registered mail.

It is that fact alone upon which the Respondent relies in order to dismiss the objection. There is no claim that the Respondent was prejudiced in any way by Objector Roof's careless mailing. The Respondent argues that solely because of this mailing misstep, automatic dismissal is required under G.L. c 55B, § 5 paragraph 9 (and 950 CMR 59.02(4)(a) based on section 5) which states, in part, "failure to do so [mail by registered or certified mail] shall invalidate any objections filed with the Commission."

¹ The Commission stresses that its determination with regard to this portion of its Decision is based solely on the individual facts particular to this case. This determination is by no means intended to abrogate the statutory and regulatory notice requirements relating to the filing of objections.

As noted, Respondent does not and cannot claim that the lack of proper certified mailing created prejudice or other harm to her. Instead, it is a literal application of the specific wording of the statute upon which Respondent relies—that mailings not made by certified mail “shall” invalidate the objection. It is the Respondent’s position that this language is mandatory and requires an automatic dismissal of the Objection. The Commission does not agree first based on the well-recognized ability of agencies of the Commonwealth to excuse prescriptive service requirements where actual, timely service is proved. Cinder Prods. Corp. v. Schena Const. Co., 22 Mass. App. Ct. 927, 928 (1986). And, second, within the arguably heightened standards of ensuring the integrity of elections and access to the ballot, the Commission has authority to interpret its enabling statute, including the treatment of mandatory, statutory requirements, in a manner that does not contravene the legislative purposes of the election laws. Swift v. Board of Registrars of Voters of Quincy, 281 Mass. 271, 276 (1932). “The word ‘shall’ as used in statutes, although in its common meaning mandatory, is not infrequently is construed as permissive or directory in order to effectuate a legislative purpose.” Swift at 276.

The word “shall” is used throughout the election laws, but it must be interpreted in a manner that facilitates the legislative intent and purpose of the laws, to have free and fair elections, that are also free from fraud. “It is an aid to interpretation to establish tests by which to measure legislative intent. But all such tests must yield to the underlying aim of all statutory interpretation which is to discern the legislative intent disclosed by the enactment as an entirety in light of its dominant purpose and to declare its appropriate application to particular facts. The regnant design of all election laws is to provide expeditious and convenient means for expression of the will of the voters free from fraud. The right to vote is a precious personal prerogative to be sedulously guarded.” Arts. 4, 7, 8, 9 of the Declaration of Rights. “The public welfare demands that elections be protected from fraud.” Swift at 276 and 277.

With respect to the Roof Objection, the Objector concedes and the record demonstrates that the Objection was not filed as prescribed in the statute. At the same time, the record before the Commission pertaining to the Motion to Dismiss shows that the Objection was received by the Respondent in a timely manner, if not timelier than had only the statutorily prescribed process been followed. Notice of the Roof Objection was sent to the Respondent on June 3, 2026 from the Commission and on June 4, 2026 from the Objector. The “proof of service” that certified or registered mail is intended to provide was met here through multiple other means. Cinder Prods. Corp. v. Schena Const. Co., 22 Mass. App. Ct. 927, 928 (1986); Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950). Receipt of the Objection is not in question, and the Respondent has not demonstrated prejudice even considering the parameters of the truncated Objection process where timely notice remains paramount. Further, the Commission’s recognition of service in the instant case in a form different from the statutorily prescribed process is also consistent with the Commission’s authority to interpret the requirements governing Objections, including the treatment of the term “shall” as permissive, in a manner consistent with the legislative purpose of the Commission as recognized by the courts “to provide expeditious and convenient means for expression of the will of the voters free from fraud.” Swift at 277. The Commission may only investigate allegations regarding the legality, completeness, and accuracy of nomination papers upon the presentation of an Objection. Accordingly, the Commission will not dismiss an Objection where it was properly and timely filed with this body and actual, timely service was effectuated to the Respondent without prejudice.

Respondent’s Motion to Dismiss for lack of certified mailing is **DENIED**.

B. Respondent’s Motion to Dismiss for Failure to Timely File and Disclose the List of Challenged Signatures

The Respondent filed a second Motion to Dismiss based on the grounds that the Objectors failed to file and deliver a detailed list of all challenged signatures “showing” the page and line where each signature is located “[n]ot later than the third weekday before the date of the hearing,” which, in this case, was by June 11, 2026. Respondent objected on the grounds that the list, while filed with the Commission before 5:00 p.m. on June 11, 2026, was merely a series of numbers referencing enumerated pages that the Objector did not provide, nor were any signatures or nomination papers provided.

The Commission’s regulations, 950 CMR 59.04(1)(f), state in pertinent part:

“Not later than the third weekday before the date of the hearing contained in the Secretary’s notice, the objector shall file and cause to be delivered to the respondent a list of all signatures on the respondent’s nomination paper or petition which are drawn in question by the objection, showing the page and line where each is located, and the reason why each is alleged to be improper.”

The Commission’s cases require automatic dismissal, or in this case, exclusion of signatures not supplied in a timely fashion, since the failure to supply such information “affects” the respondent’s “substantial rights” to prepare his case. Pieroni v. Garron, SBLC 98-6 (June 18, 1998); Schmidt v. Onessimo, SBLC 86-2 at 2 (June 16, 1986); Harvey v. Turo, SBLC 82-3 (June 10, 1982). The Commission requires strict adherence to its notice and its discovery regulations. Hurst v. O’Connor, SBLC 98-2 (remand decision, June 26, 1998) (signatures raised at hearing, where objector failed to include signatures in Objector’s List of Challenged Signatures were not properly before the Commission). The Commission has long held that compliance with the 950 CMR 59.04(1)(f) is mandatory.

The Commission finds that each Objector timely filed and caused to be delivered their lists of challenged signatures showing the page and line where they appear on the nomination papers filed with the Secretary, with the stated reason why the signatures were being challenged.

The Respondent claims the filed list was defective because it did not provide copies of the

actual pages where the challenged names appeared or any of the actual names of the voters who were being challenged. Such disclosures are not required by the regulations.

The Commission further finds that, upon request of the Respondent, the additional requested information, (aside from what the Objectors were required to submit and was timely filed by the appropriate deadline of 5:00 p.m. on June 11, 2026) was also provided. This supplemental information was supplied by the Objectors virtually immediately upon Respondent's request and within an hour of the deadline of the filing of the mandatory information.²

Accordingly, the Commission finds that the Objectors complied with 950 CMR 59.04(1)(f). Respondent's Motion to Dismiss for failure to timely file and disclose the list of challenged signatures is **DENIED**.

C. Consolidation

At the hearing held on June 18, 2026, the Commission, on its own initiative pursuant to 950 CMR 59.03(h), consolidated the matters insofar as they contained the same objections to the Respondent's submitted signatures. Objector Oliver was allowed to proceed as the lead case while reserving an opportunity for Objector Roof to present additional evidence. Thompson v. Romney, SBLC 02-05 (June 25, 2002).

IV. HEARING

Evidence was received for two (2) days on June 18, 2026 and June 22, 2026. Ten (10) witnesses testified and eighteen (18) exhibits were received. The matter having been heard and after consideration of the pleadings, stipulations, evidence, and arguments of the Parties, the Commission finds, rules and concludes as set forth in the following sections of this Decision.

V. FINDINGS OF FACT

The Commission finds the following facts:

² The page and line of the particular challenged signature references the page as numbered the Secretary upon filing and the line number for each signature line on the nomination paper.

1. The Respondent, Anne Manning Martin, is seeking the Republican nomination to the office of Lieutenant Governor.
2. To qualify to have her name printed on the ballot, she must have filed 10,000 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026.³
3. The Respondent filed 10,692 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026 as well as the other required paperwork.
4. On June 3, 2026, Adam Roof, a registered voter in the Commonwealth of Massachusetts, filed an objection before the State Ballot Law Commission alleging that some of the signatures appearing on the Respondent's nomination papers were written by the same hand, were not legally signed in person by the voter, and that some of the signatures were non-genuine and were fraudulently obtained.
5. On June 5, 2026, Shawn Oliver, a registered voter in the Commonwealth of Massachusetts, filed an objection before the State Ballot Law Commission alleging that some of the signatures appearing on the Respondent's nomination papers were written by the same hand, were not signed in person, were signed by persons who were not registered voters, were non-genuine, were fraudulently obtained, and were certified twice.
6. The Respondent denied the allegations.
7. Aidan Carey, Political Director of the Massachusetts GOP, testified that the Massachusetts GOP maintains a database, called "Numinar," containing the names and addresses of Republican and unenrolled voters registered in Massachusetts. This list is available to authorized individuals and groups to assist them with, among other matters, identifying voters to support their

³ Other filing requirements included her written acceptance, an enrollment certificate, a receipt from the State Ethics Commission showing she filed a Statement of Financial Interest with that agency and a receipt from the Office of Campaign and Political Finance showing she filed a statement with that agency regarding spending limits.

candidates and collecting signatures for nomination papers. On or about April 30, 2026, a list containing voter names for the town of Weymouth was exported by Joseph Bronske. On or about May 15, 2026, Mr. Bronske's credentials were terminated.

8. Anne Brensley, the endorsed candidate for the Republican nomination for Lieutenant Governor, testified that she engaged the services of Joseph Bronske to collect signatures on her nomination papers in connection with her candidacy for the Republican nomination for Lieutenant Governor.

9. Ms. Brensley later made an inquiry to the Massachusetts GOP as to whether Mr. Bronske had "run any voter list" and if so, to receive a copy of whatever he had run.

10. In response to her inquiry, Ms. Brensley received a copy of a spreadsheet from the Massachusetts GOP titled "all Weymouth voters," which is the same list exported by Mr. Bronske.

11. Following receipt of the Weymouth voter list, Ms. Brensley compared the list to the names of voters appearing on her nomination papers that had been collected by Mr. Bronske. Ms. Brensley testified that she found the names on her nomination papers to be in the exact same order as they appeared in the spreadsheet.

12. Ms. Brensley knew that Mr. Bronske was circulating nomination papers for other Republican candidates, including the Respondent.

13. Ms. Brensley reviewed the Respondent's Weymouth nomination papers and observed that many, if not all, of the names appearing on her nomination papers and the Respondent's nomination papers were identical to the list given to Mr. Bronske.

14. Ms. Brensley observed that, not only were the names on her nomination papers identical to the names appearing on the Bronske voters list, but the same names on her nomination papers and the Respondent's nomination papers were in the exact same order on the numerous nomination papers submitted to the Weymouth Town Clerk.

15. Ms. Brensley further noticed that some of the names on her nomination papers, which also appeared on the spreadsheet, were for voters who had died before the date her nomination papers were circulated for signature collection.

16. Based on what Ms. Brensley discovered, which she concluded was that the signatures obtained from Mr. Bronske were forged, she did not submit any nomination papers obtained through Mr. Bronske to the Secretary of the Commonwealth. As a result, Ms. Brensley had an insufficient number of certified signatures to have her name printed on the ballot.

17. On June 12, 2026, Attorney for Objector Oliver conducted a deposition of Mr. Bronske. Counsel for the Respondent was also present. In response to each question posed by the Objector's Attorney, including questions relative to his direct participation in forging voter signatures on the Respondent's nomination papers and his knowledge of anyone else forging voter signatures on the Respondent's nomination papers, Mr. Bronske answered in the same way by stating, "I respectfully decline to answer the question and invoke my constitutional right not to testify based upon my rights as stated in the U.S. Constitution, Amendment V, and the Massachusetts Declaration of Rights Part 1, Article XII."

18. Mr. Bronske indicated that he would answer the same way if subpoenaed to testify before the Commission. The deposition of Mr. Bronske was admitted into evidence.

19. Harold Hubschman of SignatureDrive.com testified about matters relating to his experience as a signature gatherer for nomination papers and initiative petitions in Massachusetts and other states. Mr. Hubschman has been in the voter signature gathering business for over 31 years. His company has gathered millions of signatures for candidate nominating papers and initiative petitions. Mr. Hubschman testified that he was not being paid for his testimony and had received no promise of payment or future work in connection with this proceeding. The Commission finds him qualified to testify about the matters before the Commission in relation to

this consolidated action and allow the submission of his Report relating to his observations regarding nomination papers in these cases.

20. Mr. Hubschman testified that he was provided with the same Numinar list, which he compared to the names on the Respondent's nomination papers. He also stated that he compared the Respondent's nomination papers with the nomination papers of Michael Walsh, Republican candidate for Attorney General, filed with the Secretary of the Commonwealth, which are public records of which the Commission takes judicial notice.

21. The Commission finds that although the Numinar list of Weymouth voters used in Mr. Hubschman's report is not in evidence, the same "Numinar list" was used as a basis for his analysis and conclusions.

22. Based on his review, Mr. Hubschman concluded that in the Town of Weymouth, there are 657 certified signatures on 29 pages of the Respondent's nomination papers that are in the identical order as on 29 corresponding pages of Michael Walsh nomination papers, with only one deviation, which is described in his report. Mr. Hubschman concludes the mathematical likelihood of this occurring is zero and that these signatures are likely fraudulent.

23. Mr. Hubschman further concluded that there are 622 additional certified signatures from the Town of Weymouth on the Respondent's nomination papers that are in the exact order as they appear in the Numinar list. Mr. Hubschman concludes these signatures are likely fraudulent.

24. Mr. Hubschman's testimony and report also concluded that the high rate of certification on the papers and no voter names being disqualified for being registered in another political party on those papers is another indication that they are likely fraudulent.

25. The Report of Mr. Hubschman, Exhibit 12, referenced herein is accepted and adopted by the Commission.

26. The Report of Objector Oliver's handwriting witness, Eileen Page, is not considered

by the Commission.

27. The Commission invalidates a total of 1,279 of the Respondent’s 10,692 signatures filed with the Secretary of the Commonwealth on June 2, 2026—657 from the identical Weymouth pages as Mr. Walsh’s nomination papers and 622 from Weymouth that are in the same order as the Numinar list, resulting in 9,413 remaining valid signatures.

VI. ISSUES OF LAW AND CONCLUSIONS

A. Evidentiary Standard Used by the Commission

The Commission’s findings are based on substantial evidence, which is defined as “such evidence as a reasonable mind might accept as adequate to support a conclusion.” G. L. c. 30A, § 1(6) (2024 ed.); Capezzuto v. State Ballot Law Commission, 407 Mass. 949, 952 (1990); Hershkoff v. Registrars of Voters of Worcester, 366 Mass. 570, 574 (1974); Labor Relations Commission v. University Hospital, Inc., 359 Mass. 516, 521; (1971); Almeida Bus Lines, Inc. v. Department of Public Utilities, 348 Mass. 331, 341 (1965).

In proceedings before the Commission, the objector has the burden of going forward. Hamill v. Sawyer, SBLC 90-14 (June 27, 1990). The objector must meet his burden of proof by proving his allegations by a preponderance of the evidence. DeJong v. Owens, SBLC 90-10 (June 22, 1990).

B. Scope of Commission’s Review of Challenged Signatures

Under Massachusetts General Laws, Chapter 53, section 7, “every *voter* signing a nomination paper shall sign in person as registered or substantially as registered” G. L. c. 53, § 7 (2024 ed.). The only exception to this requirement is that a voter who is physically disabled and therefore unable to sign may have another, in his presence, sign his name. G. L. c. 53, § 7 (2024 ed.). The local election officials are limited, in substance, to a comparison of the signature as found on the nomination papers to the names of those persons listed on the official lists

of registered voters. McCarthy v. Secretary of the Commonwealth, 371 Mass. 667, 687 (1977); 950 CMR 55.03(1)(4).

However, unlike the local registrars, the Commission has consistently applied a broad and equitable standard when considering the validity of certified signatures so as to facilitate the will of the voter whenever justice and fairness allow. Auger-Collins v. Callahan, SBLC 90-8 (June 22, 1990); Lam v. Conner, SBLC 90-7 (June 20, 1990). The Commission has applied the standards analogous to those used by the courts given the nature of Commission proceedings. Id. Like a court, the Commission may receive extrinsic evidence that the registrars could not, and may declare a signature certifiable in exercising its equitable powers whenever it finds that the signer is an eligible voter of the proper district. Iacobucci v. Kelley, SBLC 90-15 (June 29, 1990); Auger-Collins v. Callahan, SBLC 90-8 (June 22, 1990); Lam v. Conner, SBLC 90-7 (June 20, 1990); McCarthy, 371 Mass. at 684. This principle is bolstered by the consistent judicial policy of resolving voting disputes, where at all possible, in favor of the voter. McCavitt v. Registrars of Voters of Brockton, 385 Mass. 833, 837 (1982). Thus, a voter's signature should be counted unless there is "substantial doubt that the signer was a registered voter . . . eligible to sign a nomination petition." McCarthy, 371 Mass. at 684.

C. Objection Allegations that Certain Nomination Papers Contained Certified Names that are Non-Genuine

The Objector alleges that certain signatures appearing on the Respondent's nomination papers are non-genuine. The Commission has a longstanding practice of reviewing signatures for their authenticity based upon their own comparison of the signatures on the nomination paper or petition with the exemplars contained in the voter registration books, cards, and affidavits of voter registration or other reliable documents containing known signatures put into evidence. See Hannigan v. Board of Appeals, 328 Mass. 366, 370 (1952). While the Commission has considered

the expert testimony of handwriting experts and found it helpful, the testimony of such experts is not dispositive. In these cases, the Objectors allege that multiple signatures were signed by the same person or persons and that they are non-genuine.⁴

i. Testimony of Signature Gathering Expert Harold Hubschman

The Objector presented testimony from a signature-gathering expert, Harold Hubschman. The Commission incorporates its factual finding contained in the Findings of Facts section of this Decision.

For his analysis, Mr.Hubschman was provided a copy of the so-called “Numinar list of Republican and unenrolled voters maintained by the Republican State Committee.” He was also provided with the nomination papers the Respondent submitted to the Weymouth Town Clerk’s Office and thereafter filed with the Secretary of the Commonwealth. Mr.Hubschman was further provided with nomination papers submitted by the Republican Attorney General candidate Michael Walsh to the Weymouth Town Clerk’s Office and thereafter filed with the Secretary of the Commonwealth’s Office.

Mr.Hubschman, as set out in his Report that was accepted by the Commission and marked as Exhibit 12, reviewed 61 nomination papers submitted by the Respondent to the Weymouth Town Clerk’s Office. He further reviewed 45 pages of nomination papers submitted by Republican Attorney General candidate Michael Walsh to the Weymouth Town Clerk’s Office. Based on this review, he concluded that the petitions exhibit overwhelming signs of fraud.⁵

The Respondent’s nomination papers reviewed by Mr. Hubschman were numbered 1-61 by the Secretary of the Commonwealth’s Elections Division. Based on his report and testimony, the Commission concludes that all of the signatures on the Weymouth papers numbered 1-61, a total of

⁴ Objector Oliver had also identified other non-genuine signatures challenged by the Objector’s handwriting witness, which were rebutted by testimony of witnesses brought by the Respondent and therefore overrules the objections to those signatures. The Commission does not base any portion of its decision on Ms. Page’s Report.

⁵ The nomination page and number of the papers reviewed by Mr. Hubschman are specifically set out in his report.

1,279 certified signatures, are non-genuine. This conclusion is based on multiple factors.

ii. Respondent Nomination Papers Identical in Order to Another Candidate

Of the nomination papers filed by the Respondent, twenty-nine (29) sheets containing 657 certified signatures from Weymouth list the voter signatures in the exact same order as candidate Michael Walsh. In addition to being identical on both sets of papers, they are listed in the same order as they appear in the Numinar database of Weymouth registered voters.⁶

The Respondent argued that this was simply a part of the signature gathering process when one person is collecting for multiple candidates. The Respondent suggested that it is not unusual for voters to sign for multiple candidates and in the same order. While that may be true for a limited number of signatures, Mr. Hubschman testified it was “virtually impossible to collect over 600 signatures on each of two petitions over a course of the many days it would take to collect these signatures, where every voter who signed one candidate’s petition would also sign the other candidate’s petition, in the exact order, without deviation.” The Commission agrees.

iii. Respondent Nomination Papers in Order of Numinar List of Weymouth Voters

Twenty-seven additional Respondent nomination papers from Weymouth, containing 622 certified signatures, also contain the names listed in the exact order of the Numinar database of Weymouth registered voters. As such, the same analysis above applies.

iv. Other Considerations

A general review of the certified signatures on the nomination papers also demonstrates they are likely fraudulent. Mr. Hubschman’s testimony and Report conclude that the rate of certification is much higher than expected for a Republican candidate. For the 2026 election cycle, his company was hired to collect signatures for four (4) statewide Republican candidates and

⁶ While the Commission acknowledges that the so-called Numinar list was not introduced into evidence, there was testimony from Aidan Carey, Political Director of the Massachusetts State Republican Party, that it was a list of Republican and unenrolled voters maintained by the Republican State Committee and that it was provided to candidates and individuals who were collecting signatures for nomination papers, one of whom was Joseph Bronske.

collected over 60,000 signatures. Based on this specific experience, he determined that Republican candidate nomination papers had a 4.5% disqualification rate because the signer was registered as a Democrat and therefore ineligible to sign. Of the Respondent's nomination papers, that rate would equate to 63 Democrats out of 1,400 signers. However, these papers had exactly one voter's name disqualified for being a Democrat, and that voter's name appeared in the Numinar list.

v. **Total Number of Respondent's Signatures that Mr. Harold Hubschman Concludes are Fraudulent**

Based on his review and experience in collecting voter signatures, Mr. Hubschman concludes that no less than 1,279 signatures appearing on the Respondent's nomination papers are fraudulent.

vi. **Testimony of Anne Brensley**

Anne Brensley is a candidate for the Republican nomination for Lieutenant Governor. Ms. Brensley received the Party's nomination at its State Convention.

Ms. Brensley testified that she engaged the services of Joseph Bronske to collect signatures on her nomination papers in connection with her candidacy for the Republican nomination for Lieutenant Governor. Ms. Brensley had begun to hear that there may be issues with signatures that were being collected by Mr. Bronske, the individual Ms. Brensley engaged to collect her nomination paper signatures, which prompted her to make an inquiry to the Massachusetts State Republican Party as to whether Mr. Bronske had "run any voter list" and if so, to receive a copy of whatever he had run. In response to her inquiry, Ms. Brensley received a copy of a spreadsheet titled "all Weymouth voters," which is the same list exported by Mr. Bronske on April 30, 2026. Following receipt of the Weymouth voter list, Ms. Brensley compared the list to the names of voters appearing on her nomination papers that had been collected by Mr. Bronske.

Ms. Brensley testified that she found the names on her nomination papers to be in the exact

same order as they appeared in the spreadsheet. Ms. Brensley had knowledge that Mr. Bronske was circulating nomination papers for other Republican candidates, including the Respondent. Ms. Brensley testified that she reviewed the Respondent's nomination papers and observed that many, if not all, of the names appearing on her nomination papers and the Respondent's nomination papers were identical to the list given to Mr. Bronske.

Ms. Brensley testified that not only were the names of voters on her nomination papers identical to the names appearing on the Bronske voters list, but also the same names on both sets of nomination papers were written in the exact same order on the numerous nomination papers submitted to the Weymouth Town Clerk that she reviewed.

Ms. Brensley further noticed that some of the names on her nomination papers, which also appeared on the spreadsheet, were for voters who had died before the date her nomination papers were circulated for signature collection.

Based on what Ms. Brensley discovered, she did not submit any nomination papers obtained through Mr. Bronske to the Secretary of the Commonwealth, resulting in Ms. Brensley not having a sufficient number of certified signatures to have her name printed on the ballot.

vii. Deposition of Joseph Bronske

Mr. Joseph Bronske was engaged by numerous candidates to obtain voter signatures for those candidates' nomination papers. These candidates included Anne Manning Martin, the Respondent in this action, Michael Walsh, a Republican candidate for Attorney General, and Anne Brensley, a Republican candidate for Lieutenant Governor.⁷ Serious questions arose as to the validity of the signatures gathered by Mr. Bronske, which are the basis of this Objection.

⁷ The Commission notes that Ms. Brensley failed to qualify for the ballot because, upon discovering the signatures gathered by her hired signature gatherer Mr. Bronske were, as she states, "fraudulent," which the Commission ultimately concludes in this Decision, and she could not and would not submit them to the Secretary of the Commonwealth in order to gain ballot access. As a result, her name will not appear on the ballot.

On June 12, 2026, Attorney for Objector Oliver conducted a deposition of Mr. Bronske. Counsel for the Respondent was also present. The Objector asked Mr. Bronske whether he had any direct participation in forging voter signatures on the Respondent's nomination papers and whether he had knowledge of anyone else forging voter signatures on the Respondent's nomination papers, in addition to other questions, including his address. Mr. Bronske answered each question posed by the Objector's Attorney in the same way by stating, "I respectfully decline to answer the question and invoke my constitutional right not to testify based upon my rights as stated in the U.S. Constitution, Amendment V, and the Massachusetts Declaration of Rights Part 1, Article XII," hereinafter referred to as "taking the 5th."

Mr. Bronske indicated that he would answer the same way if subpoenaed to testify before the Commission. The deposition of Mr. Bronske was admitted into evidence.

Unlike criminal cases where no adverse inferences against the person taking the 5th can be drawn, civil cases are different. The Commission can draw an adverse inference if a witness takes the 5th.

In the case of Lentz v. Metropolitan Prop. & Cas. Ins., 437 Mass. 23, 768 N.E.2d 538 (Mass. 2002) the Supreme Judicial Court stated in part:

In the case of LiButti v. United States, 107 F.3d 110, 123-124 (2d Cir. 1997), the Court reviewed cases admitting a non-party, non-employee's invocation of the privilege substantively, noting the absence of any definitive rule. It delineated four non-exclusive factors to be considered in determining the admission of such evidence, including: (1) the nature of the relevant relationship, i.e., whether the relationship is such that the witness would be inclined to invoke the privilege on behalf of the party; (2) the degree of control of the party over the witness asserting the privilege, i.e., whether the party's control over the witness regarding the facts and subject matter of the litigation warrant treating the witness's invocation as a vicarious admission; (3) whether the party and the witness have compatible interests in the witness's assertion of the privilege; and (4) the witness's role in the litigation. Id. at 123-124. We think the analysis of the LiButti court strikes an appropriate balance between the right and the need to present relevant evidence, on the one hand, and the need to provide a safeguard against the inherent difficulty in responding to such powerful evidence, on the other hand. Ultimately, the test is whether any adverse inference sought is

reasonable, reliable, relevant to the dispute, and fairly advanced against a party. Id. at 124. A judge's decision to admit such evidence will be reviewed for an abuse of discretion.

Accordingly, given that Mr. Bronske was likely the signature gatherer for the challenged signatures claiming to be fraudulent, the Commission does take an adverse inference against Mr. Bronske resulting from his refusal to answer questions relating to the collection of signatures. Taking the 5th demonstrates to the Commission that Mr. Bronske has something to hide.

VII. CONCLUSION

The Commission, therefore, finds, rules and concludes that the Objectors have met their burden of proof and the Commission sustains the Objectors' challenges to 1,279 of the signatures on the Respondent's nomination papers. As a result, the Respondent does not have sufficient signatures to have her name printed on the Republican Party Primary ballot and the Secretary is ordered to NOT print the Respondent's name on the primary ballot as a Republican candidate for the office of Lieutenant Governor.