

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DISTRICT**

THE HONORABLE REVEREND	:	CASE NO. 4:22-cv-612
KENNETH L. SIMON, ET AL	:	
	:	RELATED CASE NOS. 2:21-CV-2267
PLAINTIFFS,	:	AND 4:88-CV-1104
	:	
VS.	:	CIRCUIT JUDGE JOAN L. LARSEN
	:	JUDGE SOLOMON OLIVER
GOVERNOR MIKE DEWINE, ET AL.	:	JUDGE JOHN R. ADAMS
	:	
DEFENDANTS.	:	“CLASS-ACTION ALLEGATIONS”
	:	
	:	“CLAIM OF
	:	UNCONSTITUTIONALITY”

**SIMON PLAINTIFFS’CORRECTED RESPONSE TO MAY 16, 2024 ORDER TO
SUPPLEMENT THE RECORD, ECF DOCKET NO. 45**

In accordance with the directive within this Honorable Court’s May 16, 2024 Order to supplement the record to “provide a timeline concerning when a certificate of election would issue following the June 11, 2024 election,” Plaintiffs state the following:

1. Under the procedure set forth within Ohio Revised Code § 3505.38 a certificate of election for Representative of the 6th Ohio Congressional District from the June 11,2024 special election shall issue after the time within which an application may be made for a recount of votes has expired and after any recount of votes which has been applied for is completed.
2. Under Ohio Revised Code § 3515.02, if, as here, the candidacy for election is submitted only to electors of a district comprised of more than one county but less than all counties of the state, an application for recount shall be filed five days after the board of elections of the most populous county, (here “Mahoning County”) declares the results of such election.
3. Under Ohio Revised Code § 3505.33 when the board of elections has completed the canvass of election it shall declare the results.
4. Under Ohio Revised Code § 3505.32 the canvass of election shall begin not earlier than the fifth day or later than the fifteenth day after the special election June 11, 2024.

In summary:

- a. Election - June 11, 2024;
- b. Canvass - June 16, 2024-June 26, 2024;
- c. Declaration of Winner - June 26, 2024;
- d. Candidate My Apply for Recount - June 26, 2024-June 31, 2024
- e. Issuance of Certificate of Election - The later of June 31, 2024 or following any recount.

/s/ Percy Squire

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by operation of the United States District Court, Northern District of Ohio electronic filing system, on May 17, 2024.

/s/ Percy Squire

Attorney for Plaintiffs (0022010)