

IN THE SUPREME COURT FOR THE STATE OF OREGON

MARY LEE NELSON,
MICHAEL NELSON, JUDY HUFF,
SAMUEL JOHNSON, and
CHAD SULLIVAN, electors of
Oregon,

Plaintiffs-Relators,

v.

LAVONNE GRIFFIN-VALADE,
Secretary of State of Oregon,

Defendant.

SC S070658

**MANDAMUS
PROCEEDING:**

**MEMORANDUM OF
ADDITIONAL
AUTHORITIES BY
PLAINTIFFS-RELATORS**

Plaintiffs-Relators offer as additional authority the opinion of the Colorado Supreme Court in *Anderson v. Griswold*, No. 23SA300 (December 19, 2023). The full opinion, including dissents, is attached.

The opinion addresses many of the issues presented by Plaintiffs-Relators in this case. The table below identifies the issues previously briefed by Plaintiffs-Relators to which portions of the Colorado Supreme Court decision applies. "Petition" refers to the Petition for Peremptory or Alternative Writ of Mandamus. "Memorandum" refers to the Memorandum in Support of the Petition. "Statement of Facts" refers to the Statement of Facts in Support of the Petition.

Portion of Colorado Decision	Document filed by Oregon Plaintiffs-Relators	Pages in Oregon Document
Background (pp. 9-10)	Petition Statement of Facts	2-4 1-7
State courts have authority to implement Section 3 of the 14th Amendment (pp. 14-19)	Memorandum	1-21
States have the authority to assess presidential candidates' qualifications (pp. 30-32)	Petition Memorandum	8-9 1-21
Qualifications to run for president (pp. 37-44)	Memorandum	1-21
Validity of rapid judicial resolution of election law disputes (pp. 44-49)	Petition	6-8
Disqualification of presidential candidate does not require congressional action (pp. 49-61)	Memorandum	1-21
Disqualification of presidential candidate is not a nonjusticiable political question (pp. 61-69)	Memorandum	62-70
Section 3 of the 14th amendment applies to the office of President (pp. 69-88)	Memorandum Statement of Facts	21-42 9-10, 81-82
The report of the Select Committee to Investigate the January 6th Attack on the U.S. Capitol is admissible evidence (pp. 88-95)	Statement of Facts	cites the Committee Report <i>passim</i>
President Trump engaged in insurrection (pp. 96-116)	Memorandum Statement of Facts	43-57, 60-62 10-80
President Trump's speech was not protected by the first amendment (pp. 116-132)	Memorandum	57-60

Dated: December 20, 2023

Respectfully Submitted,

/s/ Daniel Meek

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Of Attorneys for Plaintiffs-Relators

CERTIFICATE OF FILING AND SERVICE

I certify that on December 20, 2023, I filed by Efile to the Appellate Court Administrator the foregoing:

**MANDAMUS PROCEEDING: MEMORANDUM OF
ADDITIONAL AUTHORITIES BY PLAINTIFFS-RELATORS**

I certify that on December 20, 2023, I served that document on the party representatives listed below by Efile and by conventional email.

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Dated: December 20, 2023

/s/ Daniel W. Meek

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