

**IN THE SUPREME COURT OF ARKANSAS**

**LAUREN COWLES, individually and on behalf of  
ARKANSANS FOR LIMITED GOVERNMENT,  
a ballot question committee,**

**Petitioners**

**v.**

**No. CV-24-455**

**JOHN THURSTON, in his official capacity  
as Secretary of State**

**Respondent**

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**Answer to Original Action Complaint**

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Respondent John Thurston, in his official capacity as Secretary of State, responds to Petitioners' Original Action Complaint as follows:

1. Respondent admits that Cowles, on behalf of AFLG, submitted "signatures and accompanying paperwork" to Respondent for certification of the ballot initiative petition known as the Arkansas Abortion Amendment of 2024. Respondent admits that AFLG claimed to submit 101,525 signatures. Respondent denies any remaining allegations in Paragraph 1.

2. Respondent admits that approximately 87,675 of the signatures submitted by AFLG were marked as having been collected by volunteer canvassers. Respondent states that his office determined the initial count of signatures gathered by paid canvassers. Respondent admits that he rejected AFLG's submission on July 10, 2024. Respondent denies any remaining allegations in Paragraph 2.

3. Respondent states that his July 10, 2024, rejection letter speaks for

itself. Respondent denies the remainder of Paragraph 3 as legal assertions to which no response is required.

4. Respondent denies the allegations in Paragraph 4 as legal assertions to which no response is required.

5. Respondent admits that this is an original action before this Court. Respondent denies that this Court has original jurisdiction because Respondent has not made a determination of the sufficiency of AFLG's petition. Respondent denies any remaining allegations in Paragraph 5.

6. Respondent states that the Arkansas Supreme Court has original and exclusive jurisdiction to review the Secretary of State's determination of sufficiency of statewide petitions. Respondent denies any remaining allegations in Paragraph 6.

7. Respondent admits that Lauren Cowles is the Executive Director of AFLG. Respondent lacks sufficient information to admit or deny the remaining allegations in Paragraph 7 and therefore denies them.

8. Respondent lacks knowledge as to the allegations in the first sentence of Paragraph 8 and therefore denies them. Respondent admits that AFLG is the sponsor of the Arkansas Abortion Amendment of 2024. Respondent denies any remaining allegations in Paragraph 8.

9. Respondent admits the allegations in Paragraph 9.

10. Respondent lacks sufficient information to admit or deny the allegations in Paragraph 10 and therefore denies them.

11. Respondent admits the allegations in Paragraph 11.

12. Respondent admits the allegations in Paragraph 12.

13. Respondent lacks sufficient information to admit or deny the allegations in Paragraph 13 and therefore denies them.

14. Respondent lacks sufficient information to admit or deny the allegations in Paragraph 14 and therefore denies them.

15. Respondent admits that (1) on June 27, 2024, Allison Clark emailed to the Secretary of State's office a document titled "Sponsor Affidavit"; (2) the document contains the quoted language in Paragraph 15; and (3) the document purported to contain the names and addresses, "among other information" of "approximately 191 paid canvassers." Respondent denies any remaining allegations in Paragraph 15.

16. Respondent states that Allison Clark signed 13 documents titled "Sponsor Affidavit" with accompanying lists purportedly of paid canvassers for the Arkansas Abortion Amendment of 2024, and Robert McLarty signed one additional such document, all of which were submitted to the Secretary of State's office. Respondent states that Allison Clark signed and submitted an additional two documents titled "Sponsor Affidavit" for a different ballot measure. Respondent denies any remaining allegations in Paragraph 16.

17. Respondent admits that Allison Clark emailed an additional list on July 4, 2024, purporting to include the information related to 266 paid canvassers. Respondent denies any remaining allegations in Paragraph 17.

18. Respondent admits that AFLG did not submit a sponsor affidavit with Allison Clark's July 4, 2024, email. Respondent denies the remaining allegations

in Paragraph 18.

19. Respondent admits that, on July 5, 2024, Cowles, on behalf of AFLG, submitted signatures and some of the required accompanying documents to the Secretary of State. Respondent denies AFLG submitted all the required documents.

20. Respondent admits AFLG submitted what it swore was 101,525 signatures in support of its proposed constitutional amendment. Respondent admits the actual number of signatures submitted on the face of the petition, and before any of the required statutory culling, was higher than 101,525. Respondent denies the remaining allegations in Paragraph 20.

21. Respondent admits that AFLG's July 5 submission contained a list purporting to contain the information of 266 paid canvassers. Respondent denies the remaining allegations in Paragraph 21.

22. Respondent states that, before July 5, 2024, someone purporting to represent AFLG emailed a staff member at the Secretary of State's office, asking: "Is there any way we could get a copy of what we will have to sign when we drop off petitions?" A few days later, a staff member at the Secretary of State's office responded by emailing a word document of the Secretary of State's office's Receipt for Initiative or Referendum Petition—an internal recordkeeping document neither required by law nor contained in the Secretary of State's Initiative and Referendum Handbook. Since the Secretary of State's office does not create templates for the statements/affidavits required under Ark. Code Ann. 7-9-111(f), no "copy" of those documents existed to be provided. Respondent denies the remaining allegations in Paragraph 22.

23. Respondent states that his July 10, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 23.

24. Respondent states that his July 10, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 24.

25. Respondent states that his July 10, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 25.

26. Respondent states that the Arkansas Constitution and statutes regarding a cure period speak for themselves. Respondent denies any remaining allegations in Paragraph 26.

27. Respondent states that AFLG's July 11, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 27.

28. Respondent states that AFLG's July 11, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 28.

29. Respondent states that his July 15, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 29.

30. Respondent incorporates its responses to the preceding paragraphs and expressly denies any allegations not already admitted.

31. Paragraph 31 states a legal conclusion to which no response is required. To the extent a response is required, Respondent states that Ark. Const. art. 5, sec. 1 speaks for itself and denies any remaining allegations contained in Paragraph 31.

32. Respondent states that his July 10, 2024, letter speaks for itself and denies any remaining allegations in Paragraph 32.

33. Respondent denies the allegations in Paragraph 33 as legal assertions to which no response is required.

34. Respondent denies the allegations in Paragraph 34 as legal assertions to which no response is required.

35. Respondent denies the allegations in Paragraph 35 as legal assertions to which no response is required.

36. Respondent denies the allegations in Paragraph 36 as legal assertions to which no response is required.

37. Respondent denies the allegations in Paragraph 37 as legal assertions to which no response is required.

38. Respondent denies the allegations in Paragraph 38 as legal assertions to which no response is required.

39. Respondent denies the allegations in Paragraph 39 as legal assertions to which no response is required.

40. Respondent denies the allegations in Paragraph 40 as legal assertions to which no response is required.

41. Respondent denies Petitioners are entitled to any of the relief sought in the “Prayer for Relief” section of their Complaint.

42. Respondent denies any allegations contained in Petitioners’ Complaint unless expressly admitted above.

43. Respondent incorporates by reference and reasserts the arguments made in his Motion to Dismiss.

## Defenses

44. Affirmatively pleading, Petitioners have failed to state a claim upon which relief can be granted.

45. Affirmatively pleading, this Court lacks jurisdiction over Petitioners' Original Action Complaint.

Respectfully submitted,

TIM GRIFFIN

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NICHOLAS J. BRONNI (2016097)

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*Counsel for Respondent John Thurston*

**CERTIFICATE OF SERVICE**

I certify that on July 29, 2024, I electronically filed this document with the Clerk of Court using the eFlex electronic-filing system, which will serve all counsel of record.

/s/ Dylan L. Jacobs  
Dylan L. Jacobs