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**JARDIM, MEISNER & SUSSER, P.C.**  
Scott D. Salmon, Esq. (NJ Bar ID 152162015)  
30B Vreeland Road, Suite 100  
Florham Park, NJ 07932  
Attorneys for Petitioner, William McKoy

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, COUNTY OF PASSAIC

WILLIAM MCKOY,  
  
Petitioner,  
  
vs.  
  
PASSAIC COUNTY CLERK and the  
PASSAIC COUNTY BOARD OF ELECTIONS,  
  
Respondents.

Docket No.: PAS-L-\_\_\_\_-20

Civil Action

**VERIFIED PETITION IN SUPPORT OF RECOUNT**

Petitioner, William McKoy, residing in the Third Ward of the City of Paterson, County of Passaic, State of New Jersey, say:

1. Petitioner was a candidate for the office of Third Ward Councilman in the City of Paterson in the Municipal Election held May 12, 2020 (the "Election"), for an open position on the City Council.
2. At all times relevant herein, the Respondents, Passaic County Board of Elections and the Passaic County Clerk maintain custody and control of the ballots cast in the Election. The Passaic County Board of Elections and the Passaic County Clerk have been made a Respondent in this suit because each has custody and control of materials necessary to effectuate a Recount.
3. At all times relevant herein, the Respondent, the Passaic County Clerk serves as Clerk to the Passaic County Board of Canvassers per N.J.S.A. 19:6-26.
4. At all times relevant herein, the Respondent, Passaic County Board of Elections, is the custodian of the mail-in ballot applications, envelopes, mail-in ballots, emergency ballots, provisional ballots, affirmations and envelopes, and other paraphernalia associated with respect thereto. Furthermore, the Respondent, Passaic County Board of Elections, is charged with the duty of conducting the recount of the mail-in ballots in accordance with the requirements of the election laws at a time and place established by the Court.
5. Due to the ongoing COVID-19 pandemic, the Election was an entirely mail-in ballot election. Upon information and belief, no voting machines were available to voters for their use.

1 6. In the Third Ward, approximately 4,565 ballots were cast in the Election. Of the ballots cast,  
2 approximately 75% (3,402 votes) were counted.

3  
4 7. The Office of the County Clerk for Passaic County has certified that Alex Mendez was the top vote  
5 getter and winner of the election. Mr. Mendez's margin of victory was two hundred and forty-five (245) votes  
6 over the second highest vote getter, Petitioner William McKoy.

7  
8 8. The results of the Election were as follows:

CANDIDATE	VOTES RECEIVED
Alex Mendez	1,595
William McKoy	1,350
Sharrieff Bugg	296
Robyn Spencer	118
Chauncy I. Brown, III	43

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17 9. Upon information and belief, errors committed by the arbiters of the election process resulted in an  
18 inaccurate overall count, which resulted in Mr. Mendez erroneously being declared the winner of the Election.  
19 Specifically, Petitioner has reason to believe, and does believe, that errors were made in the counting of the  
20 votes from each district within the Third Ward in the City of Paterson. Such errors include abnormalities  
21 concerning tabulations by each District Board and by the Passaic County Board of Elections and/or Board of  
22 Canvassers, as well as mistakes in declaring the results of the Election.

23  
24 10. Moreover, Petitioner has reason to believe, and does believe, that a significant number of ballots  
25 were unlawfully obtained and/or harvested, such that the true results of the Election are uncertain. More than  
26 25% of the total ballots cast in the Third Ward were not counted, with at least 300 of the 1,163 uncounted  
27 ballots expressly disqualified by the Passaic County Board of Elections due to concerns over voter fraud.

28  
29 11. Upon information and belief, a considerable number of additional irregularities have transpired in  
30 the course of the Election, such as voters receiving the wrong ballots, entire households asserting that they  
31 never voted in spite of records showing their ballots were received, the discovery of stacks of mail-in ballots  
32 in apartment buildings, and the publication of a video on social media showing a man in a vehicle with a stack  
33 of mail-in ballots.

34  
35 12. Upon information and belief, the sheer volume of complaints of voter fraud from Paterson residents  
36 has required the intervention of the Federal Bureau of Investigation, the New Jersey Office of the Attorney  
37 General, and the Office of the Inspector General for the United States Postal Service to investigate  
38 improprieties related to the Election.

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13. Pursuant to the provisions of N.J.S.A. 19:28-1, Petitioner requests a hand recount of the mail-in ballots, and all other paper ballots, for all votes cast in the Election for the Third Ward of the City of Paterson.

14. N.J.S.A. 19:28-2 provides for a recount of the mail-in ballots upon payment of up to \$25.00.

15. In light of the significant and serious allegations of voter fraud, and the substantial number of disqualified ballots; however, the Petitioner further requests a recount to protect the sanctity of the ballot which serves the public interest in the outcome of the Election. Accordingly, the mounting evidence of blatant voting fraud, further substantiating the necessity of a recount, as well as warranting that the \$25 per district fee be waived for the recount.

**WHEREFORE**, the Petitioner seeks relief as follows:

A. That the Court order a hand recounting of the mail-in ballots and all other paper ballots, as well as examination of both accepted and rejected mail-in ballots and all other paper ballots in accordance with N.J.S.A. 19:28-1, et seq.

B. That the Court waive the \$25 per district fee for the hand recount of the mail-in ballots.

C. The Passaic County Clerk and other officials shall cooperate with the Passaic County Board of Elections in the recount process.

D. That Petitioner shall now, during, and after the conclusion of the physical recount, be allowed to examine, copy and/or scan the registry books, voter authorizations, mail-in ballots and mail-in ballot applications, rejected and late arriving mail-in ballots, envelope flaps, outer envelopes, inner envelopes, affirmations, messenger book, office orders, order lists, orders to vote, challenge lists, challenge sheets, peremptory order lists, District Board returns and canvases, complaint or inquiry records, and any or all other papers, documents and records related to the Election, as may be requested by them, under the supervision of the officials in whose custody those items may be.

E. That the Respondents shall preserve, inviolate and separate, all materials stated above and, except for the purpose of conducting the Recount, shall not unseal, open, remove, or otherwise change the present status quo of the voting materials used in the Election until the result of the Recount has been certified.

F. Any and all just and equitable relief consistent with this application as may be deemed necessary by the Court.

Dated: May 22, 2020

**JARDIM, MEISNER & SUSSER, P.C.**

/s/ Scott D. Salmon, Esq.  
Scott D. Salmon, Esq.


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**Verification**

I, William McKoy, hereby certify as follows:

1. I am the Petitioner in the foregoing matter.
  
2. I have read the contents of the petition and incorporate same by reference and state that the contents therein are true to the best of my knowledge, information, and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 21, 2020

  
William McKoy

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, COUNTY OF PASSAIC

WILLIAM MCKOY,  
  
Petitioner,  
  
vs.  
  
PASSAIC COUNTY CLERK and the  
PASSAIC COUNTY BOARD OF ELECTIONS,  
  
Respondents.

Docket No.: PAS-L-\_\_\_\_-20

Civil Action

**CERTIFICATION OF SERVICE**

I, Scott D. Salmon, Esq., of full age, hereby certifies as follows:

1. I am an attorney-at-law and Counsel at the law firm of Jardim, Meisner & Susser, P.C., attorneys for Petitioner, William McKoy, in the above captioned matter.

2. On May 22, 2020, I caused the Verified Petition in Support of Application for Recount, Certification of Service and proposed form of Order, to be both e-filed and e-mailed to Danielle Ireland-Imhof (Passaic County Clerk), Ken Hirmann (Passaic County Board of Elections Administrator), and Alex Mendez.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: May 22, 2020

**JARDIM, MEISNER & SUSSER, P.C.**

/s/ Scott D. Salmon, Esq.

Scott D. Salmon, Esq.

1 **JARDIM, MEISNER & SUSSER, P.C.**  
2 Scott D. Salmon, Esq. (NJ Bar ID 152162015)  
3 30B Vreeland Road, Suite 100  
4 Florham Park, NJ 07932  
5 Attorneys for Petitioner, William McKoy  
6

7 SUPERIOR COURT OF NEW JERSEY  
8 LAW DIVISION, COUNTY OF PASSAIC  
9

10 WILLIAM MCKOY,

Docket No.: PAS-L-\_\_\_\_-20

11  
12 Petitioner,

Civil Action

13  
14 vs.

**ORDER**

15  
16 PASSAIC COUNTY CLERK and the  
17 PASSAIC COUNTY BOARD OF ELECTIONS,

18  
19 Respondents.  
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21 **THIS MATTER** having been presented to the Court by Scott D. Salmon, Esq., an attorney at the law firm of  
22 Jardim, Meisner & Susser, P.C., attorneys for Petitioner, William McKoy, and the Court having considered the  
23 Petitioner’s Application for an Order Granting Recount of the May 12, 2020 Municipal Election for the office of  
24 Third Ward Councilman, the Court having considered the papers and arguments made by counsel, if any, and  
25 good cause having been shown; **IT IS** therefore, on this \_\_\_ day of \_\_\_\_\_, 2020;

26  
27 **ORDERED** as follows:  
28

29 A. The Petitioner’s application for a Recount, as set forth in the Verified Petition, of a hand recounting of  
30 the mail-in ballots and all other paper ballots, as well as examination of both accepted and rejected mail-in ballots  
31 and all other paper ballots cast in all districts in the Election for the Third Ward of the City of Paterson is hereby  
32 granted; and  
33

34 B. The Recount is to commence on May \_\_\_, 2020 at \_\_\_ a.m. and continue daily thereafter until  
35 completed, unless otherwise agreed to by the parties and those officials responsible for the Recount; and  
36

37 C. The fee of \$25 per district to recount the paper ballots under N.J.S.A. 19:28-2 is hereby waived as the  
38 Recount is in the public interest; and  
39

40 D. The Passaic County Clerk and other officials shall cooperate with the Passaic County Board of Elections  
41 in the recount process; and  
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43 E. The parties to the Petition or their representatives, and all other candidates in the Election shall now,

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during, and after the conclusion of the physical recount, be allowed to examine, copy and/or scan the registry books, voter authorizations, mail-in ballots and mail-in ballot applications, rejected and late arriving mail-in ballots, envelope flaps, outer envelopes, inner envelopes, affirmations, messenger book, office orders, order lists, orders to vote, challenge lists, challenge sheets, peremptory order lists, District Board returns and canvases, complaint or inquiry records, and any or all other papers, documents and records related to the Election, as may be requested by them, under the supervision of the officials in whose custody those items may be; and

F. That the Respondents shall preserve, inviolate and separate, all materials stated above and, except for the purpose of conducting the Recount, shall not unseal, open, remove, or otherwise change the present status quo of the voting materials used in the Election until the result of the Recount has been certified; and

G. The Petitioner shall serve a copy of the Petition and this Order upon the Respondents named herein, within \_\_\_\_ business days hereof, by e-mail, personally, or by overnight or certified mail.

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Ernest M. Caposela, A.J.S.C.

# Civil Case Information Statement

**Case Details: PASSAIC | Civil Part Docket# L-001520-20**

**Case Caption:** IN THE MATTER OF MCKOY WILLIAM

**Case Type:** SUMMARY ACTION

**Case Initiation Date:** 05/22/2020

**Document Type:** Petition

**Attorney Name:** SCOTT D SALMON

**Jury Demand:** NONE

**Firm Name:** JARDIM MEISNER & SUSSER PC

**Is this a professional malpractice case?** NO

**Address:** 30 B VREELAND RD STE 100

**Related cases pending:** NO

FLORHAM PARK NJ 07932

**If yes, list docket numbers:**

**Phone:** 9738457640

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Name of Party:** PETITIONER : McKoy, William

**Are sexual abuse claims alleged by: William McKoy?** NO

**Name of Defendant's Primary Insurance Company**

(if known): None

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category: Putative Class Action?** NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

05/22/2020

Dated

/s/ SCOTT D SALMON

Signed