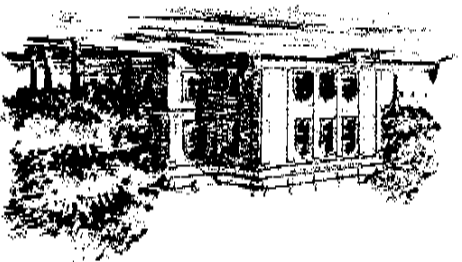


Levy Gudger, Clerk & Master

MARION COUNTY CHANCERY COURT
P.O. BOX 789
JASPER, TENNESSEE 37347
E-MAIL: mcclerkandmaster@gmail.com
(423) 942-2601
FAX (423) 942-0291



FACSIMILE COVER SHEET

To: Ben Benton
From: Vicki B. Layne, Deputy Clerk
Date: Friday, January 6, 2017
Fax #: 423.668.5013
of Pages: 21 (Including Cover)
Re: Marilyn Rodman vs. Marion Co. Election Commission, et al
Case No. 7899

Cost for Delivery of Documents \$10.00

If you do not receive any or all pages, please contact our office at (423) 942-2601

RECEIVED FILED
11:30
HRS.

NOV 23 2016

LEVY GUDGER
CLERK & MASTER

IN THE TWELTH JUDICIAL DISTRICT
FOR THE STATE OF TENNESSEE

MARILYN CAMPBELL-RODMAN,
Plaintiff,
v.
MARION COUNTY ELECTION
COMMISSION, GRUNDY COUNTY
ELECTION COMMISSION and
FRANKLIN COUNTY ELECTION
COMMISSION,
Defendants.

COMPLAINT

COMES NOW the Plaintiff, Marilyn Campbell-Rodman, by and through her attorneys
and for her cause of action states:

PARTIES:

1. Plaintiff, Marilyn Campbell-Rodman, was the incumbent Mayor of the Town of
Monteagle, Tennessee for the past 6 and half years. Plaintiff is a citizen and resident of
Monteagle, Tennessee at all relevant times.

2. The Defendant, Marion County Election Commission (hereafter "MCEC"), is an
agency or instrumentality of Marion County, Tennessee and the State of Tennessee, composed of
Commissioners Yvonne Wilson, Jerry Dempsey, Steven Franklin, Connie Griffiths and Shawn
Henson. MCEC's principal offices are located at 109 Academy Avenue Jasper, Tennessee
37347. The MCEC may be served through its Administrator of Elections, Gary Reames.

3. The Defendant, Grundy County Election Commission (hereafter "GCEC"), is an
agency or instrumentality of Grundy County, Tennessee and the State of Tennessee, composed

10. A sample of the Franklin County ballot is attached as Exhibit B to this Complaint.
 9. A sample of the Marion County ballot is attached as Exhibit A to this Complaint.
- 2016.
8. The election for Mayor of the Town of Monteagle occurred on November 8, 2016.
 7. Plaintiff, Marilyn Campbell-Rodman, has been the mayor of the Town of Monteagle, Tennessee for the last 6.5 years preceding the election on November 8, 2016.
 6. The Town of Monteagle, Tennessee, has parts of three counties within the city limits: Marion County, Grundy County and Franklin County.

FACTS:

5. Jurisdiction and venue of this election contest are properly before this Court pursuant to T.C.A. Section 2-17-101 due to all defendants residing within this Chancery Court's division or district.

JURISDICTION AND VENUE:

4. The Defendant, Franklin County Election Commission (hereafter "FCEC"), is an agency or instrumentality of Franklin County, Tennessee and the State of Tennessee, composed of Commissioners Andrew T. Knapper, Raymond Council, Nancy Brown, Patty Priest, and Jennie Cowan. FCEC's principal offices are located at 839 Dinah Shore Blvd, Suite 1, Winchester, Tennessee 37398. The FCEC may be served through its Administrator of Elections, Margaret Culey.
37301. The GCEC may be served through its Administrator of Elections, Donna Basham. GCEC's principal offices are located at 68 Cumberland Street, Suite 122, Allamont, Tennessee of Commissioners Gary Miller, Judith Gunn, Daranda Hargis, Louie Ladd and Wayne Harris.

11. The MCFC certified their respective election for Marion County on November 21, 2016. The MCFC certified the election for the Town of Montegale on November 22, 2016.
12. The GCFC certified their respective election for the Town of Montegale on November 21, 2016.
13. The FCFC certified their respective election for the Town of Montegale on November 21, 2016.
14. The combined election results for the mayoral election was as follows: David Sampley 243 votes, Marilyn Campbell-Rodman 226 votes, and Alexander Orr 78 votes.
15. Accordingly, the Plaintiff, Marilyn Campbell-Rodman, lost to David Sampley by 17 votes according to the combined certified results of the three defendants.
16. Plaintiff, Marilyn Campbell-Rodman as the incumbent office holder and as a candidate has standing to bring an election contest against the three defendants pursuant to T.C.A. Section 2-17-101.
17. Upon information and belief, the three defendants illegally allowed voters to vote in the election for Mayor of Montegale who were duly and properly registered to vote in their respective counties, but who were not residents of the Town of Montegale. In other words, the respective defendants improperly gave ballots containing the election for Mayor of Montegale to county voters who should not have been voting in the Montegale election.
18. Upon information and belief, the three defendants illegally allowed voters to vote in the election for Mayor of Montegale who had been residents in the Town of Montegale in years past, but who had moved out of the city limits. Specifically, these voters illegally failed to change their voter registration 30 days prior to November 8, 2016 pursuant to T.C.A. Section 2-

- all of voters allowed to vote and all voters not permitted to vote.
- D. The Defendants be required to make a full and complete accounting under oath of costs;
- C. That the Court require Defendants to pay Plaintiff's attorney's fees and court election.
- B. That the Court declare the election for Mayor of Montegale void and order a new complaint and summons.
- A. That service of process be issued and the defendants be served a copy of this

PREMISES CONSIDERED, PLAINTIFF PRAYS THAT:

- declare this election void and to order a new election.
22. Pursuant to T.C.A. Sections 2-17-112 and 2-17-113 plaintiff asks this Court to between the two candidates receiving the most votes.
- S.W.2d 103 (Tenn. 1979), the number of illegal ballots cast equals or exceeds the difference
21. Accordingly, pursuant to *Emery v. Robertson county Election Comm'n*, 586 paragraphs 17, 18 and 19 exceeds the seventeen votes by which the Plaintiff lost this election.
20. Upon information and belief, the collective number of illegal votes alleged in

Cause of Action:

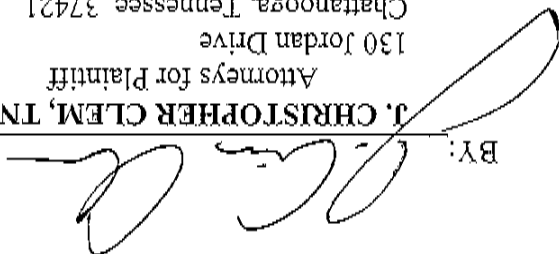
- election on November 8, 2016.
- allow a properly registered voter within the Montegale Town limits to vote in the mayoral
19. Upon information and belief, one or more of the defendants illegally refused to no longer residents of the Town of Montegale.
- 2-109 and thereby allowed themselves to vote in the Montegale election even though they were

- E. The Defendants be required to pay the costs of this cause and all discretionary costs.
- F. For such other, further and general relief to which the Plaintiff may be entitled.

Respectfully submitted,

SAMPLES, JENNINGS, CLEM & FIELDS, P.L.L.C.

BY:



J. CHRISTOPHER CLEM, TN BPR# 015793

Attorneys for Plaintiff

130 Jordan Drive

Chattanooga, Tennessee 37421

Telephone: 423-892-2006

Facsimile: 423-892-1919

OFFICIAL BALLOT FOR MARION COUNTY GENERAL ELECTION HELD ON

November 08, 2016

Instruction Text:
Please use a black or blue pen to mark your ballot. To vote for your choice in each contest, completely fill in the box provided to the left of your choice.

GENERAL ELECTION

RESIDENT and

of the UNITED STATES

Electors For

DONALD J. TRUMP

For President and

MICHAEL R. PENCE

For Vice President

HILLARY CLINTON

For President and

TIM Kaine

For Vice President

"ROCKY" ROQUE DE LA

FUENTE

For President and

MICHAEL STEINBERG

For Vice President

Electors For

GARY JOHNSON

For President and

WILLIAM F. WELD

For Vice President

Electors For

MIKE SMITH

For President and

DANIEL WHITE

For Vice President

Electors For

JILL STEIN

For President and

AJAMU BARAKA

For Vice President

Write-in

of the UNITED STATES

Electors For

Scott DesJarlais

For Vice President

Steven Reynolds

For President and

Write-in

TENNESSEE SENATE

16th Senatorial District

Vote for One (1)

Janice Bowling

Mike Winton

Write-in

TENNESSEE HOUSE

of REPRESENTATIVES

39th Representative District

Vote for One (1)

David Alexander

Nancy Silvertooth

Write-in

TENNESSEE HOUSE

of REPRESENTATIVES

92nd Representative District

Vote for One (1)

Thomas R. Tillis

Tamra King

Write-in

COUNTY COMMISSION

5th District, Seat B

Unexpired Term

Vote for One (1)

Ralph Pickett

Ken (Penny) Skiles

Write-in

MUNICIPAL ELECTION

Town of Jasper

MAYOR

Vote for One (1)

Paul Wayne Evans

Billy Simpson

Write-in

ALDERMAN

Town of Jasper

Vote for Two (2)

Josh Jennings

Jason Turner

Paul West

Write-in

Write-in

Precinct NEWSPAPER

TOWN of JASPER

WINE at RETAIL FOOD STORES

REFERENDUM

For legal sale of wine at

retail food stores in the

Town of Jasper

Against legal sale of wine

at retail food stores in the

Town of Jasper

MUNICIPAL ELECTION

Town of Kimball

MAYOR

Vote for One (1)

Rex Pesnell

Write-in

ALDERMAN

Town of Kimball

Vote for Two (2)

Jerry Don Case

John D. Matthews, Jr.

Write-in

TOWN of KIMBALL

WINE at RETAIL FOOD STORES

REFERENDUM

For legal sale of wine at

retail food stores in the

Town of Kimball

Against legal sale of wine

at retail food stores in the

Town of Kimball

MUNICIPAL ELECTION

Town of Montagle

MAYOR

Vote for One (1)

Manlynn Campbell-Rodman

Alexander "Lex" Orr

David Sampley

Write-in

PLAINTIFF'S
EXHIBIT

A

tabbles

423-942-0291 >>

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2017-01-06 11:55

ALDERMAN Town of Monteaigle Vote for Two (2) Jessica D. Blalock IND	☐ Write-in	☐ Write-in	CITY COMMISSION City of South Pittsburgh 1st District Vote for One (1) Jimmy Paul Haley Jr IND	☐ Write-in
☐ Kenneth Wayne Gipson IND	☐ Write-in	☐ Write-in	CITY COMMISSION City of South Pittsburgh 2nd District Vote for One (1) Ray Powers IND	☐ Write-in
MAYOR City of New Hope Vote for One (1) Mark Myers IND	☐ Write-in	☐ Write-in	MUNICIPAL ELECTION City of Whitwell	☐ Write-in
ALDERMAN City of New Hope Vote for Two (2) Jerry (Quinton) Choate IND	☐ Write-in	☐ Write-in	CITY COMMISSION City of Whitwell Vote for Three (3) Steve Attention IND	☐ Write-in
☐ Jerry Crosslin IND	☐ Write-in	☐ Write-in	☐ Herman Wade Brown IND	☐ Write-in
☐ Jerry Crosslin IND	☐ Write-in	☐ Write-in	☐ Polly Copeland IND	☐ Write-in
☐ Write-in	☐ Write-in	☐ Write-in	☐ Sandra Powell Crabtree IND	☐ Write-in
ALDERMAN City of New Hope Expired Term Vote for One (1) No Candidate Qualified	☐ Write-in	☐ Write-in	☐ Mike Dillon IND	☐ Write-in
MUNICIPAL ELECTION Town of Powells Crossroads	☐ Write-in	☐ Write-in	☐ Marilyn Tate Frazier IND	☐ Write-in
ALDERMAN Town of Powells Crossroads Vote for One (1) Dwight Richards IND	☐ Write-in	☐ Write-in	☐ Chris L. Morrison IND	☐ Write-in
MUNICIPAL ELECTION City of South Pittsburgh	☐ Write-in	☐ Write-in	☐ Jimmy W. Nunley IND	☐ Write-in
MAYOR City of South Pittsburgh Vote for One (1) Jane W. Dawkins IND	☐ Write-in	☐ Write-in	☐ Terry (Fuzz) Parker IND	☐ Write-in
☐ Virgil Holder IND	☐ Write-in	☐ Write-in	☐ Write-in	☐ Write-in
☐ Bill Stuart IND	☐ Write-in	☐ Write-in	☐ Write-in	☐ Write-in

OFFICIAL BALLOT
GENERAL ELECTION
Franklin County, Tennessee
November 8, 2016

Electors For
Gary Johnson For President
and
William F. Weld
For Vice President
Independent Candidate

PRESIDENT AND VICE
PRESIDENT OF THE UNITED
STATES
Vote For One (1)
0 selected, incomplete

Electors For
Alyson Kennedy For President
and
Osborne Hart
For Vice President
Independent Candidate

UNITED STATES HOUSE OF
REPRESENTATIVES
4th CONGRESSIONAL
DISTRICT
Vote For One (1)
0 selected, incomplete

Scott DesJarlais
Republican Party Nominee
Steven Reynolds
Democratic Party Nominee
Write-In

TENNESSEE HOUSE OF
REPRESENTATIVES
39th REPRESENTATIVE
DISTRICT
Vote For One (1)
0 selected, incomplete

David Alexander
Republican Party Nominee
Nancy Silvertooth
Democratic Party Nominee
Write-In

Electors For
Donald J. Trump For President
and
Michael R. Pence
For Vice President
Republican Party Nominee

Electors For
Mike Smith For President
and
Daniel White
For Vice President
Independent Candidate

TENNESSEE SENATE
16th SENATORIAL DISTRICT
Vote For One (1)
0 selected, incomplete

Janice Bowling
Republican Party Nominee
Mike Winton
Democratic Party Nominee
Write-In

TENNESSEE HOUSE OF
REPRESENTATIVES
92nd REPRESENTATIVE
DISTRICT
Vote For One (1)
0 selected, incomplete

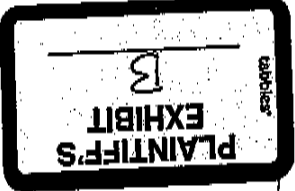
Electors For
Hillary Clinton For President
and
Tim Kaine
For Vice President
Democratic Party Nominee

Electors For
Jill Stein For President
and
Ajamu Baraka
For Vice President
Independent Candidate

Thomas R. Tillis
Republican Party Nominee
Tammra King
Democratic Party Nominee
Write-In

Electors For "Rocky"
Roque De La Fuente For President
and
Michael Steinberg
For Vice President
Independent Candidate

Write-In



Write-In

Write-In

Independent Candidate

Alvin Powell Jr.

Independent Candidate

Harry Parmley

Independent Candidate

Kenneth Wayne Gipson

Independent Candidate

Jessica D. Blalock

ALDERMAN
Town of Monteaagle
Vote For Two (2)
0 selected, incomplete

Write-In

Independent Candidate

David Sampley

Independent Candidate

Alexander "Lex" Orr

Independent Candidate

Marilyn Campbell-Rodman

MAYOR
Town of Monteaagle
Vote For One (1)
0 selected, incomplete

TOWN OF MONTEAGLE

Write-In

Democratic Party Nominee

Dale Amacher

Republican Party Nominee

Sam Hiles

COUNTY COMMISSIONER
DISTRICT 8 SEAT B
Unexpired Term
Vote For One (1)
0 selected, incomplete

Defendant, and therefore, no response is required.

7. The allegations contained in Paragraph 13 of the Complaint are not directed at this

6. This Defendant admits the allegations contained in Paragraph 12 of the Complaint.

Defendant, and therefore, no response is required.

5. The allegations contained in Paragraph 11 of the Complaint are not directed at this

directed at this Defendant, and therefore, no response is required.

4. The allegations contained in Paragraphs 9 and 10 of the Complaint are not

Complaint.

3. This Defendant admits the allegations contained in Paragraphs 5, 6, 7 and 8 of the

2. The Defendant admits the allegations contained in Paragraph 3 of the Complaint.

Paragraphs 1, 2 and 4 of the Complaint.

1. Upon information and belief, this Defendant admits the allegations contained in

Complaint filed in this cause would respond as follows:

Comes the Defendant, Grundy County Election Commission, and for answer to the

ANSWER OF DEFENDANT, GRUNDY COUNTY ELECTION COMMISSION

DEFENDANTS.

COMMISSION,

FRANKLIN COUNTY ELECTION

ELECTION COMMISSION AND

COMMISSION, GRUNDY COUNTY

MARION COUNTY ELECTION

VS.

PLAINTIFF,

MARILYN CAMPBELL-RODMAN,

NO. 7899

IN THE 12TH JUDICIAL DISTRICT OF TENNESSEE
CHANCERY COURT OF MARION COUNTY

LEVY GUDGER
CLERK & MASTER

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HRS.

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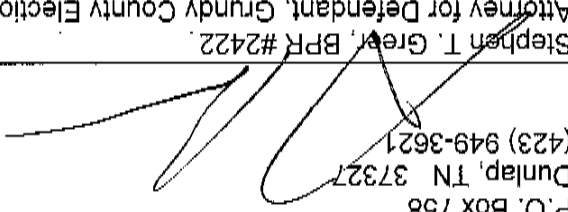
- explained, are now and hereby generally denied as if specifically denied hereinabove.
15. Any and all other allegations in the Complaint not herein above admitted, denied or election for the Mayor of Monteagle.
- because of the number of irregular votes is not sufficient to have affected the outcome of the the Plaintiff is entitled to seek relief as set forth therein, she is not, in fact, entitled to such relief
14. With respect to the allegations contained in Paragraph 22 of the Complaint, while denies the allegations contained in Paragraph 21 of the Complaint.
- number of illegal votes would not have affected the outcome of the election, this Defendant
13. As to the allegations contained in Paragraph 21 of the Complaint, because the
12. This Defendant denies the allegations of Paragraph 20 of the Complaint.
- insofar as the voters in Grundy County are concerned.
11. This Defendant denies the allegations contained in Paragraph 19 of the Complaint
- but who were not residents of the Town of Monteagle.
- residents of Grundy County, Tennessee, who voted in the election for the Town of Monteagle, relates to this Defendant, again this Defendant states that there were six (6) voters who were
10. With respect to the allegations contained in Paragraph 18 of the Complaint that the subject election that were not, in fact, citizens and residents of the Town of Monteagle.
- this Defendant has determined that they were six (6) voters from Grundy County who voted in Marion County Election Commission and the Franklin County Election Commission. However, without sufficient information or knowledge as to the allegations contained therein relative to the
9. With respect to the allegations in Paragraph 17 of the Complaint, this Defendant is the Complaint.
8. This Defendant admits the allegations contained in Paragraphs 14, 15 and 16 of

Page -3-

WHEREFORE, this Defendant prays that this Complaint be dismissed, and that Plaintiff be taxed with the cost of this cause, as well as attorney fees and litigation expenses on behalf of this Defendant.

This the 27th day of December, 2016.

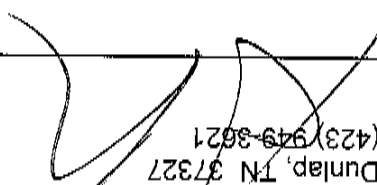
ATTORNEYS GREER, SWAFFORD & ADAMS
P.O. Box 758
Dunlap, TN 37327
(423) 949-3621

BY: 

Stephen T. Greer, BPR #2422
Attorney for Defendant, Grundy County Election Commission

Page -4-

Ilv/grundy county election commission - answer

BY: 
 P. O. Box 758
 Dunlap, TN 37327
 (423) 949-3621
ATTORNEYS GREER, SWAFFORD & ADAMS

This the 27th day of December, 2016,
 parties at the following address on this _____ day of _____, 2016:

- ☐ By causing the foregoing to be hand delivered to counsel of record or unrepresented
- ☐ By sending document via email to:
- ☐ By sending document via facsimile to:
- ☐ By placing document in third party express delivery carrier, i.e., Federal Express, for overnight delivery to the following counsel of record or unrepresented parties:

J. Christopher Clem, Esq.
 Attorney for Plaintiff, Marilyn Campbell-Rodman
 130 Jordan Drive
 Chattanooga, TN 37421
 William L. Gouger, Jr., Esq.
 Attorney for Defendant, Marion County Election Commission
 P.O. Box 759
 Jasper, TN 37347
 Michael D. Hall, Esq.
 Attorney for Defendant, Franklin County Election Commission
 120 N. Jefferson Street
 Winchester, TN 37398

☒ By placing postage prepaid envelope in United States Mail Service, addressed to:
 This is to certify that a true and correct copy of the foregoing document has been served on the following counsel of record or unrepresented parties in the manner of service indicated below:

CERTIFICATE OF SERVICE

LEVOY GUDGER
CLERK & MASTER

IN THE CHANCERY COURT OF MARION COUNTY, TENNESSEE
DEC 30 2016

3:20
urs

Civil Action No. 7899

MARILYN CAMPBELL-RODMAN,
Plaintiff,
VS.
MARION COUNTY ELECTION
COMMISSION, GRUNDY COUNTY
ELECTION COMMISSION and
FRANKLIN COUNTY ELECTION
COMMISSION,
Defendants.

ANSWER

Comes Defendant Marion County Election Commission, by and through its attorney, and for answer to that Complaint filed against it in this cause, says or would show unto the Court as follows:

1. Defendant Marion County Election Commission admits the allegations contained in Paragraphs 1 and 2 said Complaint.

2. This Defendant does not have sufficient information to admit or deny the allegations contained in Paragraph 3 and would demand strict proof thereof.

3. This Defendant does not have sufficient information to admit or deny the allegations in Paragraph 4 and would demand strict proof thereof.

4. The allegations of Paragraphs 5, 6, 7, 8, and 9 of the Complaint are admitted.
5. This Defendant does not have sufficient information to admit or deny the

allegation in Paragraph 10 of the Complaint, and would demand strict proof thereof.

NOW, THEREFORE, having fully answered the Complaint filed against it in this

or explained are here and now generally denied, and this Defendant demands strict proof thereof.

16. Any and all other allegations of the Complaint not heretofore admitted, denied,

Paragraph 22 of the Complaint should be granted.

15. This Defendant denies that the relief for which the Plaintiff has prayed in

are denied and this Defendant demands strict proof thereof.

14. The allegations contained in Paragraphs 18 19, 20, and 21 of the Complaint

other allegations of Paragraph 17 are denied and this Defendant demands strict proof thereof.

admitted that one voter who should have voted provisional was allowed to vote on a machine. All

Defendant can only address what happened in Marion County with respect to this election. It is

13. With respect to the allegations in Paragraph 17 of the Complaint, this

12. The allegations contained in Paragraph 16 of the Complaint are admitted.

admit or deny the allegations and would demand strict proof thereof.

11. As to Paragraph 15, this Defendant does not have sufficient information to

votes cast in Marion County for this election and would demand strict proof of the total votes.

10. As to Paragraph 14, this Defendant can only state the election results of the

allegation contained in Paragraph 13 of the Complaint and would demand strict proof thereof.

9. This Defendant does not have sufficient information to admit or deny the

allegation contained in Paragraph 12 of the Complaint and would demand strict proof thereof.

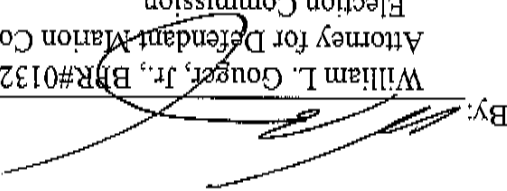
8. This Defendant does not have sufficient information to admit or deny the

7. The allegations contained in Paragraph 11 of the Complaint are admitted.

cause, Defendant Marion County Election Commission prays that it be dismissed with its reasonable attorney's fees and the costs of this cause taxed to the Plaintiff.

Respectfully Submitted:

WILLIAM L. GOUGER, JR., P.C.
Attorney at Law
28 Courthouse Square, Ste. 100
Post Office Box 759
Jasper, Tennessee 37347
(423) 942-9975

By: 
William L. Gouger, Jr., BHR#013254
Attorney for Defendant Marion County
Election Commission

CERTIFICATE OF SERVICE

I, William L. Gouger, Jr., do hereby certify that I have served a copy of the foregoing pleading upon:

J. Christopher Clem, Esquire
130 Jordan Drive
Chattanooga, TN 37421

Stephen T. Greer, Esquire
188 Cherry Street
Dunlap, TN 37327

Mickey Hall, Esquire
100 First Avenue S.W.
Winchester, TN 37398

by email, facsimile, hand delivery, and/or placing a copy of same in the United States mail, properly addressed and first class postage prepaid, this the 30th day of December, 2016.

William L. Gouger, Jr.

COMES NOW the Defendant, Franklin County Election Commission, by and through its attorney, and in answer to the Complaint filed in this cause, states as follows:

1. Admitted.

2. This Defendant does not have sufficient information to admit or deny this allegation and would demand strict proof thereof.

3. This Defendant does not have sufficient information to admit or deny this allegation and would demand strict proof thereof.

4. Admitted.

ANSWER

MARILYN CAMPBELL-RODMAN, Plaintiff,
Vs.
MARION COUNTY ELECTION COMMISSION, GRUNDY COUNTY ELECTION COMMISSION, and FRANKLIN COUNTY ELECTION COMMISSION, Defendants.
Case No.: 7,899

IN THE TWELFTH JUDICIAL DISTRICT OF TENNESSEE
CHANCERY COURT OF MARION COUNTY

LEVY GUDGER
CLERK & MASTER

JAN 04 2017

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5. Admitted.
6. Admitted that a portion of Franklin County is within the city limits of the Town of Monteagle, Tennessee. Upon information and belief, this Defendant is led to understand that there are also portions of Marion County and Grundy County within the city limits of the Town of Monteagle, but is unable to verify those facts.
7. Admitted.
8. Admitted.
9. This Defendant does not have sufficient information to admit or deny this allegation and would demand strict proof thereof.
10. Admitted.
11. This Defendant does not have sufficient information to admit or deny this allegation and would demand strict proof thereof.
12. This Defendant does not have sufficient information to admit or deny this allegation and would demand strict proof thereof.
13. Admitted.
14. This Defendant can only state the election results of the votes cast in Franklin County for this election and would demand strict proof of the total votes.
15. This Defendant does not have sufficient information to admit or deny this allegation and would demand strict proof thereof.

16. Admitted.
17. This Defendant can only state what happened in Franklin County with regard to this election. This Defendant admits that two voters were improperly given ballots for the election of mayor of Montegale.
18. Denied.
19. Denied.
20. Denied.
21. Denied.
22. Denied that the relief for which the Plaintiff has prayed should be granted.

All other allegations of the Complaint not heretofore admitted or denied are hereby denied and strict proof is demanded thereof.

WHEREFORE, Defendant prays that Plaintiff's claim be dismissed with costs taxed to the Plaintiff.

Respectfully submitted,

SWAFFORD, PETERS, PRIEST & HALL

BY:

Mickey Hall by [Signature]
 MICKEY HALL #20415
 Attorney for Defendant, Franklin
 County Election Commission
 120 North Jefferson Street
 Winchester, TN 37398
 (931) 967-3888

CERTIFICATE OF SERVICE

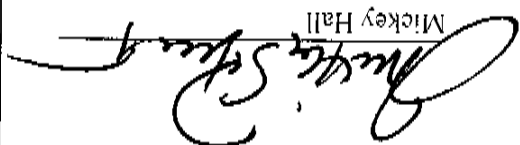
The undersigned hereby certifies that a true and exact copy of the foregoing has been provided to all parties at interest by placing a copy of the same in the United States Mail with sufficient postage thereon to carry the same to its destination addressed as follows:

J. Christopher Clem
Samples, Jennings, Clem & Fields, PLLC
130 Jordan Drive
Chattanooga, TN 37421-6731

Steven T. Greer
Attorney at Law
Post Office Box 758
Dunlap, TN 37327-0758

William Lee Gouger, Jr.
Attorney at Law
Post Office Box 759
South Pittsburg, TN 37347

This 28th day of December, 2016.


Mickey Hall