

STATE OF MINNESOTA
DISTRICT COURT
COUNTY OF RAMSEY
SECOND JUDICIAL DISTRICT

Phillip C. Parrish and
Michael J. Lindell,
Contestants,

v.

Lisa Demuth and
Ryan Wilson,
Contestees.

Court File No. 62-CV-26-5975
Case Type: Civil Other/Misc.

Hon. Mark Ireland
and assigned panel

CONTESTANTS' PROPOSED INSPECTION SCOPE
UNDER MINN. STAT. § 209.06

(Submitted at the Court's request from the September 3, 2026 status conference; revised September 4, 2026)

TO THE HONORABLE COURT:

Contestants submit this proposed scope in response to the panel's direction at the September 3, 2026 pretrial status conference. Contestants heard the Court's concern about time, geography, and named leads. Contestants do not ask for 87 counties. They ask for the inspection Minnesota Statutes section 209.06 already authorizes, in a short list of precincts, with named inspectors, beginning immediately, with nightly written reports, so the September 9–10 trial has a record.

A voted ballot does not show whether the voter was eligible, whether the voter also appears on an early-voting list, or whether another person mailed the ballot. Those questions live on rosters, early-voting and absentee lists, Election Day registration cards, vouching lists, and absentee signature envelopes. Contestants therefore ask for three limited tracks in the same rooms: a statutory recanvass of **every named candidate** on the Republican gubernatorial / lieutenant-governor contest; an envelope-, early-list-, and roster reconciliation the contest statute permits; and production of the certification and configuration files for the equipment actually used on August 11, 2026.

This inspection is not the Secretary of State's August 18, 2026 Contingent Plan. That plan sorts only two named candidates and places every other gubernatorial vote in a single “OTHER” pile. The Minnesota Supreme Court held that structure may govern a discretionary recount under section 204C.35. It does not govern this Chapter 209 contest. Inspectors shall identify and count, by candidate name, every vote on the Republican gubernatorial / lieutenant-governor contest on each inspected ballot, including votes for candidates who are not parties to this action. Votes shall not be collapsed into an “OTHER” bucket except for true undervotes, overvotes, and unreadable marks after the inspectors have first assigned a named-candidate total.

I. Authority

Section 209.06 allows either party, after a contest is instituted, to have the ballots inspected before preparing for trial upon a verified petition designating precincts. The Court appoints sets of three inspectors — one selected by each side, the third chosen by those two — “as are needed to count and inspect the ballots

expeditiously.” Inspection occurs in the office and presence of the legal custodian. The inspectors recanvass the votes cast for the parties and make a written report by precinct, identifying disputed ballots. Minn. Stat. § 209.06, subds. 1, 3. A contest may be brought over an irregularity in the conduct of an election or canvass of votes, or over who received the largest number of votes legally cast. Minn. Stat. § 209.02, subd. 1. That question cannot be answered if non-party gubernatorial candidates are collapsed into a single unlabeled pile.

Separately, an absentee signature envelope marked “Rejected” “may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.” Minn. Stat. § 203B.121, subd. 2(e). That review exists only because this contest exists. Early-voting and absentee lists are part of the same canvass as the Election Day roster. Inspection limited to Tuesday ballots would leave the early channel untested.

II. Counties and precincts — limited at the Court’s request

Eight counties have been given preservation or inspection notice. Contestants will accept a Court-ordered cap. Contestants propose four counties, each with a documented predicate, and will stand down the rest unless the first tranche produces a material discrepancy:

- **Anoka County** — public statements by Anoka County Elections Manager Jeff Reinert that election equipment as used included a modem and a configuration outside the EAC-certified build (system as certified is not the system as used).
- **Todd County** — county official admission that an incorrect results file was uploaded election night and later replaced (canvass irregularity).
- **Blue Earth County** — test data included in an upload transmitted to the State (canvass and results-file integrity).
- **Hennepin County** — highest-volume Election Day registration and vouching precincts relative to the statewide pattern (intake rules under Minn. Stat. § 201.061 and Minn. R. 8200.9940), together with early-voting volume that must be reconciled against the same precinct lines.

Not “the county.” Contestants ask the Court to approve not more than **three precincts** per approved county, designated on Schedule A. If Schedule A is not complete at filing, Contestants will file the precinct list within 24 hours, using this default: the two largest Republican-primary precincts by ballots cast in that county, plus any one precinct with a logged incident, tape/summary mismatch, results-file replacement, or envelope-chain gap.

If the Court finds four counties too many for the September 9 trial clock, Contestants ask the Court to start with **Anoka and Todd, three precincts each, Friday morning**. Two counties with tapes, early-voting lists, and rejected envelopes is a record. Zero counties is not.

III. Named inspectors

Contestants select the following inspector under section 209.06, subdivision 1, and name county leads so each site has a responsible person. Contestees select one inspector. Those two select the third. If Contestees decline, Contestants ask the Court to appoint the third.

Role	Name
Contestants’ inspector (statewide)	Heidi Wanty
Anoka County lead	Clinton Johanneck
Todd County lead	Lorilee Bolhouse-Peterson

Blue Earth County lead	Paul Peterson
Hennepin County lead	Richard Wanty
Alternate / additional site lead	Amber Hanson
Alternate / additional site lead	Robert Johnson

Analysts may attend as observers and record-keepers. They are not statutory inspectors unless named above. Compensation of inspectors shall be as for referees unless stipulated. Minn. Stat. § 209.06, subd. 1.

IV. What the inspectors will do — three tracks, same rooms

Track A. Statutory recanvass — paper count against the machine record, every named candidate

In each designated precinct, in the custodian's office:

1. Photograph and log the container seal before it is broken.
2. Hand-sort the Republican gubernatorial / lieutenant-governor contest on each ballot into **separate named piles for every candidate printed on that contest**, plus separate piles for undervote, overvote, write-in (by name if legible), damaged, and duplicated. Inspectors shall not use a two-candidate sort and shall not collapse non-party candidates into a single “OTHER” total except after first recording a named-candidate count.
3. Count each named pile. Record a precinct line for each gubernatorial candidate, not only for Demuth/Wilson and Lindell/Parrish.
4. Compare those named totals to (i) the precinct closing tape for that tabulator serial, (ii) the precinct summary statement, (iii) the cast-vote-record candidate totals for that precinct, and (iv) the county-canvass line for that precinct — candidate by candidate.
5. Tag, photograph, and set aside every ballot on which the three inspectors cannot agree — the statutory disputed ballot.
6. If duplicate ballots exist, compare the duplicate envelope to the original under Minn. Stat. § 206.86. Inspectors will not canvass other offices on the ballot unless the Court authorizes a same-ballot completeness check against the tape.

A mismatch among those four numbers, candidate by candidate, is what this track is built to find. That is the physical count versus the machine count for the office.

Track B. Envelopes, early-voting lists, rosters, EDR, and vouching — same precincts, same days

Inspectors and the custodian will, without identifying any voter's ballot choices:

1. Reconcile accepted signature envelopes, opened envelopes, and ballots removed. Log any gap. See Minn. Stat. § 203B.121, subd. 4.
2. Inspect rejected signature envelopes. Open rejected envelopes only as section 203B.121, subdivision 2(e), permits in this contest. Record the rejection reason written on the envelope and whether the statutory accept/reject criteria appear to have been applied.
3. Sample, if the Court authorizes, not more than 50 rejected and 50 accepted signature envelopes per approved county, photographed in place. Contestants do not ask for a county-wide handwriting laboratory this weekend.

4. Count that precinct's Election Day registration applications, vouching list (Minn. R. 8200.9940), and roster. Flag any voucher recorded above the eight-oath cap, except the residential-facility employee exemption in Minn. Stat. § 201.061, subd. 3.
5. Reconcile the **early-voting and absentee accepted lists** for that precinct against (i) accepted signature envelopes, (ii) ballots removed from those envelopes, and (iii) the early/absentee line on the precinct summary statement. Obtain and use: the precinct or county early-voting roster and in-person absentee list for August 11 and all early-voting days leading to it; the accepted absentee / mail ballot list; the rejected absentee list with the reason code on each envelope; any Election Day registration applications completed during early voting and tied to that precinct; and early-voting batch sheets or tray logs showing envelopes received, accepted, rejected, and ballots extracted.
6. Report only roster-to-ballot, early-list-to-envelope, and channel discrepancies (early accepted and an Election Day roster mark for the same voter; early-list name with no accepted envelope; accepted envelope with no early-list or roster line; roster line with no ballot; ballot with no roster line). Inspectors will not claim that a secret ballot “belongs” to an ineligible person.

Track C. Certification and configuration as used on August 11 — production, not a speech

Contestants ask the Court to direct each approved county auditor to produce the following in the inspection room by the start of work, or by Friday, September 5, 2026 at 12:00 noon, whichever is earlier:

1. The Minnesota certificate and any EAC certificate for the exact system version used August 11, 2026.
2. The written configuration as deployed, including whether a modem was installed or attached.
3. Tabulator serial list for the designated precincts; zero tapes and closing tapes.
4. Results files as first uploaded and as later replaced, with timestamps, broken out by voting channel (Election Day / early in-person / mail-absentee) where the county stores that split.
5. ERS upload logs and access logs for August 11–18, 2026.
6. Early-voting and in-person absentee rosters and daily sign-in lists for the designated precincts, or the county early-voting site lists that feed those precincts; accepted and rejected absentee / mail lists.

The Secretary's published certification language does not extend to modems. Track C is the configuration file for the system as used, compared to the system as certified.

V. Schedule, bond, and reports

Inspection shall occur in the office and presence of the legal custodian, beginning as early as Friday, September 5, 2026 at 8:00 a.m., through Tuesday, September 9, 2026 at 8:00 a.m., or as the Court sets. Ballots do not leave the room. A visual guard under section 209.05 is requested.

Bond. Contestants will file the bond section 209.06, subdivision 2, requires. For a single county the statutory sum is \$250. For this multi-county inspection Contestants ask the Court to set the bond at \$1,000 today so work can start. Contestants will deposit that sum forthwith.

Nightly report. By 8:00 p.m. each inspection day the inspectors shall file with the Court and serve the parties a one-page report: precincts finished; raw named totals for every Republican gubernatorial candidate; number of disputed ballots; envelope, early-list, and roster gaps; and records still missing. Inspection does not postpone the September 9 trial unless the Court orders otherwise.

VI. What Contestants are not asking this weekend

- Inspection of all 87 counties.

- Opening accepted secrecy envelopes to identify a voter's choices.
- A citizenship-matching project against any federal list.
- A full forensic image of every EMS server in the State.
- Inspectors roaming polling places or removing ballots from the custodian's office.
- A two-candidate “A / B / OTHER” sort that hides the rest of the gubernatorial field.

VII. Requested order

Contestants respectfully request that the Court:

- (1) Appoint inspectors under section 209.06 and confirm Contestants' named inspector and county leads set out in Section III;
- (2) Designate the counties and precincts on Schedule A, or Anoka and Todd with three precincts each as a first tranche;
- (3) Set the inspection bond at \$1,000 and set the start time;
- (4) Direct the Track A recanvass of **each named candidate** on the Republican gubernatorial / lieutenant-governor contest (inspectors shall not collapse non-party candidates into a single “OTHER” total except for undervotes, overvotes, and ballots the three inspectors cannot assign); the Track B envelope, early-voting-list, and roster reconciliation (including rejected-envelope review under § 203B.121, subd. 2(e)); and the Track C production listed above;
- (5) Require nightly reports; and
- (6) Direct that this submission be filed in 62-CV-26-5975 and heard with the pending motions.

Respectfully submitted,

Dated: September 4, 2026

Phillip C. Parrish

Contestant, appearing on his own behalf

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SCHEDULE A — PRECINCTS

Anoka County precincts: _____

Todd County precincts: _____

Blue Earth County precincts: _____

Hennepin County precincts: _____

Default if blank at hearing: two largest Republican-primary precincts by ballots cast in each approved county, plus any one precinct with a logged incident, tape/summary mismatch, results-file replacement, or envelope-chain gap. First tranche if the Court so orders: Anoka and Todd only, three precincts each.

SCHEDULE B — TRACK C AND EARLY-LIST PRODUCTION

(due at start of inspection or September 5, 2026, 12:00 noon)

Minnesota and EAC certificates for the system version used August 11; configuration as deployed including modem presence; tabulator serials; zero and closing tapes; first-uploaded and replaced results files with timestamps and channel split if stored; ERS upload and access logs August 11–18; early-voting and in-person absentee rosters and daily sign-in lists for the designated precincts (or the county early-voting site lists that feed those precincts); accepted and rejected absentee / mail lists; early-voting batch sheets or tray logs.

CERTIFICATE OF SERVICE

I certify that on September 4, 2026, I filed this proposed inspection scope through the Minnesota court e-filing system in 62-CV-26-5975, which will serve counsel of record, and that I will bring paper copies to the hearing.

Phillip C. Parrish