

NEWS RELEASE

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Unlawful Election Move Threatens NH First-In-Nation Primary

Concord, NH – On Tuesday, November 7, 2023, three prominent members of the New Hampshire Republican Party filed suit in federal court for the district of New Hampshire against their own state’s GOP chair, Chris Ager, along with Governor Chris Sununu’s Secretary of State, David Scanlan. The principal plaintiff in the case is Karen Testerman, Merrimack County GOP Chairperson, who recently has been in a number of battles which were in objection with the way her party’s chair has been handling a multitude of problems throughout the granite state. Most recently In particular, Secretary Scanlan’s open violations of state election laws.

“Karen Testerman is one of the most level-minded and understanding people you can deal with” says co-plaintiff Lynn-Diane Briggs. Briggs continues, “but when state government personally impacts my vote because of their election law violations, I become disenfranchised and my vote is now meaningless. I say enough is enough.”

The major GOP brawl started when Testerman attempted to cure a major violation that was orchestrated through a memo sent throughout New Hampshire to all cities and towns by secretary Scanlan’s office, which openly tampered with the state’s election law that governs the cut-off date for changing party affiliations. The plaintiffs contend that the law is clear where it states the first Wednesday in June as the cut-off date for changing one’s party affiliation, but was ignored by the secretary’s office and unlawfully changed to October 6th, adding four months to the cut-off date. The suit contends during this time frame that democrats numbering in the thousands changed their party affiliation to ‘undeclared’, in an orchestrated effort to vote republican in the upcoming presidential primary. The plaintiffs contend that this circumvention of state law created a mechanism to change the primary winner of the GOP, making their vote worthless.

Both Secretary Scanlan and GOP chair Ager were served by the Merrimack county sheriff's department on Wednesday, November 15th. Plaintiff Wayne Saya, Sr. contends that a number of attempts to secure legal counsel were unsuccessful, while acknowledging the difficulties of living in a low populated state where everyone knows everyone." Saya, a retired executive and CEO, explained "when you have a state government that believes any election law can be broken without consequence for the sake of convenience or strategy, my one vote becomes worthless."

On Wednesday, November 15, 2023, secretary Scanlan announced January 23, 2024 as the date for the state's presidential primary. Coincidentally, the Secretary's office was being served by the Merrimack county sheriff's department with this federal election lawsuit. What is so ironic, the suit was filed in federal court one week earlier on November 7th, yet the suit contained the same date of January 23rd for the presidential primary as announced by secretary Scanlan one week later? How did the plaintiffs know which date to put in their suit a week before secretary Scanlan's announcement? In New Hampshire, everyone knows everyone.

Plaintiffs in the suit have filed motions to receive expedited relief, or what is known as preliminary injunctive relief, before the presidential primary is held this coming January 2024. The plaintiffs are seeking two options for relief. The second of two options, and the unfortunate best to safeguard the vote, moves the presidential primary to October of 2024. This "nuclear option" moves the Presidential primary to the same day as the New Hampshire US congressional primary. This would have all party affiliations to be where they belong, since party affiliations (democrat or republican) will want to vote for their party's congressional candidate, and not strictly for another party's presidential candidate. The Judge in this case will certainly have his hands full.

Hearing the case is Judge Joseph N. Laplante, of the US district court for the district of New Hampshire. Judge Laplante was nominated by President George W. Bush in 2007 and confirmed by the US senate the same year, and served as the court's chief judge from 2011 to 2018.

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