



STATE OF MAINE  
DEPARTMENT  
OF THE  
SECRETARY OF STATE

SHENNA BELLOWS  
SECRETARY OF STATE

December 11, 2023

**By Email and U.S. Mail**

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**NOTICE OF HEARING**

*In re: Challenge to Primary Nomination Petition of Donald J. Trump, Republican Candidate for President of the United States*

Dear Attorney Gaines, Attorney Gordon, Ms. Royal, Mr. Henson, and Ms. Kouzounas:

The Secretary of State's Office received written challenges from Benjamin Gaines (on behalf of Kimberley Rosen, Thomas Saviello, and Ethan Strimling), Paul Gordon, and Mary Anne Royal to the nomination petitions of Donald J. Trump as a candidate for the Republican Party nomination for President of the United States, before 5:00 p.m. on December 8, 2023. The challenges were timely filed, under 21-A M.R.S. § 337(2)(A). Notice is being provided to Mr. Henson and Ms. Kouzounas as the Trump campaign's designated contact persons for the hearing and petitions.

**A consolidated hearing for all three challenges will be held beginning at 10:00 a.m. on Friday, December 15, 2023, in Room 228 at the Maine State House, Augusta, Maine.** The hearing will be conducted in accordance with 21-A M.R.S. § 337 and the Maine Administrative Procedure Act, 5 M.R.S. §§ 9051 *et seq.* I, Secretary of State Shenna Bellows, will serve as the Presiding Officer at the Hearing, and Assistant Attorney General Jason Anton will assist as legal counsel. Evidence will be heard relating to the allegations set forth in the written challenges (attached), summarized as follows:

Mr. Trump's statement that he meets the qualifications for the office of the President of the United States, as required by 21-A M.R.S. § 336(3), is false, and his primary petition should be deemed void, because:

- (1) Under Section 3 of the Fourteenth Amendment, having taken an oath to support the Constitution, Mr. Trump "engaged in insurrection or rebellion" against the United States, "or [has] given aid or comfort to the enemies thereof"; and/or
- (2) Under Section 1 of the Twenty-Second Amendment, Mr. Trump, in his view, has already been elected to the office of the President twice.

The challengers have the burden of providing sufficient evidence to invalidate the petition. 21-A M.R.S. § 337(2)(B). At the hearing there will be an opportunity for the challengers and the candidate to present oral testimony of witnesses as well as additional documentary evidence, and to make oral argument pertaining to the challenge in light of that evidence. Written affidavits from witnesses will not be accepted as evidence in this matter unless those witnesses are available for cross-examination, pursuant to 5 M.R.S. § 9057(5). Witnesses will be permitted to appear by videoconference if they are not otherwise available to attend the hearing.

The parties shall exchange and file by email with the Secretary of State's Office lists of expected exhibits and witnesses no later than **5:00 p.m. on Wednesday, December 13, 2023**. The parties are also encouraged to exchange information in advance of the hearing.

**If you wish to request this office to issue a subpoena for the attendance of any witness pursuant to 5 M.R.S. § 9060(1), or if you do not plan to attend the hearing, please notify us as soon as possible.** Please also let us know if you will need copies of any public records within the custody of the Elections Division for the hearing.

Any person seeking to intervene in this matter shall file a written request with the Secretary of State to [sos.office@maine.gov](mailto:sos.office@maine.gov), copying the parties, no later than **3:00 p.m. on Thursday, December 14, 2023**.

Pursuant to 5 M.R.S. § 9053(3), a party's failure to take action required by this letter, or to appear at the hearing, may be grounds for dismissal of that party's challenge by default.

Sincerely,



Shenna Bellows  
Secretary of State

cc: Jason Anton, Assistant Attorney General