

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division



PAUL GOLDMAN,

Plaintiff,

v.

ROBERT H. BRINK, *et al.*,

Defendants.

Case No. 3:21-cv-420

NOTICE OF ADDITIONAL FACTS RELEVANT TO STANDING

Now, comes Pro Se Plaintiff Paul Goldman, who has tried in good faith to reach agreement to stipulate certain facts but the Defendants, for example, have even refused to stipulate that I am an American citizen, a Virginia citizen, indeed they have refused to even stipulate that my name is Paul Goldman unless I provide them with evidence, and therefore, I have agreed to what I could agree to, and file this Notice as to facts that have not been agreed to but which Plaintiff has a right to plead and prove.

FACTS THE DEFENDANTS WOULD NOT STIPULATE BUT PLAINTIFF WILL PROVE THE FOLLOWING IN ADDITION TO THE FACTS IN THE COMPLAINT

1. Plaintiff is Paul Goldman.
2. Plaintiff is an American citizen.

3. Plaintiff is a Virginia citizen.

4. Plaintiff has been a registered voter and remains domiciled for nearly two decades at 4414 Grove Avenue, Richmond, VA, 23223 as required by Article II, Section 1 of the Constitution of Virginia.

5. Plaintiff meets the qualifications to hold the office of Delegate as found in Article II, Section 5 of the Constitution of Virginia.

6. Plaintiff meets the qualifications to hold the office of Delegate as found in Article IV, Section 4 of the Constitution of Virginia.

7. During the winter of 2021, plaintiff filed and settled a lawsuit with the Office of Attorney General that enabled, for the first time, primary candidates for the House of Delegates and statewide office to collect the statutorily required signatures by electronic means

8. Lawyers for the Office of Attorney General, including at least one initially assigned to *Goldman v Brink*, negotiated the settlement reached between the parties in the electronic signature litigation.

9. At the time of the litigation, Plaintiff was collecting signatures to run for the Democratic nomination for Lt. Governor in the June, 2021 primary.

10. There came a time when Plaintiff began to question whether the Democrats could win the general election in November and whether he could win the Lt. Governor primary in June.

11. Sometime in March, Plaintiff decided to also collect signatures to run in the Democratic Primary for House of Delegates in the 68th District.

12. A website to collect electronic signatures from voters in the 68th District was set up for Plaintiff.

13. Additionally an individual had been collection signatures in person in paper form.

14. But there came a time when Defendant realized he would face a three-way race for the Democratic Party nomination for Delegate in the 68th District.

15. Based on his knowledge of politics and the contours of the old 68th District, against running for the House of Delegates, stopped collection signatures for such a candidacy, and focus instead on the collecting the thousands needed to qualify for the Lt. Governor primary ballot.

16. After considerable effort, the Plaintiff submitted the required signatures to the State Board of Elections.

17. The State Board then transmitted those signatures to the Democratic Party Chair as required by state law.

18. After reviewing said signatures are required by law, the State Party Chair certified Plaintiff to the June 2021 ballot as a contender for the Party nomination for the office of Lt. Governor, the Board so accepting that certification.

19. However, it soon became apparent to the Plaintiff that there were various opponents, with no chance of winning, yet willing to spend huge sums of money in a fruitless attempt to win the nomination.

20. Having helped former Lt. Governor Doug Wilder win his nomination as the Democratic candidate for Lt. Governor, Plaintiff realized that 2021 would not be his year to follow the future Governor's footsteps as he could not win the upcoming primary for Lt. Governor.

21. Plaintiff therefore asked the State Board of Elections to withdraw his name from the ballot, and it did.

22. There is no Democratic Primary for the Party nomination for the House of Delegates in the 78th District scheduled for this district in 2022 nor a general election.

23. Accordingly, under state law, there is no way to officially collect signatures and file a declaration of candidacy to run in the 78th District.

24. As of the date of these stipulations, Plaintiff meets all the qualifications necessary to run for the House of Delegates under the above referenced sections Constitution of Virginia.

25. According to Article II, Section 6 of the Constitution of Virginia, Plaintiff has been entitled, since the convening of the 2022 Session of the General Assembly of Virginia, to an equally weighted vote, among Virginia residents, as implemented through the one person one vote principle in the 14th Amendment to the U.S. Constitution, in the affairs of the state as controlled by this General Assembly, such equal vote to be represented by the elected Delegate from the 78th House District.

26. According to the website of the General Assembly, Delegate Adams says she represents the old 68th District.

27. However, the old 68th District no longer exists as a legal entity recognized under the Constitution of Virginia as pointed out by Article II, Section 6.

28. Accordingly, Plaintiff has no representative in the General Assembly that is constitutionally required to represent his interests or been constitutionally selected to be his said representative.

29. Neither the Constitution of Virginia, nor the Constitution of the United States, permits the General Assembly of Virginia to assign members to represent a district they were not elected to represent in lieu of having held the required election.

30. The Constitution of Virginia, however, doesn't require specific census data, it refers only to the "receipt of census data" in Article II.

31. According to Article II, Section 6 of the Constitution of Virginia, the 68th District ceases to exist the moment the Supreme Court of Virginia issued its December 28th Order created 100 new House of Delegates districts as required so required.

32. That the Virginia Redistricting Commission made sure the public and the General Assembly knew it believed the state Constitution required new districts at the time of the November 2021 General Election.

33. The Virginia Board of Elections, on or about November 15, 2021, issued "Certificates of election" to winning candidates for the House of Elections saying they were entitled to two-year terms.



Paul Goldman

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on March 25, 2022, I filed this Notice to the Clerk of the Court in paper form. A true copy of said Notice was also sent, via email as agreed upon, by email to the following:

Mr. Steven Poops

Mr. Andrew Ferguson

Office of the Attorney General
202 North Ninth Street
Richmond, Virginia 23219



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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

Goldman

Plaintiff(s),

v.

Civil Action Number: 3:21-cv-00420

Bruck

Defendant(s).

LOCAL RULE 83.1(M) CERTIFICATION

I declare under penalty of perjury that:

No attorney has prepared, or assisted in the preparation of Notice
(Title of Document)

Paul Gold

Name of Pro Se Party (Print or Type)

[Signature]

Signature of Pro Se Party

Executed on: 25 March (Date)

OR

The following attorney(s) prepared or assisted me in preparation of _____
(Title of Document)

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)

Prepared, or assisted in the preparation of, this document

(Name of Pro Se Party (Print or Type)

Signature of Pro Se Party

Executed on: _____ (Date)