



NEWS RELEASE
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FOR IMMEDIATE RELEASE: September 16, 2022

Voting to Proceed as Planned

Chico, CA – (Sept. 16, 2022) – On August 26, 2022, Chicoans Against Financial Mismanagement – No On Measure H (“CAFM-NOMH”) and Karl Ory (collectively, “Petitioners”) filed a petition in Butte County Superior Court, alleging that the City of Chico and its Elections Official, Deborah Presson, improperly rejected an argument against Measure H submitted by CAFM-NOMH. Today, Judge Michael P. Candela denied all relief sought by Petitioners.

The practical effect of today’s ruling is that the City of Chico will not need to change any of the actions it took in rejecting Petitioners’ argument. Voters will receive information about the upcoming general municipal election from the Butte County Elections Office and will have the opportunity to vote on November 8, 2022.

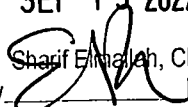
For more information, please contact:

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City Clerk: Debbie Presson, 530-896-7250, Debbie.presson@chicoca.gov

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F Superior Court of California **F**
County of Butte
L SEP 15 2022 **L**
E Sharif Elmalah, Clerk **E**
D By:  Deputy **D**

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF BUTTE

CHICOANS AGAINST FINANCIAL
MISMANAGEMENT – NO ON MEASURE H,
ET AL.

Petitioners,

vs.

CITY OF CHICO, ET AL.

Respondents

Case No. 22CV01954
ORDER AFTER HEARING

This matter came on for hearing on September 15, 2022, the Honorable Michael P. Candela, Judge Presiding. James Antony, Esq. appeared on behalf of Petitioners. Eric Salbert, Esq. appeared for Respondents. After considering the arguments of counsel, the Court issues the following ruling.

The Petition for Writ of Mandate is DENIED in its entirety. The application submitted by Petitioners on August 19, 2022 failed to comply with the requirements of Elections Code § 9287(b)(1-3). As Respondents note, nowhere on the August 19 application does it reference

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“Chicoans Against Financial Mismanagement – No On Measure H”, nor does it reference the name of any other association. Rather, the document indicates it was submitted by an individual, Karl Ory.

The registrar has a duty to reject a ballot measure that does not comply with the formal requirements, see *Vargas v. Balz*, (2014) 223 Cal. App. 4th 1544, 1556. Although the subject at issue here is not a ballot measure, rather it is a submitted argument relating to a ballot measure, the same principle applies to ballot arguments. Indeed, *Vargas, supra*, involved the failure to comply with the formal requirements in submitting ballot arguments. Consequently, the City Clerk did not err in rejecting the August 19 application as submitted.

The court’s staff is directed to contact both counsel in this matter to inform them that a proposed statement of decision submitted by either counsel is now moot and is no longer needed by, nor requested by, the court.

IT IS SO ORDERED.

Dated: 9/15/22



The Honorable Michael P. Candela
Superior Court Judge