

STATE OF MAINE  
CUMBERLAND, SS

SUPERIOR COURT  
DOCKET NO. PORSC-AP-2026-10

JANE GILBERT; MARK SAYRE; and  
KAITLIN WEBBER,

Petitioners,

v.

SHENNA BELLOWS, in her official capacity  
as Maine Secretary of State,

Respondent.

**SECRETARY OF STATE'S  
UNOPPOSED MOTION TO CORRECT  
AN OMISSION IN THE AGENCY  
RECORD**

Respondent Secretary of State (“Secretary”) moves to include in the agency record of this Rule 80C appeal two PDF files containing petition forms that were inadvertently omitted from the Agency Record filed on April 6, 2026. Petitioners and the proposed Intervenors have indicated that they have no objection to this motion.

1. In this expedited Rule 80C appeal, *see* 21-A M.R.S.A. § 905(2), the Petitioners (“Gilbert”) seek to reverse the Secretary’s determination that a direct initiative petition filed with the Secretary contained enough valid signatures of Maine voters to qualify for a referendum vote.

2. Gilbert filed her petition for review on March 27, 2026. Pursuant to an agreed-upon schedule between the parties, the Secretary filed the Agency Record on April 6, 2026.

3. Because the Agency Record had to include all petition forms filed with the Secretary in support of the direct initiative, it was voluminous—containing over 32,000 pages. The petition forms, together with circulator affidavits and a native Excel spreadsheet were filed with the Court on a thumb drive.

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4. Gilbert filed her merits brief on April 10, 2026. During the course of preparing the Secretary's responsive brief, filed April 17, 2026, undersigned discovered that two PDF documents containing 100 of the 8,067 petition forms filed with the Secretary were inadvertently omitted from the Agency Record filed on April 6, 2026. Undersigned determined that the omission resulted from a download error during electronic transfer of the documents from the Secretary of State to the Office of Attorney General. The two missing PDF documents contained Petition Nos. 3501–3600

5. Gilbert challenged the validity of several signatures contained in these missing petitions in her merits brief, presumably relying on her access to the petitions via public records requests to the Secretary. The missing petition forms are therefore material to the legal arguments raised by the parties in this action.

6. Given that these petitions are unquestionably part of the “record upon which the agency decision was based,” 5 M.R.S.A. § 11006, and no party or prospective party objects to their inclusion, the Court should order the two enclosed files to be deemed part of the Agency Record.

7. The two PDF documents are contained in the enclosed thumb drive and are Bates stamped R032927–0333314.

WHEREFORE the Court should grant the Secretary's motion to include the two enclosed PDF documents in the Agency Record.

Dated: April 21, 2026

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**[PROPOSED] ORDER**

After review of the Secretary of State's Unopposed Motion to Correct an Omission in the Agency Record, the Court GRANTS the motion and ORDERS that the two PDF documents submitted by the Secretary, Bates stamped R032927-0333314, shall be deemed a part of the Agency Record filed on April 6, 2026.

The Clerk shall note this Order on the docket by reference pursuant to M.R. Civ. P. 79(a)

SO ORDERED

Dated: \_\_\_\_\_

\_\_\_\_\_  
Justice Superior Court