

## Lake Attorney's Closing Argument: At Least 70K Votes Not Verified, Election Must Be Set Aside



By [Randy DeSoto](#) May 20, 2023 at 7:06am

Kari Lake attorney Kurt Olsen argued in his closing argument in her election challenge case Friday that at least 70,000 mail-in ballots were not properly verified in accordance with Arizona law, and therefore the election must be set aside.

The November race between Republican Kari Lake and Democratic Gov Katie Hobbs “was decided by 17,117 votes. That, however, is out of 2.59 million votes, a difference between the two candidates of 0.67 percent,” he said.

“The number of ballots at issue whether the court were to set aside for illegality, the 70,000, the 274,000 in a proportional manner ... this election should be set aside,” Olsen added.

“Your Honor, the election was unlawful,” Olsen told the judge. “[Arizona statute] 16-550 was not complied with. Defendants don’t dispute our expert. They don’t dispute the evidence,” the attorney said.

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The statute at issue provides that election officials “shall compare the signatures thereon with the signature of the elector on the elector’s registration record.” If the ballot envelope signature and the signature on file do not match, the county is to reach out to the voter and seek to confirm the person’s identity.

Olsen contended that the comparison required by law was not performed, based on examination of the ballot reviewer user logs.

**Do you think the election should be set aside?**

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“Approximately 274,000 ballots out of 1.3 million cast were compared and signature verified, purportedly, in less than 3 seconds a ballot. Seventy thousand in less than 2 seconds a ballot,” he said. “That’s not signature comparison in accordance with 16 ARS 550.”

Lake signature verification expert witness [Erich Speckin](#) testified Thursday at trial there were approximately [70,000 instances](#) when Maricopa mail-in ballot reviewers compared signatures on the envelopes to those on file with the county in less than two seconds.

Seven of those reviewers had a 100 percent approval rating, Speckin said.

“What is your expert opinion as to the physical ability to compare a signature for consistency in less than 3 seconds?” Olsen asked Speckin.

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“I don’t believe it can be done,” Speckin said.

Lake’s legal team [released video footage](#) Monday of two Maricopa County reviewers sitting side-by-side while apparently verifying signatures on mail-in ballots.

Verification on the right side of the video took place at a fairly deliberate pace, with the screener taking time for the ballot image to load and seemingly reviewing it before going on to the next one.

However, on the left side of the video, it was a different story, with the man approving the ballots almost as fast as they loaded.

Attorney Thomas Liddy, in his closing argument for Maricopa County, said the county does, in fact, dispute Speckin’s numbers.

“Respectfully, your honor, this court should not consider those numbers during its deliberation as to whether or not contestor Lake and her team have met their burden,” he said.

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“The court only admitted that chart for the sole purpose of the witness saying that his opinions were based on that,” Liddy continued.

“Not a single witness came before Your Honor this week and said that a single ballot packet – affidavit envelope – was not reviewed for signature in accordance with 16-550 (a). Not a single witness, not a single ballot.”