EXHIBIT A

Recall Petition

We, the qualified electors of the electoral district from which Adam Trenk, Town of Cave Creek Vice Mayor and Council Member was elected, demand his recall.
(Name and title of office)

The grounds of this demand for recall are as follows:
We find that Adam Trenk's inability to govern the Town of Cave Creek, AZ., as prescribed, should be recalled for the following reasons: 1) Fiscal irresponsibility, 2) Material misrepresentation to the public in the 2013 election, and 3) Lack of transparency with regard to the operation of Town Government.
(State in two hundred words or less the grounds of the demand)

	Signature	Name (first and last name printed)	Actual address (street & no. and if no street address, describe residence location)	Arizona post office address & zip code	City or town (if any)	Date signed
1.	Febe R. Herrera	Febe R. Herrera	40845 N. School House Rd.	85327-4601	Cave Creek	3/7/14
2.	Martin VanDyk	MARTIN VANDYK	6001 TANNEMOR.	85331	CAVECREEK	3/6/14
3.	Janet Nagle	Janet Nagle	6434 E. Cave Creek Road #105	85331	Cavecreek	3-6-14
4.	Mike Hohl	Mike Hohl	6419 Willow Springs Ln.	85331	Cave Creek	3-6-14
5.	Carley Vennard	CARLEY VENNARD	40439 N. 69th Pl Cave Crk. AZ	85331	Cave Crk	3-6-14
6.	Richard Dobbs	Richard Dobbs	36555 N 34th St Cave Creek Az	85331	Cave Creek	3-6-14
7.	James Garbutt	James Garbutt	1465N Yucca, Cave Creek	85331	Cave Creek	3-6-14
8.	Pat Jones	Pat Jones	5701 E. Highland Rd	85331	C.C.	3-6-14
9.	GARY RECTOR	[illegible]	6625 E. MESQUITE	85331	Cave Creek	3/6/14
10.	[illegible]	GREG SARENA	37373 N. SUNSET TRAIL	85331	C.C. AZ	3/6/14
11.	[illegible]	JANE COY	39401 N 67th Place	85331	C.C AZ	3/6/14
12.	[illegible]	DAVID C [illegible] JR	5504 E Woodstock RD	85331	CC AZ	3/24/14
13.						
14.						
15.						

Secretary of State
Revised 7/20/2011

The validity of signatures on this sheet must be sworn to by the circulator before a notary public on the form appearing on the back of this sheet.

Number RECALL 2013-02

EXHIBIT B

Adam Trenk's Facebook Page – march 6, 2014

https://www.facebook.com/adam.trenk?fref=ts

Adam Trenk

March 6 ·

The effort to obtain signatures for the Toxic Recall of Cave Creek's "City" Council has moved to the Post Office. I approached the petitioner, an able bodied young man who said he is not working for anyone and that his name was "Franco". I decided to engage him in conversation. I asked him if his efforts were successful and he said yes, to keep the conversation going I paid tribute to one of my favorite actors signing that name to the petition. I asked why he was collecting signatures. Franco said he was opposed to the current Council because Cave Creek is "going down hill". I asked him what he meant by that and he said there has been a steady decline that "started three years ago". I asked him to quantify how it was going down hill, he had no answer. I challenged why he would recall a council that has had 7 months to work on a problem that at least three years old in his estimation and he said "we are a simple town with simple people and we have been misled". I again challenged him to quantify how the Town was being misled, which he did not, instead going off on the tangent that he reads about what is going on. I said "Really? Do you recognize me?" He said "no". I said I am Adam Trenk, then I pointed to the literature on his table that had my picture on it. It took him a second to figure it out. I wonder what he is "reading" if not the literature on the very table he was using to collect signatures. . . I shook his hand and bid him good luck. . . he will need it in life well beyond the recall efforts if he continues to allow himself to be talked into sitting without pay for an entire day to tout a cause he knows nothing about. Let's not kid ourselves, at the end of the day the toxic recall effort is that of the Sonoran News - a friend sent me this picture from later in the day when SN "reporter" Linda Bently and puppet John Hoeppner were actually presiding over the petition table. Franco is in the pale blue shirt, Bently can be seen in Green behind the unknown woman in red, and Hoepner is in the black jacket.

Share

EXHIBIT C

ROSE LAW GROUP pc
RICH ■ HURLEY

ADAM M. TRENK
6613 N. Scottsdale Road, Suite 200
Scottsdale, AZ 85250
Phone 480.240.5647 Fax 480.505.3925
ATrenk@roselawgroup.com
www.roselawgroup.com

April 21, 2014

SENT VIA E-MAIL

Carrie A. Dyrek,
Town Clerk
Town of Cave Creek
37622 N. Cave Creek Rd.
Cave Creek, AZ 85331
cdyrek@cavecreek.org

RE: Objection to Petition Sheets-"RECALL2013-02 Petitions Trenk"

Hello, Ms. Dyrek,

In the PDF you sent me titled "RECALL2013-02 Petitions Trenk," each petition sheet is numbered in the top right hand corner. Below is a list of the petition sheets referenced by handwritten number which I object to as to form, together with the legal authority for those petition sheets to be voided.

Petition Sheet #	Issue(s)	Location of Issue	Legal Authority
14	(1) Circulator's affidavit incomplete, did not indicate what county they were a resident of. (2) Handwriting in lines 12 and 13 identical, voids entire petition.	(1) Backside (2) Lines 12+13	(1) ARS §19-121.01(A)1(d) and ARS §19-112(D) (2) Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
15	Handwriting in lines 1 and 2 identical, voids entire petition.	Lines 1+2	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
21 and 22	Circulator committed petition fraud. On March 6, 2014, I approached the petition circulator located outside the Post office in Cave Creek at approximately 4:15pm. He stated his name was Franco and I told him I was signing as a joke and wrote in "James Gandolfini." A published article and a "present sense impression" I posted to Facebook of the interaction confirms Franco	Sheet 21, line 7 and backsides of Sheets 21 and 22	ARS §19-112 ARS §19-115 ARS §19-119.01

	Marzella was the circulator of that petition. I watched Richard Dobbs sign this petition and others right before I approached the table. Hani Saba signed as circulator on the sheet I signed as a joke and on sheet 22 with signatures collected on the same date. The signatures on those sheets with the date 3/6/14 were not signed in the presence of Saba. Voids entire petition. *See attached article and Facebook post.*		
24	Circulator's affidavit incomplete, did not indicate what county they were a resident of nor county where it was notarized. Voids entire petition.	Backside	ARS §19-121.01(A)1(d) ARS §19-112(D)
27	Handwriting in lines 3 and 4 identical, voids entire petition.	Lines 3+4	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
30	Signatures in lines 2 and 3 appear to be identical or may be forged. In either case this would void entire petition.	Lines 2+3	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
31	(1) Line 5 was dated after the date that the circulator's affidavit was notarized. (2) Circulator's affidavit incomplete, did not indicate county where it was notarized. Entire petition void.	(1) Line 5 and backside. (2) Backside	(1) ARS §19-121.01(A)1(f) (2) ARS §19-121.01(A)1(d) ARS §19-112(D)
36	Handwriting in lines 12 and 13 identical, voids entire petition.	Lines 12+13	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
39	Handwriting in lines 5 and 6 and lines 7 and 8 identical, voids entire petition.	Lines 5+6 Lines 7+8	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
40	Handwriting in lines 6 and 7 identical, voids entire petition.	Lines 6+7	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
41	(1) Handwriting in lines 10 and 11 identical, voids entire petition. (2) Line 15 was dated after the date that the circulator's affidavit was notarized. Entire petition voided.	(1) Lines 10+11 (2) Line 15 and backside	(1) Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013) (2) ARS §19-121.01(A)1(f)
44	Handwriting in lines 4 and 5 and 6 and 7 identical, voids entire petition.	Lines 4+5 and 6+7	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)

I expect that you will act accordingly in your capacity as Town Clerk to void those petitions that are defective. For the reasons stated, the above detailed petitions should be disqualified together with any others for reasons you have identified in your own independent analysis. In addition to this request to void entire sheets as detailed herein, I will be submitting objections to individual petition signatures in the coming days.

Thank you,

Adam M. Trenk

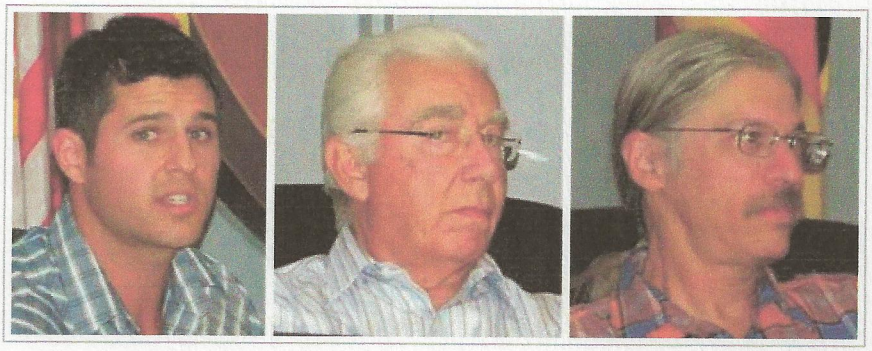
cc: Town Manager- Peter Jankowski
Town Attorney- Law Offices of Dickinson Wright
Timothy La Sota

EXHIBIT D

BY LINDA BENTLEY | JUNE 4, 2014

Trenk and Monachino get reprieve from recall, for now

Trenk pulls a 'Lois Lerner' when asked about signing James Gandolfini's name to his recall petition



(l-r) Adam Trenk, Reg Monachino and Charles Spitzer

CAVE CREEK – On Wednesday, May 28, Vice Mayor Adam Trenk and councilmen Reg Monachino and Charles Spitzer, all being recalled, filed an application for an order to show cause and for a preliminary injunction, asking the court to hold a hearing and temporarily enjoin Cave Creek Town Clerk Carrie Dyrek and the town of Cave Creek from issuing an order calling for a special recall election.

The hearing was held at 1 p.m. on Monday, June 2 before Superior Court Judge Douglas Gerlach.

Councilman Mike Durkin, also being recalled, chose not to be a party to the lawsuit.

The complaint alleges all of the signatures collected to recall all four councilmen were invalid because the petition sheets used by the recall proponents do not "substantially comply" with the law regarding recall petitions.

Although the petitions sheets were reviewed by Dyrek, who removed some signatures and some petition sheets for failure to comply with some of the requirements prior to sending them to the county for signature verification, plaintiffs claimed they still fall "far short" of the standard they must meet of "substantial compliance."

Susan Clancy and Hani Saba, chair and treasurer, respectively, of the Cave Creek Caring Citizens Committee, also named as defendants, used the forms for recall provided by Dyrek, which are identical to the forms available through the Arizona Secretary of State's office.

According to the Merriam-Webster Dictionary, substantial, as it appears to apply here, is defined as "being largely but not wholly that which is specified."

Because injunctions are not covered by the town's risk pool insurance, defending the lawsuit comes at an additional cost to the town.

At the onset, Attorney Tim La Sota, representing the plaintiffs, filed a motion to amend the complaint on Friday after Maricopa County issued amended certifications.

However, Gerlach stated he would not allow it because it was not timely.

La Sota argued the language on the form was insufficient.

Gerlach asked, "Why is 'We the qualified electors' not substantially compliant?"

Wanting to know why the specific language cited by La Sota, which seemed to apply mostly to initiatives rather than recalls, was indispensible, Gerlach asked, "What difference does it make?"

La Sota replied, "I think it's important for the integrity of the petition."

Maricopa County Elections Supervisor Jason Otaha was called as the first witness and was asked questions about various lines on each of the petition forms and the reason the county disqualified the signatures.

Otaha indicated a number of the signatures declared invalid were because someone other than the signer filled in the address or date information.

However, as La Sota argued, because the petition circulator signed an affidavit on the back of the petition form that states: "... at all times during my circulation of this petition sheet, and under the penalty of a class 1 misdemeanor, depose and say that subject to Section 19-115, Arizona Revised Statutes, each individual printed the individual's own name and address and signed this sheet of the foregoing petition in my presence on the date indicated, and I believe that each signer's name and residence address or post office address are correctly stated and that each signer is a qualified elector of the state of Arizona ...

La Sota argued that the entire petition sheet would then be invalid.

Otaha stated, when they are provided the petition copies for signature verification, they have no information as to how many signatures are required for a recall and they do not receive copies of the backs of the petitions.

Otaha was excused and Trenk was called to the stand. La Sota entered a photograph as an exhibit, and which Trenk identified "Franco" in the picture as the person collecting signatures.

Trenk was asked questions about two pages of petitions he believed were collected at the Cave Creek Post Office by Franco but were signed on the back by Hani Saba, treasurer of Cave Creek Caring Citizens Committee (CCCC).

When the other defendants were asked if they had any questions, Susan Clancy, representing herself as chair of CCCC, asked Trenk to look at line 7 on one of his own recall petition sheets, which La Sota entered as an exhibit, and asked him if he signed it.

La Sota argued Clancy shouldn't be permitted to represent herself or the committee, likening it to a corporation.

Gerlach disagreed and allowed Clancy to represent herself and question Trenk.

Line 7 was the line on his own petition Trenk signed using the late actor's name James Gandolfini, known for his role as mob boss Tony Soprano in the HBO hit series "The Sopranos."

Reminiscent of former IRS official Lois Lerner, Trenk replied, "I plead the Fifth."

Gerlach looked at Trenk and asked him directly if he signed it.

Under oath, Trenk admitted to Gerlach he signed Gandolfini's name, which, according to A.R.S.

§ 19-115, is a class 1 misdemeanor.

Gerlach interrupted to tell those present the state of his thinking at the moment was that he was not prepared to reject any petitions on the grounds they contained insufficient language.

However, with regard to Trenk's and Monachino's petitions, Gerlach said he's not permitted to look at appellate decisions differently, regardless of whether or not he agrees.

Citing Parker v. Tucson, Gerlach said the appellate court ruled that in such an instance, it is not just the signatures that would be deemed invalid but the entire petition.

Although they didn't have a count of precisely how many more signatures were invalidated by eliminating full petition sheets, it was clear there were more than enough sheets invalidated to fall short of the 293 signatures required.

Gerlach ruled, for the reasons stated on the record, the petition sheets were in substantial compliance and the recall could proceed against Durkin and Spitzer but the recall against Trenk and Monachino could not proceed.

Clancy, who said CCCC is prepared to regroup and collect signatures again without making the mistakes that were made this last time around, was at town hall Tuesday morning to get new applications to recall Trenk and Monachino.

So, while Trenk and Monachino may have had a reprieve from this recall attempt, CCCC said they now have all the information and volunteers they need to do it again.