

AFFIDAVIT OF JAMES DICKEY



STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

JAMES DICKEY states:

1. My name is James Dickey. I am an attorney for Petitioners Minnesota Voters Alliance, Greg Ryan, and Chris Bakeman in this action. I make this affidavit upon personal knowledge of the facts set forth herein to support the Petitioners in this case.

2. I watched a portion of the proceedings of the Minnesota House of Representatives on January 14, 2025, including a portion in which House Majority Leader Harry Niska moved a resolution related to the subject matter of this action, and which was passed on a voice vote, 67-0. A video of those proceedings can be found at: <https://www.house.mn.gov/hjvid/94/898735>, see 1:03:00-1:06:30.

3. After watching the House proceedings, I emailed Majority Leader Niska requesting a copy of the resolution that he moved on the House floor.

4. Attached as Exhibit D is a true and correct copy of my request, and Majority Leader Niska’s response, and the resolution he attached to his responsive email.

5. I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Executed in Hennepin County, Minnesota
On January 14, 2025

/s/ James V. F. Dickey
James V. F. Dickey

Request for Copy of Resolution Related to Successful Election Contest in House District 40B

From James Dickey <James.Dickey@umwlc.org>

Date Tue 1/14/2025 1:49 PM

To Rep.Harry.Niska@house.mn.gov <Rep.Harry.Niska@house.mn.gov>

Majority Leader Niska:

Today, I observed a recording of the opening session of the Minnesota House of Representatives through its official YouTube media channel. After the speaker was elected, you moved to pass a resolution to accept the results of the election contest related to House District 40B, in which the contestant was successful. We have a hearing in front of the Minnesota Supreme Court tomorrow (January 15), and this development would be important for the Court and all parties involved to have full information on. Can you provide a copy of the resolution that was adopted by the House today, January 14, 2025?

Thank you,

James

James V. F. Dickey
Upper Midwest Law Center
12600 Whitewater Drive, Suite 140
Minnetonka, MN 55343
Direct: 612-428-7002
Cell: 612-438-8594

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Fwd: Attached Image

From Harry Niska <Rep.Harry.Niska@house.mn.gov>

Date Tue 1/14/2025 2:59 PM

To James Dickey <James.Dickey@umwlc.org>

 1 attachment (31 KB)

0456_001.pdf;

Rep. Harry Niska (District 31A)

337 State Office Building

100 Rev. Dr. Martin Luther King Jr. Blvd.

St. Paul, MN 55055-1298

Office: (651) 296-2439

Begin forwarded message:

From: Jeremiah Wingstedt <Jeremiah.Wingstedt@house.mn.gov>

Date: January 14, 2025 at 2:58:24 PM CST

To: Harry Niska <rep.harry.niska@house.mn.gov>

Subject: FW: Attached Image

Here's the motion you made for 40B

Jeremiah Wingstedt

Legislative Director

Minnesota House Republican Caucus

Mobile: (920) 284-5594 (preferred)

Office: (651) 296-6860

jeremiah.wingstedt@house.mn.gov

From: GOP_Copier_2100@house.mn.gov <GOP_Copier_2100@house.mn.gov>

Sent: Tuesday, January 14, 2025 2:53 PM

To: Jeremiah Wingstedt <Jeremiah.Wingstedt@house.mn.gov>

Subject: Attached Image

PETITIONS AND COMMUNICATIONS

A communication was received from the Honorable Judge Leonardo Castro, Second Judicial District, County of Ramsey, State of Minnesota in the matter of Paul Wikstrom, Contestant, v. Curtis Johnson, Contestee.

Niska offers the following resolution and moves its adoption:

RESOLVED, that the findings of fact and conclusions of law received by the House from the Honorable Judge Leonardo Castro, Second Judicial District, County of Ramsey, in the matter of Paul Wikstrom, Contestant, v. Curtis Johnson, Contestee, be accepted without further review and that a vacancy resulting from a successful election contest be declared for district 40B.