

793 Promenade Ct.
Grand Forks, ND 58203
701-885-4336
September 24, 2020

The Honorable Emily O'Brien
2612 Olson Dr.
Grand Forks, ND 58201

Dear Emily,

I write as a resident of District 42 and I write in my capacity as Chair for the Democratic-Non Partisan League of District 42. I, and others, wish to question the motivation and, perhaps, receive an explanation for the confusion you have created related to your residence. It is a 'well-known secret' around Grand Forks that you don't actually live in District 42, a continuing and communal lie furthered by you and those in control of the Grand Forks Republican organization, an action bolstered by your repeatedly use of addresses that are false and misleading. The confusion you've created permitted you to illegally hold your office during the 2019-2020 session and is being used to suggest you are eligible to run as a candidate in District 42 for the 2021-2024 term.

There are three addresses we need to discuss:

2002 University Avenue, #3, Grand Forks

5021 W Elm Ct., Grand Forks

2612 Olson Drive, Grand Forks

2002 University Avenue, #3, Grand Forks

We accept there was a time this was your address, and probably was where you did most of your last couple of years in college. It is not the address you have on your official North Dakota House of Representatives page, but was probably an accurate depiction of where you lived when you ran for the House four years ago.

- We do not believe you have an active lease at that address. Among other indicators, your name is not on the mailboxes for the building.
- It is noteworthy you did not use this address during the 2019-2020 legislative session. We therefore don't know when you gave up this lease, but this is not – and probably has not been

for some time – your actual residence.

- Despite not living there, this is the address you used on your filing paperwork and it is the address you have listed on the Secretary of State website as a candidate, which you submitted in April, 2020.

The simplest, and likely most accurate explanation, is that purposefully and with intent to deceive the residents of District 42 and the State of North Dakota you used an address at which you no longer live when you voted in June and registered as a candidate in April, 2020.

5021 W Elm Ct., Grand Forks

5021 W Elm Ct. is owned by Brandon Berger, who is married to Sarah Berger. We know you have a relationship with Sarah.

- You used this address during the 2019-2020 session, and we doubt you lived here during that time. Rather, we think you have made an arrangement to receive mail at this address to give the appearance that you live in the District.
- Your overt decision to stop using 5021 W. Elm pretty much proves our assertion – you don't live in the district. Despite having used 5021 W. Elm during your term as an elected official, you filed candidacy paperwork in April reverting to the 2002 University Ave. #3 address, an address at which you don't live.
- You are not eligible to represent this district. Your name should be stricken from the ballot.

2612 Olson Drive, Grand Forks

We believe this to be your actual abode. In fact, we believe you have lived here since late in 2018 or early in 2019. Your neighbors report identifying you as a neighbor. You are known to visit with the neighbors. You don't seem to be covert about this being your home.

As you may know, 2612 Olson Drive is sited in District 17. Accordingly, you are not eligible to represent District 42.

Thank you for your time.

Sincerely,

Jeffrey Powell
Grand Forks, ND

c: ND Secretary of State
Grand Forks County Auditor
Grand Forks Herald
copy posted at nd42.org