

EXHIBIT 22

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

VOTE FORWARD,
611 Pennsylvania Ave. SE #192
Washington, DC 20003;

AARON CARREL,
2 N Roby Rd.
Madison, WI 53726;

VOCES UNIDAS DE LAS MONTAÑAS,
1001 Grand Ave., Suite 107
Glenwood Springs, CO 81601;

COLORADO ORGANIZATION FOR
LATINA OPPORTUNITY AND
REPRODUCTIVE RIGHTS,
P.O. Box 40991
Denver, CO 80204;

and

PADRES & JÓVENES UNIDOS,
4130 Tejon St., Suite C
Denver, CO 80211,

Plaintiffs,

v.

LOUIS DEJOY, in his official
capacity as the Postmaster General,
475 L'Enfant Plaza SW,
Washington, D.C. 20260-0546;

and

UNITED STATES POSTAL SERVICE,
475 L'Enfant Plaza SW
Washington, DC 20260-0546,

Defendants.

Civil Case No. 1:20-cv-02405-EGS

DECLARATION OF SCOTT J. FORMAN ON BEHALF OF
VOTE FORWARD

I, Scott J. Forman, declare as follows:

1. The matters set forth herein are true and correct of my own personal knowledge. If called as a witness, I could and would testify competently thereto.
2. I am the founder and Executive Director of Vote Forward, a 501(c)(4) nonprofit organization founded in 2019 whose core mission is to empower grassroots volunteers to help register voters from traditionally underrepresented communities and encourage them to vote.
3. Vote Forward was borne out of a series of randomized controlled trials in the 2017 and 2018 elections, wherein voter turnout among letter recipients was observed to be multiple percentage points higher than turnout in the control groups. Based on the success of these experiments, Vote Forward was established.
4. Vote Forward builds tools to enable Americans across all 50 states to encourage their fellow citizens to participate in the democratic process. Specifically, through Vote Forward's online platform, volunteers throughout the country are able to send hand-written letters to fellow citizens encouraging them to vote. To date, more than 165,000 volunteers have signed up on the Vote Forward platform and written more than 8 million "Please vote!" and "Please register to vote!" letters to fellow citizens.
5. As part of its 2020 get-out-the-vote ("GOTV") goal, Vote Forward aims to send 10 million letters to potential voters in a number of states in the upcoming November 2020 election.
6. Since January 2020, Vote Forward's goal of 10 million letters has included mailing a large volume of its "Please vote!" letters in late October, *i.e.*, close to Election Day, because prior experiments have shown that GOTV messages sent too early are ineffective at increasing voter turnout. Vote Forward's own experiments have also shown that letters sent during the week before an election are especially effective.

7. The delays caused by the United States Postal Service's ("USPS") policies have directly frustrated Vote Forward's mission, which aims to increase democratic participation through its grassroots letter-writing campaign close to Election Day.

8. First, as a result of USPS's policies, Vote Forward decided to move up its official mailing date, *i.e.*, the recommended date for volunteers to mail out their "Please Vote!" letters. Moving up the official mailing date frustrates Vote Forward's purpose of encouraging voter participation, as Vote Forward has historically encouraged its volunteers to mail out letters very close to Election Day because that is when efforts are most effective at increasing voter turnout. Prior to USPS's policies, Vote Forward aimed to have its volunteers mail out letters on October 27th for the upcoming November 2020 election. Because Vote Forward will be forced to recommend mailing out letters earlier than planned, there is a risk that the impact of Vote Forward's letter-writing campaign, which aims to increase voter turnout, will be diminished.

9. Moreover, in direct response to USPS's policies, Vote Forward has diverted resources to (1) respond to an influx of inquiries from volunteers regarding when they should be mailing out their hand-written letters; and (2) assess whether sending "Please Vote!" letters much earlier than planned could negatively impact the effectiveness of its volunteers' GOTV letters on voter turnout.

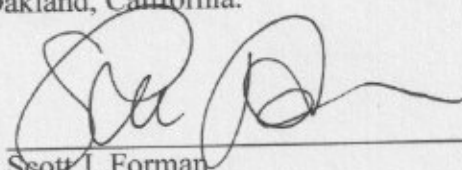
10. Specifically, in response to USPS's policies, Vote Forward launched "Mailbox-to-Mailbox: Assessing USPS," a program in which volunteers send letters in the mail to one another. By tracking the "sent" and "received" dates of those sample letters, Vote Forward is expending resources to assess the real-life, First-Class USPS delivery times from one state to another across the United States. The results are not yet available, but a preliminary assessment suggests that some of the letter packets sent to volunteers to send along to their fellow volunteers have not been received for multiple weeks. Vote Forward has expended multiple weeks of effort to conduct this new program.

11. Moreover, in August 2020, Vote Forward conducted a randomized controlled experiment in Florida's 15th Congressional District to ascertain the differential impact of letters

sent one week versus three weeks prior to an election. The voting history data necessary to analyze the experiment is not yet available. Volunteers sent 77,790 letters to voters at their own expense, at a total cost of approximately \$50,000. This program also required multiple weeks of effort to execute.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 7, 2020, in Oakland, California.



Scott J. Forman