

STATE OF VERMONT

SUPERIOR COURT  
BENNINGTON UNIT

CIVIL DIVISION  
DOCKET NO. 24-CR-4565

Bruce Busa                    )  
  )  
                  v.                    )  
  )  
Jonathan Cooper            )

**MOTION TO HAVE A REVOTE IN THE TOWN OF POWNAL**

COMES NOW Plaintiff, Bruce Busa, by and through counsel, Janssen Willhoit, Esq., and requests that this Honorable Court suspend the recount in this race and, in the alternative, order a revote in the town of Pownal for the Bennington-1 House District.

This race is in dispute because of an error in Pownal’s checklist, which placed voters in the wrong voting district. When Mr. Busa became aware of this error, he requested a recount as the Statute did not provide a means to request a revote because of this error in Pownal.

Vermont Secretary of State, Copeland Hanzas, has acknowledged this error and in a press release issued by her office on November, 8, 2024, the Secretary of State;s office stated, “The Vermont Secretary of State supports a district-wide revote to assure that every voter in the Bennington-1 House District has a chance to vote. The district-wide revote should occur because of an error in Pownal’s checklist, which placed about 40 voters in the wrong legislative district. The outcome of the Bennington-1 House race could have been impacted by this error because Jonathan Cooper’s margin of victory was only 25 votes.”

While Mr. Busa appreciates the Secretary of State recognizing the error in Pownal, he does not see the need to call for a revote in the entire district. There is no evidence of any errors occurring in any other town. Therefore, all of their votes were properly cast. Accordingly, the most accurate and efficient way to correct the error in Pownal is to simply conduct a new vote for the Bennington-1 House district in the precinct where the error occurred... Pownal.

Even as the Secretary of State articulated in her November 8, 2024 press release, “Per Vermont law, the first step in the remediation process is for the losing candidate to file a recount petition in Bennington Superior Court ([17 V.S.A. §§ 2601](#) and [2602](#)). This request must be filed in court within 7 calendar days from the election. Once before the court, the court has a range of remedies at its discretion, including a recount, a town-wide revote, or a district-wide revote.”

Given the circumstances in this election, the most efficient and accurate means to correct this error is for this Honorable Court to order a town-wide revote in this district.

WHEREFORE, because of the circumstances articulated, Mr. Busa requests that this Honorable Court order a town-wide revote for the town of Pownal for the Bennington-1 House District.

DATED this 14th day of November, 2024 in Saint Johnsbury, Vermont.

Respectfully submitted,

/s/ Janssen Willhoit

Janssen Willhoit, Esq.

Cc: Jonathan Cooper (via Odyssey)