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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON STATE REPUBLICAN
PARTY, an unincorporated association; and
CHRIS VANCE, an individual, and GERALD
SWATSKY, an individual,

Plaintiffs,

v.

SAM REED in his official capacity as Secretary
of State for the State of Washington; DEAN
LOGAN, in his official capacity as Director of
King County Division of Records, Elections, and
Licensing Services,

Defendants.

No. C04-2350 RSM

DECLARATION OF DAN
BRADY

The Honorable Robert A. Lasnik

FILED
NOV 20 2004
CLERK OF DISTRICT COURT
BY WESTERN DISTRICT OF WASHINGTON
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON STATE REPUBLICAN)
PARTY, an unincorporated association; and)
CHRIS VANCE, an individual,)
Plaintiffs,)

No.)
DECLARATION OF DAN)
BRADY)

v.)

SAM REED in his official capacity as Secretary)
of State for the State of Washington; DEAN)
LOGAN, in his official capacity as Director of)
King County Division of Records, Elections, and)
Licensing Services,)
Defendants.)

DAN BRADY declares as follows:

1. I am an observer of the mandatory vote recount in the 2004 Washington State Governor's election. Specifically, I have been observing the recount of ballots cast by King County voters at the King County Elections Department Mail Ballot Operations Satellite ("MBOS") in Seattle, Washington. I make the statements in this declaration based on personal knowledge and if called and sworn as a witness in any proceeding, could and would testify competently thereto.

2. On Saturday, November 20, 2004, William Maurer, an unofficial observer of the recount, notified me of a problem with a ballot. Specifically I learned that election officials had reviewed a ballot rejected by the optical scan machine, darkened the ovals

DECLARATION OF DAN BRADY
(No. _____) — 1

1 where apparently the voter had incorrectly placed an "X," and then handed the ballot to
2 another election worker who commingled the rejected ballot with other ballots, and fed
3 them all through the counting machine.

4 3. After learning this information, I asked Bill Huennekens (the King County
5 Superintendent of Elections) to find Dean Logan (the Director of King County Division of
6 Records, Elections, and Licensing Services) and inform him of my request to immediately
7 stop the practice of enhancing ballots. Mr. Huennekens found Mr. Logan and I again
8 reiterated my request to (1) stop the practice of enhancing rejected ballots or (2) at least
9 keep rejected and enhanced ballots separated from the properly cast ballots. Mr. Logan
10 informed me that the County "would not take orders from a political party" and would not
11 keep the ballots separate. He told me to speak with Janine Jolly, an attorney for King
12 County. William Maurer was also present for my conversations with Mr. Logan and Mr.
13 Huennekens.

14 I declare under penalty of perjury under the laws of the State of Washington that
15 the foregoing is true and correct to the best of my knowledge and belief.

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17 Executed at Seattle, Washington, this 20 day of November, 2004.

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20 _____
21 DAN BRADY
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