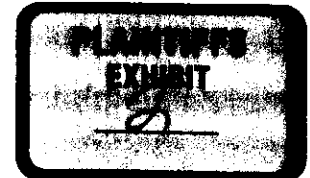


**AFFIDAVIT OF ANDREW PADRUTT, EXECUTIVE DIRECTOR, SUMMIT
COUNTY DEMOCRATIC CENTRAL AND EXECUTIVE COMMITTEE**

STATE OF OHIO)
COUNTY OF SUMMIT) SS.

I, Andrew Padrutt, Executive Director of the Summit County Democratic Central and Executive Committee, having first been duly sworn, and duly warned as to the federal penalties for perjury provided in Title 28, Section 1746, and Title 18, Section 1621, United States Code, hereby depose and say, upon personal knowledge, the following:

1. I am a fully qualified and registered voter residing at all relevant times in Summit County, Ohio.
2. I am the Executive director of the Summit County Democratic Central and Executive Committee (hereinafter "SCDC"), which is the official county-level Democratic party organization for Summit County, Ohio.
3. I am also a duly elected Councilman, on Green City Council, Green, Summit County, Ohio; and was previously employed by the Summit County Board of Elections ("BOE").
4. I give this statement freely, knowingly and voluntarily, for use in the instant case challenging the constitutionality of the content and/or application of Ohio Revised Code ("O.R.C.") Section 3505.20 , in which I am an individual Plaintiff.
5. I hereby verify the content and claims within the instant case challenging R.C. 3505.20, as truthful and accurate, upon my personal knowledge.
6. O.R.C. 3505.20 provides a means by which partisan, appointed election officials known as "challengers" and "presiding judges," appointed by interested entities pursuant to R.C. 3505.21, may challenge and take away the right of an individual voter to cast his or her vote, at the polling place, on election day, without prior notice, a hearing and/or a right to review.
7. Neither O.R.C. 3505.20, nor any other Section of O.R.C. Chapter XXXV provides for a hearing, the right of the voter to cast a provisional ballot and/or a process for appealing disenfranchisement occurring at the polling place on election day; and any person denied their right to vote under O.R.C. 3505.20 is without recourse or remedy.
8. The mission and purpose of the SCDC is to serve as an organizational unit for Summit County Democrats, to promote the interests and ideals of its members and the Democratic party, to promote full and fair election participation of its members and the citizenry as a whole, and to promote voter registration and preservation of the franchise.

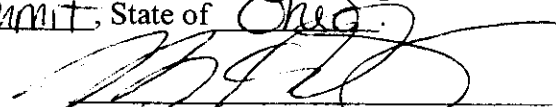


9. On or around October 22, 2004, I was informed that the Republican Party had publicly designated approximately 475 of its members to serve as polling-place "challengers," pursuant to O.R.C. 3505.21.
10. Also on about October 22, 2004, the SCDC designated approximately 242 of its members as Section 3505.21 challengers. The purpose of these designations was to provide polling place parity, in terms of partisan presence and, most importantly, to monitor the voter challenge process at the polls, with a goal of preventing arbitrary ballot denial and voter discouragement, in the form of long waits (while arbitrary challenges are conducted "for any reason," as permitted under O.R.C. 3505.20) or voter intimidation generated by arbitrary challenges voters observe or anticipate.
11. As a BOE employee, I observed that virtually every BOE job function is staffed equally, as between the major political parties, to avoid the appearance or occurrence of unfair influence or advantage in the elections system.
12. As the Executive Director of the SCDC, a registered Democrat, qualified voter and elected public official, I am concerned that O.R.C. 3505.20 will be used on election day, November 2, 2004, as a means to prevent or discourage me, fellow registered Democrats and other qualified voters from exercising our fundamental right to vote.
13. I am also concerned that voters who are successfully challenged at an election day polling place, pursuant to O.R.C. 3505.20 will be treated differently and less favorably than voters challenged *prior to* election day, who receive notice and a hearing before removal, as well as a potential "second chance" to demonstrate eligibility to vote, at the polling place, pursuant to O.R.C. 3505.19 .
14. As a SCDC official and a registered, active voter, I believe that the enforcement of O.R.C. 3505.20 during the November 2, 2004 election will result in the unlawful, unwarranted denial, delay and/or discouragement of qualified voters' exercise of their voting rights, and may permit "challengers" and "witnesses" to suppress would-be voters for reasons other than their actual registration status, their citizenship, their residency and/or their status as a person over eighteen years of age.

FURTHER AFFIANT SAYETH NAUGHT.


 Andrew Padrutt

Sworn to and subscribed before me this 25th day of October, 2004, in the City of Alcon, County of Summit, State of Ohio.


 Notary/ Attorney at Law. My Commission Expires Does Not Expire