IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LIBERTARIAN PARTY OF OHIO, et al.,

Plaintiffs,

vs.

JON HUSTED,

Defendant.

Case No. 2:13-cv-953

Judge Michael H. Watson

DECLARATION OF TIMOTHY A. WARD, DIRECTOR OF MADISON COUNTY
BOARD OF ELECTIONS

1. My name is Timothy A. Ward. I am over eighteen years of age and state the following based on personal knowledge.

2. I am the Director of the Madison County Board of Elections ("BOE"). I have been the Director of the Madison County Board of Elections for 7 years.

3. Madison County is a paper ballot county. Madison County ordered the printing of its ballots on Sunday, September 14, 2014. It is a time consuming process to prepare ballots to be printed. This process begins after the Secretary of State certifies the ballot, which he did on August 28, 2014.

4. It would be impossible for Madison County to change its ballots now and still comply with the September 20, 2014 deadline to have UOCAVA ballots available for mailing upon request.

5. Madison County will begin conducting its logic and accuracy testing on September 24, 2014. Once that testing is complete, voting equipment and systems will be "locked down" such that any changes to the ballot would require the BOE to start the entire process of preparing ballots over again. This process includes formatting, proofing, printing, programming voting equipment, and logic and accuracy testing. The process cost for just our vendor to assist in this process is approximately $4,340.00.

6. Madison County has already received approximately 1,851 absentee ballot requests and will be mailing out absentee ballots to those who have requested them beginning September 30, 2014.
7. It would be administratively impossible for Madison County to change its ballot now to add a new statewide candidate and have the ballot ready for the start of early voting on September 30, 2014.

8. If Madison County received an order on or after October 6, 2014 to change its ballot to add a statewide candidate, it would be administratively impossible to comply with such an order by Election Day, November 4, 2014 with the budget and personnel currently available to Madison County. Even if the budget was increased, personnel is the major hurdle that cannot be overcome easily. The ballot preparation process is not a process that you can hire personnel off of the street to perform. To illustrate this point, Madison County is now on our third Deputy Director since July 2012. The election process takes months, if not years, to learn to be proficient. In addition, there are a very finite number of individuals that can perform the coding of a ballot utilizing the ballot software. Many counties, including Madison County, outsource this process because of the complexity of the ballot software. The BOE would not be able to complete the entire process of re-doing the ballot if that process began on October 6. It may be administratively impossible to change the ballot to add a statewide candidate by Election Day if this process began before October 6, 2014.

9. It would be extremely disruptive to the administration of the November election to attempt to try to re-do the ballot to add a statewide candidate even if such a process began on the date of the signing of this Declaration. In addition, adding a statewide candidate at this point in time would likely cost approximately $6,575.63, not including board personnel costs, and the BOE has not budgeted for such an expense. The cost of redoing the ballot would only increase as Election Day approaches.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Executed this 19th day of September, 2014, in Madison County, Ohio

[Signature]

Timothy A. Ward, Director, Madison County Board of Elections