

IN THE CIRCUIT COURT FOR THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA
CIVIL DIVISION

WILLIAM S. "BILL" ABRAMSON,
candidate for election to the Office
of Circuit Judge, in and for the
Fifteenth Judicial Circuit, Group 23,

CASE NO.: 2008-CA-002944

Plaintiff,

vs.

ELECTIONS CANVASSING COMMISSION
OF THE STATE OF FLORIDA; KURT S.
BROWNING, as SECRETARY OF STATE;
DEPARTMENT OF STATE, DIVISION OF
ELECTIONS; PALM BEACH COUNTY
CANVASSING BOARD; ARTHUR ANDERSON,
as PALM BEACH COUNTY SUPERVISOR OF
ELECTIONS; and RICHARD I. WENNET,
Candidate for election to the office
of Circuit Court Judge, in and for the
Fifteenth Judicial Circuit, Group 23,

03 SEP 11 AM 11:57
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

Defendants.

ANSWER OF DEFENDANTS PALM BEACH COUNTY CANVASSING BOARD
AND ARTHUR ANDERSON AS PALM BEACH COUNTY
SUPERVISOR OF ELECTIONS

COMES NOW, by and through undersigned counsel, Palm Beach
County Canvassing Board and Arthur Anderson as Palm Beach County
Supervisor of Elections (hereinafter Defendants), and respond to
the Plaintiff's Emergency Complaint for Declaratory Relief or,
in the Alternative, to Contest Election, and states as follows:

1. Defendants are without knowledge, therefore denied.
2. Defendants are without knowledge, therefore denied.

3. Defendants admit § 102.131(2), F.S., speaks for itself, otherwise denied.

GENERAL ALLEGATIONS

4. Admitted.

5. Admitted.

6. Admitted.

7. Admitted.

8. Admitted.

9. Admitted.

10. Admitted.

11. Admitted.

AUGUST 26, 2008 ELECTION

12. Admitted.

13. Admitted.

14. Admitted.

16. Admitted.

17. Admitted.

18. Defendants admit returns indicated Plaintiff received 17 more votes, otherwise denied.

19. Defendants admit the Unofficial Primary Turnout results reported by the election tabulation system for Palm Beach County indicated 102,523 ballots cast and 90,733 ballots were cast for the race of Circuit Court Judge, Fifteenth Judicial Circuit, Group 23.

THE RECOUNTS

20. Admitted.

21. Defendants admit Exhibit "B" speaks for itself, otherwise without knowledge, therefore denied.

22. Defendants admit § 102.141(7), F.S., speaks for itself, otherwise without knowledge.

23. Defendants admit the number of reported votes cast as stated and Exhibit "C" speaks for itself, otherwise denied.

24. Defendants admit the set of "Second Unofficial" returns showed 85,885 votes counted with Defendant Wennet receiving 61 more votes than Plaintiff Abramson.

25. Denied.

26. Defendants admit § 102.166(1), F.S., speaks for itself as does Exhibit "D", otherwise denied.

27. Defendants admit when the manual recount was undertaken there were 11,241 overvotes and undervotes determined, otherwise denied.

28. Defendants admit Palm Beach County Canvassing Board conducted a manual recount, otherwise denied.

29. Defendants admit Exhibit "C" speaks for itself, otherwise denied.

30. Denied.

31. Denied.

**CERTIFICATION OF RESULTS OF THE
ELECTION OF AUGUST 26, 2008**

32. Defendants are without knowledge, therefore denied.

33. Defendants are without knowledge, therefore denied.

34. Defendants admit Exhibit "F" speaks for itself,
otherwise without knowledge, therefore denied.

COUNT ONE

35. Defendants adopt by reference responses to paragraphs
1-34, otherwise without knowledge.

36. Defendants admit § 102.141(7)(c), F.S., speaks for
itself.

37. Denied.

38. Denied.

39. Denied.

40. Defendants are without knowledge, therefore denied.

COUNT TWO

41. Defendants adopt by reference paragraphs 1-34.

42. Defendants are without knowledge, therefore denied.

43. Defendants are without knowledge, therefore denied.

44. Admitted.

45. Denied.

46. Denied.

COUNT THREE

47. Defendants adopt by reference paragraphs 1-34.

48. The vote counts reported in the second unofficial returns speak for themselves, otherwise denied.

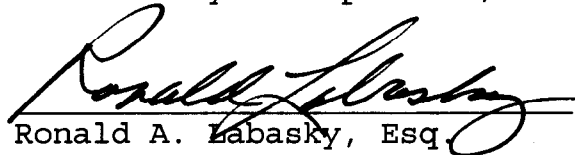
49. Admitted.

50. Admitted.

51. Denied.

52. Defendants are without knowledge, therefore denied.

Respectfully submitted this 11th day of September, 2008.



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Supervisor of Elections

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Email and U.S. Mail on this 11th day of September 2008, to:

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