

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW, et al.,

Plaintiffs,

vs.

CATHY COX, et al.,

Defendants.

CIVIL ACTION

FILE NO.

1:06-CV-1891-JTC

30 (b) (6) DEPOSITION OF

DANA WILLIAMS

August 31, 2006

10:40 a.m.

34 Peachtree Street
1700 One Park Tower
Atlanta, Georgia

Susan M. Pitts, CCR-B-1806, RPR

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APPEARANCES OF COUNSEL

On behalf of the Plaintiffs:

BRADLEY E. HEARD, Esq.
Molden, Holley, Fergusson, Thompson & Heard
One Park Tower
34 Peachtree Street, N.W., Suite 1700
Atlanta, Georgia 30303-4501

On behalf of the Defendants:

STEFAN E. RITTER, Esq.
Office of the Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334

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1 (Reporter disclosure made pursuant to
2 Article 8.B. of the Rules and Regulations of the
3 Board of Court Reporting of the Judicial Council
4 of Georgia.)

5 MR. RITTER: This will be the deposition
6 pursuant to Federal Rule of Civil Procedure
7 30(b)(6) of the Association of Community
8 Organizations For Reform Now, otherwise known as
9 ACORN. And I understand on behalf of ACORN
10 today we have Mr. Dana Williams.

11 Mr. Williams, I would like to thank you
12 for being here.

13 MR. WILLIAMS: Thank you.

14 MR. RITTER: This deposition is taken
15 pursuant to notice with agreement between
16 counsel as to the time and place. And just for
17 the record, I will attach a copy of the notice
18 to the record.

19 (Defendant's Exhibit 1 was marked for
20 identification.)

21 And before we go further, why don't we
22 please swear the witness.

23 DANA WILLIAMS,
24 having been first duly sworn, was examined and
25 testified as follows:

1 MR. RITTER: And have you discussed with
2 Mr. Williams the idea or possibility of reading
3 and signing his deposition?

4 MR. HEARD: He will read and sign.

5 MR. RITTER: One thing that we haven't
6 discussed is use of the deposition before he has
7 a chance to complete that. Obviously we'll be
8 using the deposition at the preliminary
9 injunction hearing. I don't want to delay
10 things. Will that be a problem?

11 MR. HEARD: No. Mr. Williams will still
12 maintain his right to read and sign the
13 deposition and to correct any errors, but we are
14 not going to object to you using the transcript
15 before then.

16 MR. RITTER: Great. Thanks. And just for
17 the record, I've also asked for an expedited
18 transcript so that we can proceed as quickly as
19 possible on that.

20 MR. HEARD: Okay.

21 CROSS-EXAMINATION

22 BY MR. RITTER:

23 Q. Mr. Williams, before I get to your
24 testimony, let me just tell you who I am and who I
25 represent. First, thank you for being here today.

1 My name is Stefan Ritter. I am one of the
2 folks who works for Thurbert Baker, the attorney
3 general, and I happen to represent all the defendants
4 in this case, which is a healthy list. And I
5 understand Mr. Heard represents all the plaintiffs.
6 But I notice that you have a lot of connection with a
7 number of the plaintiffs.

8 A. Yes.

9 Q. So it's helpful that you are here today.
10 Should I ask you any questions that I go too fast,
11 that are unclear, that you need clarification, please
12 just ask me, I'll be happy to try to clarify that
13 question?

14 A. Okay.

15 Q. Okay. Thank you. And, of course, please
16 answer with a "yes" or "no". "Okay" is okay too, but
17 don't nod your head or say "uh-huh" or "huh-uh"
18 because that's so hard to transcribe.

19 A. Yes. Okay.

20 Q. Okay. Let's begin with a little bit of
21 your background. What is your current position?

22 A. I am the chairman for Georgia ACORN.

23 Q. How long have you had that position?

24 A. Three years now.

25 Q. What do those duties entail being the

1 chairman of Georgia ACORN?

2 A. The chairmanship consists of holding board
3 meetings with all of our various board members, which
4 consists of various chapters throughout the state;
5 getting coalitions together for other agencies
6 throughout the state for various programs that will
7 help low income and moderate people in the state.

8 Q. Do you participate in voter registration
9 drives?

10 A. Yes.

11 Q. And when I say "you", I mean you
12 personally, Mr. Williams?

13 A. Yes, I have.

14 Q. And, of course, ACORN participates in --

15 A. Yes.

16 Q. -- voter registration drives?

17 Does it do that directly or does it do
18 that with other organizations or both?

19 A. Both.

20 Q. When you participate in voter registration
21 drives, what are your duties there?

22 A. My duties were to help, first, the staff
23 in any way I can with the registration forms and also
24 as well as registering new registrants.

25 Q. You have direct interaction with the

1 people who are actually registering to vote?

2 A. Yes.

3 Q. But you are also familiar with the
4 procedures of ACORN both at specific drives and in
5 general what's required?

6 A. Yes.

7 Q. Let's run through your prior work history,
8 and we will come back to some of this. What did you
9 do before you were chairman of Georgia ACORN?

10 A. Well, I did trade shows. I built booths
11 for exhibitors.

12 Q. Do you still do that?

13 A. No. I'm not doing that now.

14 Q. How long did you engage in the trade show
15 business?

16 A. Ten years.

17 Q. Were you working with Georgia ACORN at
18 that time?

19 A. I started at the end of that year, end of
20 the -- well, 2004.

21 MR. HEARD: Let me ask you, Stefan.

22 MR. RITTER: Sure.

23 MR. HEARD: I mean, not that -- I don't
24 think we would have an objection to it, but this
25 is a deposition for ACORN and you are starting

1 to ask him questions about his individual
2 background. And to the extent that you want to
3 also depose him individually, I don't think we
4 would object to that.

5 MR. RITTER: Sure. Let me explain. As I
6 put in my notice, of course, I want to know the
7 background and the qualifications of the
8 witness. I'm not going to spend a lot of time
9 on this, but I do want to know Mr. Williams'
10 background and how he is going to be able to
11 testify about this.

12 MR. HEARD: Okay.

13 MR. RITTER: I see we have gone back 13
14 years now, and I'm going to have a couple of
15 other questions about this, and then we will
16 move on.

17 MR. HEARD: Okay.

18 MR. RITTER: But I recognize what your
19 point is and, frankly, I'm not interested in
20 wasting time.

21 MR. HEARD: No, no. You and me both.

22 Q. (By Mr. Ritter) While you were in the
23 trade show business, were you also engaged as a voter
24 registrar; did you register people to vote?

25 A. No.

1 Q. Were you registered to vote at that time?

2 A. Yes.

3 Q. Have you been continuously registered to
4 vote for the last 13 years?

5 A. Yes.

6 Q. Now, I believe you testified that you
7 started to work with Georgia ACORN at the end of that
8 10-year period that you were working in the trade
9 show business?

10 A. Right.

11 Q. And in what capacity were you working with
12 them?

13 A. With ACORN?

14 Q. Yes. At the end of that period?

15 A. I was appointed as chairman at the end of
16 my tenure as trade show. That position is not a paid
17 position. It's a volunteer position. I am a member
18 of ACORN, a paying member of ACORN.

19 I became chairman through the organizing
20 that we did to try to get the community together in
21 which I lived in for obtaining keeping our school
22 open.

23 Q. Could you describe for me in a little bit
24 more detail about how you came to be associated with
25 ACORN?

1 A. We had asked them to come into the
2 community and organize the community to keep from
3 closing our elementary school at that particular
4 time. And they showed the community, as we joined
5 membership at ACORN, how we could stand together as a
6 community to talk to the powers that be to allow us
7 to keep our school intact and things of that nature.

8 Q. Okay. And through your connection with
9 them you immediately then became affiliated with
10 ACORN and became the chairman?

11 A. Yes.

12 Q. You never worked as a volunteer or at a
13 lower level with ACORN before you became the
14 chairman?

15 A. No.

16 Q. But your position as chairman, as you
17 described it, is a volunteer position?

18 A. Yes.

19 Q. You are not paid for that position?

20 A. No.

21 Q. Do you make any income through your role
22 with ACORN?

23 A. No.

24 Q. What do you do for an income now?

25 A. Right now I'm unemployed.

1 Q. Okay. Since your period in the trade show
2 business, between then and the current day, have you
3 been employed --

4 A. Yes.

5 Q. -- anywhere else?

6 A. Yes.

7 Q. Where else?

8 A. University Community Academy, charter
9 school.

10 Q. And what happened with that charter
11 school; why are you no longer there?

12 A. The Title I funds ran out.

13 Q. They were not renewed?

14 A. They were renewed, but I'm looking for a
15 permanent position now.

16 Q. Okay. Who is the owner of that charter
17 school?

18 A. Well, the principal is Dr. Jim Harris.
19 It's a public charter school under APS.

20 Q. Public charter schools are privately
21 owned, are they not?

22 A. We have a management team in place that --
23 the parents run the school, have a say for the
24 school. We have a board in place as well.

25 Q. Right.

1 A. And the management team is responsible for
2 the daily management of the school, but it's --
3 that's about the extent of it. Any child in the city
4 of Atlanta can go to that school, so it's a public
5 school.

6 Q. Let's move on back to Georgia ACORN. Who
7 else are the officers of Georgia ACORN besides
8 yourself?

9 A. Overseer Andrews.

10 Q. Can you spell that?

11 A. Overseer. Cynthia Andrews.

12 Q. Okay.

13 A. Cynthia Andrews.

14 Q. And her position is overseer?

15 A. At our church. She is an overseer at our
16 church.

17 Q. Okay.

18 A. She is out at Douglasville.

19 Q. Okay.

20 A. Ms. Beatrice Harmon.

21 Q. Uh-huh.

22 A. She is over our -- she is the president of
23 the Oakland City chapter.

24 MR. HEARD: Stefan, you are talking about
25 board members for Georgia ACORN, right?

1 MR. RITTER: Yes.

2 MR. HEARD: Okay.

3 THE WITNESS: Dr. Kwali Pataki.

4 Q. (By Mr. Ritter) Okay.

5 A. And he is president for University
6 Community Academy Charter School.

7 Q. And is affiliated with ACORN?

8 A. Yes, he is a member of ACORN. All of
9 these are members of ACORN. They have been elected
10 as president of those various chapters. That's how
11 they get on the board.

12 Q. Right.

13 A. Ms. Linda Adams, and she is over the Vine
14 City chapter.

15 Q. Uh-huh.

16 A. And, of course, myself; I'm over the Dixie
17 Hill chapter.

18 Q. Okay. If you don't mind me saying, it
19 seems like quite a jump to go from not being
20 affiliated with the organization to suddenly being
21 chairman.

22 How did it come about they decided to make
23 you chairman right from the get-go?

24 A. It wasn't right from the get-go. They
25 had -- ACORN had started new drives in Georgia at the

1 time when we were -- I went to one of their meetings
2 and joined as a member. And as I joined as a member,
3 then we had these issues going on with the school,
4 and we felt that ACORN could help out.

5 In the meantime, the head organizer at
6 that particular time, his job was to set up staff as
7 well as board members at that time. And as the
8 chapters were being established, that's how they were
9 putting people on the board, so that's how it came
10 about me being the chairman. I was elected then as
11 the chairman through the various board members that
12 were put in place from the elections.

13 Q. Okay. When did Georgia ACORN become
14 established itself?

15 A. I'm not sure of the exact date. I know --
16 I'm not sure of the exact time.

17 Q. Was it two years ago when you became
18 chairman or was it four or five years ago?

19 A. No. It was about two years. I've been at
20 ACORN for three years now. So that's 2003, '04, last
21 of '03 or early part of '04.

22 Q. So you started with ACORN and ACORN really
23 began end of 2003, beginning of 2004?

24 A. Yes.

25 Q. And as to its voter registration

1 activities during that period, you are familiar with
2 those from end of 2003, whatever they might have
3 been, through the present day?

4 A. Yes.

5 Q. Where does ACORN get its funding?

6 A. Beg your pardon?

7 Q. Where does ACORN get its funding?

8 A. Get certain fundings from various grants.
9 The voter registration, we were getting from Project
10 Vote.

11 Q. Was anybody else giving you grants for
12 voter registration activities besides Project Vote?

13 A. No.

14 Q. Could you describe for us what the
15 relationship is between ACORN and Project Vote?

16 A. Project Vote was the vehicle that was used
17 to -- that we used to get our funding to go out and
18 actually register voters throughout the state of
19 Georgia. We would get the registration information,
20 submit it back to them, and then they would do what
21 they do with it.

22 Q. Did Project Vote train the volunteers for
23 the registrations or did ACORN do that?

24 A. ACORN trained them.

25 Q. How did ACORN get its training for voter

1 registration?

2 A. We got our training through the state
3 registrar's office.

4 Q. Okay. And do you know who the trainers
5 were there?

6 A. Who did the actual training?

7 Q. Yes.

8 A. No, I do not.

9 Q. Do you remember Kathy Rogers or Cliff
10 Tatum?

11 A. Names are familiar. I think I might have
12 had a meeting with them in the past. I'm not sure.

13 Q. Did Project Vote provide any voter
14 registration training?

15 A. Not to my knowledge.

16 Q. Now, was Project Vote preexisting when
17 ACORN, Georgia ACORN that is, came into existence?

18 A. Yes, they were.

19 Q. And who do you deal with at Project Vote?

20 A. I'm not sure who they dealt with at that
21 particular time, because I was out of that frame of
22 time.

23 Q. Okay. But you know they had been around
24 before then?

25 A. Yes, yes.

1 Q. Okay. To your knowledge, had they been
2 conducting voter registration drives in Georgia prior
3 to your involvement?

4 A. I don't know.

5 Q. Who do you deal with at Project Vote now?

6 A. I am dealing with the attorney, Brian
7 Mellor.

8 Q. Okay.

9 MR. HEARD: M-e-l-l-o-r.

10 Q. (By Mr. Ritter) Who else?

11 A. That's it.

12 Q. Have you dealt with anybody else from
13 Project Vote in the past or is it only Brian Mellor?

14 A. He is the only one that I personally have
15 dealt with.

16 Q. Who else has ACORN dealt with?

17 A. I'm not sure.

18 Q. But you believe there have been other
19 people besides Brian Mellor?

20 A. Yes.

21 Q. And for that matter, let's go back to
22 ACORN's larger structure. Do you deal with the
23 southeastern coordinator for ACORN?

24 A. Yes, Brian Kettenring.

25 Q. Kettenring?

1 A. Yes.

2 Q. Who else do you deal with from ACORN
3 either locally or nationally?

4 A. Just Brian. He is the regional.

5 Q. Stephanie L. Moore, do you know her?

6 A. No, I don't.

7 Q. Now, did you ever have a chance to read
8 the affidavits that were filed with the brief in
9 support of the --

10 A. Yes, I did.

11 Q. Do you recall seeing Ms. Moore's
12 affidavit?

13 A. I remember seeing it.

14 Q. I believe she identifies herself on her
15 affidavit as the national voter registration field
16 director for ACORN. But you do not know her?

17 A. I don't know her by name. I might know
18 her by face.

19 Q. Okay. Did you have an opportunity to read
20 the complaint in this case before it was filed?

21 A. Before it was filed?

22 Q. Yes.

23 A. Yes.

24 Q. Have you gone back and familiarized
25 yourself with these allegations again?

1 A. Yes.

2 Q. Have you ever attended any State Election
3 Board meetings?

4 A. No.

5 Q. Do you know if anybody from ACORN has ever
6 attended --

7 A. Oh.

8 Q. Excuse me. Do you want to correct that?

9 A. Yes. We had a meeting beginning in 2005
10 about the new laws that the state was going to -- was
11 dealing with in terms of registering voters.

12 Q. You say "we". Who is "we"?

13 A. Brian Mellor, myself, and the ACORN
14 organizer, who is no longer with ACORN.

15 Q. Who is that?

16 A. I've forgot his name. I'm sorry.

17 MR. HEARD: Stefan, just to clarify, I
18 think he is testifying to a -- not an official
19 State Election Board.

20 MR. RITTER: I understand that. And I'll
21 come back.

22 Q. (By Mr. Ritter) This is a meeting between
23 Project Vote's representatives and ACORN discussing
24 the new regulations you are talking about?

25 A. Yes.

1 Q. Did you have any other meetings or attend
2 any meetings of the State Election Board?

3 A. Not me.

4 Q. Has anybody else on behalf of ACORN?

5 A. Not that I know of. I don't know.

6 Q. Have you attended any meetings from the
7 Secretary of State's office regarding new
8 registration regulations or regulations governing
9 people who are registering people to vote?

10 A. No.

11 Q. Besides your initial -- when I say "your",
12 I should clarify. Besides ACORN's initial period of
13 training from the Secretary of State's office, has
14 there been any other training that ACORN has received
15 in the voter registration process?

16 A. No.

17 Q. Have you dealt, to your knowledge, with
18 anybody specific at the Secretary of State's office
19 regarding voter registration?

20 A. Other than that meeting I mentioned to you
21 before. I don't remember the parties' involved names
22 at the time, when Brian Mellor was with me.

23 Q. Brian was there, and the employee who you
24 don't remember?

25 A. Yes.

1 Q. Who else was at that meeting?

2 A. The two other officials from the State who
3 were over the election. And I'm sorry, I just don't
4 have their names with me right now.

5 Q. Might they have been Kathy Rogers and
6 Cliff Tatum?

7 A. I think that sounds familiar, yes.

8 Q. Do you know Florence Jackson?

9 A. No.

10 MR. HEARD: Frances Jackson, you mean?

11 MR. RITTER: I'm sorry. I'm bad at names
12 too.

13 Q. (By Mr. Ritter) Frances Jackson.

14 A. I just remembered the gentleman's name.
15 His name is Robert Harris, the other ACORN member.
16 He was a lead organizer.

17 Q. Why did he leave ACORN?

18 A. He didn't fulfill his obligation as an
19 organizer.

20 Q. What does that mean?

21 A. In other words, he didn't do a good
22 organizing job, job qualifications. When he'd go out
23 and organize the community and things of that nature,
24 he wasn't doing a good job.

25 Q. Was he a paid employee?

1 A. Yes, he was paid.

2 Q. Besides the funding you get from Project
3 Vote, is there any other source of revenue or funding
4 for ACORN?

5 A. Yes. Like I said, we get grants from
6 various different organizations. We do fundraising
7 as well, and then we get our membership dues, which
8 is \$10 a month, helps supply the officers, take care
9 of the officers' expenses.

10 Q. What organizations besides Project Vote
11 give you grants?

12 A. The archdiocese, Catholics, CCHD grant.
13 We have a lead grant from HUD.

14 Q. And that's not for --

15 A. Not for voter registration.

16 Q. Right.

17 A. The only voter registration thing is
18 Project Vote.

19 Q. Got you. But other money generally that
20 ACORN gets is from CCHD, which is the Catholic group?

21 A. Right.

22 Q. And then HUD for lead paint?

23 A. Yes.

24 Q. Anybody else?

25 A. As I said, we do fundraising. That's

1 about it.

2 Q. Right. Regarding the lead paint, have you
3 dealt with a woman named Ms. Cruz?

4 A. Name sounds familiar.

5 Q. I think her name is Almeida Cruz?

6 A. What's that?

7 Q. Almeida Cruz?

8 A. Not sure.

9 Q. And I'm sorry to be redundant, but just so
10 that I'm clear and I understand, prior to late 2003
11 you had no involvement in the voter registration
12 process?

13 A. No.

14 Q. Let's go through time and talk about some
15 of the voter registration campaigns that ACORN has
16 conducted.

17 When was the campaign that you recall?

18 A. I'm not certain because I don't have those
19 records before me. I didn't get a chance to look at
20 them. We have actually relocated our office, and a
21 lot of that paperwork is like in boxes and things of
22 that nature. So I don't want to speculate here, so I
23 can't just tell you what the actual dates were.

24 Q. I'm not going to hold you to the exact day
25 and time that the drive was conducted. Why don't we

1 start like this: Did you conduct any voter
2 registration drives in 2003? And by "you", I mean
3 ACORN.

4 A. I'm not sure.

5 Q. Might have, but you are not sure?

6 A. Yeah, might have, but I'm not sure.

7 Q. Did you conduct any in January or February
8 2004?

9 A. Like I said, I can't remember when we
10 actually started the voter registration around that
11 time.

12 Q. You might have, but you don't know for
13 sure?

14 A. Yeah, might have, but don't know for sure.

15 Q. Within the first four months, say, through
16 April 2004, have you conducted voter registration --

17 A. Yes. I know they did it around that time.
18 Now, the dates, the months, I'm not certain; but we
19 did do it around those times.

20 Q. Okay. And, of course, we can go through
21 the rest of the year, but let me ask you this: How
22 many voter registration drives, to the best of your
23 knowledge, did ACORN conduct in the year 2004 in
24 Georgia?

25 A. When you say "drives", do you mean --

1 explain your definition of "drives".

2 Q. Actually, that's a very good question. I
3 think the better thing to do is why don't you tell me
4 what you understand to be a voter registration drive
5 or voter registration activity, and we can go from
6 there. And if it's different types of things at
7 different times, we can be clear about that.

8 A. Well, what our drives are, a drive is
9 going out to various different areas throughout the
10 city and registering voters. We went out throughout
11 the city to do that, the malls, the grocery stores,
12 the MARTA stations.

13 So we just -- I just need to know, when
14 you say "drive", do you mean one particular place,
15 location, or in the communities, or what are you
16 talking?

17 Q. By your understanding, we can use the
18 drive either way, an overall effort during a certain
19 period to have a number of different places you go
20 out to or a specific place you go out to.

21 Let's start by talking about specific
22 places and go back. During 2003, to your
23 recollection, did ACORN go to any specific places to
24 try to gather voter registrations?

25 A. It would have been near the end of 2003, I

1 believe.

2 Q. I'm not going to hold you to the exact
3 date.

4 A. We started at the MARTA stations.

5 Q. In metro Atlanta, of course?

6 A. Yes.

7 Q. And then what came next after that?

8 A. They did the malls as well as grocery
9 stores in low/moderate income communities.

10 Q. Okay. And how far have we gone through
11 now?

12 A. We are in 2004.

13 Q. 2004?

14 A. Yeah.

15 Q. First couple of months?

16 A. Yeah. Well, two or three months.

17 Q. First two or three months. About how many
18 malls do you think they went to?

19 A. I would say about four.

20 Q. Okay. And did they go to all the metro
21 MARTA stations or --

22 A. Yes, yes.

23 Q. How about the grocery stores, certain
24 areas? Are we talking five, ten, a hundred?

25 A. All in the low/moderate income

1 neighborhoods, about ten, five to ten.

2 Q. Is that five to ten per neighborhood or
3 five to ten total?

4 A. Five to ten total.

5 Q. Again, we're talking first three or four
6 months 2004?

7 Now, you are very clear about trying to
8 distinguish the two different meanings of the voter
9 registration drive. Let me refer to the larger thing
10 where you go out to a lot of different places and
11 maybe a voter registration push, okay? I don't know
12 if that's a good term but maybe that will help
13 clarify.

14 Did you have any organized voter
15 registration pushes during that period? We are
16 talking through the first maybe four months of 2004.

17 A. They did, but I don't know the month where
18 there were activities going on throughout the city,
19 like at festivals, and they did drives at the
20 festivals.

21 Q. The various festivals throughout the city?

22 A. Yes.

23 MR. HEARD: When you say a push, Stefan,
24 do you mean just a larger campaign?

25 MR. RITTER: That's right.

1 MR. HEARD: Larger campaign.

2 Q. (By Mr. Ritter) Was there a campaign to
3 make sure you got to all the festivals?

4 A. Yes.

5 Q. And about how many festivals do you think
6 your folks got to?

7 A. I'm not sure. I don't know.

8 Q. Again, are we talking two, three, five,
9 ten? Best estimate. Exact number doesn't matter.

10 A. I know around that time I would imagine
11 about five.

12 Q. Now, we may come back and pick up some
13 more of the activity later, but let's go through
14 this. Tell me first, for instance, the decision to
15 go to the MARTA stations, this is what I want to
16 know. I'm going to give you an overview. I want to
17 know how that decision was made, who made it, and
18 then how you went about executing it, all the things
19 you needed to do right up to going and putting out
20 the tables. And I know you probably don't have a
21 specific recollection of each one. That's okay.
22 Tell me generally what you know about that.

23 A. What the person in charge did was after
24 they hired the outreach people to do the voting, they
25 identified certain neighborhoods and venues where

1 there was a crowd of people that they could actually
2 register to vote. Five Points train station and all
3 the other train stations throughout town was one of
4 the best places to go at that particular time to
5 register voters. A lot of our strong numbers came
6 from there.

7 Q. Okay.

8 A. And the procedure, once they found that it
9 was okay to go in there and do those, to register the
10 voters without anything being against the law or what
11 have you, they were able to go in there and
12 successfully register voters as they came in the
13 station and went out of the station as well.

14 Q. Okay. Did they set up a table at the
15 station?

16 A. No, no, no.

17 Q. Did they just walk around with forms?

18 A. Clipboards and forms, yes.

19 Q. Clipboards and forms?

20 A. Yes.

21 Q. And what forms were those?

22 A. The voter registration form.

23 Q. Would that be a Georgia form?

24 A. Georgia form.

25 Q. And that would be the form that you had

1 training on from the Secretary of State's office?

2 A. I was not trained, so I don't know. I'm
3 assuming that's what they were trained on.

4 Q. That would be the -- you believe ACORN was
5 trained on that form?

6 A. Yes.

7 Q. And what were the clipboards used for?

8 A. For them to write on. When they fill out
9 the form, they had something to write on.

10 Q. Okay. So was there any other paper on the
11 clipboard to keep notes or anything like that?

12 A. No.

13 Q. I know you probably don't recall the
14 names, but can you tell me where the volunteers came
15 from or the paid people came from who did that?

16 A. There was some advertisement done in the
17 local paper for outreach workers for the voter
18 registration drive that ACORN held.

19 Q. Okay. And then people would respond to
20 that and they would be hired?

21 A. Yes. They would come through and they
22 would be screened and then they'd get hired.

23 Q. Okay. How much were they paid?

24 A. I believe it was 7. I'm not sure. \$7 an
25 hour.

1 Q. That's your best guess, \$7 an hour?

2 A. Yes.

3 Q. Who was in charge of those drives? I'm
4 referring to the specific at the different MARTA
5 stations?

6 A. Do you mean overall the --

7 Q. Well, we could take it drive by drive, but
8 was there a person in charge of the overall?

9 A. Yes.

10 Q. Who was that?

11 A. Her name was Nicki Peraclear. Nicole
12 Peraclear.

13 Q. Could you spell that last name? Give it
14 your best shot.

15 A. P-e-r-clear, P-e-r-a-clear, Peraclear.

16 Q. Got you. We will use that until we know
17 better. Is Ms. Peraclear still with ACORN?

18 A. No.

19 Q. Why is she no longer with ACORN?

20 A. Once that position was over she was -- she
21 didn't meet the rest of the criteria that was needed
22 to be an organizer.

23 Q. Okay. Was she paid?

24 A. Yes.

25 Q. Who trained Ms. Peraclear?

1 A. Voter registration, the State.

2 Q. As far as the people who were paid to go
3 out and collect the registration applications, who
4 trained them?

5 A. She did.

6 Q. Ms. Peraclear did?

7 A. Yes.

8 Q. So she got her training from the State and
9 she went out and trained the individuals?

10 A. Right.

11 Q. But there was no table or anything like
12 that set up to collect the voter registration
13 applications during those MARTA drives?

14 A. No.

15 Q. What happened to the applications after
16 they were collected?

17 A. Once they were collected, they were
18 brought back into the office. They were signed off
19 stating how many were brought in and who brought them
20 in. And then the information was verified by the
21 staff that worked in the office and a Xerox copy was
22 made, the information was sent over to Kinko's to be
23 Xeroxed to Project Vote and then to the state
24 registrar's office.

25 Q. They were sent to the State. To the best

1 of your knowledge, were the people all registered to
2 vote qualified?

3 A. Yes, they were.

4 Q. Now, was there a deputy registrar there at
5 that MARTA drive?

6 A. I'm not sure.

7 Q. You don't know that there was one?

8 A. No, I don't know. I know -- no, I don't
9 know.

10 Q. What other permissions or procedures had
11 to be done by ACORN before going out and conducting
12 those individual voter registration drives?

13 A. Repeat that again.

14 Q. Did you have to get any permissions from
15 anybody, sign any licenses, get any permits, anything
16 like that to do this?

17 A. No. But when we went to the stores, we
18 had to get permission from the managers to do it, sit
19 in the stores and set up a table there.

20 Q. Because that's on private property?

21 A. Yeah. But at MARTA there were no tables
22 that were set up. We used clipboards so they could
23 go around.

24 Q. Was anything stopping the folks from just
25 going out and handing out applications to people to

1 register to vote?

2 A. No.

3 Q. Did you keep a list of the names of the
4 people who registered to vote at that time?

5 A. Yes.

6 Q. Was that separate from the copies you made
7 of the applications, or was it just the copies of the
8 applications?

9 A. It was transposed into a data-type form to
10 follow up and call people if they needed rides to
11 vote, the polls.

12 Q. On voting days ACORN would provide rides
13 to people --

14 A. Yes.

15 Q. -- to help get them to the polls?

16 A. Yes, if need be.

17 Q. So a list was made of those people?

18 A. Right.

19 Q. And how did you know, since it's not on
20 the application, whether someone would need a ride or
21 not?

22 A. In some cases, I know for myself because I
23 did it, we would ask the registrant would they need a
24 ride to the poll so we could make arrangement for
25 them to get there.

1 Q. Okay. And how did you note that?

2 A. We asked them.

3 Q. Well, you asked them. Did you write it
4 down?

5 A. Did we write it down?

6 Q. Yes.

7 A. I did, and I imagine -- I can't speak for
8 the others how they did it, but I know I did.

9 Q. So you kept a separate list of the people
10 who needed driven to the polls?

11 A. Yes.

12 Q. Let me look over my notes before I jump
13 too far ahead.

14 MR. HEARD: Actually, while you are
15 looking, can we take a short break? I need to
16 run to the rest room.

17 MR. RITTER: Absolutely.

18 (Recess from 11:20 a.m. to 11:25 a.m.)

19 Q. (By Mr. Ritter) We're back on the record.
20 Tell me the process about going to get a deputy
21 registrar to be at a voter registration drive?

22 A. I'm not sure. I don't know because I
23 didn't do that.

24 Q. You have never done that?

25 A. No. I don't know the procedure in that.

1 Q. Okay. You have organized voter
2 registration drives yourself, though?

3 A. Yes. I've done some drives.

4 Q. Were deputy registrars at all of those
5 drives?

6 A. No, not mine.

7 Q. Got you. Now, tell me about voter
8 registration drives where you had tables. Have you
9 had some drives where you have had tables?

10 A. Yes.

11 Q. Tell me how those were conducted.

12 A. We got the permission -- well, I got the
13 permission from the Kroger's at the West End Mall to
14 set up as long as we wanted to register folks as they
15 came in to shop or as they left out. And they would
16 register right there. And they would ask about
17 the -- if they had a felony if they could still
18 register to vote. And we explained to them the law
19 as it applied to those who had paid off their fines
20 and they were able to still vote.

21 Q. You understood that in Georgia, unlike
22 some other states, people who have been convicted of
23 a felony that have completed their sentence, paid
24 their fines --

25 A. Yes.

1 Q. -- they are lawful voters?

2 A. Yes.

3 Q. Okay. Do you know --

4 MR. HEARD: Let him finish the question
5 before --

6 MR. RITTER: That's okay.

7 Q. (By Mr. Ritter) Do you know whether
8 that's a law in other states?

9 A. I don't know.

10 Q. Did you always make copies after the voter
11 registration drive of the voter registration
12 applications?

13 A. Yes.

14 Q. When did that stop, if it did?

15 A. I guess after voter registration ended.

16 Q. Well, I'll come back to that question. We
17 discussed through the first three or four months of
18 2004. Can you give me an idea of overall how many
19 voter registration drives -- and by this I mean going
20 to a specific location -- ACORN conducted in Georgia
21 through 2004?

22 A. Repeat that again.

23 Q. Through the year 2004, calendar year, how
24 many times did ACORN engage in voter registration
25 activity, going to a mall, going to a MARTA station,

1 going to a festival, grocery store, whatever?

2 A. It was every day, Monday through Friday --
3 Monday through Saturday.

4 Q. Hundreds?

5 A. Yes.

6 Q. Sometimes more than one a day?

7 A. Oh, yeah.

8 Q. And that went through all of 2004?

9 A. Up until election time, yeah.

10 Q. Which would have been November of 2004?

11 A. Yes.

12 Q. And then the end of November, December
13 2004, did you still conduct voter registration drives
14 or was there sort of a moratorium at that point?

15 A. I'm not sure. I know we were winding down
16 our voter registration department completely after
17 the elections.

18 Q. When did you wind it back up?

19 A. We haven't.

20 Q. That was after the elections in 2004 you
21 wound it down?

22 A. Right.

23 Q. And why did you wind it down at that time?

24 A. Funding was out and elections had ended.

25 Q. And the funding was for those voter

1 registration activities through the 2004 --

2 A. Yes.

3 Q. -- election?

4 A. Yes.

5 Q. At that point you had no more funding?

6 A. That's right.

7 Q. And to get this funding, what did you have
8 to do with Project Vote?

9 A. I'm not certain of all the particulars
10 that Project Vote had required. I do know
11 registering the voters was one of the things, but I
12 don't know all the particulars in it.

13 Q. Can you give me an estimate of how many
14 voters you think ACORN registered during that period?

15 MR. HEARD: During 2004?

16 Q. (By Mr. Ritter) During 2004, that stopped
17 their registration activities at that point?

18 A. I would estimate at around 20,000.

19 Q. Fair enough. Have you registered any
20 voters after that time?

21 A. No.

22 Q. So since the end of 2004 when the election
23 was held, ACORN has been focusing on its other
24 activities, community outreach type efforts?

25 A. Right.

1 Q. Not voter registration?

2 A. Not voter registration.

3 Q. Have you applied for grants for voter
4 registration?

5 A. No, no.

6 Q. Do you use sign-up sheets at your voter
7 registration drives?

8 A. I'm not sure.

9 Q. Well, obviously -- go ahead. Please.

10 A. I didn't use one when I did it, but there
11 were some sheets. I don't know procedures when
12 everyone else was out there. I can only speak on
13 what I did when I was out there.

14 Q. So other people might have used them?

15 A. Yes.

16 Q. But you did not?

17 A. No.

18 Q. Was there a reason why you didn't?

19 A. I just didn't.

20 Q. But you did keep a list of those voters
21 who would need to be picked up to be taken to the
22 polls?

23 A. Yes, I did that.

24 Q. Who made the copies when the photocopies
25 were made? I think you said it was Kinko's?

1 A. Yes.

2 Q. Did you use anybody else besides Kinko's?

3 A. No.

4 Q. It was always Kinko's?

5 A. It was always Kinko's.

6 Q. Okay. Were any security measures taken
7 with those applications when you --

8 A. Yes.

9 Q. Tell me what those were.

10 A. They would secure them in a locked file
11 cabinet, if they had to keep them overnight, in a
12 locked office. The only ones that had the keys to
13 the office was the lead organizer and the deputy
14 registrar.

15 Q. Now, you say "they". Do you mean Kinko's?

16 A. No. No. ACORN lead, head organizer,
17 ACORN deputy registrar.

18 Q. And this is during the process of getting
19 them from having collected them to the copying?

20 A. Right.

21 Q. Now, once the copying is done, then what
22 happens? The originals are sent in?

23 A. The originals are sent in or they are
24 taken in.

25 Q. All to the Secretary of State's office?

1 A. Yes.

2 Q. And what about the copies, what happens to
3 those?

4 A. The copies would go to the Project Vote.

5 Q. Is that in town?

6 A. They are in New York.

7 Q. You mail them all to New York?

8 A. Yeah, they overnight them to New York from
9 there.

10 Q. Did you have permission forms regarding
11 copies that were being made?

12 A. That, I'm not sure. I don't know.

13 Q. You never used a permission form yourself
14 when you made the copies?

15 A. No.

16 Q. Did you ever ask someone for permission to
17 make a copy of their application?

18 A. No.

19 Q. Do you know what Project Vote did with the
20 applications once they received them?

21 A. No, I don't.

22 Q. How did you know, since you sent the
23 copies to Project Vote, who were going to be the
24 people that you were going to take to the polls on
25 election day?

1 A. They had a list -- ACORN had a list of
2 people that needed a ride.

3 Q. How was that list made? I know you took
4 your own list when you --

5 A. Yeah, but I don't know how they did the
6 rest of them. I don't have a clue. I don't know.

7 Q. Was that information taken off of the
8 applications?

9 A. I don't know.

10 Q. Okay. But it wasn't the applications
11 themselves, it was a list of --

12 A. It was a list, yes.

13 Q. Are you familiar with the problems that
14 existed in the summer of 2004 with thousands of
15 fraudulent applications?

16 MR. HEARD: I'm going to object to that
17 question because you're characterizing it as
18 problems and it's -- well, I'll object.

19 MR. RITTER: I'll rephrase the question
20 then. I don't know if I can cure it in the way
21 you would be happy, but --

22 Q. (By Mr. Ritter) Did you understand there
23 to be a problem with fraudulent voter applications in
24 the summer of 2004?

25 A. Yes.

1 MR. HEARD: With Project Vote or with
2 ACORN?

3 Q. (By Mr. Ritter) I'm not saying with
4 either one, I'm just saying in general.

5 A. Oh, just in general.

6 Q. You did?

7 A. Yes, I read in the paper.

8 Q. Tell me what you heard about that.

9 A. Some people had been filing registration
10 forms that were -- that didn't have the right --
11 didn't have the full information on it. It was bogus
12 information.

13 Q. How do you think that came about, or do
14 you know that came about?

15 MR. HEARD: Calls for speculation.

16 Q. (By Mr. Ritter) Well, tell me what you
17 know.

18 A. Not a proper check in place.

19 Q. Do you have an idea how many applications
20 we are talking about?

21 A. No.

22 Q. Hundreds or thousands?

23 A. I don't know.

24 Q. Okay. Did ACORN have any problem with
25 fraudulent applications?

1 A. No.

2 Q. When you assisted registrants filling out
3 their applications, did you go through it with them
4 and show them what they needed to do?

5 A. Yes.

6 Q. Do you know of anything that would stop
7 you from doing that today?

8 A. Just the new laws. We wouldn't be able to
9 do a check to verify that the information was
10 correct.

11 Q. Could you look at it while they were doing
12 it and help them with it, do you think?

13 A. That still wouldn't let us verify when we
14 take it back to the office. It has to be sealed
15 right then and there.

16 Q. Tell me what the verification process
17 consists of. What do you mean by that?

18 A. The verification process when we did it
19 was we were able to have the voter registrant put
20 their information on the card, fold the card and give
21 it to us. We take it back to the office. We call
22 each number that was on it to verify that that person
23 was actually that particular person who they say they
24 are and live where they said they did. Therefore,
25 that was a valid registration card for us, and the

1 Social Security Number and everything matched. And
2 we moved forward to send it on to the registrar's
3 office from there.

4 Q. Tell me about the Social Security number
5 match. What did you check that against to see if it
6 matched?

7 A. We verified the information over the
8 phone.

9 Q. You'd call them on the phone and say is
10 this your Social Security number?

11 A. Yes -- no. We asked them to give us their
12 number.

13 Q. Okay. What other information was on the
14 form besides Social Security number and --

15 A. Address, phone number, the county that
16 they lived in, state of Georgia or some other state,
17 any felonies, U.S. citizen, would they like to work
18 on the polls.

19 Q. Try to get help at the polls?

20 A. Well, on the card it says that they will
21 pay you \$100 to work on the polls.

22 Q. Okay. And that's the registration card
23 you gave them?

24 A. Yes.

25 Q. Okay. Who prepared and copied those cards

1 before they were completed by the registrants?

2 A. Repeat that again.

3 Q. Did ACORN prepare those cards before they
4 were copied by or completed by the registrants?

5 A. Those cards came from the State.

6 Q. The standard State cards?

7 A. Yeah, the State cards.

8 Q. Okay. Did you know whether the State
9 would try to verify the information on the card?

10 A. I don't know.

11 Q. Did ACORN use the information on the cards
12 or that it got from registrants for any other purpose
13 besides taking people to the polls?

14 A. Yes. We let -- we had candidate
15 screenings. We notified them when we had candidate
16 screens prior to the elections, before the elections.

17 Q. What is a candidate screen?

18 A. When the candidate comes and speaks before
19 the group of constituents or people or voters to let
20 them know their platform and what they want to do for
21 their district or the city or whatever they might
22 have been running for at that particular time.

23 Q. Okay. Was a database made of the
24 information, the names, addresses, phone numbers, and
25 so forth you got from the cards?

1 A. I can't speak on that because I'm not sure
2 because I didn't handle that part of it. So I don't
3 know.

4 Q. Were the people who registered to vote
5 with ACORN, were they contacted by ACORN or anybody
6 else to try to encourage them to participate in
7 ACORN's projects?

8 A. I don't know.

9 Q. Or to become members of ACORN?

10 A. I don't know.

11 Q. Did ACORN keep any information about the
12 people that registered after it sent the applications
13 to Project Vote other than the names and addresses?

14 A. Repeat that again.

15 Q. When the copies of the applications were
16 sent to Project Vote --

17 A. Yes.

18 Q. -- tell me what information did ACORN
19 keep.

20 A. Just the information that was on the card.
21 That was it.

22 Q. Kept all the information on the card?

23 A. Yes.

24 Q. Did it keep its own copy of the card?

25 A. Yes. They made two copies, one for

1 Project Vote and one for ACORN.

2 Q. What happened with the copy that was kept
3 by ACORN Georgia?

4 A. They had them stored in boxes.

5 Q. In boxes?

6 A. Yeah.

7 Q. Where was that kept?

8 A. In the locked office in the file cabinet.

9 Q. Well, you can't put a box usually in a
10 file cabinet.

11 A. Well, in the office in the file cabinet.

12 Q. Okay. So they had a locked office and
13 they kept --

14 A. Yes.

15 Q. Were they in a box or were they in a file
16 cabinet?

17 A. In the file cabinet.

18 Q. Where did the boxes come in?

19 A. Well, when they ship them from Kinko's
20 back to the ACORN office.

21 Q. Okay.

22 A. So they are in boxes then when they
23 brought them back in.

24 Q. Okay.

25 A. Put them in the file.

1 Q. Who would have access to that office?

2 A. The head organizer as well as the deputy
3 registrar for the voter registration.

4 Q. Deputy registrar, is that --

5 A. The ACORN registrar deputy.

6 Q. Is that someone with ACORN who's a deputy
7 registrar or --

8 A. Yeah.

9 Q. Someone who's -- have they gone through
10 special training?

11 A. They went through the training through the
12 State in order to do the voter registration.

13 Q. Are you a deputy registrar?

14 A. No.

15 Q. Tell me the names of the people who are
16 the head organizers with --

17 A. We don't have one now.

18 Q. Okay. Who are the prior head organizers?

19 A. Darryl Durham was the prior head
20 organizer.

21 Q. Okay. Who else?

22 A. That's it.

23 Q. I think we mentioned a woman named Nicki
24 Peraclear.

25 A. Nicole Peraclear. She was the deputy

1 registrar.

2 Q. And that's the official title for the
3 State, deputy registrar, or was that ACORN's title?

4 A. State. They had to be deputized.

5 Q. I understand. Who else is a deputy
6 registrar with ACORN?

7 A. That was it in Georgia that I know of.

8 Q. Okay. And when did Nicole Peraclear leave
9 ACORN?

10 A. Sorry?

11 Q. When did she leave ACORN?

12 A. I'm not sure. I don't remember.

13 Q. Well, let's --

14 A. It was after -- I know it was after voter
15 registration ended.

16 Q. Okay.

17 A. Exact date and time, I'm not sure.

18 Q. When you say after voter registration, my
19 note here, and it might have been wrong, was that she
20 left after the MARTA station registrations. Did she
21 go through other registrations after that?

22 A. After the voter registrations, the
23 elections and everything, she left then, after the
24 entire voter registration program had ended just
25 before the elections.

1 Q. Just before the elections?

2 A. Yeah.

3 Q. We are talking November or October 2004?

4 A. November.

5 Q. Okay.

6 A. More or less November, yeah.

7 Q. So she went through all the way through --

8 A. Yeah.

9 Q. Did she always go to every single site and
10 place where --

11 A. I don't know.

12 Q. Okay. She was not always with you,
13 though, when you were doing your registrations?

14 A. Well, I'm never -- yeah, no.

15 Q. Let me ask you in your role as the
16 representative of ACORN today, to the best of your
17 knowledge, has ACORN ever sent any notice itself in
18 its own name under Federal Code Section called the
19 National Voter Registration Act, which is at
20 42 USC Section 1973gg-9(b)(2)?

21 A. Have they?

22 Q. Sent such a notice?

23 MR. HEARD: We will stipulate that they
24 haven't.

25 MR. RITTER: That's fair enough.

1 MR. HEARD: Yeah.

2 MR. RITTER: I'm going to try to -- I
3 don't know that we are going to assert that,
4 but --

5 MR. HEARD: Right.

6 MR. RITTER: I think that's all the
7 questions I have for the moment. Do you have
8 any questions?

9 MR. HEARD: No, no.

10 MR. RITTER: Okay. Mr. Williams, thank
11 you very much for your time.

12 THE WITNESS: Thank you.

13 (Deposition concluded at 11:47 a.m.)

14 (Pursuant to Rule 30(e) of the Federal
15 Rules of Civil Procedure and/or O.C.G.A.
16 9-11-30(e), the deponent and/or a party having
17 requested the right to review the deposition,
18 making corrections and/or changes and signing,
19 for that purpose the errata pages have been
20 annexed hereto.)

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(Original Exhibit 1 has been attached to the original transcript.)

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C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 54 represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

This, the 1st day of September, 2006.

Susan M. Pitts, CCR-1806

1 COURT REPORTER DISCLOSURE

2 Pursuant to Article 8.B. of the Rules and
3 Regulations of the Board of Court Reporting of the
4 Judicial Council of Georgia which states: "Each court
5 reporter shall tender a disclosure form at the time
6 of the taking of the deposition stating the
7 arrangements made for the reporting services of the
8 certified court reporter, by the certified court
9 reporter, the court reporter's employer, or the
10 referral source for the deposition, with any party to
11 the litigation, counsel to the parties or other
12 entity. Such form shall be attached to the
13 deposition transcript," I make the following
14 disclosure:

15 I am a Georgia Certified Court Reporter. I am
16 here as a representative of Brown Reporting, Inc.
17 Brown Reporting was contacted to provide court
18 reporting services for the deposition. Brown
19 Reporting will not be taking this deposition under
20 any contract that is prohibited by O.C.G.A.
21 15-14-37(a) and (b).

22 Brown Reporting has no contract/agreement to
23 provide reporting services with any party to the
24 case, any counsel in the case, or any reporter or
25 reporting agency from whom a referral might have been
made to cover this deposition. Brown Reporting will
charge its usual and customary rates to all parties
in the case, and a financial discount will not be
given to any party to this litigation.

Susan M. Pitts

Susan M. Pitts, CCR-B-1806

DEPOSITION OF DANA WILLIAMS /SMP

I do hereby certify that I have read all questions propounded to me and all answers given by me on the 31st day of August, 2006, taken before Susan M. Pitts, and that:

- 1) There are no changes noted.
2) The following changes are noted:

Pursuant to Rule 30(e) of the Federal Rules of Civil Procedure and/or the Official Code of Georgia Annotated 9-11-30(e), both of which read in part: Any changes in form or substance which you desire to make shall be entered upon the deposition...with a statement of the reasons given...for making them. Accordingly, to assist you in effecting corrections, please use the form below:

Page No. Line No. should read:

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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**ASSOCIATION OF COMMUNITY)
ORGANIZATIONS FOR REFORM)
NOW, et al.,)
)
Plaintiffs,)
)
v.)
)
CATHY COX, et al.,)
)
Defendants.)**

**CIVIL ACTION NO.
1:06-CV-1891-JTC**

**30(b)(6) NOTICE OF DEPOSITION TO
ASSOCIATION OF COMMUNITY ORGANIZATIONS
FOR REFORM NOW, INC.**

TO: Association of Community Organizations for Reform Now, Inc.
c/o Bradley E. Heard, Esquire
Molden Holley Fergusson Thompson & Heard
One Park Tower
34 Peachtree Street, NW, Suite 1700
Atlanta, Georgia 30303-4501

PLEASE TAKE NOTICE that on Wednesday August 30, 2006, unless another date is agreed upon in writing or email by counsel for the parties, counsel for the Defendants in the above styled action will take the deposition of the Association of Community Organizations for Reform Now, Inc. ("ACORN") pursuant to Fed. R. Civ. Proc. 30(b)(6). Pursuant to Rule 30(b)(6), ACORN shall

DEFENDANT'S
EXHIBIT
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produce one or more witnesses knowledgeable to testify on its behalf as to the following subjects:

1) ACORN's voter registration drives in Georgia, including, but not limited

to:

- a. the process and methodology by which those drives are planned;
- b. the process and methodology by which those drives are conducted;
- c. ACORN's handling of voter registration applications during a voter registration drive and after a voter registration drive;
- d. the training ACORN provides for its volunteers and representatives regarding voter registration drives and the handling of voter registration applications;
- e. the safety and security measures ACORN takes regarding voter registration applications;
- f. the steps and process ACORN takes to return voter registration applications to governmental authorities;
- g. the permissions or certifications ACORN gets, if any, to conduct a voter registration drive;
- h. the dates, times, and places of each organized voter registration drive conducted by ACORN in Georgia during the past two years;

- i. the dates, times, and places for upcoming voter registration drives by ACORN in Georgia through the remainder of the 2006 calendar year;
 - j. the persons responsible for conducting ACORN's voter registration drives in Georgia;
 - k. the ability of ACORN to obtain the names and addresses and other information of voter registration applicants in Georgia;
 - l. the use and payment of paid employees or paid volunteers to complete voter registration applications;
 - m. the contact of voters or transportation of voters to the polls on election days in Georgia;
 - n. the assistance of voters with the completion of voter registration applications.
- 2) The allegations in the Complaint in the above styled case, both in general and specifically as to each paragraph;
- 3) The statements of Brian Kettenring in his affidavit attached as Exhibit 1 to Plaintiffs' Brief in Support of Preliminary Injunction (to the extent that the witness cannot testify on personal knowledge as to the truth of those statements, then Mr. Kettenring should testify as the appropriate witness);

- 4) The statements of Stephanie L. Moore in her affidavit attached as Exhibit 5 to Plaintiffs' Brief in Support of Preliminary Injunction (to the extent that the witness cannot testify on personal knowledge as to the truth of those statements, then Ms. Moore should testify as the appropriate witness).

In addition, the deposition(s) taken pursuant to this notice shall address the responsibilities, background and qualifications of each witness produced by ACORN to testify on its behalf. The deposition(s) taken pursuant to this notice shall commence at 1:30 p.m. in Room 332 at the offices of the Attorney General of Georgia, at the address indicated below, shall be taken and transcribed by a notary public or some other officer duly authorized to administer oaths, and shall be taken for all purposes allowed by law, including discovery, cross examination and preservation of testimony for use in subsequent proceedings.

Dated this 25th day of August, 2006.

THURBERT BAKER 033887
Attorney General

DENNIS DUNN 269350
Deputy Attorney General

[signature on following page]

/s/Stefan Ritter
STEFAN RITTER 606950
Senior Assistant Attorney General

Office of the Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300
(404) 656-3330

SIGNATURE CERTIFICATION

I certify that the originally executed document contains the signatures of all filers indicated herein and therefore represents consent for filing of this document.

/s/Stefan Ritter
STEFAN RITTER 606950
Senior Assistant Attorney General

40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300
Telephone: (404) 656-4666
Fax: (404) 657-9932
E-mail: stefan.ritter@law.state.ga.us

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the within and foregoing
**30(b)(6) NOTICE OF DEPOSITION TO ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW, INC.** by hand delivery and filed a
corresponding notice with the Clerk of Court using the CM/ECF system, which
will send notification of filing to the following CM/ECF participant:

Bradley E. Heard
Molden Holley Fergusson Thompson & Heard
One Park Tower
34 Peachtree Street, NW, Suite 1700
Atlanta, Georgia 30303-4501

This 25th day of August, 2006.

/s/Stefan Ritter
STEFAN RITTER
Georgia Bar No. 606950
Attorney for Defendants