

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARTHA HAYES,

Plaintiff,

No. 1:07-CV-1237

Hon. Robert J. Jonker

v

THE STATE OF MICHIGAN AND TERRI  
LYNN LAND, solely in her official capacity  
as secretary of State of Michigan, jointly and severally,

Defendants.

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**Affidavit of Christopher M. Thomas**

**Christopher M. Thomas**, being first duly sworn, deposes and says as follows:

1. That he brings this Affidavit in Support of the Secretary of State's pleadings.
2. That he has been employed by the Secretary of State as Director of Elections since June 21, 1981, and in such capacity directs the Bureau of Elections pursuant to MCL 168.32 of Michigan Election Law.
3. That as Director of Elections, he supervises local election officials in the conduct of elections and is knowledgeable about the process of preparing for a statewide election.
4. That after the Michigan Supreme Court approved the conduct of Michigan's January 15, 2008, presidential primary by overturning the lower court rulings in Grebner v State of Michigan on November 21, 2007, the Michigan Department of State advised

Michigan's county and local clerks that they must immediately prepare for the conduct of the presidential primary.

5. That upon receiving this notification, Michigan's county and local clerks immediately proceeded with the performance of the duties and tasks that must be accomplished to stage the presidential primary including; (1) printing and distributing absent voter ballot applications, (2) designing the layout of ballots for each precinct, (3) printing proof ballots and distributing them to candidates for review, (4) programming optical scan tabulators, (5) preparing charts of predetermined results and ballot test decks needed for the performance of accuracy tests, (6) printing ballots, and (7) issuing ballots to absent voter ballot applicants.

6. That due to the fact that Michigan's presidential primary must be conducted as a "closed" primary, a number of additional and unique preparatory steps must be performed, which are currently underway including:

- An estimated 500,000 specialized Absent Voter Ballot Application/Ballot Selection Forms must be printed and distributed to the 1,516 city and township clerks in the state.

- Michigan's voters must be educated on the ballot selection process associated with the presidential primary.

- Approximately 35,000 election inspectors must be trained on handling the two or three ballot selection process associated with the presidential primary.

- All overseas military and civilian voters who are eligible to automatically receive an absent voter ballot for the presidential primary must be contacted by mail or email to determine their ballot selection for the primary before their absent voter ballot request can be honored.

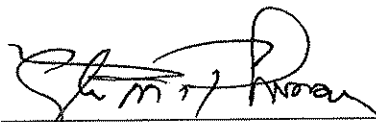
- The procedures for protecting the confidentiality of the party ballot selections made by the voters who participate in the primary must be transmitted to and administered by Michigan's 1,516 city and township clerks.

7. That the orderly conduct of Michigan elections is regulated by specific provisions of Michigan Election Law establishing the "election calendar" that specifies when election officials must perform various preparatory duties before each election. Through this "election calendar" the purity of election is furthered.

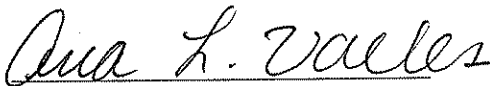
8. That at this date any delay or interruption in the operations currently being carried out by Michigan's county, city and township clerks to prepare for the conduct of the Democratic Party presidential primary would in effect cancel that primary. To halt election preparations at this late date would make the conduct of the Democratic Party presidential primary impossible. While it would be possible to continue with the conduct of the Republican Party presidential primary, there would be a great amount of voter confusion at this late date concerning voter options and, in particular, voter options for those who have cast a Democratic Party absentee ballot.

9. If he is called as a witness, Affiant could competently testify on personal knowledge and on information and belief to the matters set forth herein.

Further Affiant sayeth not.

  
Christopher M. Thomas

Subscribed and sworn to before  
me this 27th day of December 2007.

  
Ana L. Valles, Notary Public  
Ingham County, State of Michigan  
My Commission Expires: July 31, 2013