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Mr. Leonard Green
Clerk, United States Court of Appeals
540 Potter Stewart Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202-3988

Re: *League of Women Voters v. Taft*
Case Nos. 06-3335, 06-3483, 06-3621

Dear Mr. Green:

I am sending this letter pursuant to FRAP 28(j) to suggest that this case is moot and should be dismissed. At no stage of review may a court issue an opinion on a moot question. *Church of Scientology of Cal. v. United States*, 506 U.S. 9, 12 (1992). Based upon various directives and advisories issued by the Ohio Secretary of State, the Plaintiffs' claims in this case are now moot. This letter brief will quickly break down the various claims brought by the Plaintiffs and the directives, advisories, or training manuals that make the claims moot.

Minimum poll worker training:

Poll worker manual¹, Directive 2007-06 (Voter ID requirements); Directive 2007-35 (ethics policy); Directive 2008-25 (security); Directive 2008-29 (observer limitations); Directive 2008-30 (ballot shortages); Directive 2008-59 (Optical scan ballots for DRE counties); Directive 2008-60 (keeping polls open); Directive 2008-65 (polling place arrangements); Directive 2008-68 (machine delivery); Advisory 2008-03 (polling place conduct); Advisory 2008-20 (transportation of ballots); and Memorandum February 25, 2008 (utility bills as identification); Memorandum of February 26, 2008 (responsibilities of Sheriffs).

Identification of correct precincts/use of provisional ballots:

Poll worker manual, Directive 2008-81.

Accessible Voting:

Poll worker manual, Directive 2007-06, Directive 2008-44 (accessibility of polling locations); Directive 2008-64 (accessible voting machines).

Voting machine breakdown/privacy:

¹ All directives, advisories, and memoranda can be found at <http://www.sos.state.oh.us/SOS/elections/Directives.aspx>. The poll worker training manual can be found at <http://www.sos.state.oh.us/SOS/Upload/publications/election/pollWorkerManual.pdf>

Poll worker manual.

Poll worker conduct:

Poll worker manual.

Voting machine allocation:

Directive 2008-64, Directive 2008-59 (back-up paper ballots).

Absentee voting:

Directive 2008-82 (guidelines for absentee balloting).

Voters had eligibility to vote challenged before election day:

Directive 208-79 (mandatory guidelines for challenges).

Voters never received absentee ballots:

Poll worker manual, Directive 2008-81.

Poll places run out of supplies:

Directive 2008-88 (mandated list of supplies); Directive 2008-59 (backup paper ballots);
Directive 2008-77 (contingency supplies for ballot shortages).

Former felons refused registration:

Advisory 2008-16 (detailing when former felons can reregister to vote); Directive 2008-79
(when a felony conviction constitutes grounds for cancelling registration status).

Poll workers not instructed on how to close polls:

Poll worker manual, Directive 2008-60.

Improperly denying assistance to disabled voters:

Poll worker manual.

Funding elections:

Advisory 2007-17.

Respectfully submitted,

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cc: Jennifer Scullion