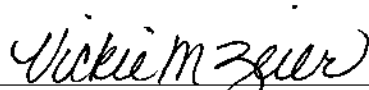




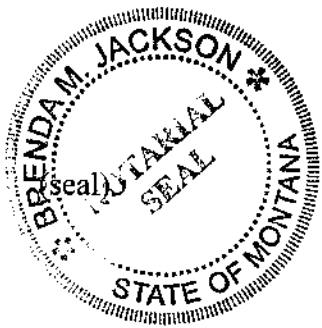
2. Attached hereto are copies of the voter registration challenge letters received by my office from Jacob Eaton, challenging the registration status of Joseph Breitenbach and Cynthia Anne Green.
3. I certify that the attached copies are true and authentic copies of the documents received by this office. See attached Exhibits 1 and 2.

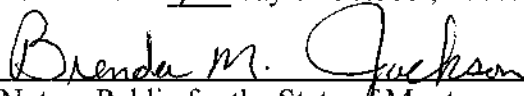
AFFIANT SAYETH NOTHING FURTHER.

DATED this 7<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
VICKIE M. ZEIER  
Missoula County Clerk and Recorder

SUBSCRIBED AND SWORN TO before me this 7<sup>th</sup> day of October, 2008.



  
\_\_\_\_\_  
Notary Public for the State of Montana

Printed Name BRENDA M. JACKSON  
Residing at NOTARY PUBLIC for the State of Montana  
My commission expires Residing at Missoula, Montana  
My Commission Expires Jan. 17, 2009

# **EXHIBIT 1**

AFFIDAVIT OF CHALLENGER

Upon first being duly sworn, Affiant states and alleges:

I, Jacob Eaton, am formally challenging the voter registration of CYNTHIA GREEN as provided in MCA 13-13-301(2)(D).

**13-13-301. Challenges.** (1) An elector's right to vote may be challenged at any time by any registered elector by the challenger filling out and signing an affidavit stating the grounds of the challenge and providing any evidence supporting the challenge to the election administrator or, on Election Day, to an election judge.

- (2) A challenge may be made on the grounds that the elector:
- (d) is not registered as required by law;

I, Jacob Eaton, do swear (or affirm) that the following individual, CYNTHIA GREEN, is not eligible to vote due to the following reasons:

CYNTHIA GREEN is not in compliance with MCA 13-2-208(1).

**13-2-208. Elector to furnish residential address -- prohibiting registration for failure to provide address.** (1) An elector shall provide the election administrator with the elector's current street address, rural address, or, if neither of those addresses is available, other specific geographic location information from which the location of the elector's residence may be easily determined by the election administrator.

To substantiate this challenge I respectfully submit that, CYNTHIA GREEN is registered to vote at 902 S 5TH W MISSOULA MT 59801 in the County of Missoula. However, a search of the United States Postal Service's National Change of Address (NCOA) Database performed at my request by Integram of Fairfax, Virginia on September 18, 2008 revealed that currently CYNTHIA GREEN resides at 902 S 5TH ST W, MISSOULA in the County of Missoula.

Being that CYNTHIA GREEN no longer resides at 902 S 5TH W MISSOULA MT 59801, the address at which CYNTHIA GREEN is registered to vote, CYNTHIA GREEN is in violation of MCA 13-2-208(1) and therefore no longer meets the requirements of a qualified voter as prescribed in MCA 13-1-111(1)(a)

- 13-1-111. Qualifications of voter.** (1) A person may not vote at elections unless the person is:
- (a) registered as required by law;

Given the reasons stated above and pursuant to MCA 13-2-402(8), I hereby respectfully request you cancel the voter registration of CYNTHIA GREEN.

- 13-2-402. Reasons for cancellation.** The election administrator shall cancel the registration of an elector if:
- (8) the elector fails to meet any voter qualification that is listed in 13-1-111.

*[Handwritten Signature]*  
\_\_\_\_\_  
Jacob Eaton

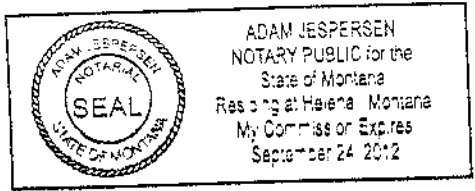
9/27/2008  
Date

STATE OF MONTANA )  
                                  :  
County of Lewis & Clark )

On this Saturday, September 27 2008, before me the undersigned Notary Public for the State of Montana, personally appeared Jacob Eaton, known to me to be the person whose name is subscribed to within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal the day and year in this certificate first above written.

*[Handwritten Signature]*  
\_\_\_\_\_  
9/27/2008



I certify this to be a true and correct copy of the document on record in this office.  
Date 10/7/08  
VICKIE M. ZEJER, Missoula County Recorder  
By *[Handwritten Signature]* Deputy

# **EXHIBIT 2**

AFFIDAVIT OF CHALLENGER

Upon first being duly sworn, Affiant states and alleges:

I, Jacob Eaton, am formally challenging the voter registration of JOSEPH BREITENBACH as provided in MCA 13-13-301(2)(D).

**13-13-301. Challenges.** (1) An elector's right to vote may be challenged at any time by any registered elector by the challenger filling out and signing an affidavit stating the grounds of the challenge and providing any evidence supporting the challenge to the election administrator or, on Election Day, to an election judge.

- (2) A challenge may be made on the grounds that the elector:
- (d) is not registered as required by law;

I, Jacob Eaton, do swear (or affirm) that the following individual, JOSEPH BREITENBACH, is not eligible to vote due to the following reasons:

JOSEPH BREITENBACH is not in compliance with MCA 13-2-208(1).

**13-2-208. Elector to furnish residential address -- prohibiting registration for failure to provide address.** (1) An elector shall provide the election administrator with the elector's current street address, rural address, or, if neither of those addresses is available, other specific geographic location information from which the location of the elector's residence may be easily determined by the election administrator.

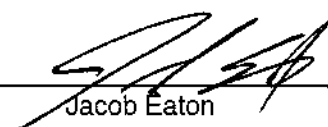
To substantiate this challenge I respectfully submit that, JOSEPH BREITENBACH is registered to vote at 5555 NIGHTINGALE LN LOLO MT 59847 in the County of Missoula. However, a search of the United States Postal Service's National Change of Address (NCOA) Database performed at my request by Integram of Fairfax, Virginia on September 18, 2008 revealed that currently JOSEPH BREITENBACH resides at 2075 COOPER ST APT 324, MISSOULA in the County of Missoula.

Being that JOSEPH BREITENBACH no longer resides at 5555 NIGHTINGALE LN LOLO MT 59847, the address at which JOSEPH BREITENBACH is registered to vote, JOSEPH BREITENBACH is in violation of MCA 13-2-208(1) and therefore no longer meets the requirements of a qualified voter as prescribed in MCA 13-1-111(1)(a)

- 13-1-111. Qualifications of voter.** (1) A person may not vote at elections unless the person is:
- (a) registered as required by law;

Given the reasons stated above and pursuant to MCA 13-2-402(8), I hereby respectfully request you cancel the voter registration of JOSEPH BREITENBACH.

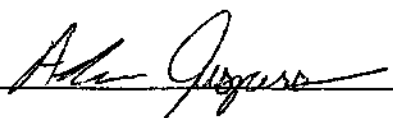
- 13-2-402. Reasons for cancellation.** The election administrator shall cancel the registration of an elector if:
- (8) the elector fails to meet any voter qualification that is listed in 13-1-111.

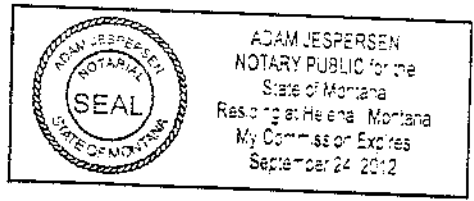
  
 \_\_\_\_\_  
 Jacob Eaton 9/27/2008  
Date

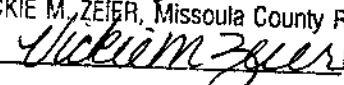
STATE OF MONTANA )  
                                  :  
County of Lewis & Clark )

On this Saturday, September 27 2008, before me the undersigned Notary Public for the State of Montana, personally appeared Jacob Eaton, known to me to be the person whose name is subscribed to within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
 \_\_\_\_\_  
 9/27/2008  
 \_\_\_\_\_



I certify this to be a true and correct copy of the document on record in this office.  
 Date 10/7/08 SEAL  
 VICKIE M. ZEIER, Missoula County Recorder  
 By  Deputy