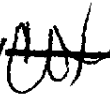


186

FILED
Court Administrator

MAR 11 2009

By  Deputy

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT

In the Matter of the Contest of General Election
held on November 4, 2008, for the purpose of
electing a United States Senator for the State of
Minnesota

District Court File No. 62-CV-09-56

Cullen Sheehan and Norm Coleman,

Contestants,

vs.

Al Franken,

Contestees,

Dennis Peterson, et. al.,

Petitioners,

Supreme Court File No. A09-65

vs.

Mark Ritchie, Minnesota Secretary of State, et. al.,

Respondents.

**AFFIDAVIT OF CHARLES N. NAUEN IN SUPPORT OF PETITIONERS'
SECOND RENEWED MOTION FOR SUMMARY JUDGMENT**

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

Charles N. Nauen, being duly sworn, deposes and states:

I am a partner with the law firm of Lockridge Grindal Nauen P.L.L.P. I represent Petitioners in the above-captioned matter. I submit this affidavit in support of Petitioners' Second Motion for Summary Judgment.

1. Attached hereto as collective Exhibit 1 are true and correct copies of the following documents related to the absentee ballot cast by Katie Kaszynski in Dakota County: Declaration of Katie Kaszynski (1-A); absentee ballot application (1-B); absentee ballot return envelope (1-C); and Voter Registration Record for Carol Kaszynski obtained from Secretary of State's records introduced into evidence in the above-captioned election contest (District Court File No. 62-CV-09-56), in electronic format, as part of Exhibit F 2085 (1-D).

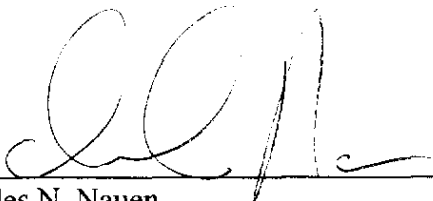
2. Attached hereto as collective Exhibit 2 are true and correct copies of the following documents related to the absentee ballot cast by Kourtney Dropps in Hennepin County: Declaration of Kourtney Dropps (2-A); absentee ballot application (2-B); absentee ballot return envelope (2-C); Voter Registration Record for Blake Collison obtained from Secretary of State's records introduced into evidence in the above-captioned election contest (District Court File No. 62-CV-09-56), in electronic format, as part of Exhibit F 2085 (2-D); Voter Registration Record for Kourtney Dropps obtained from Secretary of State's records introduced into evidence in the above-captioned election contest (District Court File No. 62-CV-09-56), in electronic format, as part of Exhibit F 2085 (2-E); and Minnesota Secretary of State Voter Lookup form for Kourtney Dropps dated December 8, 2008 (2-F).

3. Attached hereto as collective Exhibit 3 are true and correct copies of the following documents related to the absentee ballot cast by Tempest Moore in Ramsey County: Declaration of Tempest Moore (3-A); absentee ballot application (3-B); absentee ballot return envelope (3-C); Voter Registration Record for Kassandra Moore obtained from Secretary of

State's records introduced into evidence in the above-captioned election contest (District Court File No. 62-CV-09-56), in electronic format, as Exhibit F 2085 (2-D); Voter Registration Record for Tempest Moore obtained from Secretary of State's records introduced into evidence in the above-captioned election contest (District Court File No. 62-CV-09-56), in electronic format, as Exhibit F 2085 (3-E).


4. Attached hereto as Exhibit 4 is a true and correct copy of trial Exhibit F 1792, which includes, at the fourth unnumbered page, Roxana Saad's completed voter registration materials.

FURTHER YOUR AFFIANT SAYETH NOT.



Charles N. Nauen

Signed and sworn to before me
this 11th day of March, 2009



Notary Public

AFFIDAVIT/DECLARATION OF KATIE KASZYNSKI

1. My name is Katie Kaszynski. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained a residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this declaration because I believe that my November 2008 absentee ballot for that election was improperly rejected.
2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which the court order revoked my right to vote; had not been found by a court to be legally incompetent to vote; and had not been convicted of treason or any other felony that might disqualify me from voting.
3. I was registered to vote and voted in the November 2008 general election. At the time, my permanent residence was 15016 Portland Avenue South, Burnsville, MN in Dakota County. I was a resident at this address when I requested, received and voted an absentee ballot in the November 2008 general election. I believe that I was registered at this address because I completed a new voter registration application which arrived with my absentee ballot materials and submitted it with my absentee ballot. I was previously registered to vote at 13717 Country Lane, Burnsville, MN.
4. In September 2008, I downloaded an absentee ballot application from the Dakota County website, printed, completed, and signed the application, and returned the application by mail. I requested that the absentee ballot be sent to my school address in Illinois. I did not receive an absentee ballot at this address. On October 3, 2008, I completed and signed a second application for an absentee ballot which my mother returned by facsimile. This time, I requested that the absentee ballot be sent to my permanent residence. I applied under my correct name and address and used my genuine signature.
5. On October 21, 2008, I received an absentee ballot and marked the ballot in the manner prescribed by the elections officials. A sticker with my correct name and permanent residence was affixed to the absentee ballot return envelope. In addition to marking the ballot, I signed the eligibility certificate printed on the back of the envelope and had it witnessed as prescribed in the directions I received with the absentee ballot. My witness was present at the time I completed my absentee ballot and, to the best of my knowledge, was registered to vote in Minnesota. The eligibility certificate on the envelope reflected my correct name and permanent residence, and it contained my genuine signature. The name and address on the eligibility certificate was the same as the name and address on my absentee ballot application.
6. This ballot is the only ballot I submitted in the November 2008 general election. I did not vote in person on November 4, 2008 or submit any other absentee ballot.
7. If notarized below, this is my Affidavit. If not notarized, it is my declaration under 28 U.S.C. § 1746. I declare under the penalty of perjury that the foregoing is true and correct.

Executed on March 11, 2009.

Sworn and Subscribed before me
on this day of March 2009.

Signature: 
Katie Kaszynski

Notary Public

NR
Dakota

ABSENTEE BALLOT APPLICATION

Dakota County Property Taxation & Records - Elections
1590 Highway 55, Suite 2300, Hastings, MN 55033-2392
Phone: (651) 438-4380 • Fax (651) 438-4391
www.dakotacounty.us or email: elections@co.dakota.mn.us

- PLEASE:**
- Read Instructions Before Completing
 - Return the Application As Soon As Possible
 - Use a Ballpoint Pen
 - Complete All Sections
 - Ballots Received After Election Day Cannot Be Counted

OCT - 3 2008

Please print or type the following information. One person per request form, please.

Name: Kaszynski, Katie L.L.C.
 Date of Birth: REDACTED (Month Day Year) Daytime Phone: (Optional)
 Email Address: (Optional)

I hereby apply for absentee ballot(s) for:
 (Check One)

Both Primary and General Elections
 Primary Only
 General Election Only
 Other (date)

I will need an absentee ballot for the following reason: (Check One)
 absence from precinct
 illness or disability
 religious discipline or observance of religious holiday
 service as election judge in another precinct
 Eligible emergency declared by the governor or quarantine declared by federal or state government

My legal Dakota County residence address is:
15016 Portland Ave
Burnsville
 Apt. No. Box No. 55306
 MN 55306

Mail my absentee ballot(s) to me at the following address:
 *Your ballot(s) will be mailed when application is received, but not sooner than 30 days prior to the election.
Above
 Street Address
 City State Zip
 Apt. No. Box No.

Date of application: 10.3.08
 Month Day Year
 LEGAL SIGNATURE: (Required)
Katie Kaszynski

FO

REGISTERED BALLOT BY:
 11/11/11 11/11/11
 WARD/PREC:
 DATE ISSUED:
 LAST NAME:
 POST OFFICE:
 PROPERTY BALLOTS ISSUED BY:
 GENERAL BALLOTS ISSUED BY:

292724 STG ML PCT NR 10/03 10/03 294210
 19 1330 0198 BURNSVILLE P-13
 KATIE LEE KASZYNSKI
 15016 PORTLAND AVE S
 APP
 ALL

INSTRUCTIONS

- To vote by absentee ballot, you must be an eligible voter, and you must reside at the legal residence address you give on this application on Election Day. It is a felony to make a false statement in an application for an absentee ballot, to apply for an absentee ballot more than once in an election with the intent to cast an illegal ballot, to show a ballot marked by a person to another person, or to violate an absentee ballot provision for the purpose of casting an illegal vote or to help anyone to cast an illegal vote.
 - Be sure to check the appropriate box indicating why you cannot go to your polling place on Election Day; these are the only reasons that entitle you to vote by absentee ballot.
 - Be sure to give your correct legal residence address as completely as possible, since this is used to verify your precinct number.
 - Be sure to sign the application.
 - Return the completed application as soon as possible to the election official from whom you received this form - either the County Treasurer-Auditor or the Municipal or School District Clerk.
- Remember:**
- You must indicate whether you are requesting ballots for the primary or general election, or both.
 - Do not submit more than one application for each election.
 - Your absentee ballots will be mailed or delivered to you as soon as they are available.
 - Ballots received by election officials after Election Day will not be counted. Your ballot must be received by mail (not just postmarked) at the polling place by Election Day.

IMPORTANT! Insert Ballot Secrecy Envelope and Voter Registration Application. Then Seal this flap first.

RECEIVED OCT 28 2008

TO BE COMPLETED BY VOTER

VOTER'S NAME (PLEASE PRINT)
 292724 STG 11/04/2008 ML PCT NR B403500
 VOTER'S ID 19 1330 0198 BURNSVILLE P-13
 KATIE LEE KASZYNSKI
 15016 PORTLAND AVE S ENV#2 MN

I certify that on election day I will meet all the legal requirements to vote by absentee ballot.
 VOTER'S SIGNATURE *[Signature]* DATE 10.23.08

TO BE COMPLETED BY WITNESS

I certify that the voter

- showed me the blank ballots before voting;
- marked the ballots in private or, if physically unable to mark the ballots, the ballots were marked as directed by the voter;
- enclosed and sealed the ballots in the secrecy envelope;
- registered to vote by filling out and enclosing a voter registration application in the ballot envelope; and
- provided proof of residence as indicated below.

NAME OF WITNESS (PLEASE PRINT)
 Carol Kaszynski

ADDRESS OF NON-NOTARY WITNESS IN MINNESOTA (PLEASE PRINT)
 15016 Portland MN

SIGNATURE OF WITNESS *[Signature]* DATE 10.25.08

TITLE OF WITNESS (IF AN OFFICIAL)

PROOF OF RESIDENCE USED BY VOTER

- Witness—please check one:
- MN Driver's License/Permit/ID Card or receipt with current address
 Number REDACTED
 - Tribal ID card with name, current address, signature, and picture
 - Utility bill or student fee statement plus a MN Driver's License/ID Card, Tribal ID card with picture, U.S. Passport, U.S. military ID card with picture, or student ID card with picture.
 Number _____
 - Previous registration in the same precinct.
 - Notice of late registration from county auditor or municipal clerk.
 - Registered voter in the precinct who vouched for absentee voter's residence in the precinct. (Please complete the three voucher lines below.)
 - Employee of a residential facility in the precinct who vouched for absentee voter's residence at the facility. (Please complete the three voucher lines below.)

VOUCHER'S NAME AND NAME OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)
 Carol Kaszynski

VOUCHER'S ADDRESS OR ADDRESS OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)
 15016 Portland
 Burnsville MN 55306

VOUCHER'S TELEPHONE NUMBER OR TELEPHONE NUMBER OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)
 952 898 5217

VOUCHER'S SIGNATURE *[Signature]*

FOR OFFICE USE ONLY

ACCEPTED REJECTED *Ballot application signature does not match voter registration*
 NON-REGISTERED-2008

Minnesota SOS Voter Lookup

Voter ID: 196253

CAROL PATRICIA KASZYNSKI

Voter Record	
Status: Active	Original Registration Date: 09/27/2000
Source: DVS	Updated Registration Date: 01/18/2006
Legacy ID:	Application Date: 01/13/2006
Verification Status: Verified	Reason:

Voter Record Details	Precinct/District
Voter Name: CAROL PATRICIA KASZYNSKI	County: Dakota
Residential Address: 15016 PORTLAND AVE S BURNSVILLE MN 55306	MCD: Burnsville
Mailing Address:	PCT: 1330
Date of Birth:	PCT Name: BURNSVILLE P-13
Phone Number:	CG: 02
Special Options: MAIL IN EXEMPT	Sen: 37
Out Of State Previous Address:	Leg: 37A
Previous Full Name:	CM: 06
Comments:	SD: ROSEMOUNT-APPLE VA
	SUB SD:
	SWCD: 4037
	JD: 01
	PK:
	HD:
	WD:

Voting History			
Voter ID	Election Date	Election Description	Voting Method
196253	09/15/1998	STATE PRIMARY ELECTION	P
196253	11/02/1993	MUNICIPAL GENERAL	P
196253	11/02/2004	11/02/2004 - STATE GENERAL	A
196253	11/03/1998	STATE GENERAL	P
196253	11/04/2008	11/04/2008 - STATE GENERAL	A
196253	11/05/1996	STATE GENERAL	P
196253	11/05/2002	11-05-02 STATE GENERAL ELECTION	P
196253	11/06/2001	2001 SCHOOL DISTRICT ELECTION	P
196253	11/07/2000	STATE GENERAL	A
196253	11/07/2006	11/07/2006 - STATE GENERAL	P
196253	11/08/1994	STATE GENERAL	P

AFFIDAVIT/DECLARATION OF KOURTNEY DROPPS

1. My name is Kourtney Dropps. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained a residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this declaration because I believe that my November 2008 absentee ballot for that election was improperly rejected.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which the court order revoked my right to vote; had not been found by a court to be legally incompetent to vote; and had not been convicted of treason or any other felony that might disqualify me from voting.

3. I was registered and eligible to vote in the precinct where I cast my ballot for the November 2008 general election. At the time, my permanent residence was 17222 81st Street, Maple Grove, MN in Hennepin County. I was a resident at this address when I requested, received and voted an absentee ballot in the November 2008 general election.

4. Prior to the November 2008 general election, I completed, signed, dated and submitted an application for an absentee ballot. I applied for an absentee ballot under my correct name and my permanent residence and used my genuine signature.

5. I received an absentee ballot and marked the ballot as prescribed in the directions sent to me with the ballot. A sticker with my correct name and permanent residence was affixed to the absentee ballot return envelope. In addition to marking the ballot, I signed the eligibility certificate printed on the back of the envelope and had it witnessed as prescribed in the directions I received with the absentee ballot. My witness was present at the time I completed my absentee ballot and, to the best of my knowledge, was registered to vote in Minnesota. The eligibility certificate on the envelope reflected my correct name and permanent residence, and it contained my genuine signature. The name and address on the eligibility certificate was the same as the name and address on my absentee ballot application.

6. This absentee ballot is the only ballot I submitted in the November 2008 general election. I did not vote in person on November 4, 2008 or submit any other absentee ballot.

7. If notarized below, this is my Affidavit. If not notarized, it is my declaration under 28 U.S.C. § 1746. I declare under the penalty of perjury that the foregoing is true and correct.

Executed on ~~November 2~~ ^{March} 2, 2009.

Sworn and Subscribed before me on this ~~2nd~~ ^{2nd} day of ~~November~~ ^{March} 2009.

Signature: Kourtney Dropps
Kourtney Dropps

Cynthia Knudson
Notary Public

CYNTHIA KNUDSON
Notary Public, State of North Dakota
My Commission Expires April 5, 2013

397395.1

Office Use Only

REG <input type="checkbox"/>	Received Date 10/8/08	Primary Ballot Issued Date	Type	Initials	SD 278 <input type="checkbox"/>	Precinct # 19
NON REG <input checked="" type="checkbox"/>		General Ballot Issued Date 10-10-08	Type M	Initials	SD 284 <input type="checkbox"/>	
					SD 883 <input type="checkbox"/>	

ABSENTEE BALLOT APPLICATION

READ INSTRUCTIONS ON BACK BEFORE COMPLETING
RETURN THE APPLICATION AS SOON AS POSSIBLE
BALLOTS MUST BE RETURNED BY ELECTION DAY TO BE COUNTED

I HEREBY APPLY FOR AN ABSENTEE BALLOT FOR:
(CHECK ONE)

- BOTH PRIMARY AND GENERAL ELECTIONS
- PRIMARY ONLY
- GENERAL ELECTION ONLY

I WILL NEED AN ABSENTEE BALLOT FOR THE FOLLOWING REASON:
(CHECK ONE)

- ABSENCE FROM PRECINCT
- ILLNESS OR DISABILITY
- RELIGIOUS DISCIPLINE OR OBSERVANCE OF RELIGIOUS HOLIDAY
- SERVICE AS AN ELECTION JUDGE IN ANOTHER PRECINCT

NAME (PLEASE PRINT CLEARLY) Kathleen Dopp	PHONE NUMBER
DATE OF BIRTH	

MY LEGAL RESIDENCE ADDRESS IN MAPLE GROVE IS:

Street Address 17222 81st Ave N	Apt. No.
City Maple Grove	Zip Code 55311
State MIN	Zip Code 55208
DATE 10/16/08	SIGNATURE K. Dopp

MAIL MY ABSENTEE BALLOT TO ME AT THE FOLLOWING ADDRESS:

Street Address 209 Smith Hall	Apt. No.
City/Township Good Forks	Zip Code 58208
State ND	

RETURN TO:

CITY OF MAPLE GROVE, ELECTIONS
12800 ARBOR LAKES PARKWAY, P.O. BOX 1180
MAPLE GROVE, MN 55311-6180

ENVELOPE AND SEAL

OCT 27 2008

KOURTNEY DROPPS
17222 81ST AVE N
MAPLE GROVE, MN 55311
(NR)



I certify that on election day I will meet all the legal requirements to vote by absentee ballot.

VOTER'S SIGNATURE: Kourtney Dropps DATE: 10/29/08

I certify that the voter:

- showed me the blank ballots before voting;
- marked the ballots in private or, if physically unable to mark the ballots, the ballots were marked as directed by the voter;
- enclosed and sealed the ballots in the secrecy envelope;
- registered to vote by filling out and enclosing a voter registration application in the ballot envelope; and
- provided proof of residence as indicated below.

NAME OF WITNESS (PLEASE PRINT): Blake Collison

ADDRESS OF NON-NOTARY WITNESS IN MINNESOTA (PLEASE PRINT): 6413 Tall Pines Rd NE Bendota MN 56601

SIGNATURE OF WITNESS: Blake Collison DATE: _____

TITLE OF WITNESS (IF AN OFFICIAL): _____

PROOF OF RESIDENCE (PLEASE CHECK ONE)

Witness—please check one:

- MN Driver's License/Perm/ID Card or receipt with current address Number _____
- Tribal ID card with name, current address, signature, and picture
- Utility bill or student fee statement plus a MN Driver's License/ID Card, Tribal ID card with picture, U.S. Passport, U.S. military ID card with picture, or student ID card with picture. Number _____
- Previous registration in the same precinct.
- Notice of late registration from county auditor or municipal clerk.
- Registered voter in the precinct who vouched for absentee voter's residence in the precinct. (Please complete the three voucher lines below.)
- Employee of a residential facility in the precinct who vouched for absentee voter's residence at the facility. (Please complete the three voucher lines below.)

VOUCHER'S NAME AND NAME OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT): _____

VOUCHER'S ADDRESS OR ADDRESS OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT): _____

VOUCHER'S TELEPHONE NUMBER OR TELEPHONE NUMBER OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT): _____

VOUCHER'S SIGNATURE: _____

FOR OFFICE USE ONLY

ACCEPTED REJECTED No Proof of Res Demo

PREU8

Nov. 2008

Not Registered Return Envelope

Minnesota SOS Voter Lookup

Voter ID: 4200042

BLAKE COLLISON

Voter Record	
Status: Active	Original Registration Date: 11/07/2006
Source: EDR	Updated Registration Date: 11/07/2006
Legacy ID:	Application Date: 11/07/2006
Verification Status: Verified	Reason:

Voter Record Details	Precinct/District
Voter Name: BLAKE COLLISON	County: Beltrami
Residential Address: 6143 TALL PINES RD NE BEMIDJI MN 56601	MCD: Turtle River Twp
Mailing Address:	PCT: 0270
Date of Birth:	PCT Name: TURTLE RIVER TWP
Phone Number:	CG: 08
Special Options: MAIL IN EXEMPT	Sen: 04
Out Of State Previous Address:	Leg: 04A
Previous Full Name:	CM: 01
Comments:	SD: BEMIDJI
	SUB SD:
	SWCD:
	JD: 09
	PK:
	HD:
	WD:

Voting History			
Voter ID	Election Date	Election Description	Voting Method
4200042	03/13/2007	03/13/2007 - TOWNSHIP ELECTION	P
4200042	11/04/2008	11/04/2008 - STATE GENERAL	A
4200042	11/07/2006	11/07/2006 - STATE GENERAL	P

Minnesota SOS Voter Lookup

Voter ID: 4305460

KOURTNEY C DROPPS

Voter Record	
Status: Active	Original Registration Date: 06/13/2008
Source: Mail-in	Updated Registration Date: 01/26/2009
Legacy ID:	Application Date: 10/28/2008
Verification Status: Verified	Reason:

Voter Record Details	Precinct/District
Voter Name: KOURTNEY C DROPPS	County: Hennepin
Residential Address: 17222 81ST AVE N MAPLE GROVE MN 55311	MCD: Maple Grove
Mailing Address:	PCT: 1280
Date of Birth:	PCT Name: MAPLE GROVE P-19
Phone Number:	CG: 03
Special Options: MAIL IN EXEMPT	Sen: 32
Out Of State Previous Address:	Leg: 32A
Previous Full Name:	CM: 07
Comments:	SD: OSSEO
	SUB SD:
	SWCD: 4053
	JD: 04
	PK: 1
	HD:
	WD:

Voting History			
Voter ID	Election Date	Election Description	Voting Method
4305460	11/04/2008	11/04/2008 - STATE GENERAL	A

SECRETARY OF STATE RECORDS AUTHENTICATION
DECLARATION

I, Amber Schmugge, declare as follows:

I am over 18 years of age, competent to testify, and make this Declaration based upon personal knowledge of the facts set forth below.

The document attached to this declaration is a true copy of a Minnesota Secretary of State Voter Lookup form regarding Kourtney Christine Dropps that I obtained from the official Minnesota Secretary of State Voter File FTP Server on December 8, 2008.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 11th day of December 2008, at St. Paul, Minnesota.

Amber D. Schmugge
Amber Schmugge

Minnesota SOS Voter Lookup

SOS Voter ID	4305460	Registration Date:	6/13/2008		
FirstName	KOURTNEY	MiddleName	CHRISTINE	Last Name	DROPPS
HouseNumber	1722	Address2			
StreetName	81ST AVE N	City	MAPLE GROVE		
UnitType		State	MIN		
UnitNumber		ZipCode	55311		

SOS Voter Election History

DECLARATION OF TEMPEST MOORE

1. My name is Tempest Moore. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained a residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this declaration because I believe that my November 2008 absentee ballot for that election was improperly rejected.
2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which the court order revoked my right to vote; had not been found by a court to be legally incompetent to vote; and had not been convicted of treason or any other felony that might disqualify me from voting.
3. I was registered and eligible to vote in the precinct where I cast my vote for the November 2008 general election. At the time, my permanent residence was 350 St. Peter St., #612, St. Paul, MN in Ramsey County. I was a resident at this address when I requested, received and voted an absentee ballot in the November 2008 general election.
4. Prior to the November 2008 general election, I completed, signed, dated and submitted an application for an absentee ballot. I applied for an absentee ballot under my correct name and my permanent residence and used my genuine signature.
5. I received an absentee ballot and marked the ballot as prescribed in the directions sent to me with the ballot. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had it witnessed as prescribed in the directions I received with the absentee ballot. My witness was present at the time I completed my absentee ballot and, to the best of my knowledge, was registered to vote in Minnesota. The eligibility certificate on the envelope reflected my correct name and permanent residence, and it contained my genuine signature. The name and address on the eligibility certificate was the same as the name and address on my absentee ballot application.
6. This absentee ballot is the only ballot I submitted in the November 2008 general election. I did not vote in person on November 4, 2008 or submit any other absentee ballot.
7. This is my declaration under 28 U.S.C. § 1746. I declare under the penalty of perjury that the foregoing is true and correct.

Executed on March 10, 2009.

Signature: ~~Tempest~~ Moore
Tempest Moore

Absentee Ballot Application

Read instructions on back before completing.



Office Se 273547 STG ML PCT NR 09/25 10/01 274956
 62 0750 625 ST. PAUL W-2 P-08
 TEMPEST KATELYN MOORE
 350 ST PETER ST APT 612

Return this application as soon as possible, ballots must be returned by ELECTION DAY TO DE COURTEAU.

I hereby apply for an absentee ballot for: (check one)		I will need an	
<input type="checkbox"/> Both primary and general elections	<input checked="" type="checkbox"/> Absence f	273547 STG ML PCT NR 09/25 10/29 274956 62 0750 625 ST. PAUL W-2 P-08 TEMPEST KATELYN MOORE 350 ST PETER ST APT. 612	
<input type="checkbox"/> Primary only	<input type="checkbox"/> Illness or disability	ARR	
<input checked="" type="checkbox"/> General election only	<input type="checkbox"/> Religious discipline or observance of religious holiday		
<input type="checkbox"/> Special election (date) <u> / / </u>	<input type="checkbox"/> Service as election judge in another precinct		
<input type="checkbox"/> Special general (date) <u> / / </u>	<input type="checkbox"/> Eligible emergency declared by the governor or quarantine declared by federal or state government		
<input type="checkbox"/> Other (date) <u> / / </u>			

Name (please print)
Tempest Katelyn Moore

Date of birth REDACTED Phone number 612-554-6825

My legal residence address is:
 Street Address Apt. No. City State Zip Code
350 St Peters St. 612 St Paul MN 55102

Mail my absentee ballot to me at the following address:
 Street Address Apt. No. Rural/Box No. City/Township State Zip Code
DEPAO Mail Center 317 2255 N Sheffield Ave Chicago IL 60614

Date 9/10/2008 Signature X TEMPEST MOORE

RECEIVED

SEP 25 2008

RAMSEY COUNTY ELECTIONS

Office Use Only					
REG <input type="checkbox"/>	Received Date	Ballots Issued Date	Type M C HCF	School District	Precinct
NON REG <input checked="" type="checkbox"/>	Initials	Ballots Issued Date			8889

AB Application combined with application to automatically receive absentee ballot applications
 Office of the Minnesota Secretary of State 180 State Office Building, 100 Rev. Dr. Martin Luther King Blvd. St. Paul, MN 55155

NTEE BAL



273547 STG 11/04/2008 ML PCT NR B384274
62 0750 625 ST. PAUL W-2 P-08
TEMPEST KATELYN MOORE
350 ST PETER ST APT 612 ENV#2

Ward
Election

FOR OFFICE USE ONLY

ACCEPTED

REJECTED *Proof*
Reason

TO BE COMPLETED BY VOTER

VOTER'S NAME (PLEASE PRINT)

TEMPEST MOORE

VOTER'S MINNESOTA ADDRESS (PLEASE PRINT)

350 St Peter St unit 612 St Paul MN 55102

I certify that on election day I will meet all the legal requirements to vote by absentee ballot.

VOTER'S SIGNATURE

Tempest Moore

DATE

10/28/2008

TO BE COMPLETED BY WITNESS

Verify that the voter

- showed me the blank ballots before voting;
- marked the ballots in private or, if physically unable to mark the ballots, the ballots were marked as directed by the voter;
- enclosed and sealed the ballots in the secrecy envelope;
- registered to vote by filling out and enclosing a voter registration application in the ballot envelope; and
- provided proof of residence as indicated below.

NAME OF WITNESS (PLEASE PRINT)

Kassandra Moore

ADDRESS OF NON-NOTARY WITNESS IN MINNESOTA (PLEASE PRINT)

350 St Peters st unit 612 St Paul MN 55102

SIGNATURE OF WITNESS

Kassandra Moore

DATE

10/28/2008

TITLE OF WITNESS (IF AN OFFICIAL)

PROOF OF RESIDENCE USED BY VOTER

Witness: please check one:

- MN Driver's License/Permit/ID Card or receipt with current address.
Number: _____
- Tribal ID card with name, address, signature and current address.
- Utility bill or student fee statement plus a MN Driver's License/ID Card, Tribal ID card with picture, U.S. passport, U.S. military ID card with picture, or student ID card with picture. OCT 27 2008
Number: _____
- Previous registration in the same precinct.
- Notice of Late Registration from county auditor or municipal clerk.
- Registered voter in the precinct who vouched for absentee voter's residence in the precinct. (Please complete the three voucher lines below.)
- Employee of a residential facility in the precinct who vouched for absentee voter's residence at the facility. (Please complete the three voucher lines below.)

RECEIVED

RAMSEY COUNTY ELECTIONS

VOUCHER'S NAME AND NAME OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)

VOUCHER'S ADDRESS OR ADDRESS OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)

VOUCHER'S TELEPHONE NUMBER OR TELEPHONE NUMBER OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)

VOUCHER'S SIGNATURE

FORM 12041 NON-REGISTERED VOTER 5/08

Minnesota SOS Voter Lookup

Voter ID: 3501894

KASSANDRA KAE MOORE

Voter Record	
Status: Active	Original Registration Date: 05/31/2002
Source: EDR	Updated Registration Date: 11/04/2008
Legacy ID:	Application Date: 11/04/2008
Verification Status: Auditor Verified	Reason:

Voter Record Details
Voter Name: KASSANDRA KAE MOORE
Residential Address: 350 ST PETER ST # 612 ST PAUL MN 55102
Mailing Address:
Date of Birth:
Phone Number:
Special Options: MAIL IN EXEMPT
Out Of State Previous Address:
Previous Full Name:
Comments:

Precinct/District
County: Ramsey
MCD: St. Paul
PCT: 0750
PCT Name: ST. PAUL W-2 P-08
CG: 04
Sen: 65
Leg: 65B
CM: 05
SD: ST PAUL
SUB SD:
SWCD:
JD: 02
PK:
HD:
WD: W-02

Voting History			
Voter ID	Election Date	Election Description	Voting Method
3501894	11/02/2004	11/02/2004 - STATE GENERAL	P
3501894	11/04/2008	11/04/2008 - STATE GENERAL	P
3501894	11/05/2002	11-05-02 STATE GENERAL ELECTION	P
3501894	11/07/2000	STATE GENERAL	P

Minnesota SOS Voter Lookup

Voter ID: 4361784


TEMPEST KATELYN MOORE

Voter Record	
Status: Active	Original Registration Date: 09/29/2008
Source: Regular	Updated Registration Date: 09/29/2008
Legacy ID:	Application Date: 09/29/2008
Verification Status: Auditor Verified	Reason:

Voter Record Details
Voter Name: TEMPEST KATELYN MOORE
Residential Address: 350 ST PETER ST # 612 ST PAUL MN 55102
Mailing Address:
Date of Birth:
Phone Number:
Special Options: MAIL IN EXEMPT
Out Of State Previous Address:
Previous Full Name:
Comments:

Precinct/District
County: Ramsey
MCD: St. Paul
PCT: 0750
PCT Name: ST. PAUL W-2 P-08
CG: 04
Sen: 65
Leg: 65B
CM: 05
SD: ST PAUL
SUB SD:
SWCD:
JD: 02
PK:
HD:
WD: W-02

IMPORTANT! Insert Ballot Secrecy Envelope and Voter Registration Application. Then Seal this flap first.


TO BE COMPLETED BY VOTER	
VOTER NAME (PLEASE PRINT)	
	
401132 STG 11/04/2008 MNDOT NR B513360 19 1270 0191 BURNSVILLE MN ROXANA SAAD 3812 137TH 1/2 ST W ENV#2 MN	
I certify that on election day I will meet all the legal requirements to vote by absentee ballot.	
VOTER'S SIGNATURE	DATE
<i>Roxana Saad</i>	10/31/08
TO BE COMPLETED BY WITNESS	
I certify that the voter	
<ul style="list-style-type: none"> showed me the blank ballots before voting; marked the ballots in private or, if physically unable to mark the ballots, the ballots were marked as directed by the voter; enclosed and sealed the ballots in the secrecy envelope; registered to vote by filling out and enclosing a voter registration application in the ballot envelope; and provided proof of residence as indicated below. 	
NAME OF WITNESS (PLEASE PRINT)	
<i>Sharon Bauer</i>	
ADDRESS OF NON-NOTARY WITNESS IN MINNESOTA (PLEASE PRINT)	
<i>Lakota Co.</i> MN	
SIGNATURE OF WITNESS	DATE
<i>Sharon Bauer</i>	10-31-08
TITLE OF WITNESS (IF AN OFFICIAL)	
<i>PGA</i>	
PROOF OF RESIDENCE USED BY VOTER	
Witness—please check one:	
<input checked="" type="checkbox"/> MN Driver's License/Perm/ID Card or receipt with current address Number _____	
<input type="checkbox"/> Tribal ID card with name, current address, signature, and picture	
<input type="checkbox"/> Utility bill or student fee statement plus a MN Driver's License/ID Card, Tribal ID card with picture, U.S. Passport, U.S. military ID card with picture, or student ID card with picture. Number _____	
<input type="checkbox"/> Previous registration in the same precinct.	
<input type="checkbox"/> Notice of late registration from county auditor or municipal clerk.	
<input type="checkbox"/> Registered voter in the precinct who vouched for absentee voter's residence in the precinct. (Please complete the three voucher lines below.)	
<input type="checkbox"/> Employee of a residential facility in the precinct who vouched for absentee voter's residence at the facility. (Please complete the three voucher lines below.)	
VOUCHER'S NAME AND NAME OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)	
VOUCHER'S ADDRESS OR ADDRESS OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)	
VOUCHER'S TELEPHONE NUMBER OR TELEPHONE NUMBER OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)	
VOUCHER'S SIGNATURE	
FOR OFFICE USE ONLY	
ACCEPTED REJECTED <i>all OK because of match</i>	

NON-REGISTERED-2008

F1792

IMPORTANT! Insert Ballot Secrecy Envelope and Voter Registration Application. Then Seal this flap first.

TO BE COMPLETED BY VOTER

VOTER'S NAME OR NAME OF PARTY


VOTER 401132 STG 11/04/2008 MUMFORD ST NR B513360
 19 1270 0191 BURNSVILLE MN 55307
 ROXANA SAAD
 3812 137TH 1/2 ST W ENV#2 MN

I certify that on election day I will meet all the legal requirements to vote by absentee ballot.

VOTER'S SIGNATURE *Roxana Saad* DATE 10/31/08

TO BE COMPLETED BY WITNESS

- I certify that the voter:
- showed me the blank ballots before voting;
 - marked the ballots in private or, if physically unable to mark the ballots, the ballots were marked as directed by the voter;
 - enclosed and sealed the ballots in the secrecy envelope;
 - registered to vote by filling out and enclosing a voter registration application in the ballot envelope; and
 - provided proof of residence as indicated below.

NAME OF WITNESS (PLEASE PRINT)
Sharon Bauer

ADDRESS OF NON-NOTARY WITNESS IN MINNESOTA (PLEASE PRINT)
Lakota Co. MN

SIGNATURE OF WITNESS *Sharon Bauer* DATE 10-31-08

TITLE OF WITNESS (IF AN OFFICIAL)
PGA

PROOF OF RESIDENCE USED BY VOTER

- Witness—please check one:
- MN Driver's License/Passport/ID Card or receipt with current address Numb
 - Tribal Utility picker Numb
 - Prepaid Notice Bagle pack Engr'd rec'd
- initially determined to have incomplete voter registration - subsequent review found registration to be complete.*
- VOUCHER.....

ID card with photo
 the
 ar's
 (PRINT)

VOUCHER'S ADDRESS OR ADDRESS OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)

VOUCHER'S TELEPHONE NUMBER OR TELEPHONE NUMBER OF RESIDENTIAL FACILITY, IF APPLICABLE (PLEASE PRINT)

VOUCHER'S SIGNATURE

ABSENTEE BALLOT APPLICATION

Dakota County Property Taxation & Records - Elections
 1590 Highway 55, Suite 2300, Hastings, MN 55033-2392
 Phone: (651) 438-4380 • Fax (651) 438-4391
 www.dakotacounty.us or email: elections@co.dakota.mn.us

- PLEASE:**
- Read Instructions Before Completing
 - Return the Application As Soon As Possible
 - Use a Ballpoint Pen
 - Complete All Sections
 - Ballots Received After Election Day Cannot Be Counted

Please print or type the following information. One person per request form, please.

Name: SAAD ROXANA SAAD ROXANA SAAD ROXANA
Last First Middle

Date of Birth:
Month Day Year

Home Phone: (952) 797-3902 (Optional)
Area Code

I hereby apply for absentee ballot(s) for:
 (Check One)
 Both Primary and General Elections
 Primary Only
 General Election Only
 Other (date) _____

I will need an absentee ballot for the following reason: (Check One)
 Absence from precinct
 Illness or disability
 Religious discipline or observance of religious holiday
 Service as election judge in another precinct
 Eligible emergency declared by the governor or quarantine declared by federal or state government

My legal Dakota County residence address is:
3812 W. 137 1/2 St.
Street Address
BURNSVILLE
City
MINN
State
55337
Zip

Mail my absentee ballot(s) to me at the following address:
 Your ballot(s) will be mailed when application is received, but not earlier than 60 days prior to the election.

Street Address

City

State

Zip

Date of application: 10/31/08
Month Day Year

LEGAL SIGNATURE: (Required)
Roxana Saad
 X _____

FOR OFFICE USE ONLY

401132 STG ML PCT NR 10/31 10/31 42626
 19 1270 0191 BURNSVILLE P-07
 ROXANA SAAD
 3812 137TH 1/2 ST W
 APT

INSTRUCTIONS

- To vote by absentee ballot, you must be an eligible voter, and you must reside at the legal residence address you give on this application on Election Day. It is a felony to make a false statement in an application for an absentee ballot, to apply for an absentee ballot more than once in an election with the intent to cast an illegal ballot, to show a ballot marked by a person to another person, or to violate an absentee ballot provision for the purpose of casting an illegal vote or to help another person to cast an illegal vote.
 - Be sure to check the appropriate box indicating why you cannot go to your polling place on Election Day; these are the only reasons that entitle you to vote by absentee ballot.
 - Be sure to give your correct legal residence address as completely as possible, since this is used to verify your precinct number.
 - Be sure to sign the application.
 - Return the completed application as soon as possible to the election official from whom you received this form - either the County Treasurer-Auditor or the Municipal or School District Clerk.
- Remember:**
- You must indicate whether you are requesting ballots for the primary or general election, or both.
 - Do not submit more than one application for each election.
 - Your absentee ballots will be mailed or delivered to you as soon as they are available.
 - Ballots received by election officials after Election Day will not be counted. Your ballot must be received by mail (not just postmarked) at the polling place by Election Day.

Minnesota Voter Registration Application

Complete lines 1 through 8. Please print clearly.

Personal Information & Qualifications

1. [Redacted]	IP	election office use only
2. [Redacted]	M	
	AB	

3. [Redacted]	[Redacted]	[Redacted]
---------------	------------	------------

4. [Redacted]	401132	[Redacted]
---------------	--------	------------

ROXANA SAAD
3812 137TH 1/2 ST W
BURNSVILLE MN 55337

5. [Redacted]	[Redacted]	[Redacted]
---------------	------------	------------

6. [Redacted]	school district (if known)	county where you live
---------------	----------------------------	-----------------------

Dakota

phone number	email address
--------------	---------------

952-797-3902

7. [Redacted]	[Redacted]	[Redacted]
---------------	------------	------------

Registration Updates - Are you currently registered under a different name or address?

previous last name	previous first name	previous middle name
--------------------	---------------------	----------------------

previous address where you were last registered	city	state	zip code
---	------	-------	----------

41 CONGER AVE

AKRON

OH

44303

Lead And Sign Only If All Parts Apply To You.

8. [Redacted]	[Redacted]	[Redacted]
---------------	------------	------------

Election Judges Official Use Only

N
P 7
SD 191
Initials dg

ID Number: _____
<input type="checkbox"/> MN Drivers License, Learners Permit, MN ID Card, or Receipt
<input type="checkbox"/> Tribal ID

Student Fee Statement or Utility Bill (type) _____	
ID Number: _____	
<input type="checkbox"/> MN Drivers License	<input type="checkbox"/> MN ID Card
<input type="checkbox"/> U.S. Passport	<input type="checkbox"/> U.S. Military ID
<input type="checkbox"/> Tribal ID	<input type="checkbox"/> Student ID

<input type="checkbox"/> Vouched For
<input type="checkbox"/> Late Notice
<input type="checkbox"/> Previous Registration in Same Precinct
<input type="checkbox"/> Student ID With College List
ID Number: _____

AFFIDAVIT/DECLARATION OF ROXANA SAAD

1. My name is Roxana Saad. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained a residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this declaration because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone initially determined that my voter registration was not complete. Although Dakota County identified my ballot as having been improperly rejected, I understand that it was not counted due to an objection made by a representative of Norm Coleman.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which the court order revoked my right to vote; had not been found by a court to be legally incompetent to vote; and had not been convicted of treason or any other felony that might disqualify me from voting.

3. I was registered to vote for the November 2008 general election. At the time, my permanent residence was 3812 137th 1/2 Street W., Burnsville, MN in Dakota County. I was a resident at this address when I requested, received and voted an absentee ballot in the November 2008 general election.

4. On October 31, 2008, I completed and signed an application for an absentee ballot in person at the Dakota County elections office, 1590 Highway 55, #2300, Hastings MN 55033. I applied under my correct name and address and used my genuine signature.

5. On October 31, 2008, I received an absentee ballot and marked the ballot in the manner prescribed by the elections officials. I enclosed my voter registration application in the same envelope as the marked ballot as explained to me by the election officials. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope, had it witnessed by an elections official. The eligibility certificate on the envelope reflected my correct name and address, and it contained my genuine signature.

6. This ballot is the only ballot I submitted in the November 2008 general election. I did not vote in person on November 4, 2008 or submit any other absentee ballot.

7. If notarized below, this is my Affidavit. If not notarized, it is my declaration under 28 U.S.C. § 1746. I declare under the penalty of perjury that the foregoing is true and correct.

Executed on January 24, 2009.

Sworn and Subscribed before me
on this ___ day of January 2009.

Signature: _____
Roxana Saad

Roxana Saad

Notary Public

Statement of Proper Absentee Ballot Rejection

I, Tony Setta (list name), acting in the capacity of (circle one):

Al Franken's Legal Representatives

Norm Coleman's Legal Representatives

assert that the ballot of Ben Rokana Saad (list name and city/township of absentee voter)

Burlington - P-7

was properly rejected for the following reason:

If a non-UOCAVA voter, because (circle one):

- 1. the voter's name and address on the return envelope are not the same as the information provided on the absentee ballot application;
- 2. the voter's signature on the return envelope is not the genuine signature of the individual who made the application for ballots or the certificate has not been completed as prescribed in the directions for casting an absentee ballot;
- 3. the voter is not registered and eligible to vote in the precinct, or has not included a properly completed voter registration application in the return envelope; or
- 4. the voter has already voted at that election, either in person or by absentee ballot or the voter died prior to Election Day.

If a UOCAVA voter, because (circle one):

- 1. the voter's name on the return envelope does not appear in substantially the same form as on the application records;
- 2. the voter has not signed the federal oath;
- 3. the voter has not set forth the same voter's passport number, or Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number as submitted on the application, if the voter has one of these documents and, after making a reasonable effort, the election judges could not satisfy themselves using other information provided by the voter or applicant that the ballots were returned by the same person to whom they were transmitted; or
- 4. the voter has already voted at that election, either in person or by absentee ballot, or the voter died prior to Election Day.

[Signature]
Signature

12/31/08
Date

The local election official shall return this form to the Office of the Secretary of State by January 2, 2009.



STATE OF MINNESOTA
Office of Minnesota Secretary of State
Mark Ritchie

January 6, 2009

Roxana Saad
3812 137th 1/2 St. West
Burnsville, MN 55337

Dear Roxana Saad,

Your absentee ballot was not counted in the November election.

In a recent meeting to discuss the inclusion of your vote in the United States Senate recount, your ballot was rejected. Attached is a copy of a form that a representative or one of the candidates completed explaining the denial. The form states the name of the denying individual, which campaign they represented, and the reason.

Minnesota law provides at least two possible options for voters who believe that their right to vote has been wrongly denied. One is referred to as "Errors and Omissions" and is described in *Minnesota Statutes*, section 204B.44. The other is the election contest process found in *Minnesota Statutes*, section 209.02. The election contest must be filed by Monday, January 12, 2009 (seven calendar days after the Canvassing Board certified the vote). Only the results in the United States Senate race are still open to contest.

Our office cannot provide legal advice on this matter. You may want to consult with an attorney to determine what course of action, if any, to take.

Sincerely,

A handwritten signature in black ink that reads "Bert Black".

BERT BLACK
Office of the Secretary of State.

Statement of Proper Absentee Ballot Rejection

I, Tony Setter (list name), acting in the capacity of (circle one):

Al Franken's Legal Representatives

Norm Coleman's Legal Representatives

assert that the ballot of Mr. Rokana Smail (list name and city/township of absentee voter)
Burnsville - P-7

was properly rejected for the following reason:

If a non-UOCAVA voter, because (circle one):

- 1. the voter's name and address on the return envelope are not the same as the information provided on the absentee ballot application;
- 2. the voter's signature on the return envelope is not the genuine signature of the individual who made the application for ballots or the certificate has not been completed as prescribed in the directions for casting an absentee ballot;
- 3. the voter is not registered and eligible to vote in the precinct or has not included a properly completed voter registration application in the return envelope; or
- 4. the voter has already voted at that election, either in person or by absentee ballot or the voter died prior to Election Day.

If a UOCAVA voter, because (circle one):

- 1. the voter's name on the return envelope does not appear in substantially the same form as on the application records;
- 2. the voter has not signed the federal oath;
- 3. the voter has not set forth the same voter's passport number, or Minnesota driver's license or state identification card number, or the last four digits of the voter's Social Security number as submitted on the application, if the voter has one of these documents and, after making a reasonable effort, the election judges could not satisfy themselves using other information provided by the voter or applicant that the ballots were returned by the same person to whom they were transmitted; or
- 4. the voter has already voted at that election, either in person or by absentee ballot, or the voter died prior to Election Day.

[Signature]
Signature

12/31/08
Date

The local election official shall return this form to the Office of the Secretary of State by January 2, 2009.