

60

STATE OF MINNESOTA IN SUPREME COURT

JAN 13 2009

Court File No. A09-0065

FILED Court Administrator

JAN 22 2009

Dennis Peterson, et. al.,

Petitioners,

vs.

Mark Ritchie, Minnesota Secretary of State; Carlton County; Cass County; Clay County; Crow Wing County; Dakota County; Hennepin County; Kittson County; Lac Qui Parle County; Lake County; Morrison County; Olmsted County; Pine County; Pope County; Ramsey County; Saint Louis County; Stearns County; Washington County; and Winona County,

Respondents.

AFFIDAVIT OF CHARLES N. NAUEN IN SUPPORT OF PETITION BY CERTAIN MINNESOTA VOTERS TO HAVE THEIR VOTES COUNTED PURSUANT TO MINN. STAT. § 204B.44

By [Signature] Deputy

STATE OF MINNESOTA ) ) ss. COUNTY OF HENNEPIN )

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

1. 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 Petition by Certain Minnesota Voters to Have Their Votes Counted Pursuant to Minn. Stat. § 204B.44.

2. For Petitioners 1 through 30 (as listed in Exhibit A to the Petition, affidavits or declarations under oath were submitted to their counties of residence demonstrating that their absentee ballots were properly cast.

3. Attached hereto as collective Exhibit 1 are true and correct copies of affidavits or declarations under oath completed by Petitioners 1 through 30 (as listed in Exhibit A to the Petition) demonstrating that their absentee ballots were properly cast.

4. For Petitioners 31 through 51, Authentication Declarations from the Office of the Secretary of State, relating to Petitioners' voter registrations, were submitted to their counties of residence demonstrating that their absentee ballots were properly cast.

5. Attached hereto as collective Exhibit 2 are true and correct copies of Minnesota Secretary of State Voter Lookup forms obtained from the official Minnesota Secretary of State Voter File FTP Server for Petitioners 31 through 51.

6. Attached hereto as Exhibit 3 is a true and correct copy of a December 26, 2008 letter from David L. Lillehaug to the Ramsey County Canvassing Board c/o Elections Official Joe Mansky.

7. Attached hereto as Exhibit 4 is a true and correct copy of an e-mail dated December 29, 2008 from Joe Mansky to David L. Lillehaug.

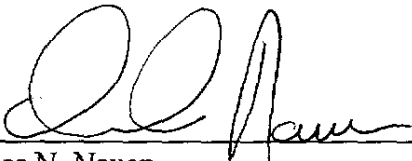
8. I was present for the review of absentee ballots in Ramsey County on December 31, 2008. Ramsey County did not open and count the ballots of Michael Liebig or Sophie Hall.

9. Attached hereto as collective Exhibit 5 are true and correct copies of the absentee ballot envelopes and, in some cases, absentee ballot applications for Petitioners 52 through 64.


10. I was present for the review of absentee ballots in Saint Louis County on December 30, 2008. During this review, representatives of the Norm Coleman campaign objected to 51 absentee ballots because of different dates next to the signatures of the voter and the witness on the outer absentee ballot envelopes.

11. Attached hereto as Exhibit 6 is a true and correct copy of a letter sent on or about January 6, 2009 by Bert Black of the Office of the Secretary of State to approximately 400 individuals who were identified by local officials as having their absentee ballot wrongfully rejected.

FURTHER YOUR AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Charles N. Nauen

Signed and sworn to before me  
this 13<sup>th</sup> day of January, 2009

  
\_\_\_\_\_  
Notary Public





## AFFIDAVIT/DECLARATION OF JENNIFER BARTHOLOMAY

1. My name is Jennifer Bartholomay. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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 I registered to vote for that election, my permanent residence was 19630 Estes Path, Farmington, MN 55024 in Dakota County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.

~~5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had it witnessed, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

Executed on December 17, 2008.

Sworn and subscribed to before me  
on this 17 day of December, 2008.

Signature:



Jennifer Bartholomay

\_\_\_\_\_  
Notary Public

## **AFFIDAVIT/DECLARATION OF JUDITH CONLOW**

1. My name is Judith Conlow. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected because an election official determined that my absentee ballot was delivered to the wrong precinct, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a 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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Prior to November 4, I submitted a request to vote by absentee ballot for the November general election. My address at the time I submitted my application for an absentee ballot and when I voted was 3175 Lakedown Road, Sturgeon Lake, MN 55783 in Pine County.

4. I received the absentee ballot and marked this ballot as prescribed in the instructions included with the absentee ballot form. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and then returned it by mail, using the return envelope that the county provided with the absentee ballot. I signed the ballot with my genuine signature. I did not submit any other ballots in the November 4, 2008 election.

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5. I have not been informed by any election official that there was a problem with my ballot. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on December 17, 2008.

Sworn and subscribed to before me on this \_\_\_ day of December, 2008.

Signature Judith Conlaw  
Judith Conlaw

\_\_\_\_\_  
Notary Public

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## AFFIDAVIT/DECLARATION OF URSELA COWAN

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

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 I registered to vote for that election, my permanent residence was 1275 Belmont Lane West, Roseville, MN 55113, in Ramsey County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.

5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. On the outside of the absentee ballot envelope, there was a sticker containing a bar code, my name and address and other numbers and information. Because this sticker was placed on top of the section entitled "To Be Completed By Voter" and covered up almost all of that section, I did not fill in any additional information and did not sign the ballot envelope. My vote was duly witnessed and the section entitled "To Be Completed By Witness" was completed. I now understand that I was required to sign the envelope to certify that I was in fact eligible to vote by absentee ballot. However, the certification was almost completely covered by the sticker. Had I been able to read the certification, I would have signed.

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 penalty of perjury that the foregoing is true and correct.

Executed on December 17, 2008.

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

Signature: *Ursela Cowan*  
Ursela Cowan

\_\_\_\_\_  
Notary Public

## **AFFIDAVIT/DECLARATION OF JEFFREY DUSTIN**

1. My name is Jeffrey Dustin. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a 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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Prior to November 4, I submitted a request to vote by absentee ballot for the November general election. My address at the time I submitted my application for an absentee ballot and when I voted was 529 Maple Lane, Moorhead, MN in Clay County.

4. I received the absentee ballot and marked this ballot as prescribed in the instructions included with the absentee ballot form. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope. I signed the ballot with my genuine signature, and returned my absentee ballot. I did not submit any other ballots in the November 4, 2008 election. I did not vote in person on election day.

5. I have not been informed by any election official that there was a problem with my ballot. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

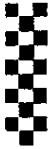
Executed on December 16, 2008.

Signature: Jeffrey Dustin  
Jeffrey Dustin

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

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Notary Public



## **AFFIDAVIT/DECLARATION OF LAURENCE ENGEBRETSON**

1. My name is Laurence Engebretson. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, my permanent residence was 1048 Keefe St, Eagan, MN 55121, in Dakota County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.
5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had it properly witnessed, all as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address, and it contained my genuine signature.

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

Executed on December 21, 2008.

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

Signature: Laurence Engebretson  
Laurence Engebretson

\_\_\_\_\_  
Notary Public

**AFFIDAVIT/DECLARATION OF DEBRA KAY ERICKSON**

1. My name is Debra Kay Erickson. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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 I registered to vote for that election, my permanent residence was 420 Forest Avenue SE, Hallock, MN 56728. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and signed my application.

5. I received an absentee ballot and marked the ballot in the manner proscribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

Executed on November \_\_, 2008.  
Sworn and subscribed to before me  
on this \_\_ day of November, 2008.

Signature: Debra Kay Erickson  
Debra Kay Erickson

\_\_\_\_\_  
Notary Public

## **AFFIDAVIT/DECLARATION OF DENNIS ERICKSON**

1. My name is Dennis Erickson. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a 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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Prior to November 4, I submitted a request to vote by absentee ballot for the November general election. My address at the time I submitted my application for an absentee ballot and when I voted was 12916 Sunset Trail, North, Plymouth, MN 55441 in Hennepin County.

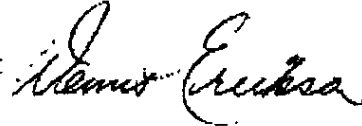
4. I received the absentee ballot and marked this ballot as prescribed in the instructions included with the absentee ballot form. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope. I signed the ballot with my genuine signature, and returned my absentee ballot. I did not submit any other ballots in the November 4, 2008 election. I did not vote in person on election day.

5. I have not been informed by any election official that there was a problem with my ballot. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on December 17, 2008.

Signature:



Dennis Erickson

Sworn and subscribed to before me on this 17 day of December, 2008.

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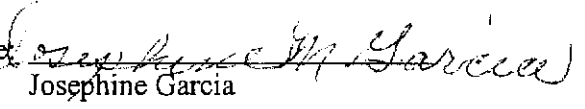
Notary Public

## AFFIDAVIT/DECLARATION OF JOSEPHINE GARCIA

1. My name is Josephine Garcia, I am over 18 years of age, and make this declaration based on personal knowledge. On November 4, 2008 I was citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November general election absentee ballot was improperly rejected, and I am hopeful that, by providing this affidavit, his ballot can be verified and counted.
2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a court order revoked my rights 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 we registered to vote for that election, I resided at 836 Hall Ave., St. Paul, MN 55107, in Ramesey County. I resided at that 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 returned an absentee ballot application which included my correct name and address. Because I have glaucoma and rheumatoid arthritis which can make it difficult for me to physically sign my name at times, I directed my son to sign my name on my behalf. When my son signs my name at my direction on my behalf, I consider that to be my genuine signature.
5. I received the absentee ballot and completed the ballot with my vote selections in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. The eligibility certificate reflected my correct name and address, and I signed with my genuine signature. I consider both my signature unaided and my signature made by my son on my behalf and at my direction to be my genuine signatures.
6. This ballot is the only ballot that I submitted in the November 2008 general election. I did not vote in person on November 4, 2008 or submit any other absentee ballot. I am not aware of any reason for election officials to refuse to count my vote.

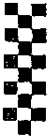
7. If notarized below, this is my Affidavit. If not notarized, it is my declaration under 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 23 2008

Signature   
Josephine Garcia

Sworn and subscribed to before me on  
this \_\_\_ day of December 2008.

\_\_\_\_\_  
Notary Public



## AFFIDAVIT/DECLARATION OF ROBERT GIRTZ

1. My name is Robert Girtz. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a 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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Prior to November 4, I submitted a request to vote by absentee ballot for the November general election. My address at the time I submitted my application for an absentee ballot and when I voted was 17894 Riverwood Drive, Little Falls, MN in Morrison County.

4. I received the absentee ballot and marked this ballot as prescribed in the instructions included with the absentee ballot form. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope. I signed the ballot with my genuine signature, and returned my absentee ballot by mail.

5. I did not submit any other ballots in the November 4, 2008 election. I did not vote in person on election day. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on December \_\_, 2008.

Signature: 

Robert Girtz

Sworn and subscribed to before me  
on this \_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF HANNAH GORSKI

1. My name is Hannah Gorski. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, my permanent residence was 8139 4th Ave S, Bloomington, MN 55420 in Hennepin County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.
5. I received an absentee ballot and marked the ballot in the manner proscribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2008.  
Sworn and subscribed to before me  
on this 16<sup>th</sup> day of December, 2008.

Signature: Hannah Gorski  
Hannah Gorski

Jonathan Jay Bing  
Notary Public

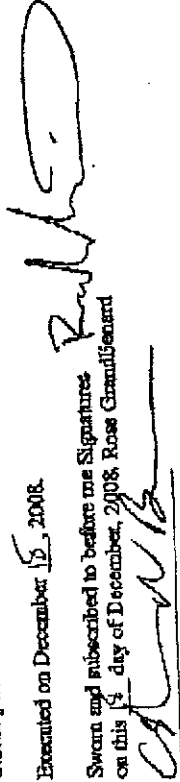


**AFFIDAVIT/DECLARATION OF ROSS GRANDBLUMBERD**

1. My name is Ross Grandblumerd. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, I resided at 4477 Northbrook Blvd N., Stillwater, MN 55082. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used it contained by genuine signature.
5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

Executed on December 15, 2008.

Sworn and subscribed to before me Signatures  
on this 14 day of December, 2008, Ross Grandblumerd



## **AFFIDAVIT/DECLARATION OF RICHARD WILLIAM HAEFNER**

1. My name is Richard William Haefner. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. At the time I registered to vote, requested an absentee ballot, and voted my absentee ballot, my address was 1641 8th Avenue SE, Rochester, MN 55904.

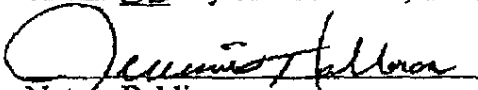
4. Prior to November 4, 2008, I went to the local county courthouse to submit a new voter registration application (reflecting my new address) with my submission of an absentee ballot. I showed a clerk working at the courthouse my new driver's license, which reflected my new address that I had listed on my voter registration application. The clerk provided me with an absentee ballot that had affixed to it a sticker reflecting my new address. I marked the ballot and completed the certification section as prescribed by the directions included with the ballot. I returned the ballot with my voter registration application to a clerk. The clerk completed the witness section of the ballot. The clerk did not indicate there were any problems with my ballot.

5. This is the only ballot I submitted in the November 4, 2008 election. In the U.S. Senate race, I voted for Al Franken.

6. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on November 26 2008.  
Sworn and subscribed to before me  
on this 26 day of November, 2008.

  
Notary Public

Signature:   
Richard William Haefner



**AFFIDAVIT/DECLARATION OF CAITLIN HEINZ**

1. My name is Caitlin Heinz. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Prior to November 4, I submitted a request to vote by absentee ballot for the November general election, and thereafter received an absentee ballot to vote.

4. My permanent address at the time I submitted my application for an absentee ballot and when I voted was 1200 Seminole Avenue, West. St. Paul, MN in Dakota County. When I had originally registered to vote, my address was 227A Lottie Hall CSB, St. Joseph, MN. When I submitted my application, the clerk told me to fill out a voter registration application, along with my absentee ballot. I completed the voter registration application, and completed my ballot and enclosed the voter registration application.

5. I had my absentee ballot witnessed in the manner prescribed in instructions included with the absentee ballot. This is the only ballot I submitted in the November 4, 2008 election. In the U.S. Senate race, I voted for Al Franken.

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

Executed on December 18, 2008.

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

Signature: \_\_\_\_\_

Caitlin Heinz

\_\_\_\_\_  
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 residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, my permanent residence was 15016 Portland Ave. S, Burnsville, MN 55306, in Dakota County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and signed my application with my genuine signature.
5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had it properly witnessed, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

Executed on December 18, 2008.

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

Signature:



Katie Kaszynski

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF MARY KOENIGSBERGER

1. My name is Mary Koenigsberger. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, my permanent residence was 889 Gorman Ave, West St. Paul, MN 55118, in Dakota County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.
5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had it properly witnessed, all as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address, and it contained my genuine signature.

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

Executed on December 22, 2008.

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

Signature: Mary Koenigsberger  
Mary Koenigsberger

\_\_\_\_\_  
Notary Public

**AFFIDAVIT/DECLARATION OF MICHAEL MISTEREK**

1. My name is Michael Misterek. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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.

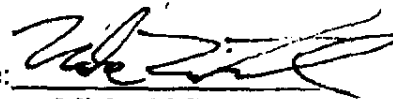
3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Sometime prior to 2006, I registered to vote while living at 2884 Irving Avenue South, Minneapolis, MN. This address is in precinct 10-11. I subsequently moved next door, to 2880 Irving Avenue, South, Minneapolis, MN. This address is also in precinct 10-11.

4. Because I had plans to be out of town for the November 4 general election, in early October I submitted a request to vote by absentee ballot and thereafter received an absentee ballot in the mail. I completed my absentee ballot and had it witnessed in the manner prescribed in instructions included with the absentee ballot. In addition, I completed a new voter registration application to reflect the fact that I had moved next door since last registering to vote. To the best of my recollection, I included the voter registration application in the envelope with my ballot, which I understood to be the appropriate way to return my voter registration application. This is the only ballot I submitted in the November 4, 2008 election. In the U.S. Senate race, I voted for Al Franken.

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

Executed on November \_\_, 2008.  
Sworn and subscribed to before me  
on this \_\_ day of November, 2008.

Signature: \_\_\_\_\_



Michael Misterek

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF DONNA MAE MORTENSON

1. My name is Donna Mae Mortenson. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote, I resided at 705 5th Street SE, Apartment 53, Glenwood, MN, 56334.
4. Prior to the November 2008 general election, I signed and submitted an application for an absentee ballot. I applied for the absentee ballot under my correct name and my correct address, which was 705 5th Street SE, Apartment 34, Glenwood, MN, 56334. This is the same address that I used when I registered to vote, except that I had changed apartment units within the same complex, moving from unit number 53 to 34. I changed apartment units because I needed to move to a handicap accessible apartment. I signed the application and returned it in a timely manner.
5. I received the absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address (the same address that I used when I applied for an absentee ballot), and it contained my genuine signature. I did not receive any notification before the election that my ballot had been rejected.

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 penalty of perjury that the foregoing is true and correct.

Executed on December 16, 2008.

Signature: *Donna Mae Mortenson*  
Donna Mae Mortenson

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public

**AFFIDAVIT/DECLARATION OF ELIA S. NELSON**

*Eila*  
1. My name is ~~Eka~~ *Eila* S. Nelson. On November 4, 2008, I was 83 years old, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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 I registered to vote for that election, my permanent residence was 1702 10th Avenue, Two Harbors, MN 55616. I was a resident at that address when I requested, received and voted an absentee ballot in the November 2008 general election. I have been a regular voter for numerous years.

4. Prior to the November 2008 general election, I went to our local court house to request and vote an absentee ballot. While at the court house, I received an absentee ballot, marked the ballot and completed the certification as required to have my vote counted. Because I have poor vision, a friend assisted me to make sure I completed the ballot correctly. In the U.S. Senate race, I voted for Al Franken. The information on the ballot included my correct name and address, and it contained my genuine signature.

5. 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. I am not aware of any reason why my vote should not count.

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

Executed on November \_\_\_\_, 2008.  
Sworn and subscribed to before me  
on this \_\_\_\_ day of November, 2008.

Signature: *Eila S. Nelson*

Eka S. Nelson

*Eila*

*14-26-08*

\_\_\_\_\_  
Notary Public

**AFFIDAVIT/DECLARATION OF REBEKAH NELSON**

1. My name is Rebekah Nelson. On November 4, 2008, I was 18 years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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. Prior to the November 2008 general election, I signed and submitted an application for an absentee ballot. I applied under my correct name and address, and I signed my application. I requested an absentee ballot because I knew I would be in New York during the general election.

4. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address, and it contained my genuine signature.

5. 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. I have not been advised by any election official that there is a problem with my absentee ballot.

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

Executed on December 06, 2008.

Signature:   
Rebekah Nelson

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF LEONA QUINLAN

1. My name is Leona Quinlan. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

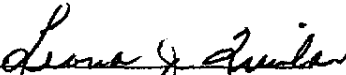
2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a court order revoked my right to vote; had not been found by a court to be legally incompetent to vote; and had not been convicted of treason or any other felony.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. My address at the time I submitted my application for an absentee ballot and when I voted was 6730 Buckley Circle, Inver Grove Heights, MN 55076 in Dakota County. Prior to November 4, I submitted my request to vote by absentee ballot for the November general election. My husband, Thomas Quinlan, and I went into the Northern Dakota County Government Center to vote in person. The city official handed us our ballots. We filled in the ballots in another room. When we came back, the city official must have given us the wrong return envelopes to sign. The same city official witnessed both my husband's and my genuine signatures.

4. In the U.S. Senate race, I voted for Al Franken. I did not submit any other ballots in the November 4, 2008 election.

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

Executed on December 17, 2008.

Signature:   
Leona Quinlan

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF THOMAS QUINLAN

1. My name is Thomas Quinlan. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a 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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. My address at the time I submitted my application for an absentee ballot and when I voted was 6730 Buckley Circle, Inver Grove Heights, MN 55076 in Dakota County. Prior to November 4, I submitted my request to vote by absentee ballot for the November general election. My wife, Leona Quinlan, and I went into Northern Dakota County Government Center to vote in person. The city official handed us our ballots. We filled in the ballots in another room. When we came back, the city official must have given us the wrong return envelopes to sign. The same city official witnessed both my wife's and my genuine signatures.

4. In the U.S. Senate race, I voted for Al Franken. I did not submit any other ballots in the November 4, 2008 election.

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

Executed on December 17, 2008.

Signature: Thomas R. Quinlan  
Thomas Quinlan

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF GERALD RATZLAFF

1. My name is Gerald Ratzlaff. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held ~~November 4, 2008. I am providing this affidavit because I believe that my~~ November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. When I requested an absentee ballot, and voted my absentee ballot, my address was 1829 Merlot Curve, Eagan, MN 55122 in Dakota County. I have lived and been registered to vote at this address for more than ten years.

4. Prior to November 4, 2008, my wife Joan Ratzlaff and I visited the ~~Dakota County courthouse~~ *EAGAN City Hall* to vote absentee ballots in person. I specifically asked the clerk if I was registered to vote; the clerk confirmed that I was. The clerk provided me with an absentee ballot application, which I completed and returned to the clerk. The clerk then provided me an absentee ballot. I marked the ballot and completed the certification section as prescribed by the directions included with the ballot. My wife witnessed my vote and completed the appropriate section. *(Signature)*

5. This is the only ballot I submitted in the November 4, 2008 election. In the U.S. Senate race, I voted for Al Franken.

6. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on December 18, 2008.

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

Signature:

  
Gerald Ratzlaff

\_\_\_\_\_  
Notary Public

**AFFIDAVIT/DECLARATION OF JOAN E. RATZLAFF**

1. My name is Joan E. Ratzlaff. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. When I requested an absentee ballot, and voted my absentee ballot, my address was 1829 Merlot Curve, Eagan, MN 55122 in Dakota County. I have lived and been registered to vote at this address for more than ten years.

4. Prior to November 4, 2008, my husband Gerald Ratzlaff and I visited the ~~Dakota County courthouse~~ to vote absentee ballots in person. I specifically asked the clerk if I was registered to vote; the clerk confirmed that I was. The clerk provided me with an absentee ballot application, which I completed and returned to the clerk. The clerk then provided me an absentee ballot. I marked the ballot and completed the certification section as prescribed by the directions included with the ballot. My husband witnessed my vote and completed the appropriate section.

EAGAN  
CITY  
HALL  
JR

5. This is the only ballot I submitted in the November 4, 2008 election. In the U.S. Senate race, I voted for Al Franken.

6. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on December 18, 2008.

Sworn and subscribed to before me on this \_\_\_ day of December, 2008.

Signature: Joan E. Ratzlaff  
Joan E. Ratzlaff

\_\_\_\_\_  
Notary Public

## **AFFIDAVIT/DECLARATION OF JOHN ROBERTUS**

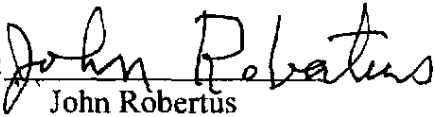
1. My name is John Robertus. On November 4, 2008, I was 85 years old, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, my permanent residence was 2700 Rice Creek Road, No 114, New Brighton, MN 55112. I was a resident at that address when I requested, received and voted an absentee ballot in the November 2008 general election. I have been a regular voter for several years.
4. Prior to the November 2008 general election, I went to our local city hall and requested an absentee ballot and a new registration application. I completed the registration application and presented it to the city clerk, along with a statement from the assisted living residence where I live, which verified my current address. I used this form of verification of my residence because I no longer drive and therefore have no current driver's license. I saw the clerk enclosed my completed voter registration application in the absentee ballot, which she then gave to me to complete.
5. After receiving the absentee ballot from the clerk, I remained at city hall, marked the ballot and completed the other requirements in the manner prescribed by the directions included with the absentee ballot. In the U.S. Senate race, I voted for Al Franken. The information on the ballot included my correct name and address (which was contained on my new voter registration application), and it contained my genuine signature. After completing the ballot, I sealed it in the same envelope that the clerk gave to me and which contained my new voter registration application. I then returned the completed envelope to a ballot box in the office.

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. I understand that election officials have indicated that they rejected my absentee ballot because there was no driver's license number on the outer envelope containing my ballot. I do not have a driver's license. Also, I was never told, either while at city hall or later, that my absentee ballot had any problem.

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

Executed on November 26, 2008.  
Sworn and subscribed to before me  
on this \_\_\_ day of November, 2008.

Signature:   
John Robertus

\_\_\_\_\_  
Notary Public

## **AFFIDAVIT/DECLARATION OF KAREN ROBITZ**

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~~1. My name is Karen Robitz. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.~~

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 I registered to vote for that election, my permanent residence was 8507 Virginia Circle N., St. Louis Park, MN in Hennepin County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.

5. I received an absentee ballot and marked the ballot in the manner proscribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

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Executed on December 13, 2008.

Sworn and subscribed to before me on this \_\_\_ day of December, 2008.

Signature: Karen Robitz  
Karen Robitz

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF DOUGLAS STANGE

1. My name is Douglas Stange. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my signature on my absentee ballot did not match the signature on my voter registration card or absentee ballot application, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, my permanent residence was 13294 Timberlane Drive, Baxter, MN in Crow Wing County. I was a resident at that 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 signed and submitted an application for an absentee ballot. I applied under my correct name and address and used by genuine signature.
5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had it properly witnessed, all as explained in directions I received with the absentee ballot. The eligibility certificate 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 penalty of perjury that the foregoing is true and correct.

Executed on December 18, 2008.

Sworn and subscribed to before me  
on this 18<sup>th</sup> day of December, 2008.

Signature: *Douglas Stange*  
Douglas Stange

*Bundy E. Elliott*  
Notary Public



**AFFIDAVIT/DECLARATION OF RYAN STOA**

1. My name is Ryan Stoa. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected because someone determined that my absentee ballot did not contain my genuine signature, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

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 I registered to vote for that election, my permanent residence was 2199 Clinton Drive, Winona, MN 55987. I was a permanent resident at that 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 submitted an application for an absentee ballot. I applied under my correct name and address, and I signed the absentee ballot application before returning it.

5. I received an absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address, and I signed the ballot with 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. I did not receive any notice from the election officials indicating that my ballot had been rejected.

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

Executed on November 27, 2008.  
Sworn and subscribed to before me  
on this \_\_\_ day of November, 2008.

Signature:   
Ryan Stoa

\_\_\_\_\_  
Notary Public

## AFFIDAVIT/DECLARATION OF WALTER THOMPSON

1. My name is Walter Thompson, I am over 18 years of age, and make this declaration based on personal knowledge. On November 4, 2008 I was citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November general election absentee ballot was improperly rejected, and I am hopeful that, by providing this affidavit, his ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a court order revoked my rights 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 us from voting.

3. I was registered to vote for the November 2008 general election. At the time I registered to vote for that election, I resided at 240 Milford St., St. Paul, MN 55117, in Ramsey County. I resided at that 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 submitted an absentee ballot application for both the primary and general elections. The application included my correct name and address. I requested the application because of my disability.

5. I am blind and was ill, which makes it difficult to sign documents. My wife, Loretta Thompson, has power of attorney to sign documents for me. My wife signed my absentee ballot application for me and with my authorization.

6. I received the absentee ballot and had my wife mark the ballot with my vote selections in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, on my behalf my wife completed the eligibility certificate printed on the back of the envelope as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address. Because we believed it was important that I attempt to sign the ballot envelope, my wife guided my hand as I signed. I consider this to be my genuine signature.

7. This ballot is the only ballot that I submitted in the November 2008 general election. I did not vote in person on November 4, 2008 or submit any other absentee ballot. I am not aware of any reason for election officials to refuse to count his vote.

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

Executed on December 17, 2008

Signature:   
Walter Thompson

Sworn and subscribed to before me on  
this \_\_\_ day of December 2008.

\_\_\_\_\_  
Notary Public

**AFFIDAVIT/DECLARATION OF LORETTA THOMPSON**

1. My name is Loretta Thompson, I am over 18 years of age, and make this declaration based on personal knowledge. On November 4, 2008 I was citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that the general election absentee ballot of my husband (Walter Thompson) was improperly rejected, and I am hopeful that, by providing this affidavit, his ballot can be verified and counted.

2. My husband is has a disability (blind). I have had power of attorney for him during the last several years.

3. As of November 4, 2008, both my husband and I were fully entitled to vote. We were not under court-ordered guardianship in which the court order revoked our rights 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 us from voting.

4. My husband and I were registered to vote for the November 2008 general election. At the time we registered to vote for that election, we resided at 240 Milford St. St. Paul, MN 55117, in Ramsey County. We were residents at that address when I requested an absentee ballot in the November 2008 general election on his behalf. I filled out the absentee ballot application on his behalf and signed on his behalf as I am accustomed and allowed to do as his power of attorney.

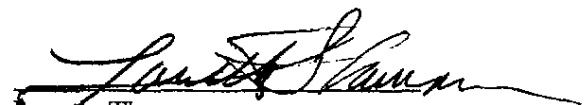
5. My husband received the absentee ballot and asked me to mark the ballot with his vote selections in the manner prescribed by the directions sent to me with the ballot. In addition to marking the ballot, I asked my wife to complete the eligibility certificate printed on the back of the envelope as explained in directions with the absentee ballot. Because we believed it was important that my husband attempt to sign the ballot envelope, I guided his hand as he signed. I then returned the ballot and envelope to the county.

6. This ballot is the only ballot that my husband submitted in the November 2008 general election. He did not vote in person on November 4, 2008 or submit any other absentee ballot. I am not aware of any reason for election officials to refuse to count his vote.

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

Executed on December 17, 2008

Signature:

  
Loretta Thompson

Sworn and subscribed to before me on  
this \_\_\_ day of December 2008.

\_\_\_\_\_  
Notary Public

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Attn: John Stiles  
Communication Director

### AFFIDAVIT/DECLARATION OF TODD TONER

1. My name is Todd Toner. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 general election ballot was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.

2. As of November 4, 2008, I was fully entitled to vote. I was not under court-ordered guardianship in which a 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.

3. I was registered to vote in the State of Minnesota for the November 4, 2008 general election. Prior to November 4, I submitted a request to vote by absentee ballot for the November general election. My address at the time I submitted my application for an absentee ballot and when I voted was 3423 Taylor Street, NE, Apartment 1, Minneapolis, MN 55418, in Hennepin County.

4. I received the absentee ballot and marked this ballot as prescribed in the instructions included with the absentee ballot form. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope. I signed the ballot with my genuine signature, and returned my absentee ballot. I did not submit any other ballots in the November 4, 2008 election. I did not vote in person on election day.

~~I was out of town on election day.~~ *I thought I would be possibly out of town. I was outside precinct on election day until after polls closed. Home after 8:00pm*

5. I have not been informed by any election official that there was a problem with my ballot. I am not aware of any reason for election officials to reject my absentee ballot and refuse to count my vote.

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

Executed on December 15, 2008.

Signature:   
Todd Toner

Sworn and subscribed to before me on this \_\_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public

## **AFFIDAVIT/DECLARATION OF AUDREY RIEL VERLO**

1. My name is Audrey Riel Verlo. On November 4, 2008, I was eighteen years of age or older, a citizen of the United States, and had maintained residence in Minnesota for at least thirty days immediately preceding the general election held November 4, 2008. I am providing this affidavit because I believe that my November 2008 absentee ballot for that election was improperly rejected, and I am hopeful that, by providing this affidavit, my ballot can be verified and counted.
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 I registered to vote for that election, I resided at 8008 Bass Lake Road, Apartment No. 123, New Hope, MN, 55428. I was a resident at that address when I requested, received and voted an absentee ballot for the November 2008 general election.
4. Prior to the November 2008 general election, I signed and submitted an application for an absentee ballot. I applied under my correct name and address (8008 Bass Lake Road, Apartment No. 123, New Hope, MN, 55428) and signed the application.
5. I received the absentee ballot and marked the ballot in the manner prescribed by the directions sent to me with the ballot. In the U.S. Senate race, I voted for Al Franken. In addition to marking the ballot, I completed the eligibility certificate printed on the back of the envelope and had a registered Minnesota voter sign the envelope as a witness, all as explained in directions I received with the absentee ballot. The eligibility certificate reflected my correct name and address, and it contained my genuine signature. I did not receive any notification before the election that my ballot had been rejected.
6. I understand that an election official rejected my ballot because my voter registration information indicated that I lived at the same address that I listed on my absentee ballot application and absentee ballot, but in a different apartment

number. In January 2007 I switched apartment units from number 712 to number 123. Both units are in the same apartment complex and have the same street address. It is my understanding that both apartment numbers are within the same precinct.

7. 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.

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

Executed on December 4, 2008.

Signature:   
Audrey Riel Verlo

Sworn and subscribed to before me  
on this \_\_\_ day of December, 2008.

\_\_\_\_\_  
Notary Public



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 Donald Applebee that I obtained from the official Minnesota Secretary of State Voter File FTP Server on December 17, 2008.

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

Executed this 17<sup>th</sup> day of December 2008, at St. Paul, Minnesota.

Amber D. Schmugge  
Amber Schmugge

# Minnesota SOS Voter Lookup

SOS Voter ID:  RegistrationDate:

First Name:  Middle Name:  Last Name:

House Number:  Address 2:

Street Name:  City:

Unit Type:  State:

Unit Number:  Zip Code:

## SOS Voter Election History

VoterId	ElectionDate	ElectionDescription	VotingMethod
1254483	11/5/1996	STATE GENERAL	P
1254483	9/14/2004	09/14/2004 - STATE PRIMARY	P
1254483	11/6/2001	2001 CITY/SCHOOL DISTRICT	P
1254483	11/2/2004	11/02/2004 - STATE GENERAL	P
1254483	11/4/2003	11/04/2003 GENERAL ELECTION	P
1254483	11/8/2005	11/08/2005 - MUNICIPAL GENERAL	P
1254483	11/7/2006	11/07/2006 - STATE GENERAL	P

**SECRETARY OF STATE RECORDS AUTHENTICATION  
DECLARATION**

I, Jared Nordlund, declare as follows:

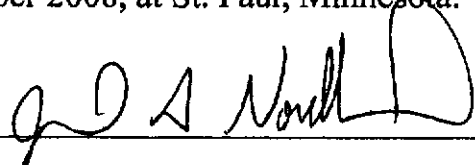
I am over 18 years of age, competent to testify, and make this Declaration based upon personal knowledge of the facts set forth below.

The document attached to this declaration is a true copy of a Minnesota Secretary of State Voter Lookup form regarding Donalda Applebae that I obtained from the official Minnesota Secretary of State Voter File FTP Server on December 17, 2008.

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

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

Executed this 17 day of December 2008, at St. Paul, Minnesota.

  
\_\_\_\_\_  
Jared Nordlund