

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JOSE MORALES, on behalf of himself)	
And those similarly situated,)	
)	
Plaintiff,)	CIVIL ACTION
)	NO. 1:08-CV-3172 JTC
v.)	(Three-Judge Court)
)	
KAREN HANDEL, in her official)	
capacity as Georgia Secretary of State,)	
)	
Defendant.)	

**DEFENDANT’S NOTICE OF WITNESSES
AND FILING OF DECLARATIONS AND DOCUMENTS FOR THE
OCTOBER 22 HEARING**

COMES NOW Karen Handel, Secretary of State, Defendant in the above-styled action, by and through Counsel Thurbert E. Baker, Attorney General for the State of Georgia, and makes this her submission and filing of document pursuant to this Court’s Order of October 16, 2008, by showing and stating the following:

Witnesses and Documents

The Defendant does not intend to call any witnesses to testify before this Court as a part of its case-in-chief at this time and offers for the consideration of this Court as evidence the declarations of the following individuals.

Exhibit No. 1: Declaration of Ms. Janet Munda. Ms. Munda is the Election Supervisor for Cherokee County, Georgia. Ms. Munda's declaration states that Plaintiff Morales is a registered voter eligible to vote in the Cherokee County. Attached to her declaration, which is designated **Exhibit 1-A**, are copies of correspondence and relevant documents related to Mr. Morales' registration and citizenship verification, identified as Defendant's **Exhibit 1-B** (September 19, 2008 letter), **Exhibit 1-C** (September 26, 2008 letter) and **Exhibit 1-D** (October 10, 2008, letter).

Exhibit No. 2: Declaration of Mr. Wesley B. Taylor. Mr. Taylor is the director of the Election's Division of the Office of the Secretary of State of Georgia. Attached to his declaration, which is designated as **Exhibit 2-A**, is a September 24, 2008 guidance memorandum provided by the Secretary of State's Office to local election officials outlining the HAVA-verification process, designated as **Exhibit 2-B**. Additionally, attached to this declaration as **Exhibit 2-C** is an October 10, 2008 inquiry from the Department of Justice to the Secretary of State regarding the verification of the last four digits of social security numbers and, identified as **Exhibit 2-D**, the Secretary's October 17 reply letter.

Exhibit No. 3: October 8, 2008 correspondence from Mr. Christopher Coates, Chief of the Voting Section of the Civil Rights Division of the U.S. Department of Justice, requesting that the State of Georgia submit Georgia's HAVA-verification process for preclearance pursuant to Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c.

Exhibit No. 4: October 14, 2008 Submission by the State of Georgia of the HAVA-verification process pursuant to Section 5, including the submission letter and documentary exhibits attached to the submission.

Exhibit No. 5: Declaration of Counsel for the Secretary of State, Dennis R. Dunn, verifying the authenticity of Defendant's Exhibits 3 and 4.

Respectfully submitted,

THURBERT E. BAKER
Attorney General of the State of Georgia
Georgia Bar No. 033887

/s/ Dennis R. Dunn
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Local Rule 7.1D Certification

By signature below, counsel certifies that the foregoing document was prepared in Times New Roman, 14-point font in compliance with Local Rule 5.1B.

/s/Dennis R. Dunn
DENNIS R. DUNN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day electronically filed the within and foregoing **DEFENDANTS NOTICE OF FILING AND LIST OF DOCUMENTS FOR THE OCTOBER 22 HEARING** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties to this matter via electronic notification or otherwise:

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This 20th day of October, 2008.

/s/ Dennis R. Dunn
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