

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,)

v.)

KAREN HANDEL, in her official)
Capacity as Georgia Secretary of State)

Defendants.)

CIVIL ACTION
FILE NO. 1:08-CV-3172

PLAINTIFF'S NOTICE OF FILING SUBSTITUTED PAGE 9
FOR PLAINTIFF'S PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW

COMES NOW Jose Morales in the above-styled action, by and through his Counsel, and files this Notice of Substitution of Page 9 to Plaintiff's Proposed Findings of Fact and Conclusions of Law in Support of Plaintiff's Motion for Preliminary Injunction.

Page 9 of Plaintiff's Proposed Findings of Facts and Conclusions of Law should be replaced with the attached page.

DATED: October 21, 2008

Respectfully submitted,

/s/ Elise Sandra Shore

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explained to Ms. Valentin-Cruz that the Secretary of State's office had provided Fulton County with information indicating that she was a non-citizen. *Id.* at ¶¶ 13, 14. Ms. Williams then asked Ms. Valentin-Cruz for the proper spelling of her name, and was able to locate her on a certain database, although Ms. Williams did not indicate which database. *Id.* at ¶ 15. Ms. Williams then informed Ms. Valentin-Cruz that she (Ms. Valentin-Cruz) had been deleted from the list, although Ms. Williams did not provide any details regarding which list. Ms. Williams also indicated that Ms. Valentin-Cruz should not "have a problem" voting early. *Id.* at ¶ 16. Ms. Valentin-Cruz asked Ms. Williams to provide her with written confirmation indicating that she would be allowed to cast her ballot during the early voting period. *Id.* at ¶ 17. Ms. Williams sent Ms. Valentin-Cruz an e-mail indicating that Ms. Valentin-Cruz would have to follow up with the Secretary of State if she wanted written confirmation she would be allowed to cast her ballot during the early voting period. *Id.* at ¶ 18.

Many individuals who have been incorrectly targeted are, like Plaintiff Morales, naturalized citizens with Spanish surnames. *See* Spears Dec. ¶4 and Attachment.

21. In Whitfield County, a number of naturalized citizens with Spanish surnames were flagged by the Secretary of State according to 11 e-mails sent from the County to the Secretary of State. *Id.* at Ex. B. (E-mails from Carol Byers to

CERTIFICATE OF COMPLIANCE

This is to certify that the foregoing document was prepared using 14
pt Times New Roman font.

This 21st day of October, 2008.

/s/ Elise Sandra Shore
ELISE SANDRA SHORE

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I have this the 21st day of October, 2008, electronically filed the foregoing 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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/s/ Elise Sandra Shore
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