

Exhibit 1

FILED
WOOD COUNTY CLERK
WOOD COUNTY COURT
2004 DEC 17 P 2:41
REBECCA E. BHALL

COURT OF COMMON PLEAS
WOOD COUNTY, OHIO

Mark Rubick
and
Jamey Koralewski

Plaintiffs,

-vs-

America Coming Together
and
Association of Community Organizations for
Reform Now ("ACORN")
and
NAACP National Voter Fund
and
Ohio AFL-CIO, an Ohio unincorporated
association

Defendants.

) Case No. 04: CV 650
)
) Judge Reeve Kelsey
)
) **FIRST AMENDED COMPLAINT, JURY**
) **DEMAND ENDORSED HEREON**
)
) Jeffrey S. Creamer (0012539)
) Douglas G. Haynam (0019773)
) SHUMAKER, LOOP & KENDRICK, LLP
) North Courthouse Square
) 1000 Jackson Street
) Toledo, Ohio 43624.
) Telephone: (419) 241-9000
) Fax: (419) 241-6894
) E-Mail jcream@slk-law.com
) E-Mail dhaynam@slk-law.com
) Attorneys for Plaintiffs
)
)

* * *

Introduction

1. Plaintiffs are residents of Wood County, Ohio who have complied with state law and were properly registered to vote and voted in the November 2, 2004, general election.

2. Defendants are entities organized under various laws and doing business in Ohio. All Defendants are "partners" and/or participants in America Votes. America Votes is set up as a non-profit corporation organized under §527 of the Internal Revenue Code.

3. Defendants have engaged in massive voter registration drives throughout the United States and the State of Ohio.

4. As part of their efforts, and as described in detail below, these organizations are engaged in a massive fraudulent voter registration scheme.

5. Every fraudulent registration is a potential illegal vote that dilutes the vote of legitimate voters, such as Plaintiffs, who have complied with all lawful registration requirements and who are in fact lawfully eligible to vote.

Jurisdiction/Venue

6. This Court has subject matter jurisdiction pursuant to Article IV, Section 4(b), Ohio Constitution and §2923.34(B) Ohio Revised Code.

7. This Court has personal jurisdiction over the Defendants because they are either residents of Ohio or have transacted business in Ohio out of which the claims asserted herein have arose. Venue is proper in Wood County because Plaintiffs reside in Wood County and this is an action described in Ohio Civil Rule 4.3, as provided in Ohio Civil Rule 3(B)(7), as to at least one of the Defendants as required under Ohio Civil Rule 3(E) for venue over all parties and claims.

Parties

8. Plaintiff Mark Rubick is a resident of and a registered voter in Wood County, Ohio, who voted on November 2, 2004 and who plans to vote in future elections.

9. Plaintiff Jamey Koralewski is a resident of and a registered voter in Wood County, Ohio, who voted on November 2, 2004 and who plans to vote in future elections.

10. Defendant America Coming Together ("ACT") is, upon information and belief, a non-profit corporation and a nationwide political enterprise organized under §527 of the Internal Revenue Code, 26 U.S.C. §527 with its principal place of business in Washington, D.C.

11. ACT has engaged in fraudulent voter registration activity throughout Ohio in get-out-the-vote activities related to the November 2004 general election and will, upon information and belief, continue to engage in such fraudulent voter registration activities in connection with future elections unless and until the relief sought by Plaintiffs herein is granted.

12. Defendant Association of Community Organizations for Reform Now ("ACORN") is, upon information and belief, a nonprofit corporation organized under the laws of Arkansas with its principal place of business in Washington, D.C. ACORN is registered as a non-profit corporation with the State of Ohio.

13. ACORN has engaged in fraudulent voter registration activity throughout Ohio and the United States in connection with the November 2004 general election and will, upon information and belief, continue to engage in such fraudulent voter registration activities in connection with future elections unless and until the relief sought by Plaintiffs herein is granted.

14. Defendant Ohio AFL-CIO is an unincorporated association, the individual members of which are mostly (if not exclusively) citizens and residents of the State of Ohio, which is organized under the laws of Ohio with its principal place of business in Columbus, Ohio.

15. Defendant Ohio AFL-CIO has engaged in fraudulent voter registration activity in Ohio in connection with the November 2004 general election and will, upon information and

belief continue to engage in such fraudulent voter registration activities in connection with future elections unless and until the relief sought by Plaintiffs herein is granted.

16. Defendant NAACP National Voter Fund is a nonprofit corporation organized under the Laws of Washington, D.C. with its principal place of business in Washington, D.C. The NAACP Voter Fund is registered as a non-profit corporation with the State of Ohio.

17. Defendant NAACP National Voter Fund has engaged in fraudulent voter registration activity throughout Ohio and the United States in connection with the November 2004 general election and will, upon information and belief, continue to engage in such fraudulent voter registration activities in connection with future elections unless and until the relief sought by Plaintiffs herein is granted.

COUNT I

(VIOLATIONS OF THE OHIO CORRUPT ACTIVITY ACT)

18. Plaintiffs hereby incorporate by reference the allegations contained in paragraphs 1 through 17 above.

19. Defendants ACORN, ACT, AFL-CIO and NAACP National Voter Fund are "persons," within the meaning of §2923.31(G) Ohio Revised Code.

20. America Votes and the Government of the State of Ohio (hereinafter, "Enterprises") are "Enterprises" as defined in §2923.31(C) Ohio Revised Code because they are government agencies, other legal entities or organizations and/or associations or groups of persons associated in fact, although a not a legal entity.

21. Beginning in 2003 and continuing into the future, Defendants ACORN, ACT, AFL-CIO and NAACP National Voter Fund have engaged and, upon information and belief, will engage in the future, by and through their agents, in a common scheme to obtain, prepare and file

fraudulent voter registrations throughout the State of Ohio and the United States by means of numerous violations of §2913.31(A)(1), (2) and (3) Ohio Revised Code (Forgery and Uttering Forged Documents), §2913.42(A)(1) and (2) Ohio Revised Code (Tampering with Writings and Records, Uttering Tampered Writings or Records) and §2325.03 Ohio Revised Code (Trafficking in Drugs), all with a common purpose to, among other things, (1) induce the public, including persons similarly situated to Plaintiffs, to make and increase supporting donations to their respective organizations by falsely making it appear that Defendants' voter registration efforts were being more successful than they actually were, and (2) to injure or threaten to injure Plaintiffs and others similarly situated by depriving them of their voting rights by diluting and/or threatening to dilute those rights, by depriving or threatening to deprive them of their rights to participate in an honest and effective election process, by impairing and/or threatening to impair Plaintiffs' rights to have government officials chosen and other ballot measures approved or disapproved by means of a fair and accurate election process, by depriving and threatening to deprive Plaintiffs of their property rights by depriving them of their voting rights by impairing and diluting and/or threatening to impair or dilute those rights and by increasing the costs of governmental election administration thus increasing or threatening to increase Plaintiffs' and other citizens' taxes and assessments and by otherwise injuring and threatening to injure Plaintiffs within the meaning of §2923.34(B) Ohio Revised Code.

22. In furtherance of the schemes described above, Defendants ACORN, ACT, NAACP National Voter Fund and AFL-CIO committed the Predicate Acts described at paragraphs 24 through 39 below. All Predicate Acts were committed within the scope of the common scheme and conspiracy engaged in by all of the Defendants and were expressly and/or

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implicitly authorized by Defendants. Each Predicate Act is thus the act of each and every Defendant.

23. Fraudulent voter registration within the State of Ohio and the United States has reached epidemic proportions over the last several months. Criminal investigations are underway into thousands of fraudulent registration forms turned in with fake names and/or forged signatures in Lake, Summit and Franklin Counties. Numerous falsified voter registration cards have also been discovered in Hamilton County, Cuyahoga County and Lucas County. In a news broadcast on October 26, 2004, Fox News Network reported that some 120,000 Ohioans have registered at least twice to vote. On September 22, 2004, the Ohio Bureau of Criminal Investigation confirmed that it was investigating over eight hundred fraudulent voter registration cards submitted in Summit County. Upon information and belief, thousands of additional, as yet undetected, fraudulent registrations have been submitted throughout the State of Ohio and the United States. The Defendants, by means of the scheme described below, have made a major contribution to this massive election fraud.

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24. Beginning by at least early 2003 and continuing until the 2004 election, Defendants have engaged, by and through their agents, in a common scheme to obtain, prepare and file fraudulent voter registrations throughout the State of Ohio and the United States by means of numerous violations of Ohio law as described at paragraphs 25 through 40 below (hereinafter "Predicate Acts"). Defendants will, upon information and belief, continue to engage in their scheme in connection with future elections unless and until the relief sought by Plaintiffs herein is granted.

25. In submitting fraudulent voter registration cards, agents and representatives of Defendants have committed multiple violations of §2913.42(A)(1) and/or (2) Ohio Revised Code

by falsifying writings and governmental records by uttering writings and governmental records knowing such records and documents to have been tampered with, as provided in division (A)(1) of §2913.42. The proceeds of said violations, (in the form of, among other things, additional contributions received by Defendants as a result of the false impression that their schemes created), the payments made in connection with the violations (in the form of, among other things "bounties," payments or other rewards for collecting and/or processing the registrations, including but not limited to, illegal drugs, paid to individuals actually engaged in the violations), and the amounts claimed by the individuals actually involved in committing the violations on Defendants' behalf (in the form of the "bounties" and/or other payments described above), either individually in some cases or as a result of the combination of Defendants' violations, exceeded Five Hundred and 00/100 Dollars (\$500.00). Said tampering, falsification and uttering of tampered and falsified documents was done by and/or on behalf of Defendants with a purpose to defraud and/or knowing that said activities were facilitating a fraud, specifically, the Defendants' scheme to prepare, obtain, and submit false voter registration cards as described at paragraph 21 above.

26. In submitting fraudulent voter registration cards, agents and representatives of Defendants have also committed multiple violations of §2913.31(A)(1), (2), and/or (3) Ohio Revised Code in that they have forged writings of another without the other person's authority, forged writings so that they purported to be genuine when they were actually spurious and forged writings so that they purported to be the act of another who did not authorize that act and/or in that they uttered or possessed with a purpose to utter writings that they knew to have been forged. The proceeds of said violations, (in the form of, among other things, additional contributions received by Defendants as a result of the false impression that their schemes

created), the payments made in connection with the violations (in the form of, among other things "bounties," payments or other rewards for collecting and/or processing the registrations including but not limited to, illegal drugs, paid to individuals actually engaged in the violations), and the amounts claimed by the individuals actually involved in committing the violations on Defendants' behalf (in the form of the "bounties" described above and/or other payments), either individually in some cases or as a result of the combination of Defendants' violations, exceeded Five Hundred and 00/100 Dollars (\$500.00). All such forgeries by Defendants' agents and representatives were done as part of and to advance the scheme described at paragraph 21 above.

27. Between Fall 2003 and June 2004, ACORN submitted approximately 23,000 voter registration cards in Franklin County, Ohio. The Franklin County Board of Elections began uncovering fraudulent voter registration cards filed by ACORN in the winter of 2003. Among other things, the Board found registration cards submitted by ACORN for people who did not exist and that were, in the words of Franklin County Board of Elections Director, Matthew Damschroeder, "blatantly false." The manager of Franklin County Voter Services has confirmed that the submission of false voter registration forms has resulted in the issuance of voter identification cards. Such cards may be used to cast fraudulent votes in the November 2004 elections. Each of the fraudulent voter registration cards submitted by ACORN in Franklin County constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.



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28. Prior to March 18, 2004, NAACP National Voter Fund State Assistant Director, Thaddeus Jackson, acting on behalf of Defendant NAACP National Voter Fund, submitted 17 registration cards bearing forged signatures to the Cuyahoga County Board of Elections. Each of

the 17 forged registration cards constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

29. Prior to June 3, 2004, two agents of ACORN submitted fraudulent voter registration forms to the Franklin County Board of Elections. Each fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

30. Prior to October 8, 2004, ACORN submitted 19 false voter registration cards to the Franklin County Board of Elections, including cards identifying people who did not exist. Each fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

31. Prior to September 23, 2004, the NAACP National Voter Fund submitted a voter registration card to the Lake County Board of Elections which purported to have been prepared by a person who has been deceased for more than two decades. The fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

32. Prior to September 23, 2004, ACT submitted a fraudulent voter registration card to the Lake County Board of Elections which purported to bear the firm, crisp, cursive signature of an elderly nursing home resident who was only capable of scrawling a shaky "X" when signing official documents. The fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

33. Prior to August 20, 2004, Defendant AFL-CIO submitted more than 50 registration cards to the Summit County Board of Elections, a number of which were fraudulent. At least two of the cards were filed on behalf of voters who were already registered. In addition,

many of the signatures on the cards were in the same handwriting. Board of Elections Director, Bryan Williams, stated that the effort to double register voters could be an indication that someone is trying to see if it is possible to cast two votes under one person's name. Had the cards not been questioned, the actual registered voters may have gone to the polls properly, but someone else could have attempted to use the second registration to obtain an absentee ballot and cast an illegal vote, according to Mr. Williams. Each fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

34. Also prior to August 20, 2004, agents of ACT submitted a registration card for a Niles, Ohio resident who had not filled it out to the Trumbull County Board of Elections. His address and social security number were inaccurate and his signature had been forged. In addition, ACT has submitted duplicate registration cards to the Trumbull County Board of Elections. Each fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

35. Prior to October 8, 2004, agents and representatives of ACORN submitted 19 voter registrations to the Hamilton County Board of Elections for people who could not be located by the sheriff's department after similar handwriting and false addresses raised election workers' suspicions. Upon information and belief, the registration cards were fraudulent and contained forged signatures. Each fraudulent registration card constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

36. Prior to September 7, 2004, ACORN employee and/or agent Kevin Eugene Dooley submitted a voter registration card to the Franklin County Board of Elections containing a forged signature. On or about September 7, 2004, the Franklin County Police issued a felony arrest warrant for Kevin Eugene Dooley, who was charged with forging the voter registration

card in question. Mr. Dooley is a convicted felon who had been released on parole in November of 2003 while still serving a 6 to 25 year sentence for receiving stolen property, escape and breaking and entering. The fraudulent voter registration forged by Mr. Dooley on behalf of ACORN constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

37. On or about October 8, 2004, 124 fraudulent voter registration forms which had been prepared by Defiance, Ohio resident Chad Staton on behalf of Defendant NAACP National Voter Fund were sent to the Defiance County Board of Elections. The false voter registration cards included cards bearing the name of Mary Poppins, Jeffrey Dahmer, Janet Jackson, George Foreman, Michael Jordan and Dick Tracy, among others. A subsequent investigation by Defiance County Election workers confirmed that the forms prepared by Mr. Staton identified non-existent persons and contained forged signatures. Mr. Staton was subsequently arrested and charged with felony violations of §3599.11 Ohio Revised Code. Each of the fraudulent voter registration forms constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

38. Subsequent investigations by the Defiance Sheriff's office, working together with the Toledo Police, revealed that Staton had provided the forms to Georgianne Pitts, who had been retained by the Assistant Ohio Director of Defendant NAACP National Voter Fund, Thaddeus J. Jackson, II, to obtain voter registrations. Ms. Pitts who, over the last two decades has been convicted of crimes ranging from domestic violence to resisting arrest, admitted that she gave Staton crack cocaine in payment for his supplying her with the fraudulent voter registration forms. Pitts' delivery of the crack cocaine to Staton on behalf and for the benefit of Defendant NAACP National Voter Fund in exchange for the fraudulent voter registration cards

constitutes Trafficking in Drugs in violation of §2925.03 Ohio Revised Code and, thus, constitutes another Predicate Act for which Defendants are responsible.

39. In July 2004, agents acting on behalf of a member organization of Defendant AFL-CIO in Stark County, Ohio organized a raffle of a motorcycle in exchange for registering or reregistering to vote in violation of §3599.02 Ohio Revised Code. Upon information and belief, as a result of the raffle organized by or on behalf of AFL-CIO, fraudulent duplicate registrations were prepared and submitted by agents of AFL-CIO to Boards of Election in Stark County and other Eastern Ohio counties. Each of the fraudulent voter registration forms constitutes a violation of §2913.42 and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

40. Prior to October 28, 2004, approximately 100 fraudulent voter registration cards were submitted by Defendant NAACP National Voter Fund to the Lucas County Board of Elections. Each fraudulent registration card constitutes a violation of §2913.42 Ohio Revised Code and/or §2913.31 Ohio Revised Code and, thus, a Predicate Act.

41. The Predicate Acts described above comprise a pattern of corrupt activity as that term is defined in §2923.31(E) Ohio Revised Code in that they have the same or similar purposes, results, participants and methods of commission and are otherwise interrelated and are not isolated events. The Predicate Acts occurred with some frequency over at least 18 months, were a regular way of conducting the Defendants' and the Enterprises' businesses and/or operations and a regular way of Defendants' conducting or participating in the affairs of the Enterprises, and there is a threat of continued criminal activity in that, among other things, Defendants are still engaging in Predicate Acts similar to those alleged at paragraphs 25 through 39 above and, upon information and belief, will continue to engage in such Predicate Acts in the future.

42. By means of the pattern of Corrupt Activity described above, Defendants, and each of them, conducted or participated, directly or indirectly, in the conduct of the Enterprises' affairs.

43. By reason and as a direct, foreseeable and proximate result of Defendants' conducting and/or participating in, directly or indirectly, the affairs of the Enterprises through the pattern of Corrupt Activity described above, Plaintiffs have been injured and/or are threatened with injury in that Defendants' actions (1) have diluted and/or threaten to dilute Plaintiffs' voting rights; (2) have deprived and/or threaten to deprive Plaintiffs of their voting rights and their rights to participate in an honest and effective election process; (3) have impaired and/or threaten to impair Plaintiffs' rights to have governmental officials chosen and other ballot measures approved or disapproved by means of a fair and accurate election process; and (4) have imposed and/or threaten to impose indirect economic losses (including, but not limited to, increased taxes and assessments) upon Plaintiffs as a result of the disruption of the election process, together with the attendant government, financial and economic consequences which Plaintiffs will suffer from such disruption.

COUNT II

(CONSPIRACY TO VIOLATE §2923.32(A)(3) OHIO REVISED CODE)

44. Plaintiffs hereby incorporate by reference the allegations contained in paragraphs 1-43 above.

45. In connection with, and by means of, the pattern of Corrupt Activity described above, the Defendants conspired to violate §2923.32 Ohio Revised Code in that each one of them, acting with a specific intent to commit or participate in the commission of at least two of the Predicate Acts described above and to cause injury to Plaintiffs and others similarly situated and acting in concert pursuant to a common agreement and understanding to accomplish a

common unlawful purpose, did enter into a conspiracy to violate the provisions of §2923.32(A)(3).

46. By reason of the Defendants' conspiracy to violate §2923.32(A)(3) Ohio Revised Code, Plaintiffs have been damaged as more specifically alleged at paragraph 43 above and are entitled to relief under §2923.34 Ohio Revised Code.

COUNT III

Fraud/Fraudulent Civil Conspiracy

47. Plaintiffs hereby incorporate the allegations contained in Paragraphs 1 through 46 above.

48. Defendants and each of them have conspired with the others to carry out the fraudulent schemes described herein. By means of this malicious combination, Defendants have managed to inflict damages upon Plaintiffs in a way not competent for one alone.

49. On numerous occasions as described in paragraphs 24 through 40 above, and, upon information and belief, otherwise on occasions where the fraud has not yet been detected, Defendants provided material false information on voter registration forms.

50. This false information was provided by Defendants with knowledge of the falsity or with reckless disregard for the truth of the information contained in voter registration forms submitted.

51. These forms containing false information have been submitted with intent to mislead local election officials and voters of Ohio, including the Plaintiffs.

52. Local election officials acting on behalf and as representatives of the Plaintiffs, justifiably relied on the information submitted on said voter registration forms, particularly in light of the signature and affirmation required by state law to be completed under penalty of criminal sanction.

53. As a direct, proximate and foreseeable result of the reliance of their representatives who were acting on their behalf, Plaintiffs have suffered injury as described at paragraph 43 above.

WHEREFORE, Plaintiffs, and each of them, hereby demand judgment as follows:

(1) Imposing reasonable restrictions upon the future activities of Defendants including, but not limited to, restrictions that prohibit the Defendants from engaging in the same Predicate Acts, pattern of corrupt activities and Enterprises in which the Defendants were participating, or conspiring to participate, in violation of §2923.32 Ohio Revised Code;

(2) Granting injunctive relief against the Defendants, and each of them, prohibiting them from engaging in further acts in pursuance of their fraudulent scheme including, but not limited, additional Predicate Acts such as those described above, pursuant to §2923.34(E);

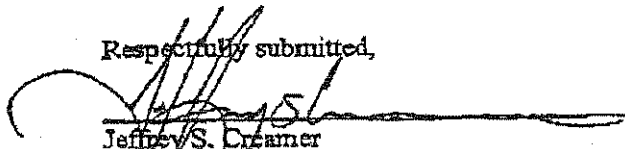
(3) Awarding Plaintiffs consequential damages;

(4) Awarding Plaintiffs triple damages pursuant to §2923.34(F);

(5) Awarding attorneys' fees and costs pursuant to §2923.34(G) of Ohio Revised Code and Ohio law; and

(6) Awarding such other and further relief as the court shall deem just and equitable.

Respectfully submitted,



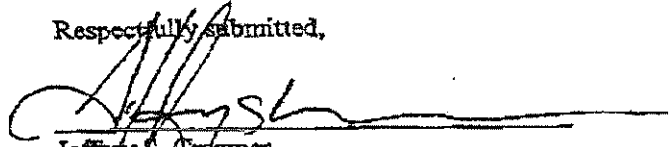
Jeffrey S. Creamer
Douglas G. Haynam
SHUMAKER, LOOP & KENDRICK, LLP

Attorneys for Plaintiffs

JURY DEMAND

Plaintiffs hereby demand trial by jury in this action.

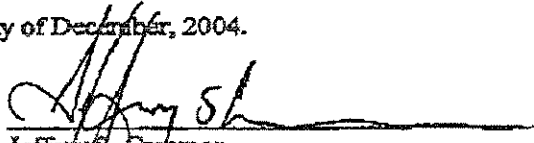
Respectfully submitted,



Jeffrey S. Creamer
Douglas G. Haynam
Attorneys for Plaintiffs
SHUMAKER, LOOP & KENDRICK, LLP

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing First Amended Complaint, Jury Demand Endorsed Hereon was served by ordinary United States mail upon Don McTigue, 3886 N. High Street, Columbus, OH 43214, attorney for Defendant America Coming Together; Mike Bowler, Blakemore, Meeker & Bowler, 19 N. High Street, Akron, Ohio 44308 and Steve Dane, Cooper Walinski, 900 Adams Street, Toledo, OH 43624-1505, attorneys for ACORN; Stewart Jaffy, Stewart R. Jaffy & Associates, LPA, 306 E. Gay Street, Columbus, OH 43215-3247, attorneys for Ohio AFL-CIO, and NAACP National Voter Fund, c/o Vel Scott, 1986 Stokes Boulevard, L1, Cleveland, Ohio 44106 this 17th day of December, 2004.



Jeffrey S. Creamer
Attorneys for Plaintiffs

FROM :

FAX NO. :

Oct. 28 2004 03:30PM P1

October 26, 2004

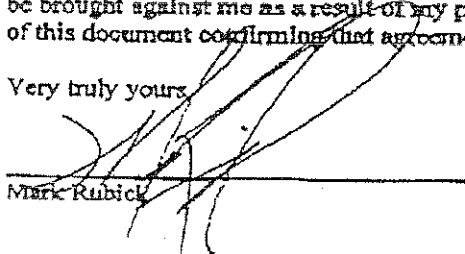
Douglas G. Haynam, Esq.
Shumaker, Loop & Kendrick, LLP
North Courthouse Square
1000 Jackson Street
Toledo, Ohio 43624

Dear Mr. Haynam:

I, Mark Rubick, 1109 Sandpiper, Bowling Green, Ohio 43402, do hereby retain the law firm of Shumaker, Loop & Kendrick, LLP ("Shumaker, Loop & Kendrick") for the purpose of filing a lawsuit in Wood County, Ohio alleging fraudulent voter registration under the Ohio Corrupt Practices Act along with any other appropriate claims for relief against the NAACP National Voter Fund, Ohio AFL-CIO, ACT Ohio, the Association of Community Organizations for Reform Now ("ACORN"), and other appropriate parties.

I understand that Shumaker, Loop & Kendrick's fees will be determined by a number of factors including its guideline hourly rate for each professional working on this matter. My retention of Shumaker, Loop & Kendrick is made with the understanding that the Free Enterprise Coalition shall be responsible for payment of any and all of Shumaker, Loop & Kendrick's costs and fees incurred on my behalf in connection with the filing and prosecution of this action. My retention is further made with the understanding that the Free Enterprise Coalition has also agreed that it shall fully and completely indemnify, defend and hold me harmless for any claims, costs, expense, judgments, and legal fees whatsoever that might arise or be brought against me as a result of my participation in this lawsuit, and will execute that portion of this document confirming that agreement.

Very truly yours,



Mark Rubick

The Free Enterprise Coalition hereby agrees to fully and completely indemnify, defend and hold harmless the aforesaid Mark Rubick for any claims, costs, expenses, judgments, and legal fees whatsoever that might arise as a result of his participation in this lawsuit.

The Free Enterprise Coalition



Alex Vogel, An Authorized Representative

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COURT OF COMMON PLEAS
WOOD COUNTY, OHIO

Mark Rubick, et al.

Plaintiffs,

-vs-

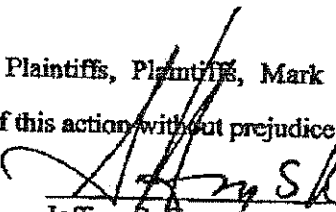
America Coming Together, et al.

Defendants.

) Case No. 04 CV 650
)
) Judge Kelsey
)
) **NOTICE OF DISMISSAL**
) **WITHOUT PREJUDICE**
)
) Jeffrey S. Creamer (0012539)
) Douglas G. Haynam (0019773)
) SHUMAKER, LOOP & KENDRICK, LLP
) North Courthouse Square
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) Toledo, Ohio 43624
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)
) Attorneys for Plaintiffs
)

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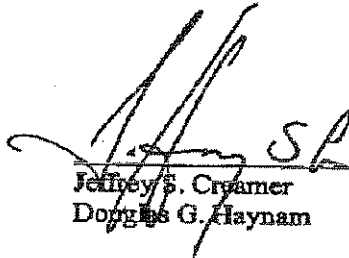
Pursuant to Ohio Rule 41 (A) Plaintiffs, Plaintiff, Mark Rubick and Jamey
Koralewski, hereby give notice of the dismissal of this action without prejudice.



Jeffrey S. Creamer
Douglas G. Haynam
SHUMAKER, LOOP & KENDRICK, LLP
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

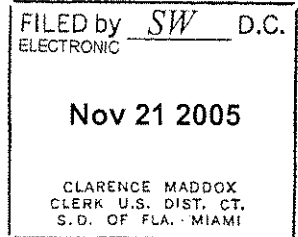
This is to certify that a copy of the foregoing Notice of Dismissal Without Prejudice was served by ordinary United States mail upon Donald J. McTigue, 3886 N. High Street, Columbus, OH 43214, attorney for Defendant America Coming Together; Steve Bachman, 51420 Hunter's Crossing Court, Grange, Indiana 46530-8856 and Stephen M. Dane, Relman & Associates PLLC, 312 Louisiana Avenue, Perrysburg, Ohio 43551, attorneys for ACORN; Stewart Jaffy, Stewart R. Jaffy & Associates, LPA, 306 E. Gay Street, Columbus, OH 43215-3247, attorneys for Ohio AFL-CIO, and Cliff Arnebeck, Arnebeck Law Office, 1351 King Avenue, 1st floor, Columbus, Ohio 43212, attorney for NAACP National Voter Fund this 29th day of October, 2005.



Jeffrey S. Cryamer
Douglas G. Haynam

Attorneys for Plaintiffs

Exhibit 2



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case No. 04-61636 MARTINEZ / BANDSTRA

CHARLES ROUSSEAU, RICHARD INIGUEZ,
ROBERTO PERALTA, RICHARD EVANS,
JUDE DANIEL, DANIELLE GANTT,
ALBERTHA McCALL, KEITH JACKSON,
TANGUELA LEE, DARREL DENNIS,
FELICIA OLIVER and TIM WILSON,

Plaintiffs,

v.

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW,
INC., d/b/a ACORN, and FRANK HOUSTON,

Defendants.

JOINT STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

Plaintiffs, Keith Jackson and Albertha McCall, and Defendants, Association of Community Organizations for Reform Now, Inc. ("ACORN") and Frank Houston (the "Parties"), by and through their undersigned attorneys, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby file this Joint Stipulation of Voluntary Dismissal With Prejudice. The Parties stipulate that ACORN would prevail on its Motion for Summary Judgment and that neither ACORN nor Mr. Houston made fraudulent misrepresentations to Plaintiffs. Based on this stipulation, the Parties agree that all claims in this case and all claims that Plaintiffs could have brought against ACORN and Mr. Houston in this case will be dismissed with prejudice. No Party will seek attorneys' fees or costs from another Party. This stipulation provides for the dismissal with prejudice of the only two Plaintiffs remaining in this action, and the Parties request the Court enter an order dismissing this case in its entirety.

Respectfully submitted,

/s/ Stuart A. Rosenfeldt, Esq.
Stuart A. Rosenfeldt, Esq.
Florida Bar No. 316113
Melissa Lewis, Esq.
Florida Bar No. 301670
Rothstein Rosenfeldt Adler
300 Las Olas Place
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srosenfeldt@rrdplaw.com
Counsel for Plaintiffs

/s/ Brian H. Koch, Esq.
Faith E. Gay
Florida Bar No. 129593
Brian H. Koch
Florida Bar No. 637335
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Wachovia Financial Center, Suite 4900
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Miami, FL 33131
Telephone: (305) 371-2700
Facsimile: (305) 358-5744
bkoch@whitecase.com
Counsel for ACORN and Frank Houston

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case No. 04-61636 MARTINEZ / BANDSTRA

CHARLES ROUSSEAU, et al.,

Plaintiffs,

v.

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW,
INC., d/b/a ACORN, and FRANK HOUSTON,

Defendants.

FINAL ORDER OF DISMISSAL

THIS CAUSE having come before the court on the Joint Stipulation for Dismissal submitted by Plaintiffs Keith Jackson and Albertha McCall, and Defendants, Association of Community Organizations for Reform Now, Inc. and Frank Houston, and due cause appearing therefor, it is hereby:

ORDERED AND ADJUDGED that the above cause be and the same is hereby **DISMISSED WITH PREJUDICE**.

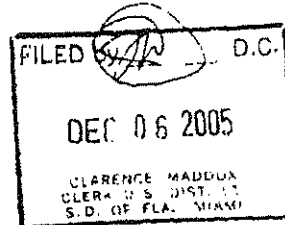
ORDERED that the Clerk shall close all files relating to this matter.

DONE and ORDERED in Chambers at Miami, Florida this ___ day of _____, 2005.

JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Conformed copies to:
Magistrate Judge Bandstra
All Counsel of Record

Exhibit 3



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 04-22764-CIV-KING/O'SULLIVAN

MAC STUART,

Plaintiff,

v.

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM NOW,
INC., d/b/a ACORN, an Arkansas corporation.

Defendant.

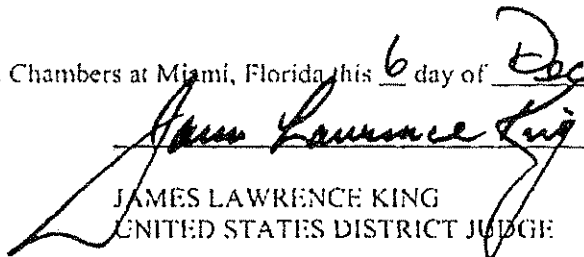
**FINAL ORDER OF DISMISSAL WITH PREJUDICE OF COUNTS
I AND II OF THE AMENDED COMPLAINT AND JUDGMENT IN
FAVOR OF ACORN ON COUNTERCLAIMS I AND II FOR DEFEMATION**

THIS MATTER is before the Court upon the Parties' Joint Stipulation for Voluntary Dismissal of Counts I and II of the Amended Complaint with Prejudice, and due cause appearing therefor, it is hereby:

ORDERED AND ADJUDGED that Counts I and II of the Amended Complaint are hereby dismissed with prejudice. It is also:

ORDERED AND ADJUDGED that judgment is granted in favor of ACORN on Counterclaims I and II.

DONE and ORDERED in Chambers at Miami, Florida, this 6 day of Dec, 2005.


JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE

Conformed copies to:
Magistrate Judge O'Sullivan
All Counsel of Record

53/10/5

Exhibit 4

NO.	NAME	CITY/STATE	DATE	SYNOPSIS
1.	Bouras, Peggy	Fayette Co., PA	1999	Indicted in voter fraud scheme in Fayette County, Pennsylvania [132]
2.	Cianciulli, Matthew	Philadelphia, PA	1979	Convicted of vote fraud [142]
3.	Cummons, Craig	Philadelphia, PA		Sentenced for role in absentee-ballot fraud [140]
4.	Hughes, Shirley	Fayette Co., PA	1999	Indicted in voter fraud scheme in Fayette County, Pennsylvania [132]
5.	Landers, Barbara	Philadelphia, PA	1994	Convicted of fraud [138]
6.	Murphy, Austin J.	Fayette Co., PA	1999	Indicted in voter fraud scheme in Fayette County, Pennsylvania; sentenced for violating state's election code [132]
7.	Rios, Yolanda	Philadelphia, PA		Maintained dual residences for voting [138]
8.	Rivera, Jorge L.	Philadelphia, PA		Someone registered Jorge Rivera at 1007 W. Lehigh Ave. and voted in his name despite the fact he stated he had not lived at that address for two years and he did not cast a vote. Rivera was one of 137 people registered at vacant 1007 W. Lehigh Ave [137]
9.	Smaller, Andrea	Philadelphia, PA	1994	Admitted to voting in ward other than the ward where she lives [137]
10.	Smaller, Colletta D.	Philadelphia, PA	1994	Admitted to voting in ward other than the ward where she lives [137]
11.	Stinson, William G.	Philadelphia, PA		Removed from office after two months serving in the State Senate when a federal judge ruled he had won the election through massive absentee ballot fraud [140]
12.	Wilkus, Joseph	Philadelphia, PA		Two registrations to vote and two voting addresses; one of more than 200 people with dual registrations to vote in Philadelphia [137]
13.	Wilkus, Marie	Philadelphia, PA		Two registrations to vote, two voting addresses and recorded as voting twice in previous elections; one of more than 200 people with dual registrations to vote in Philadelphia [137]

Exhibit 5

U.S. District Court
District of New Mexico - Version 3.2.1 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:08-cv-01002-MV-ACT

Escobedo et al v. Rogers et al
Assigned to: Chief Judge Martha Vazquez
Referred to: Magistrate Judge Alan C. Torgerson
Cause: 42:1983 Civil Rights Act

Date Filed: 10/27/2008
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff**Dora Escobedo**

represented by **Nina Perales**
MALDEF
110 Broadway
Suite 300
San Antonio, TX 78205
(210) 224-5476
Fax: (210) 224-5382
Email: nperales@maldef.org
LEAD ATTORNEY

Plaintiff**Lydia Olivarez**

represented by **Nina Perales**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Patrick J. Rogers****Defendant****Al Romero**

Date Filed	#	Docket Text
10/27/2008	<u>1</u>	COMPLAINT <i>Verified Complaint for Injunctive Relief</i> against Patrick J. Rogers, Al Romero (Filing Fee - Online Payment), filed by Dora Escobedo, Lydia Olivarez.(Perales, Nina) (Entered: 10/27/2008)
10/27/2008		Filing Fee Received: \$ 350 receipt number 10840000000000775775 re <u>1</u> Complaint filed by Lydia Olivarez, Dora Escobedo (Payment made via Pay.gov) (Perales, Nina) (Entered: 10/27/2008)
10/27/2008	<u>2</u>	First MOTION for Pro Hac Vice <i>Motion for Admission Pro Hac Vice of Nina Perales</i> by Dora Escobedo, Lydia Olivarez. (Perales, Nina) (Entered: 10/27/2008)

		10/27/2008)
10/27/2008	<u>3</u>	First MOTION for Pro Hac Vice <i>Motion for Admission Pro Hac Vice of Diego M. Bernal</i> by Dora Escobedo, Lydia Olivarez. (Perales, Nina) (Entered: 10/27/2008)
10/27/2008		Chief Judge Martha Vazquez and Magistrate Judge Alan C. Torgerson assigned. (nm) (Entered: 10/27/2008)
10/27/2008		Summons Issued as to Patrick J. Rogers & Al Romero. (nm) (Entered: 10/27/2008)

PACER Service Center			
Transaction Receipt			
10/28/2008 10:31:13			
PACER Login:	me0059	Client Code:	14591-1
Description:	Docket Report	Search Criteria:	1:08-cv-01002-MV-ACT Start date: 10/1/2008 End date: 10/28/2008
Billable Pages:	1	Cost:	0.08

JURISDICTION AND VENUE

1. This Court has jurisdiction over this action and over the parties. Jurisdiction is proper pursuant to 28 U.S.C. §§ 1331 and 1343, 42 U.S.C. § 1983 and common law. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because the acts complained of occurred in Bernalillo County, New Mexico and Defendants reside in New Mexico.

PARTIES

Plaintiffs

2. Plaintiff DORA ESCOBEDO is a citizen of the United States. She resides in Albuquerque, New Mexico and is a registered and eligible voter of Bernalillo County, NM. Plaintiff ESCOBEDO is Latina.

3. Plaintiff LYDIA OLIVAREZ is a citizen of the United States. She resides in Albuquerque, New Mexico and is a registered and eligible voter of Bernalillo County, NM. Plaintiff OLIVAREZ is Latina.

Defendants

4. Defendant PATRICK J. ROGERS resides in New Mexico and is subject to the laws of New Mexico and the United States.

5. Defendant AL ROMERO resides in New Mexico and is subject to the laws of New Mexico and the United States.

ALLEGATIONS OF FACT

6. Plaintiff DORA ESCOBEDO voted for the first time in the June 2008 Primary Election in Bernalillo County, NM. Plaintiff ESCOBEDO had previously registered to

vote on March 28, 2008, approximately seven months after becoming a naturalized citizen. Plaintiff ESCOBEDO is sixty-seven years old.

7. Plaintiff LYDIA OLIVAREZ voted in the June 2008 Primary Election in Bernalillo County, NM. Plaintiff OLIVAREZ had previously registered to vote on February 28, 2008, after moving to New Mexico from California. Plaintiff OLIVAREZ is sixty-three years old.

8. On Thursday, October 16, 2008, Defendant ROGERS participated in a press conference convened by the New Mexico Republican Party to announce that it believes at least 28 people cast fraudulent votes in the June 2008 Democratic Primary Election for State Representative in District 13.

9. At the press conference, Defendant ROGERS and other individuals distributed to reporters a packet of documents containing information about 28 voters that it claimed "suggests serious questions about the validity of those votes."

10. This press packet further stated "[t]he information immediately available indicates significant indicia of fraud, identity theft issues or serious identity questions. The results of the investigation (first 10 summarized below) of all 28 will be provided to the Attorney General, District Attorney and the FBI with a request for a full and immediate investigation."

11. Defendant ROGERS was further quoted in an Associated Press report of October 16, 2008 saying that the information in the press packet would be turned over to law enforcement officials for investigation into voter fraud.

12. The press packet named 10 individuals as having questionable votes, including Plaintiff ESCOBEDO and Plaintiff OLIVAREZ. The press packet included copies of the

ten individuals' original voter registration applications which showed their addresses, phone numbers, dates of birth, and signatures. The press packet included additional notations regarding "indicia of fraud" for each individual.

13. The press packet stated, for Plaintiff ESCOBEDO, that a person with her name had relied on a Spanish language court interpreter during a legal proceeding in 1995 and that that such reliance was "a common occurrence for illegal aliens in the court system." The press packet further stated that "No SSN or date of birth is associated with the voter, highly unusual based on a resident of at least 9 years." Finally, the press packet included notations revealing the results of a search of Plaintiff ESCOBEDO's credit history.

14. The press packet stated, for Plaintiff OLIVAREZ, that she had two social security numbers, various "aliases" and no New Mexico driver's license. The notations also stated that a search regarding Plaintiff OLIVAREZ's social security number indicated "fraud or identity theft."

15. On Wednesday, October 22, 2008 Defendant ROMERO appeared at the home of Plaintiff ESCOBEDO and asked her repeatedly to let him into her house. Defendant ROMERO represented himself as an investigator and stated that there was a problem with Plaintiff ESCOBEDO's voter registration.

16. Defendant ROMERO demanded to see Plaintiff ESCOBEDO's identification card, accused Plaintiff ESCOBEDO of being a non-U.S. citizen, threatened to call immigration authorities to her house, and laughed at her when Plaintiff ESCOBEDO explained that she possessed naturalization documents.

17. Defendant ROMERO remained outside Plaintiff ESCOBEDO'S home for approximately one hour claiming throughout that time that he was checking discrepancies

in voter registration. He further stated that he was working for a private attorney named PATRICK J. ROGERS.

18. Also on Wednesday, October 22, 2008 Defendant ROMERO appeared at the home of Plaintiff OLIVAREZ.

19. Plaintiff OLIVAREZ was not home at the time. Another resident of the household sent Defendant ROMERO away and contacted Plaintiff OLIVAREZ regarding the visit and its connection to claims of voter fraud in Bernalillo County.

20. Plaintiffs ESCOBEDO and OLIVAREZ feel threatened and intimidated by the actions of Defendants and believe that they are being targeted for accusations of voter fraud because of their race and national origin as well as their voting in the 2008 Primary and General Elections. Plaintiff ESCOBEDO has mailed her ballot to vote in the November 2008 General Election and Plaintiff OLIVAREZ hopes to cast her ballot by mail in the November 2008 General Election. Plaintiffs ESCOBEDO and OLIVAREZ are afraid that Defendants will challenge their ability to vote in the November 2008 General Election and seek to invalidated their ballots before they are counted.

21. Defendants' actions against Plaintiffs were intentional, and performed with callous, deliberate and reckless disregard for Plaintiffs' rights under both the laws and Constitution of the United States.

COUNT I

THE VOTING RIGHTS ACT OF 1965, 42 U.S.C. § 1971(b) (AGAINST ALL DEFENDANTS)

22. Plaintiffs incorporate by reference all preceding allegations as if fully set forth herein.

23. Defendants violated 42 U.S.C. § 1971(b) by intimidating, threatening, coercing, and/or attempting to intimidate, threaten, or coerce Plaintiffs for the purpose of interfering with the right of Plaintiffs to vote for candidates for federal office in the November 2008 General Election.

COUNT II

THE VOTING RIGHTS ACT OF 1965, 42 U.S.C. § 1973i (b)
(AGAINST ALL DEFENDANTS)

24. Plaintiffs incorporate by reference all preceding allegations as if fully set forth herein.

25. Defendants violated 42 U.S.C. § 1973i (b) by intimidating, threatening, or coercing, and/or attempting to intimidate, threaten, or coerce Plaintiffs for voting or attempting to vote.

COUNT III

CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS
(AGAINST ALL DEFENDANTS)

26. Plaintiffs incorporate by reference all preceding allegations as if fully set forth herein.

27. Defendants violated 42 U.S.C. 1985 (3) by conspiring to prevent by force, intimidation, or threat, Plaintiffs from voting for candidates for federal office in the November 2008 General Election.

28. Defendants' actions against Plaintiffs were taken with racially discriminatory intent and effect.

29. Defendants acted intentionally and/or with reckless, deliberate and callous indifference to Plaintiffs' rights.

30. Defendants' acts and omissions were the direct and proximate cause of harm to Plaintiffs.

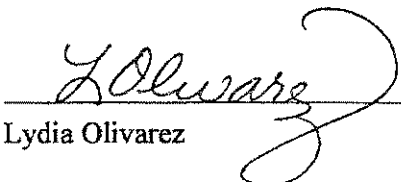
PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray this Court provide the following relief:

- A. Assumer jurisdiction over this matter;
- B. Declare that Defendants violated Plaintiffs' rights secured by the Voting Rights Act as alleged herein;
- C. Declare that Defendants' violated Plaintiffs' rights secured by 42 U.S.C. 1985 (3) as alleged herein;
- D. Enjoin Defendants, their officers, agents, employees and all persons in active concert with them, from undertaking activities which are designed to intimidate, threaten or coerce voters concerning their right to vote in an election or which are designed to in any way interfere with or discourage lawful exercise of the franchise;
- E. Enjoin Defendants, their officers, agents, employees and all persons in active concert with them, from undertaking activities to challenge the validity or legitimacy of Plaintiffs' votes cast in the November 4, 2008 General Election or the June 2008 Primary Election;
- F. Award Plaintiffs reasonable costs and attorneys fees incurred in bringing this action;
- G. Award such other and further relief as the Court may deem appropriate, including injunctive and declaratory relief as may be required in the interests of justice.

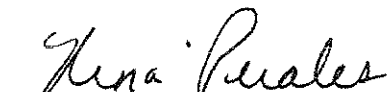
VERIFICATION

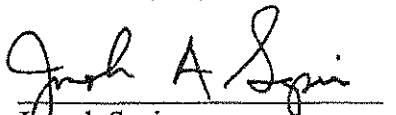
I, Lydia Olivarez, a citizen of the United States and resident of the State of New Mexico, am a plaintiff in this action. I have read the foregoing Verified Complaint and declare under penalty of perjury under the laws of the United States of America that the foregoing facts are correct and true to the best of my knowledge and belief and that those factual matters that are stated upon information and belief are believed by me to be true.


Lydia Olivarez

DATED: October 27, 2008

Respectfully submitted,


Nina Perales (seeking admission *Pro Hac Vice*)
Diego Bernal (seeking admission *Pro Hac Vice*)
Marisol L. Perez (seeking admission *Pro Hac Vice*)
MEXICAN AMERICAN LEGAL DEFENSE AND
EDUCATIONAL
FUND, INC.
110 Broadway, Suite 300
San Antonio, Texas 78205
(210) 224-5476
Facsimile (210) 224-5382


Joseph Sapien
Phillip Sapien
SAPIEN LAW, L.L.C.
P.O. Box 965
Albuquerque, NM 87103-0965
(505) 842-5979
(505) 842-6002 Fax

Attorneys for Plaintiffs

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<p>I. (a) PLAINTIFFS DORA ESCOBEDO, LYDIA OLIVAREZ</p> <p>(b) County of Residence of First Listed Plaintiff <u>Bernalillo</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number) Mexican American Legal Defense and Educational Fund, 100 Broadway, Suite 300, San Antonio, TX 78205 (210) 224-5476 & SAPIEN LAW, LLC, P.O. Box 965, Albuquerque, NM 87103-0965 (505) 842-5979</p>	<p>DEFENDANTS PATRICK J. ROGERS, AL ROMERO</p> <p>County of Residence of First Listed Defendant <u>Bernalillo</u> (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
--	---

<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p>PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<p>PERSONAL INJURY</p> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p>PERSONAL PROPERTY</p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <p style="text-align: center;">PROPERTY RIGHTS</p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <p style="text-align: center;">SOCIAL SECURITY</p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <p style="text-align: center;">FEDERAL TAX SUITS</p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<p>REAL PROPERTY</p> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<p>CIVIL RIGHTS</p> <input checked="" type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<p>PRISONER PETITIONS</p> <input type="checkbox"/> 510 Motions to Vacate Sentence <p>Habeas Corpus:</p> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<p>LABOR</p> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations & Disclosure Act <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <p style="text-align: center;">IMMIGRATION</p> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions		

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1971(b), 42 U.S.C. § 1973(b), 42 U.S.C. 1985(3)

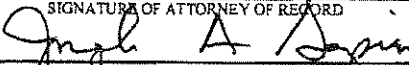
Brief description of cause:
Def. violated statutes when they intimidated and conspired to intimidate Pifs. from voting.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ _____ CHECK YES only if demanded in complaint:
 JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: 10/27/2008

SIGNATURE OF ATTORNEY OF RECORD


FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFF _____ JUDGE _____ MAG. JUDGE _____