

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

TRACIE HUNTER, et al.	:	Case No. 1:10-cv-820
	:	
Plaintiffs	:	Judge Susan J. Dlott
	:	
v.	:	
	:	
HAMILTON COUNTY BOARD OF ELECTIONS, et al.	:	AGREED ORDER PERMITTING TRANSFER OF BALLOTS AND RE- USE OF EQUIPMENT AND SUPPLIES
	:	
Defendants	:	

By agreement of the parties, the Hamilton County Board of Elections is permitted to transfer ballots from the November 2, 2010 General Election and re-use equipment and supplies as follows:

1. To the extent that it is necessary to examine, review, or otherwise handle ballots, paper rolls, equipment and supplies to perform duties required of the Board, such activities shall be performed by bi-partisan teams.
2. Each and every activity designated herein shall be done in an area and in a manner in which it may be viewed by observers designated by the parties. Each party to this matter, any candidate who has requested and paid for a recount, and any committee supporting or opposing a local question or issue subject to a mandatory recount may designate observers to oversee the activities of the bi-partisan teams. No more than two observers representing an entity described above may be present during the activities designated herein.
3. With respect to the ballots scanned and counted at precinct polling locations by the Board during the General Election of November 2, 2010, the Board may remove them from

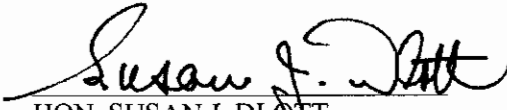
the sealed containers ("blue ballot bags") in which they have been stored since the election, immediately place them in another sealable container which shall then be immediately sealed. Provisional ballots and other ballots scanned and counted at the offices of the board shall remain in the sealed containers in which they were placed following the official canvass of the November 2, 2011 General Election. All ballots shall be stored in secure locations at the offices of the Board pending the completion of all recounts and contests and appeals thereof and the final certification of all election abstracts of results. Such locations shall be secured consistent with SOS Dir. 2008-56 which requires dual lock systems with keys in possession of the Director or a designee of the same party affiliation and the Deputy Director or a designee of the same political affiliation.

4. The Voter Verified Paper Audit Trail / Verifiable Ballot Option (VVPAT/VBO) equipment used in the November 2, 2010 General Election shall be unsealed and the paper roll contained therein on which each vote cast on such device has been recorded, shall be removed and immediately placed in a sealable container which shall then be immediately sealed. The VVPAT/VBO paper rolls shall be stored in secure locations at the offices of the Board. Such locations shall be secured in the same manner as specified in paragraph 3 above.

5. As the information contained thereon is electronically stored in other multiple locations, eScan and JBC/eSlate voting equipment and corresponding audio cards may be re-set for use in the General Election occurring in November, 2011. In addition, such devices may be inspected, maintained, serviced, and repaired if required.

6. The supply boxes used in the November 2, 2010 General Election with exception of Silverton A, may be reused in the General Election occurring in November, 2011. The Silverton A supply box shall be kept in the same secure location as the provisional and other

centrally counted ballots. Such location shall be secured in the same manner as specified in paragraph 3 above.


HON. SUSAN J. DLOTT
UNITED STATES DISTRICT COURT

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