

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

ROSA SEGUE, JOHN DOE/JANE DOE

Plaintiffs,

v.

STATE OF Louisiana; KATHLEEN BLANCO, the GOVERNOR of the STATE OF Louisiana in her official capacity; CHARLES FOTI, the ATTORNEY GENERAL in his official capacity; JAY DARDENNE the SECRETARY OF STATE in his official capacity; ANGIE LAPLACE, the COMMISSIONER OF ELECTIONS in her official capacity.

Defendants.

CIVIL ACTION NO.: 07-5221

JUDGE: ENGELHARDT

MAGISTRATE: SHUSHAN

**THREE-JUDGE DISTRICT COURT
PANEL REQUESTED**

**DECLARATION OF KRISTEN M. CLARKE IN SUPPORT OF PLAINTIFFS'
RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS AND/OR
MOTION FOR SUMMARY JUDGMENT**

I, KRISTEN M. CLARKE, hereby declare as follows:

1. I am an attorney at the NAACP Legal Defense and Educational Fund, and Counsel for Plaintiffs Rosa Segue and John Doe/Jane Doe.
2. On August 29, 2007, I prepared and filed Plaintiffs' Complaint ("Complaint") in this action. Paragraph 48 of the Complaint indicates that, on or around July 15, 2007, Plaintiff Segue received a second notice from Defendants requiring her to appear in person at the Orleans Parish Registrar's Office. This allegation is attributable to a misunderstanding between Plaintiff Segue and her Counsel, Kristen Clarke. Although Plaintiff Segue received from the Defendants the 30-Day Notice, which represents one aspect of the Defendants' voter registration cancellation program, she did not receive a second notice as alleged in Paragraph 48 of the Complaint.

3. Moreover, the allegation in Paragraph 51 of the Complaint — that Plaintiff Segue was removed from the registration rolls on or around August 15, 2007 — was based on an understanding, that was shared by Plaintiff Segue and her Counsel, that failure to respond in any manner to Defendants’ 30-Day Notice would result in removal from the voter registration rolls.

4. By the terms of Defendants’ 30-Day Notice, Plaintiff Segue could remain registered to vote in Louisiana only if she “present[ed] us with proof of cancellation of your out-of-state voter registration within 30 days of this notice.” Defendants’ 30-Day Notice also stated that “[i]f you do not provide such proof of cancellation within 30 days of this Notice, **you will receive a second notification** requiring you to appear in person at your Louisiana parish’s registrar of voter’s office ...” (emphasis added). Though Defendants assert that Plaintiff Segue has not been removed from the voter registration rolls, the text of the 30-Day Notice led to the belief that her inability to comply with the terms of the 30-Day Notice would (and did) result in the cancellation of her voter registration in Louisiana.

5. Notwithstanding the presumption created by Defendants’ 30-Day Notice — that Plaintiff Segue’s voter registration was cancelled in Louisiana — Defendants have provided no notice to Plaintiff Segue indicating that she remains eligible to vote in Louisiana and/or that she is no longer subject to the Notice’s requirements.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 1, 2007.

/s/ Kristen M. Clarke

Kristen M. Clarke