

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TRACIE HUNTER, et al.,	:	Case No. 1:10-cv-820
	:	
Plaintiffs,	:	
	:	Chief Judge Susan J. Dlott
vs.	:	
	:	
HAMILTON COUNTY BOARD OF	:	<u>DEFENDANT BOARD OF</u>
ELECTIONS, et al.	:	<u>ELECTIONS' REPLY IN</u>
	:	<u>SUPPORT OF ITS MOTION FOR</u>
Defendants.	:	<u>EMERGENCY RELIEF</u>
	:	
	:	

REPLY

In reply to Plaintiff Hunter's Response to the Board's Motion for Emergency Relief, the Board solicited quotes from vendors to replace the vote tabulation devices and equipment which Plaintiff still objects to permitting the Board to re-use. The costs associated with replacing such equipment and supplies is \$7,516,874.00 as evidenced in the attached Affidavit of Sally J. Krisel attached hereto. The Board again respectfully requests that this Court adopt as its Order, the terms of the Agreed Order (Doc. 64) that has now been vacated.

Respectfully submitted,

JOSEPH T. DETERS
PROSECUTING ATTORNEY
HAMILTON COUNTY, OHIO

BY:

/s/ Colleen M. McCafferty
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Attorneys for Hamilton County Board of Elections

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed on June 29, 2011 using the Court's CM/ECF system, which will transmit notice of the filing to all counsel of record in this case.

/s/ Colleen M. McCafferty

Colleen M. McCafferty

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

TRACIE HUNTER, et al.,	:	Case No. 1:10-cv-820
	:	
Plaintiffs,	:	
	:	Chief Judge Susan J. Dlott
vs.	:	
	:	
HAMILTON COUNTY BOARD OF	:	<u>SUPPLEMENTAL AFFIDAVIT IN</u>
ELECTIONS, et al.	:	<u>SUPPORT OF DEFENDANT</u>
	:	<u>BOARD OF ELECTIONS'</u>
Defendants.	:	<u>MOTION FOR EMERGENCY</u>
	:	<u>RELIEF</u>
	:	

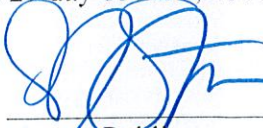
COUNTY OF HAMILTON)
) SS:
 STATE OF OHIO)

Being first duly sworn and cautioned, affiant states as follows:

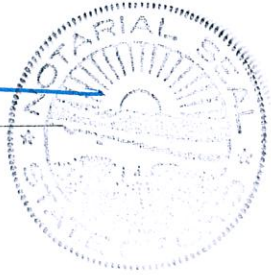
1. My name is Sally Krisel and I am the Director of the Hamilton County Board of Elections.
2. Following Plaintiff's response to the Board's motion for emergency relief, the Board of Elections obtained quotes from vendors for replacement equipment and supplies necessary to conduct the General Election in Hamilton County in November 2011. The actual costs associated with the replacement is \$7,516,874.00. The amounts are summarized in the attached exhibit and written quotes from Hart InterCivic for the replacement of the Verifiable Ballot Option for the eSlate disabled access units and for the replacement of the eSlate and eScan vote tabulating devices (Schedule A) are also attached.


 Sally J. Krisel, Director
 Hamilton County Board of Elections

Sworn to and subscribed in my presence this 29 day of June, 2011.


 Notary Public

DAVID T. STEVENSON, Attorney at Law
 NOTARY PUBLIC, STATE OF OHIO
 My Commission has no expiration
 date. Section 147.03 R. Cs



To: Sally Krisel, Director and Amy Searcy, Deputy Director

Prepared by: Shirley Frazier and Jerry Collier
6/22/2011

Updated 6/29/2011 by: Sherry Poland and Jerry Collier
Due to Plaintiff's Memorandum filed 6/27/2011

Replacement Ballot Containers:	
680 Ballot Bags @ \$41.80 Per Bag	\$28,424.00
Replacement Election Equipment:	
450 DAU @ \$3,310.00 each	\$1,489,500.00
450 JBC @\$3,300.00 each (works inconjunction with DAU)	\$1,485,000.00
720 eScans @ \$5,140.00 each	\$3,700,800.00
License Fee	\$180,000.00
469 VBO @ \$1,320.00 each	\$619,080.00
License Fee @ \$30.00 each	\$14,070.00
Total	\$7,516,874.00





SCHEDULE A
Hamilton County, OH (VBOs)
EQUIPMENT AND PRICING

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
Voting Hardware				
469	Verifiable Ballot Option (VBO)	Voter verifiable paper audit trail	\$1,320.00	\$619,080.00
Total Hart Voting Hardware				\$619,080.00
Software License and Support				
First year	First year license and support	License and support fee for the first year	\$ 14,070.00	\$ 14,070.00
Total Software License and Support				\$ 14,070.00
Total Acquisition Cost				
Total Price for Hardware			\$	\$619,080.00
Initial Annual Fee			\$	14,070.00
Total System Price			\$	\$633,150.00
Less Special County Discount			\$	-
State and Local Taxes [b]			\$	-
Purchase Price				\$633,150.00

[b] Taxes will be calculated in conjunction with the Client based on the final approved Schedule A price list.



SCHEDULE A

Hamilton County, OH (eScans, DAUs, JBCs, no tubs/booths)
EQUIPMENT AND PRICING

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL PRICE
Voting Hardware				
450	Disabled Access Unit (DAU)	Disabled access voting unit	\$3,310.00	\$1,489,500.00
450	Judge's Booth Controller (JBC)	Controller for eSlate polling place equipment	\$3,300.00	\$1,485,000.00
720	eScan	Precinct-based ballot scanning unit	\$5,140.00	\$3,700,800.00
1,620	Mobile Ballot Box (MBB) / audio card	Flash memory card or audio cards included with Hart Voting equipment	Included	No Charge
Total Hart Voting Hardware \$6,675,300.00				
Software License and Support				
First year	First year license and support	License and support fee for the first year	\$ 180,000.00	\$ 180,000.00
Total Software License and Support \$ 180,000.00				
Total Acquisition Cost				
Total Price for Hardware				\$6,675,300.00
Initial Annual Fee				\$ 180,000.00
Total System Price				\$ 6,855,300.00
State and Local Taxes [a]				\$ -
Purchase Price				\$ 6,855,300.00

[a] Taxes will be calculated in conjunction with the Client based on the final approved Schedule A price list.