

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE STATE OF OHIO ex rel.	:	
DANA SKAGGS, et al.,	:	
	:	Case No. 2:08-CV-1077
Plaintiff - Relator,	:	
	:	
v.	:	Judge Marbley
	:	
JENNIFER L. BRUNNER	:	
SECRETARY OF THE STATE	:	
OF OHIO, et al.,	:	
	:	
Defendant - Respondent.	:	
	:	

AFFIDAVIT OF JACQUELINE J. ROTHSCHUH

I, Jacqueline J. Rothschuh, having been duly sworn and cautioned according to law, hereby state that I am over the age of eighteen years and am competent to testify to the facts set forth below based upon my personal knowledge.

1. From June 15, 1992 to January 4, 2008, I was employed by the Guernsey County (Ohio) Board of Elections, where I served as Director, performing the statutory duties of that office, and such other duties as assigned to me by the board, relative to the administration and conduct of elections in that county.
2. I have been employed in the Elections Division of the Ohio Secretary of State's Office since January 7, 2008, in the position of Assistant Elections Administrator.
3. I am a graduate of the Ohio Association of Election Officials Professional Education and Certification Program.
4. Ohio's current provisional voting process in R.C. 3505.181, 3505.182 and 3505.183 was enacted in House Bill 3, effective May 2, 2006.
5. In my position as Director of the Guernsey County Board of Elections, I was responsible for training poll workers regarding their duties in administering elections under Ohio election

law and the Directives and Advisories of the Secretary of State, including training them regarding provisional voting.

6. When I was Director of the Guernsey County Board of Elections, I trained poll workers to review the provisional ballot affirmation (Secretary of State Form 12-B) executed by a voter who was voting a provisional ballot before the poll worker completed the election official verification statement.
7. In reviewing a provisional ballot affirmation statement completed by a voter, poll workers were trained to instruct a voter to complete any missing information or to correct any mistakes on the provisional ballot affirmation.
8. The Secretary of State's interpretation of the Revised Code requiring poll workers to review the provisional ballot affirmation completed by a voter prior to executing the election official verification statement has been consistent since the current provisional ballot voting process was enacted in 2006.

Further Affiant sayeth naught.


Jacqueline J. Rothschuh, Assistant Elections Administrator

Sworn to before me, a notary public in and for said county and state, and subscribed in my presence, by the above-named Jacqueline J. Rothschuh, who acknowledged that she did sign the foregoing instrument and that the same is hers and its free act and deed, this 18th day of November 2008, in the City of Columbus, County of Franklin, State of Ohio, in testimony whereof, I set my hand and official seal.



BRIAN E. SHINN
ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.



Brian E. Shinn, Attorney at Law
Notary Public - State of Ohio
My commission has no expiration. R.C.147.03.