

**In The United States District Court  
For The Northern District Of Ohio  
Western Division**

**League of Women Voters of Ohio, *et al.*,**

**Plaintiffs,**

**vs.**

**Case No. 3:05-CV-7309**

**J. Kenneth Blackwell, *et al.*,**

**Judge James G. Carr**

**Defendants.**

**Defendant Blackwell's And Taft's Response to  
Plaintiffs' Requests for Production of Documents**

**General Objections**

The Plaintiffs' request is unduly burdensome, overbroad, vague, not reasonably calculated to lead to the discovery of admissible evidence, calls for information not within the scope of the Defendant, calls for documents protected under the work-product doctrine, calls for documents protected under the attorney-client privilege, calls for documents protected under the deliberative process privilege, calls for documents privileged under executive privilege.

Without waiving any of these objections, the Secretary of State produces documents 00000-001214 and will continue to produce documents as they become available. The Governor produces documents 00000-G000013 as the only responsive documents to this request.

1. Documents sufficient to identify all personnel with responsibility for any aspect of elections in the Governor's or Secretary of State's office (including any independent contractors or other personnel retained by your office who had responsibility for elections, election reform, or voting accessibility for persons with disabilities), their job titles and duties, as well as the chain of command in the Governor's and Secretary of State's offices with respect to those personnel.

2. All documents discussing, relating to, or constituting rules, instructions, directives, advisories or other communications between your office and any board of elections addressing the preparation for or conduct of any elections.

3. All documents discussing, relating to, or constituting rules, instructions, directives, advisories or other communications about the conduct of elections prepared, issued, or received by your office.

4. All documents discussing, relating to, or reflecting the form of registration cards, blanks, or records.

5. All election results submitted by any board of elections to the Office of the Secretary of State or between your offices since January 1, 1980.

6. All reports received, whether directly or indirectly, from any board of elections pursuant to Ohio Code Section 3501.05(L).

7. All documents discussing, relating to, or reflecting any suspected, alleged, or actual failure by any Ohio state, county, or local election officer, board of elections, or board of elections member to abide by the requirements of federal, state, or county election laws, rules, instructions, directives, advisories, guidelines, or procedures.

8. All annual reports prepared, issued, or received by either of your offices that discuss, relate to, or reflect election law or election administration, including all reports between your offices pursuant to Ohio Code Section 3501.05(O), and all documents discussing, relating to, or reflecting information compiled for and included in those reports.

9. The Ohio Elections Summit Report, published May 2001, any document related to or used in the preparation of that Report, and any document reviewing or recommending action (sic) by the Secretary of State or any board of elections with respect to that Report.

10. All documents (including but not limited to correspondence with counties, boards of elections, or members of boards of elections) discussing, describing, or relating to compliance or non-compliance with the National Voter Registration Act or otherwise discussing, describing, or relating to the registration of voters or maintenance of voter registration lists, including but not limited to:

- a. documents discussing, relating to, or reflecting the removal of voters from official registration lists;
- b. documents discussing, relating to, or reflecting the issuance of notices, or voters' responses thereto, pursuant to Section 8 of the National Voter Registration Act, 42 U.S.C. § 1973gg-6;
- c. documents discussing, relating to, or reflecting the updating of voter registration information;
- d. documents discussing, relating to, reflecting, or constituting rules, instructions, directives, advisories, policies, procedures, or practices created for the purpose of implementing the program for registering voters at designated agencies and at the offices of the registrar and deputy registrars of motor vehicles;
- e. all documents discussing, relating to, reflecting or constituting rules, instructions, directives, advisories, policies, procedures, or practices regarding voter registration.

11. All documents discussing, describing, or relating to accessibility, privacy, or independence for persons with disabilities at polling places, including but not limited to all reports prepared, issued, or received by your office pursuant to federal law regarding handicap accessibility, privacy, or independence at polling places.

12. All documents discussing, relating to, or constituting reports or information conveyed to your office, either directly or indirectly, by "field representatives" about any monitoring of elections or election procedures.

13. All documents discussing, relating to, or constituting any election plan, manual, guide, policy, rule, procedure, practice, or report prepared or issued by either of your offices about any aspect of administering elections, including but not limited to voter registration, voter rolls, voting, absentee ballots, provisional ballots; voting devices and the location or allocation of voting devices, handicap accessibility, tabulating results, poll worker training, or the location or changes in location of precincts or polling places.

14. For each election since January 1994, all documents discussing, relating to, reflecting, or in any manner memorializing any irregularity reported, problem encountered, or complaint made about any aspect of the election process, including but not limited to ballots, voter registration, casting votes, or handicap accessibility.

15. All documents discussing, relating to, considering, or constituting any investigation into the conduct of elections by any state or county governmental entity, regardless whether such investigation actually occurred or was completed.

16. All documents discussing, relating to, or used for training of poll workers, including but not limited to:

- a. all poll worker training plans, policies, or procedures issued or received by your office;
- b. all documents relating to the Voter Education/Poll Worker Education Fund; and
- c. all documents discussing, relating to, or reflecting reimbursement to county boards of elections for conducting poll worker training.

17. For each year since 1994, all documents discussing, relating to, reflecting, or constituting your office's budget for or funding of elections, and how the funding was allocated, including but not limited to the county electronic voting machine maintenance fund and the Election Reform Fund.

18. All documents discussing, describing, or relating to your office's compliance, non-compliance, or preparations for compliance with the Help America Vote Act, including but not limited to any statewide computer voter database system.

19. All documents discussing, describing, or relating to the disability access components of H.B. 262 (2004), including without limitation:

- a. documents discussing or reflecting the person(s) hired pursuant to H.B. 262;
- b. documents discussing or reflecting the work performed or to be performed by persons hired in connection with H.B. 262;

- c. documents sufficient to identify the members of the Advisory Board appointed pursuant to H.B. 262; and
- d. documents discussing or reflecting the work performed or to be performed by the Advisory Board appointed pursuant to HB 262.

20. All documents discussing, relating to, or constituting communications between your office and the Ohio State Legislature, or any member or employee thereof, concerning elections.

21. All documents discussing, relating to, or constituting communications between your office and the Ohio Controlling Board, or any member or employee thereof, concerning elections, including without limitation any requests or proposals for funding of any aspect of administering voter registration or elections made to the Ohio Controlling Board.

22. All documents discussing, relating to, projecting or otherwise attempting to estimate voter turnout in any election.

23. All documents discussing, relating to, or constituting your Citizen Education program or any other voter education plan.

24. All documents discussing, describing, or relating to your compliance or noncompliance with Ohio Code § 3501.27, including but not limited to documents discussing, describing, or relating to training election officers, any program for instructing members of boards of elections and employees of boards about rules, instructions, directives, advisories, practices, procedures, and law relating to elections.

25. Any electronic precinct map used in the last three decennial congressional redistricting processes (sic).

26. The document retention policy currently operative in your office.

As to Objections:



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**Certificate of Service**

This is to certify a copy of the foregoing was served upon Michael Geske, 505 Twelfth Street, NW, Washington D.C. 20004 by overnight mail on this 17<sup>th</sup> day of October, 2005.

  
Richard N. Coglianes