

**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 Carr

Defendants.

Notice of Deposition

Plaintiffs give notice that they will take the deposition pursuant to Fed. R. Civ. P. 30(b)(6) of Defendant Bob Taft and the Office of the Governor of the State of Ohio. Defendant Taft has a duty pursuant to Fed. R. Civ. P. 30(b)(6) to designate one or more employees of the Office of the Governor, or other persons who consent to testify on its behalf, and such person(s) shall testify as to the matters known, or reasonably available to the office, on the topics specified in the attached Schedule A.

This deposition shall take place at 333 E. Stewart Ave., Columbus, Ohio 43206, on December 1, 2005 at 9:00 a.m., and will continue from day to day until it is complete.

November 18, 2005

Respectfully served,

/s/ Shelby H. Hunt

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon all counsel of record by means of the court's electronic filing system on the 18th day of November, 2005 to:

Richard N. Coglianesse
Deputy Attorney General
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By: /s/ Shelby H. Hunt
Shelby H. Hunt

SCHEDULE A

TOPIC NO. 1:

Office of the Governor's e-mail system, including, but not limited to:

- (a) Hardware;
- (b) Software;
- (c) Back-up procedures and policies;
- (d) Back-up software
- (e) Operating systems and software;
- (f) Back-up hardware; and
- (g) All efforts made by the Office of the Governor after the filing of

this action to preserve potentially relevant e-mails.

TOPIC NO. 2:

All steps undertaken to preserve documents after this lawsuit commenced, including the preservation of hard-copy documents, and files and hard drives of current and former employees, as well as steps undertaken to discontinue the recycling of back-up tapes.

TOPIC NO. 3:

Search, collection, identification and production of documents and e-mail (electronic or hard copy) responsive to plaintiffs' request for production of documents, including, but not limited to the search for responsive documents and e-mail from the following current and former personnel in the Office of the Governor: Jon Allison, David Payne, Ann Aquillo, Elizabeth Luper Schuster, Brad Reynolds, and Christopher Marston.

TOPIC NO. 4:

Existence, preparation, organization, storage, maintenance, and present location of the following documents (electronic and hard copy):

- (a) all documents, databases and other sources of information related to the budgets for or funding of elections and how such funding was allocated;
 - (b) all documents, databases and other sources of information relating to any investigation into the conduct of elections or any investigation into voter election complaints;
 - (c) all reports prepared, issued, or received by the Office of the Governor relating to election law or election administration;
 - (d) all documents or other sources of information relating to communications between the Office of the Governor and the Ohio State Legislature, or any member or employee thereof, concerning elections;
 - (e) all documents or other sources of information relating to communications between the Office of the Governor and the Office of the Secretary of State, or any member or employee thereof, concerning elections;
 - (f) all documents, databases and other sources of information relating to, projecting or otherwise attempting to estimate voter turnout in elections;
 - (g) all documents and other sources of information sufficient to identify all personnel with responsibility for any aspect of elections in the Office of the Governor;
- and

(h) all documents, databases or other sources of information relating to the Office of the Governor's compliance, non-compliance, or preparation for compliance with the Help America Vote Act;

(i) all documents, databases and other sources of information relating to any proposals or requests reflecting efforts to obtain election-related funding from the federal government; and

(j) all documents, databases or other sources of information relating to the Office of the Governor's compliance or non-compliance with the National Voter Registration Act.