

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

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| League of Women Voters of Ohio, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 3:05-CV-7309 |
| |) | Chief Judge Carr |
| J. Kenneth Blackwell, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

NOTICE OF DEPOSITION OF DEFENDANT BLACKWELL AND THE OFFICE OF THE SECRETARY OF STATE OF OHIO PURSUANT TO F.R.C.P. 30(b)(6)

Plaintiffs give notice that they will take the deposition pursuant to Fed. R. Civ. P. 30(b)(6) of Defendant J. Kenneth Blackwell and the Office of the Secretary of State of Ohio. Defendant Blackwell has a duty pursuant to Fed. R. Civ. P. 30(b)(6) to designate one or more employees of the Office of the Secretary of State, 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 of the Secretary of State, on the topics specified in the attached Schedule A.

The deposition shall take place at 333 E. Stewart Ave., Columbus, Ohio 43206 on December 2, 2005 at 9:00 a.m., and will continue from day to day until complete.

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PROOF OF SERVICE

I hereby certify that a copy of the foregoing Notice of Deposition has been filed electronically this 18th day of November, 2005. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

By: /s/ Shelby H. Hunt
Counsel for Plaintiffs

SCHEDULE A

TOPIC NO. 1

The identity of all personnel with responsibility for any aspect of elections in the Secretary of State's office since 1994 (including any independent contractors or other personnel retained by that office who had responsibility for elections, election reform, or voting accessibility for persons with disabilities), their job title and duties, and the chain of command in the Secretary of State's office with respect to those personnel.

TOPIC NO. 2

Directives, advisories, rules, instructions, election plans, manuals and guides prepared and/or promulgated by the Secretary of State's office since 1994 that address the preparation for or conduct of elections.

TOPIC NO. 3

Policies and procedures in the Secretary of State's office for monitoring the preparation for and conduct of elections, including but not limited to: (a) the duties of "field representatives"; (b) obtaining reports from boards of elections pursuant to Ohio Code Section 3501.05(L); (c) obtaining projections of, or otherwise attempting to estimate, voter turnout in elections; (d) ensuring that boards of elections have adequate resources (including but not limited to voting machines and poll workers); (e) ensuring that boards of elections have assigned a reasonable number of electors to a precinct; (f) obtaining election results, costs and other election-related information from county boards of elections; (g) ensuring compliance by the county boards of elections of directives, advisories, rules, instructions, manuals and guides prepared and/or promulgated by the Secretary of State's office; and (h) ensuring compliance by the county boards of elections of federal, state or county laws and regulations.

TOPIC NO. 4

Policies and procedures in the Secretary of State's office for investigating or otherwise responding to 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.

TOPIC NO. 5

Policies and procedures in the Secretary of State's office for compelling the observance by election officers in the counties of the requirements of the election laws, pursuant to Ohio Code Section 3501.05(M).

TOPIC NO. 6

Policies and procedures in the Secretary of State's office relating to its efforts to comply with the requirements of the National Voter Registration Act ("NVRA"), including but not limited to the registration of voters, maintenance of voter registration lists, removal of voters from official registration lists, issuance of notices pursuant to Section 8 of the NVRA, 42 U.S.C. Section 1973gg-6, and updating voter registration information.

TOPIC NO. 7

Policies and procedures in the Secretary of State's office relating to voter registration, including but not limited to the requirement of Ohio Code Section 3501.05(R) that the Secretary of State prescribe a general program for registering voters or updating voter registration information.

TOPIC NO. 8

Policies and procedures in the Secretary of State's office relating to the removal of voters from official registration lists, including but not limited to the requirement of Ohio Code Section

3501.05(Q) that the Secretary of State prescribe a general program to remove ineligible voters by reason of change of address.

TOPIC NO. 9

Policies and procedures in the Secretary of State's office relating to efforts to comply with the requirements of the Help America Vote Act, including but not limited to any statewide computer voter database system.

TOPIC NO. 10

Policies and procedures in the Secretary of State's office for ensuring accessibility, privacy and independence for persons with disabilities at polling places, including policies and procedures relating to efforts to comply with the disability access components of HB 262 (2004) and other federal and state laws governing or pertaining to the provision of accessible voting to individuals with disabilities.

TOPIC NO. 11

Policies and procedures relating to the Secretary of State's issuance of annual reports to the Governor as required by Ohio Code Section 3501.05(O).

TOPIC NO. 12

Policies and procedures in the Secretary of State's office relating to poll worker training, including, but not limited to: (a) training sessions, plans, policies, procedures, manuals and other communications with county boards of elections about poll worker training; and (b) the funding of poll worker training, including but not limited to the Voter Education/Poll Worker Training Fund and reimbursement to counties for conducting poll worker training.

TOPIC NO. 13

Policies and procedures in the Secretary of State's office relating to the requirements of Ohio Code Section 3501.27, including but not limited to training election officers, programs for instructing members of the boards of elections and employees of boards about rules, instructions, directives, advisories, practices, procedures and law relating to elections.

TOPIC NO. 14

The Secretary of State's office's budget for, and funding of, election-related activities, including the sources of funding (including but not limited to funds obtained pursuant to HAVA), and how the funding was allocated (including but not limited to the county electronic voting machine maintenance fund and the Election Reform Fund).

TOPIC NO. 15

Policies and procedures relating to requests or proposals made by or on behalf of the Secretary of State's office to the Ohio Controlling Board for funding of any aspect of administering voter registration or elections.

TOPIC NO. 16

The Citizen Education program or any other voter education plan promulgated, implemented, funded or otherwise supported by the Secretary of State's office.