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November 11, 2005

Via facsimile, electronic mail and U.S. Mail

Richard N. Coglianesi, Esq.
Deputy Attorney General
Constitutional Offices Section
30 East Broad Street, 17th Fl.
Columbus, Ohio 43215

Re: *League of Women Voters of Ohio et al. v. Blackwell et al.*

Dear Rich:

Since we understand by your November 10 letter that Defendants have concluded taking depositions of fact witnesses in this case, as provided for in the August 30 status conference, we now want to set a schedule for depositions of Defendants and their current and former employees.

For planning purposes, we will be issuing Rule 30(b)(6) notices to both Defendants early next week, calling for testimony on identified topics on December 1 and 2. Pursuant to Chief Judge Carr's direction, we would like to schedule the remaining witnesses between December 5 and December 16. With regard to each of the witnesses identified below, please advise (a) whether your office represents the individual in question, and (b) the witnesses' availability to be deposed prior to December 16.

Based on our investigation and review of the discovery record, we have identified the following current and former employees of the Division of Elections for deposition: Robin Fields, Judith Grady, Judith Hoffman, Karen Lafferty, Joe Leonti, Faith Lyon, Gretchen Quinn, Connie Seguro, Dana Walch, Richard Weghorst, Joy Went, and Pat Wolfe. We are still evaluating your production to determine whether we need to call other current and former employees of the Division of Elections, including Pat Garrity, Betty Hull, David Kennedy, Ramona Pannell, Traci Washington, Faith Whittaker, Dorothy Woldorf, Kate Yonkura, and the regional representatives. We assume that your office does not represent Samuel Kindred (dba Spirit Consulting and/or Excel Management) or Nola Hang (dba Hang Consulting), but if this is incorrect, we would be happy to coordinate their depositions through your office.

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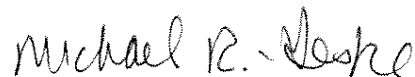
Based on our investigation and review of the discovery record, we have identified the following current and former employees of the Secretary of State's office for deposition: J. Kenneth Blackwell, Sherri Dembinski, Cassandra Hicks, Dilip Mehta, and Robert Taft. We are still evaluating your production to determine whether we need to call other current and former employees of the Secretary of State, including James Hocker, Monty Lobb, and Eric Seabrook.

As discussed in Shelby Hunt's letter also of today, the Defendants' document production for many of these individuals contain significant deficiencies. In order to minimize the inconvenience to these witnesses and the likelihood that these witnesses will need to be recalled, we would encourage you to complete your document production prior to the commencement of each deposition.

We also note that, to date, the document production from the Governor's office has not complied with the requirements of Rules 26 or 34, in that *inter alia*, it is clear that a reasonable search has not been conducted. Accordingly, we reserve the right to identify specific witnesses from the Governor's office when you have completed production. So that you may plan appropriately, our present intent is to call Jon Allison, Ann Aquillo David Payne, Brad Reynolds, Christopher Marston, Elizabeth Luper Schuster, and Robert Taft.

Please advise on these issues at your earliest convenience.

Sincerely,



Michael R. Geske

cc: Jon M. Greenbaum, Esq.
Benjamin J. Blustein, Esq.
Caroline S. Press, Esq.
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