
Exhibit G



FIU

www.fiu.edu

FLORIDA INTERNATIONAL UNIVERSITY
Miami's public research university

FACTS AT A GLANCE

*Florida International University is Miami-Dade County's first public, four-year university.
Our powerful record of innovation and research continues to improve the quality of life in our communities.*

LATEST NEWS:

On March 23, 2006, the Florida Board of Governors voted to approve the creation of a School of Medicine at FIU. The University plans to welcome its first medical school class in the fall of 2008.

HISTORY AND GROWTH:

FIU opened for classes in 1972 with 5,667 students - the largest opening day enrollment in U.S. collegiate history. Today it has close to 38,000 students, almost 1,000 full-time faculty and 113,000 alumni, making it the largest university in South Florida.

PROGRAMS:

The University offers more than 200 bachelor's, master's and doctoral programs in 17 colleges and schools: Accounting, Architecture, Arts and Sciences, Business Administration, Computing and Information Sciences, Education, Engineering & Computing, Health, Health and Urban Affairs, Honors, Hospitality and Tourism Management, Journalism and Mass Communication, Law, Medicine, Music, Nursing, Public Health, and Social Work/Policy and Management.

FACULTY:

Ninety-five percent of the University's full-time faculty hold doctorates or the highest degrees in their field.

RESEARCH:

FIU emphasizes research as a major component of its mission. Sponsored research funding (grants and contracts) from external sources for the year 2004-2005 totaled nearly \$80 million. The University is ranked as a Research University in the High Research Activity category of the Carnegie Foundation's prestigious classification system.

ALUMNI:

With more than 113,000 alumni, Golden Panthers constitute the fastest growing university alumni group in Miami-Dade County. FIU confers approximately half of all degrees now awarded by universities in Miami-Dade County.

NATIONAL RECOGNITION:

The University is the youngest university to have been awarded a chapter of Phi Beta Kappa, the nation's oldest and most distinguished academic honor society. The School of Accounting is the largest in the country. *U.S. News & World Report* recently ranked FIU's undergraduate international business programs seventh in the nation and the Chapman Graduate School of Business programs among the top 20.

The School of Hospitality and Tourism Management is one of the nation's top programs. Other acclaimed programs include Creative Writing and Marine Biology.

FIU recently ranked among the best values in public higher education in the country, according to *Kiplinger's Personal Finance* magazine's 2006 survey, "100 Best Values in Public Colleges." FIU ranked among the top 50 nationally for in-state students and among the top 100 nationally for out-of-state and international students.

FIU has been named one of the "10 Cool Colleges for Entrepreneurs" by *Fortune Small Business* magazine.

(continued)

ATHLETICS:

FIU's intercollegiate athletic teams compete in the National Collegiate Athletic Association (NCAA) Division I, the nation's most competitive college sports division, the Sun Belt Conference and Conference USA. Seventeen sports programs are offered, including football (Division I-A), basketball, track and cross-country, soccer, volleyball, softball and baseball.

BUDGET & ECONOMIC IMPACT:

The University's 2004-05 operating budget was \$567 million. FIU has more than 7,300 employees. The University has an economic impact of more than \$1.7 billion on the South Florida economy.

ARTS & CULTURE:

In recent years, FIU has emerged as one of South-Florida's major cultural assets, offering programs to both students and the local community. Several of its programs are nationally renowned for their excellence.

The Patricia & Phillip Frost Art Museum will celebrate the grand opening of its new facility on the University Park campus in November 2007.

The Wolfsonian-FIU museum, located in Miami Beach, promotes the collection, preservation and understanding of decorative art and design from the period 1885-1945. The Wolfsonian-FIU investigates the ways design shapes and reflects human experience. Assembled by Mitchell Wolfson Jr., its collection includes more than 100,000 objects.

The Department of Theatre and Dance produces a wide variety of live student performances, and The School of Music presents an annual fall series of concerts that showcase talent in a variety of genres. The festival features FIU musicians as well as distinguished visiting performers.

Under the direction of the Creative Writing Program, the Writers on the Bay lecture series presents noted authors and poets.

The School of Hospitality and Tourism Management helps present the annual South Beach Wine & Food Festival, one of the major culinary events in the nation. The event features world-renowned chefs, spectacular wine and culinary tastings, dinners and seminars.

CAMPUSES:

FIU has two campuses, the 344-acre University Park campus in western Miami-Dade County, and the 200-acre Biscayne Bay Campus in northeast Miami-Dade County. The University also has an academic site in Broward County, FIU Broward-Pines Center in Pembroke Pines. A major research facility, the 40-acre Engineering Center is located near the University Park campus.

Exhibit H



U.S. Department of Justice

Civil Rights Division

JKT:RPL:SMC:maf
DJ 166-012-3
2006-4890

*Voting Section - NWB.
950 Pennsylvania Avenue, N.W.
Washington, DC 20530*

June 27, 2006

Mr. Thurbert Baker
Attorney General
Mr. Dennis R. Dunn
Deputy Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300

Re: Your File No. 2006-15

Dear Messrs. Baker and Dunn:

This refers to the implementation of Georgia's voter photo identification requirements, as amended under Act No. 432 (S.B. 84) (2006), which, as set forth in your submission:


- (1) provides the rules and regulations adopted by the State Elections Board for the issuance of the free photo voter identification cards;
- (2) requires each county board of registrar's main or primary office to serve as the location within each county where the registrar shall provide for the issuance of the free photo voter identification cards;
- (3) requires the State Elections Board to provide each county board of registrars the necessary equipment, forms, supplies, and training to produce the photo voter identification cards;
- (4) provides for the required forms and applications related to the photo voter identification requirement; and,
- (5) requires the State Elections Board's formation and conduct of a voter education program regarding the availability of the photo voter identification cards for qualified individuals,

for the State of Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on June 19, 2006; supplemental information was received on June 20, 2006.

Our analysis indicates that the voter education program formulated by the State Elections Board does not constitute a change subject to the preclearance requirement of Section 5. Voter education programs are a regular part of the duties of the Secretary of State, and the Supreme Court has made clear in *Presley v. Etowah County Commission*, 502 U.S. 491, 502-03 (1992) that such shifts in responsibility among State officials and fluctuations in budget fall are not subject to the requirements of Section 5. See *Procedures for the Implementation of Section 5 of the Voting Rights Act* (28 C.F.R. 51.35.).

The Attorney General does not interpose any objection to the remaining specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. *Procedures for the Administration of Section 5 of the Voting Rights Act* (28 C.F.R. 51.41 and 51.43).

Sincerely,


John Tanner
Chief, Voting Section


CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the STATE
~~DEFENDANTS' APPENDIX OF EXHIBITS~~ upon the following counsel of record via
electronic mail and U.S. mail addressed as follows:

Roy E. Barnes, Esq.
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1300 Commerce Drive
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Decatur, GA 30030

This 28th day of June, 2006.



MARK H. COHEN
Georgia Bar No. 174567

Exhibit I

IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA

MS. MARGARET L. BERRY
a qualified and registered voter
under Georgia law,

Plaintiff,

v.

HON. SONNY PERDUE, individually and
in his official capacity as Governor;

STATE ELECTION BOARD; and,

MS. LINDA W. LATIMORE,
Director of Voter Registration
and Elections; MR. MICHAEL P.
COVENY, MS. CATHERINE GILLIARD,
MR. RYAN MURA, MS. LEONA PERRY,
MR. SAMUEL E. TILLMAN, Members of
Board of Registrations and Elections of
DeKalb County, Georgia; individually
and in their respective official capacities as
superintendents or members of the
elections boards in their individual
counties, and as CLASS
REPRESENTATIVES under O.C.G.A. §
9-11-23(b)(1) & (2) of a class consisting of
all superintendents and members of city
and county boards of elections
throughout the State of Georgia;

Defendants.

CIVIL ACTION
FILE NO. 06CV4701

CLERK OF SUPERIOR COURT
DEKALB COUNTY, GA

2006 APR 12 PM 2:29

FILED

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

MS. MARGARET L. BERRY)
a qualified and registered voter)
under Georgia law,)
Plaintiff,)

v.)

HON. SONNY PERDUE, individually and)
in his official capacity as Governor;)

STATE ELECTION BOARD; and,)

MS. LINDA W. LATIMORE,)
Director of Voter Registration)
and Elections; MR. MICHAEL P.)
COVENY, MS. CATHERINE GILLIARD,)
MR. RYAN MURA, MS. LEONA PERRY,)
MR. SAMUEL E. TILLMAN, Members of)
Board of Registrations and Elections of)
DeKalb County, Georgia; individually)
and in their respective official capacities as)
superintendents or members of the)
elections boards in their individual)
counties, and as CLASS)
REPRESENTATIVES under O.C.G.A. §)
9-11-23(b)(1) & (2) of a class consisting of)
all superintendents and members of city)
and county boards of elections)
throughout the State of Georgia;)

Defendants.)

CIVIL ACTION

FILE NO. 00CV4751-7

**COMPLAINT FOR
DECLARATORY AND INJUNCTIVE RELIEF**

This is an action to have declared unconstitutional, both on their face and as applied, and to enjoin the enforcement of both the 2005 amendment to O.C.G.A. § 21-2-417 (“the 2005 Photo ID Act”) and also the 2006 amendment (SB 84, as amended) (“the 2006 Photo ID Act”) that, when it becomes effective, will impose an unauthorized, unnecessary, and undue burden on the fundamental right to vote of hundreds of thousands of registered Georgia voters in violation of Art. II, § I, ¶ II of the Georgia Constitution.

Parties

1.

The individual plaintiff is **Ms. Margaret L. Berry**, a duly qualified and registered voter residing in the City of Lithonia and Dekalb County, Georgia. She is a citizen of the State of Georgia and is legally registered and duly qualified to vote in local, state and national elections in Georgia, but does not possess a Georgia driver’s license, passport or other form of photographic identification specified in the 2005 or 2006 amendment to O.C.G.A. § 21-2-417, issued by the State of Georgia or one of its political subdivisions, one of its sister states, by the United States or by an Indian tribe.

The Defendants are:

- (a) **HON. SONNY PERDUE** who is sued individually and in his official capacity as the Governor of the State of Georgia, and;
- (b) **THE STATE ELECTION BOARD** who is charged by state law to supervise and coordinate the work of the office of the Secretary of State, superintendents, registrars, deputy registrars, poll officers, and other officials so as to obtain uniformity in their practices and proceedings and legality and purity in all primaries and elections.
- (c) The following defendants are sued individually and in their official capacities as superintendents or members of their respective city or county boards of elections and also as Class Representatives of a class of city and county election superintendents or members of city or county election boards throughout the State of Georgia as provided by O.C.G.A. § 9-11-23(b)(1) & (b)(2):
 - (i) **MS. LINDA W. LATIMORE**, who is sued individually and in her official capacity as the Superintendent of Elections for the Board of Elections and Voter Registration for Dekalb County, Georgia, in which capacity she is charged by O.C.G.A. §§ 21-2-

70 & 21-2-70.1 with the duty of conducting elections in Dekalb

County, Georgia; and

- (ii) **MR. MICHAEL P. COVENY, MS. CATHERINE GILLIARD, MR. RYAN MURA, MS. LEONA PERRY, MR. SAMUEL E. TILLMAN**, who are sued individually and in their official capacities as Members of the Board of Registration and Elections for Dekalb County, Georgia, in which capacities they are charged by O.C.G.A. § 21-2-70 with the duty of conducting elections in Dekalb County, Georgia.

Jurisdiction and Venue

3.

This case arises under the Constitution and laws of the state of Georgia. This Court has jurisdiction to grant both declaratory and injunctive relief under O.C.G.A. §§ 9-4-2 and 9-4-9.

4.

Venue in this Court is proper under O.C.G.A. § 9-10-30 because Dekalb County is the county of residence of at least one of the defendants against whom substantial equitable relief is prayed.

Class Allegations

5.

The superintendents and board members of the city and county boards of elections named in paragraphs 2(c)(i) – (iv) above are members of a class that consists of superintendents and members of city and county boards of elections in each of the other 159 counties in the State of Georgia, who are so numerous as to make their joinder impracticable and who can and will fairly and adequately represent the interests of the members of the class because (a) there are common questions of law and fact, (b) the claims of the plaintiff is the same as the claims of other similarly situated qualified voters residing in the other cities or counties, and (c) any defenses that might be asserted by one local election official to Plaintiff's claims are the same as the defenses that might be asserted by or on behalf of any other member of the class of election superintendents and board members.

6.

Certification of a defendant class of all superintendents and members of all city and county boards of election in Georgia under O.C.G.A. § 9-11-23(b)(1) and (2) is appropriate because (a) the prosecution of separate actions in each of 159 counties would create a risk of inconsistent and varying adjudications, and (b) a

final decision on the merits in one action, as a practical matter, may have an impact upon or be dispositive of the interests of other members of the defendant class.

Pre-Existing Georgia Law

7.

Under the Georgia Constitution, both the *qualifications* of voters and the grounds on which an otherwise qualified voter may be disenfranchised and denied the right to vote are expressly set forth in Art. II, § I, ¶ II, and may not be modified by the General Assembly. Art. II, § I, ¶ II provides:

Right to register and vote.

Every person who is a citizen of the United States and a resident of Georgia as defined by law, who is at least 18 years of age and not disenfranchised by this article, and who meets minimum residency requirements as provided by law shall be entitled to vote at any election by the people. The General Assembly shall provide by law for the registration of electors.

Georgia Const., Art. II, § I, ¶ II (emphasis added).

8.

Prior to the 1998 elections, voters in Georgia, like registered voters in a majority of other states, were not required to present any form of identification as a condition of voting.

As a result of the adoption by the General Assembly of O.C.G.A. § 21-2-417 in 1997, registered voters in Georgia were required for the first time to identify themselves by presenting one of seventeen forms of identification to election officials as a condition of being admitted to, and allowed to vote at the polls (former O.C.G.A. § 21-2-417), or by signing an Elector's Certificate under oath affirming the correctness of the voter's name and address. O.C.G.A. § 21-2-417(b).

Under O.C.G.A. § 21-2-417, as it existed prior to its amendment by Act 53 in 2005, registered voters were permitted, but were not required, to present a Georgia driver's license or other form of official photographic identification as a method of identification as a condition of voting. Voters also had the right, however, to use any of eight other methods of identification, a birth certificate, a social security card, a copy of a current utility bill, a government check, a payroll check, or a bank statement that showed the name and address of the voter. Former O.C.G.A § 21-2-417(1)(10), (11), (14), (15), (16).

11.

The 1997 voter identification statute also had a "fail safe provision" (O.C.G.A. § 21-2-417(b)), that guaranteed the right to vote of each person at the polls of any registered voter who did not have or was unable to find one of the 17 forms of photographic or non-photographic identification specified in O.C.G.A. § 21-2-417(a). If a person did not have one of the 17 forms of identification, that person could sign a statement under oath swearing or affirming that he or she is the person identified on the elector's certificate. O.C.G.A. § 21-2-417(b).

12.

This fail-safe provision was essential to ensure that no voter who possessed the qualifications specified in the Georgia Constitution, and who had not been disenfranchised for one of the two reasons stated in the Georgia Constitution, would be allowed to vote, even if the voter did not have one of the 17 forms of approved identification specified in the statute, thereby avoiding a conflict between the constitutional right to vote and the 1997 voter identification statute.

13.

According to an August 25, 2005 "Section 5 Recommendation Memorandum" of the Voting Rights Section of the Department of Justice career staff (Exhibit A), the 1997 Georgia voter identification statute was granted pre-

clearance under Section 5 of the Voting Rights Act “based on two main factors:

(1) the fail-safe procedure ensured that voters were not turned away for lack of authorized identification, and (2) minority contacts [*i.e.* African-Americans in Georgia] did not urge an objection primarily because no voters would be turned away if they did not have proper identification.”

The 2005 Photo ID Act

14.

In 2005, the General Assembly of Georgia amended O.C.G.A. § 21-2-417, to eliminate the fail-safe provision and require only those registered voters in Georgia who vote *in person* in primary, special, or general elections for state, national and local offices held on or after July 1, 2005, to present a government-issued photographic identification card (“Photo ID”) to election officials as an absolute condition of being admitted to the polls and being issued a ballot and allowed to vote (“the 2005 Photo ID Act”).

15.

The Photo ID provision in Section 59 of HB 244 was sponsored by Representative Sue Burmeister (a Republican member of the Georgia House of Representatives who told the Voting Rights Section of the U.S. Department of

Justice, "that if there are fewer black voters because of this bill, it will only be because there is less opportunity for fraud. She said that when black voters in her black precincts are not paid to vote, they do not go to the polls." Exhibit B, p. 6; Bob Kemper and Sonji Jacobs, *Voter ID Memo Stirs Tension – Sponsor of Disputed Georgia Legislation Told Feds that Blacks in Her District Only Vote if They are Paid to Do So*, *Atlanta Journal Constitution* (Nov. 18, 2005)).

16.

The real purpose of the Photo ID requirement in Section 59 of HB 244 was and is to perpetuate and entrench the control by the Republican Party over elections for state and federal offices at all levels in Georgia by making it easier for white voters to cast absentee ballots, and by making it more difficult, if not impossible for voters who are poor, elderly, or infirm, to vote, and most especially to prevent African-Americans and other minority voters from voting.

17.

The Secretary of State, as the Chief Election Officer in Georgia, informed the General Assembly before the passage of Act 53 in a memorandum (attached hereto as Exhibit C), and also informed the Governor in a letter (attached hereto as Exhibit D) before he signed the bill into law, that HB 244 would open the door even wider to fraud in absentee balloting, while imposing a severe and unnecessary

burden on the right to vote of hundreds of thousands of poor, elderly, and minority voters. The Secretary of State stated that during her nine years as Secretary of State, there had been no documented cases of fraudulent voting involving in-person voting by persons who obtained ballots unlawfully by misrepresenting their identities as registered voters to poll workers reported to her office.

18.

HB 244 (Act No. 53) was approved in the House by a vote of 89 Republicans and only 2 Democrats voting in favor of the bill, while 72 Democrats and only 3 Republicans voted against the bill. The report of the Conference Committee approved in the Senate by a vote of 31 Republicans and no Democrats voting in favor of the report, while 18 Democrats and only 2 Republican Senators voted against the report.

19.

HB 244 was signed into law by Georgia's Governor, Sonny Perdue, on April 22, 2005, as Act 53 and is hereafter referred to as the 2005 Photo ID Act and was scheduled to become effective on July 1, 2005, subject to pre-clearance by the United States Department of Justice.

On August 25, 2005, the career staff in the Voting Rights Section recommended that the mandatory Photo ID requirement in Section 59 of Act 53 be denied pre-clearance under the Voting Rights Act (Exhibit A), but their recommendation was overruled the next day by the Republican political appointees in the Department of Justice. Dan Eggen, *Criticism of Voting Law Was Overruled – Justice Dept. Backed Georgia Measure Despite Fears of Discrimination*, *Washington Post* (Nov. 17, 2005).

At the same time that it voted to make the presentation of a Photo ID a mandatory condition of voting in person, the Republican Majority in both Houses of the 2005 General Assembly also voted (a) to amend O.C.G.A. § 40-5-103(a), by **doubling the minimum fee for a Photo ID** from \$10 to \$20 for a 5-year Photo ID, and also authorizing a new 10-year Photo ID for a fee of \$35. Ga. Laws 2005, p. 334 (Act No. 68) § 17-24(a), and (b) to amend O.C.G.A. § 21-2-380 and § 21-2-381 to make it easier for voters to obtain absentee ballots.

As a result of the adoption of the 2005 Photo ID Act, Georgia became the first of only two states that requires registered voters to present a photo

identification as an absolute condition of being admitted to the polls and of being allowed to cast a ballot in federal, state, and local elections, the Georgia statute is the most restrictive voter identification statute in the nation. Voting Rights Section Memorandum (Exhibit A, p. 42). A majority of states (30) do not require registered voters to present any form of identification as a condition of admission to the polls or casting a ballot, while a minority of states (18) requires voters to present some form of identification at the polls, but also have a fail-safe alternative.

23.

Simultaneously with the adoption of a mandatory Photo ID requirement for in-person voters, the Republican Majority also voted to eliminate the restrictions on absentee voting and ignored the advice from the Secretary of State who informed the members of the General Assembly and the Governor that adopting the provision of HB 244 that proposed to make it easier for voters to cast absentee ballots, "You would be opening a gaping opportunity for fraud." She explained the basis for her opposition as follows:

At virtually every meeting of the State Elections Board during the past 10 years, we have dealt with cases involving fraud or election law violations in handling or voting absentee ballots. HB 244 removes all restrictions on voting by mail, and thus makes it quite simple for someone inclined to commit fraud to do so.

Exhibit C.

24.

The Republican Majority in the General Assembly again ignored the information from the Secretary of State that would be opening a gaping opportunity for fraud by making it easier for voters to vote absentee and removed the restrictions on absentee voting, and arbitrarily chose instead to make presentation of a Photo ID a mandatory condition of voting only for those registered voters who vote in person, and deliberately refused to impose any identification requirements either on absentee voters or to make identification a condition of registration. O.C.G.A. § 21-2-417.

25.

The 2005 Photo ID Act became effective upon pre-clearance by the Justice Department, on August 26, 2005.

26.

At the time the 2005 Photo ID Act became effective, the Department of Driver Services ("DDS") was the only state agency in Georgia from which a registered voter could obtain an official Photo ID.

27.

To obtain a Photo ID card from the DDS, as required by the 2005 Photo ID Act, a registered voter must (a) travel to a DDS office, (b) present an original or certified copy of a birth certificate or other “verifiable evidence” stating the applicant’s name and birth date (O.C.G.A. § 40-5-102); and (c) pay a fee of \$20 for a 5-year Photo ID or \$35 for a 10-year Photo ID.

28.

At the time the 2005 Photo ID Act was adopted, there were only 56 DDS locations throughout the entire State of Georgia from which an official state Photo ID may be obtained (*see* Department of Driver Services website at www.dds.ga.gov). These offices were only open from 9:00 a.m. to 5:00 p.m. Tuesday through Saturday, but are closed on Sundays and Mondays and evenings, times when voters might be able to obtain a Photo ID without having to take time off from work. Currently there are only 59 DDS locations.

29.

Because there are only 59 DDS offices in the entire State of Georgia, tens of thousands of registered voters who lived in 100 of Georgia’s 159 counties would be required to travel outside their home counties to a DDS office located in another county to obtain a Photo ID from the DDS.

30.

To make matters worse, the DDS offices in urban areas typically have long lines and it is often necessary for a person to stand in line 3 or 4 hours to renew a Georgia driver's license or obtain a Photo ID.

31.

The time, inconvenience, and expense in terms of the cost of travel to a DDS office to obtain a Photo ID card, is a significant hardship and burden on plaintiff and the hundreds of thousands of other registered voters who do not have driver's licenses, passports, or employee Photo ID cards. This burden does not exist for those voters who have Georgia driver's licenses, passports, or state or federal employee ID cards. The burden is an even greater obstacle for citizens who are paid on an hourly basis and may be forced to take time off from work to travel to a DDS office because the DDS offices are not open evenings after 5:00 p.m. or on Sundays.

32.

On October 18, 2005, the Federal District Court granted a preliminary injunction prohibiting the enforcement of the 2005 Photo ID statute on the ground that the "Plaintiffs have a substantial likelihood of success on the merits of their claim that the [2005] Photo ID requirement unduly burdens the right to vote and a

substantial likelihood of success on the merits of their claim that the Photo ID requirement constitutes a poll tax.” Federal District Court Order, p. 120 (Oct. 18, 2005).

33.

The decision of the federal court to enjoin the enforcement of the 2005 Photo ID Act as an undue burden on the right to vote was based on the factual finding that “the State’s interest in preventing voter fraud [did not] make[] it necessary to burden the right to vote.” The federal court found that the evidence showed:

... the Photo ID requirement is not narrowly tailored to the State’s proffered interest of preventing voter fraud, and likely is not rationally based on that interest. Secretary of State Cox testified that her office has not received even one complaint of in-person voter fraud over the past eight years and that the possibility of someone voting under the name of a deceased person has been addressed by her Office’s monthly removal of recently deceased persons from the voter roles. Further, the Photo ID requirement does absolutely nothing to preclude or reduce the possibility for the particular type of voting fraud that are indicated by the evidence: voter fraud in absentee voting, and fraudulent voter registrations. The State imposes no requirement for registering to vote, and has removed the conditions for obtaining an absentee ballot imposed by the previous law. In short, HB 244 opened the door wide to fraudulent voting via absentee ballots. Under those circumstances, the State Defendants’ proffered interest simply does not justify the severe burden that the Photo ID requirement places on the right to vote.

Order, pp. 95-96 (Oct. 18, 2005).

The New 2006 Photo ID Act

34.

Although none of the facts identified by Judge Harold Murphy in the excerpt from the federal court order quoted in paragraph __ had changed at the time the General Assembly convened in January 2006, or at the time the 2006 Photo ID Act was signed by the Governor on January 26, 2006, the majority in both the House and Senate adopted SB 84 which repealed the 2005 Photo ID Amendment, and replaced it with a new code (O.C.G.A. § 21-2-417.1), requiring the board of elections in each county to issue a "Georgia voter identification card," containing a photograph of the voter, without charge to voters residing in the county, upon presentation of identifying documents that are only vaguely described. Section 3 of SB 84 also amended O.C.G.A. § 40-5-103 by striking the previous subsection (d) in the 2005 Photo ID Act, which had required a voter to execute an affidavit of poverty to obtain a Photo ID without charge from the DDS and substituted in its place a requirement that the voter swear "that he or she desires an identification card in order to vote . . . and that he or she does not have any other form of identification that acceptable under Code § 21-2-417" and to "produce evidence that he or she is registered to vote in Georgia."

35.

On January 9th, the first day of the 2006 legislative session, the House Committee on Governmental Affairs of the Georgia House of Representatives approved SB 84 by a straight party line 7-3 vote and sent the bill to the floor of the House.

36.

SB 84, as amended, like the 2005 Photo ID Act that preceded it, applies only to the hundreds of thousands of Georgia citizens who, by definition, do not have a Georgia driver's license, a passport or other form of government-issued Photo ID, and imposes a very severe burden on the right to vote of the poor, elderly or infirm, who are the least mobile members of the electorate who will have the greatest difficulty in complying with the requirements of the statute and do not own, cannot drive or have access to a car.

37.

The effect of SB 84 is to require every voter who does not have a Georgia driver's license or a passport, to go back to the registrar or board of elections (or to go to a DDS office) and essentially *re-register* to vote, and to provide, as a condition of such re-registration and issuance of a Georgia voter identification

card, *more* documentation than is required by Georgia law either to register to vote in the first instance, or to obtain an absentee ballot.

38.

Before the full House considered SB 84, the *Atlanta Journal Constitution* published a front-page article entitled, *REGISTRATION in GEORGIA: Bogus Addresses Clutter Voter Registration Rolls*, Alan Judd *Atlanta Journal Constitution* (Jan. 10, 2006).

39.

When SB 84 came up for a vote by the full House, the sponsor of the bill still refused to address the known instances of fraud in voter registration and in absentee voting, despite the findings of the district court and the numerous articles that had appeared in the press reporting instances of fraud in both areas.

40.

On January 12, 2006, SB 84 was approved by the full House without amendment by a vote of 110 to 64, with 99 Republicans and 11 Democrats voting in favor of the bill, and 66 Democrats and no Republicans voting against the bill. Every attempt to amend SB 84 was voted down by the Republican Majority in the House.

41.

After a one-week recess, the Georgia Senate reconvened on Monday, January 23, 2006, and on Tuesday, January 24, the Republican-dominated Senate approved SB 84 by a vote of 32-22 with 32 Republicans and no Democrats voting in favor of SB 84, as amended, and 21 Democrats and only 1 Republican voting against the bill.

42.

The Republican Parliamentarian ruled out of order six proposed amendments to SB 84 offered by Democratic Senators that would have mitigated the effects of SB 84, and that ruling was sustained by a party line vote with 33 Republicans voting to sustain the ruling of the Parliamentarian, and 21 Democrats voting to overturn the ruling. The other two proposed amendments that would have mitigated the effects of SB 84 were defeated by a straight party line vote with 32 Republican Senators voting against the amendments and 22 Democratic Senators voting in favor of the amendments.

43.

On January 27, 2006, one day after SB 84, as amended, was approved by the Senate, the bill was returned to the House and was approved by a vote of 98

Republicans and 13 Democrats voting in favor of the bill, and 60 Democrats and no Republicans voting against the bill.

44.

On the following day, the *Atlanta Journal Constitution* carried an article entitled, *VOTER ID COSTS STILL DEBATED – Counties say they're Already Burdened*, Nancy Badertscher, Sonji Jacobs, *Atlanta Journal Constitution* (Jan. 28, 2006).

45.

Nevertheless, SB 84 was signed later that same day by Georgia's Republican Governor, Sonny Perdue. A true and correct copy of SB 84 "as passed" by the General Assembly and signed by the Governor is attached hereto as Exhibit E.

46.

One the day after SB 84 was signed by Governor Perdue, the *Atlanta Journal Constitution* reported that *ABSENTEE VOTER FRAUD UNTOUCHED BY ID LAW – Most Frequent Form of Cheating May be Eased by Recent Rules*, Alan Judd, *Atlanta Journal Constitution* (Jan. 29, 2006).

47.

To obtain a Georgia voter identification card, a voter is required by the new provision in O.C.G.A. § 21-2-417.1(e) to provide county officials with more

documentation than is required by Georgia law to register to vote or to obtain an absentee ballot.

(e) The board of registrars shall require presentation and verification of the following information before issuing a Georgia voter identification card to a person:

- (1) A photo identity document, except that a nonphoto identity document is acceptable if it includes both the person's full legal name and date of birth;
- (2) Documentation showing the person's date of birth;
- (3) Evidence that the person is registered to vote in this state; and
- (4) Documentation showing the person's name and address of principal residence.

O.C.G.A. § 21-2-417.1(e)

48.

The wording of the provisions of O.C.G.A. § 21-2-417.1(e) is so vague and general

- (a) that it is impossible for a voter of average intelligence to know, without guessing, precisely what "documentation" or "evidence" is required to obtain a Georgia voter identification card from a county registrar or board of elections,
- (b) that it is impossible for a county registrar or board of elections member to know, without guessing, precisely what "documentation" or "evidence" is required to obtain a Georgia voter identification card from a county registrar or board of elections, which means that the identification requirements are

susceptible to inconsistent and conflicting interpretations and applications from one of Georgia's 159 counties to another, or

- (c) it is also impossible to know whether a birth certificate, which costs \$10 plus a \$10.00 search fee, the only "nonphoto identity document . . . [that] includes the person's full name and address" will, as a practical matter, be denied by one or more county election officials, or by the State Board of Elections to be "acceptable" under O.C.G.A. § 21-2-417.1(e)(1) or (e)(2), in which case the requirement will be an unlawful poll tax on the right to vote.

49.

The 2006 Photo ID Act, like the 2005 Photo ID Act, creates a conclusive presumption that any person who does not have a government-issued Photo ID of the type described in the 2006 version of O.C.G.A. § 21-2-417 is not registered and is not lawfully entitled to vote in person in Georgia, and that violates both Article II, § I, ¶ II of the Georgia Constitution and the Fourteenth Amendment to the United States Constitution.

50.

The General Assembly refused to delay the effective date of the 2006 Photo ID Act until after the 2006 primary and general elections, despite the fact that the number of citizens in Georgia who are over 18 and who would be precluded from voting in the 2006 primary and general elections for Governor, Lieutenant Governor, and other state-wide constitutional offices, for members of the Georgia

House of Representatives and the Georgia Senate, and for Representatives in

Congress is in the *hundreds of thousands*, and is so large as to make compliance with either the 2005 Photo ID Act or the 2006 Photo ID Act prior to the 2006 primary and general election a physical impossibility for many of those voters, and for election officials.

51.

Compliance with the new Photo ID requirement will present an especially high obstacle for registered voters who are (a) poor and do not own a motor vehicle and do not have passports because they cannot afford to travel on a passport outside the United States; (b) elderly and no longer drive (or have a passport which allows them to travel outside the United States); (c) visually impaired and are unable to drive (or travel on a passport outside the United States); (d) physically impaired and are unable to drive (or travel on a passport outside the United States); (e) residents of retirement or nursing homes who, by choice or necessity, do not have driver's licenses or passports; and (f) students without automobiles or passports who have Photo ID's issued by private colleges and universities (*e.g.*, Emory, Morehouse, Mercer), but who cannot vote in Georgia without first acquiring a Photo ID issued by the state or federal government.

The 2005 Photo ID Act and the 2006 Photo ID Act imposes a severe, unnecessary and undue burden on the exercise of the fundamental right to vote of hundreds of thousands of citizens of Georgia who, because of their poverty, age or physical infirmities, do not have a car, a Georgia driver's license or a passport, and are, therefore, the least mobile and most vulnerable members of society, and have the greatest difficulty of complying with the requirements of either Act.

**The 2005 and 2006 Photo ID Act Apply Only To Voters
Who Vote In Person and Does Not Apply to
People Who Vote by Mail Neither Do Said Acts Apply to Voter Registration**

The 2005 Photo ID Act, as well as the 2006 Photo ID Act, apply solely to registered voters who vote *in-person*. In neither statute did the General Assembly impose a Photo ID requirement or any other identification requirement on (a) absentee voters, or (b) as a condition of registration of voters.

Statistics from both the 2000 Census and from the 2004 general election in Georgia showed that white voters were twice as likely to use absentee ballots than voters who are African-American.

**There Were Many Less Restrictive Alternatives That
Have Been More Effective to Prevent the Fraud that Does Exist**

55.

If the motive of the Republican Majority in adopting the 2005 Photo ID Act or the 2006 Photo ID Act had been to prevent fraudulent voting, there were many more effective measures available that could have been adopted that would not have interfered with the right to vote of hundreds of thousands of poor, elderly and minority voters who are lawfully registered to vote.

- (a) The legislature could have adopted measures to combat fraudulent voter registration by requiring applicants to present a reasonable amount of identification as a condition of registering to vote,
- (b) The legislature could also have combated future fraudulent registration of voters and fraud in absentee voting by adopting a prospective requirement that registrars or boards of elections issue Photo ID voter registration cards to new voters at the time of registration without forcing the hundreds of thousands of Georgians who registered lawfully in the past to return to the registrar's office (or go to the DDS) to obtain a Photo ID,
- (c) The legislature could have adopted measures requiring every absentee voter to present a reasonable amount of additional identification (other than a mere signature on a letter) when they apply for an absentee ballot, and
- (d) Since every voter who votes in person is already required by existing law to execute an Elector's Certificate under oath swearing to his or her correct name and address, the legislature could have placed the burden on election officials to verify the identity of any voter who does not have a Photo ID by

comparing the signature on the Elector's Certificate with the signature on the copy of the voter registration card on file in the office of the county board of elections, and to disqualify the ballot if there is clear evidence that the signature on the Elector's Certificate is a forgery. This is essentially the same procedure that election officials are currently required to follow in the case of absentee ballots.

Count One

(Violation of Art. II, § I, ¶ II of the Georgia Constitution)

56.

The allegations of paragraphs 1 through 55 above are hereby incorporated as allegations of paragraph 56 of Count One of the complaint.

57.

Art. II, § I, ¶ II of the Georgia Constitution sets forth the exclusive list of the qualifications to vote in Georgia and provides as follows:

Right to register and vote.

Every person who is a citizen of the United States and a resident of Georgia as defined by law, who is at least 18 years of age and not disenfranchised by this article, and who meets minimum residency requirements as provided by law shall be entitled to vote at any election by the people. The General Assembly shall provide by law for the registration of electors.

The individual plaintiff and every other citizen of Georgia has an absolute constitutional right to register and vote under Article II, § I, ¶ II of the Georgia Constitution, provided he or she meets the five qualifications set forth in the Georgia Constitution, which are exclusive:

- (a) is a citizen in the United States;
- (b) is at least 18 years of age;
- (c) meets the minimum residency requirement as provided by law;
- (d) has registered to vote in the manner prescribed by law; and
- (e) has not been disenfranchised by Article II, Section I, Paragraph III of the Georgia Constitution based on (i) a conviction for a felony involving moral turpitude (Art. II, § I, ¶ III(a)), or (ii) has been adjudicated mentally incompetent to vote (Art. II, § I, ¶ III(b)).

By requiring that registered voters present a Photo ID before being issued a ballot and allowed to vote, both the 2005 Photo ID Act and the 2006 Photo ID Act violate Art. II, § I, ¶ II of the Georgia Constitution in either of two ways, (a) both the statutes purport to make presentation of a Photo ID a new condition and qualification of voting, or (b) to disenfranchise voters from voting even though those voters who do not have a Photo ID are lawfully registered and possess each of the qualifications set forth in Art. II, § I, ¶ II of the Georgia Constitution.

Count Two

**Undue Burden on the Right to Vote in
Violation of Equal Protection of the Law**

60.

The allegations of paragraphs 1 through 59 above are hereby incorporated as allegations of paragraph 60 of Count Two of the complaint.

61.

The Photo ID requirement imposes an undue burden on the fundamental right of hundreds of thousands of registered voters in Georgia to vote that is neither justified by, nor necessary to promote a substantial and compelling state interest in a manner that is permitted by Art. II, § II, ¶ II of the Georgia Constitution which was not already being adequately protected by existing criminal laws and election procedures, or which could not have been accomplished in other, less restrictive alternatives without interfering with their right to vote in person. *Dunn v. Blumstein*, 405 U.S. 330 (1972); *Harper v. Virginia Board of Elections*, 383 U.S. 663 (1972).

62.

The Photo ID requirement is also overbroad and is not narrowly tailored to prevent what few documented instances of fraudulent voting that do exist (*i.e.*, fraudulent registration and fraudulent voting of absentee ballots), while making it

significantly harder for hundreds of thousands of qualified citizens who vote in person to cast ballots in order to prevent a hypothetical – and so far as the evidence shows, is non-existent – possibility that a few individuals might attempt to vote illegally by misrepresenting their identity to poll workers.

Count Three

Violation of Constitutional Limitation of State's Taxing Power

63.

The allegations of paragraphs 1 through 62 above are hereby incorporated as allegations of paragraph 63 of Count Three of the complaint.

64.

The 2006 Photo ID embodies an indirect way to levy property taxes in violation of Article 7, Section 1, Paragraph 2 of the Georgia Constitution.

Paragraph 2(a) states:

The annual levy of state ad valorem taxes on tangible property for all purposes, except for defending the state in an emergency, shall not exceed one-fourth mill on each dollar of the assessed value of the property.

65.

The 2006 Photo ID Act requires the State Election Board to provide “each county board of registrars with the necessary equipment, forms, supplies, and

training for the production of the Georgia voter identification cards and shall maintain such equipment." Georgia Senate Bill 84 Section 2(g)(as passed and signed)(2006).

66.

This requirement is an unfunded mandate, in that, while the requirements listed above are **absolutely mandated** by the General Assembly, no appropriation has been made for their accomplishment. In light of the fact that Georgia has an exploding population, that Georgia has 159 counties, and that each county would have to be supplied its own equipment, training, forms, and supplies, per the mandatory language of the statute, this requirement will result in an enormous cost to the state.

67.

Because no appropriation has been made for funding of the 2006 Photo ID Act, the state will be compelled to levy state ad valorem taxes in excess of one-fourth mill on each dollar in violation of the Georgia Constitution.

Irreparable Harm / Inadequate Remedy At Law

68.

Georgia is scheduled to conduct a primary election on July 18, 2006, a general election in November 7, 2006, for Governor, Lieutenant Governor, Secretary of State, Attorney General, and other state-wide constitutional offices, for members of the General Assembly, and for members of Congress, and a non-partisan general election for members of the Georgia Supreme Court, Court of Appeals, Superior and State Courts also on November 7, 2006.

69.

The individual plaintiff who does not have one of the forms of ID required by the 2005 Photo ID Act or the 2006 Photo ID act will be irreparably harmed if she is forced, between now and the next election to either (a) obtain a Photo ID, or (b) forfeit her rights as a registered voter to vote in the next and subsequent elections or referenda in their respective voting districts or political subdivisions for which she cannot be adequately compensated in an action at law for money damages.

WHEREFORE, Plaintiff respectfully prays that:

- (a) the Court enter a declaratory judgment declaring the Photo ID requirement in the amendment to O.C.G.A. § 21-2-417 in the 2005

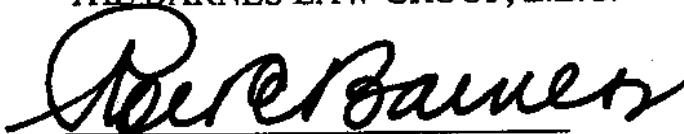
Photo ID Act and the 2006 Photo ID Act to be unconstitutional, null

and void;

- (b) the Court enter a preliminary and a permanent injunction restraining and enjoining defendants individually and in their official capacities from enforcing or applying the Photo ID requirement in the amendment to O.C.G.A. § 21-2-417 (the 2005 Photo Act or the 2006 Photo ID Act) to deny plaintiff or any other registered voter in Georgia admission to the polls, a ballot, or the right to cast their ballots and have their ballots counted in any special, general, run off or referenda election in Georgia because of their failure or refusal to present an official Photo ID required by O.C.G.A. § 21-2-417, as amended by either the 2005 Photo ID Act or the 2006 Photo ID Act; and
- (c) Plaintiff have such other and further relief as may be just and equitable.

Respectfully submitted this 12th day of April, 2006.

THE BARNES LAW GROUP, L.L.C.

A handwritten signature in black ink, appearing to read "Roy E. Barnes", written over a horizontal line.

ROY E. BARNES

Ga. Bar No. 039000

JOHN R. BEVIS

Ga. Bar No. 056110

JENNIFER AUER JORDAN

Ga. Bar No. 027857

P.O. Box 489
Marietta, GA 30061
Telephone: 770-419-8505
Facsimile: 770-590-8958

ATTORNEYS FOR PLAINTIFF

Exhibit J

IN THE SUPERIOR COURT OF DEKALB COUNTY

STATE OF GEORGIA

FILED
DEKALB CO. GA

JUN 29 1 17 PM '06

CLERK OF SUPERIOR COURT
DEKALB COUNTY, GA

MARGARET L. BERRY,

Plaintiff,

vs.

HON. SONNY PERDUE, *et al.*,


Defendants.

Civil Action File
No. 06cv-4751-4

**ORDER SHORTENING TIME
TO RESPOND TO DEFENDANTS'
MOTION TO DISMISS FOR LACK OF STANDING**

On June 28, 2006, Defendants SONNY PERDUE and STATE ELECTION BOARD, in response to Plaintiff's June 23, 2006 motion to add parties, moved to dismiss this declaratory judgment action on the grounds that Plaintiff had voted absentee on June 23, 2006, and thereby lacks standing to proceed with this action. As the final hearing on this declaratory judgment matter has been specially set for July 3 and 5, 2006, it is hereby **ORDERED** that any written response in opposition to Defendants PERDUE's and BOARD's motion to dismiss (filed June 28, 2006) be filed in the record no later than the call of this case for trial on Monday, July 3, 2006, and further that the Court will hear oral argument on said motion at that time, as such motion is potentially dispositive of this matter. Uniform Superior Court Rule 6.2 (West 2006).

This the 29th day of June, 2006.



The Honorable Robert Mallis, Senior Judge
By designation for Judge Gail C. Flake
DEKALB SUPERIOR COURT, Division IV
STONE MOUNTAIN JUDICIAL CIRCUIT

cc: Roy E. Barnes, counsel for Plaintiff
Mark H. Cohen, Special Assistant Attorney General, counsel for Defendants ~~BARNES~~ and BOARD
Melanie F. Wilson, Special Assistant County Attorney, counsel for Defendants LATIMORE, COVENY, GILLIARD, MURA,
PERRY and TILLMAN

Exhibit K

**IN THE SUPERIOR COURT OF DEKALB COUNTY
STATE OF GEORGIA**

MS. MARGARET L. BERRY)
a qualified and registered voter)
under Georgia law,)

Plaintiff,)

v.)

HON. SONNY PERDUE,)
in his official capacity as Governor;)

STATE ELECTION BOARD; and,)

MS. LINDA W. LATIMORE,)
Director of Voter Registration)
and Elections; MR. MICHAEL P.)
COVENY, MS. CATHERINE GILLIARD,)
MR. RYAN MURA, MS. LEONA PERRY,)
MR. SAMUEL E. TILLMAN, Members of)
Board of Registrations and Elections of)
DeKalb County, Georgia; individually)
and in their respective official capacities as)
superintendents or members of the)
elections boards in their individual)
counties, and as CLASS)
REPRESENTATIVES under O.C.G.A. §)
9-11-23(b)(1) & (2) of a class consisting of)
all superintendents and members of city)
and county boards of elections)
throughout the State of Georgia;)

Defendants.)

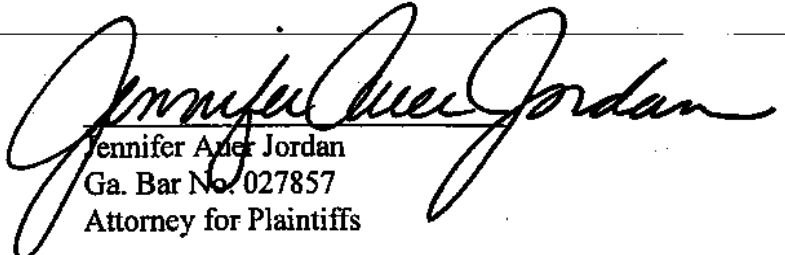
CIVIL ACTION
FILE NO. 06CV4751-4

PLAINTIFF'S VOLUNTARY DISMISSAL WITHOUT PREJUDICE

COMES NOW Plaintiff, Margaret l. Berry, in the above-styled action, pursuant to
O.C.G.A. § 9-11-41(a), voluntarily dismisses the above-styled action without prejudice.

This 30th day of June, 2006.

THE BARNES LAW GROUP, LLC



Jennifer Ader Jordan
Ga. Bar No. 027857
Attorney for Plaintiffs

The Barnes Law Group, LLC
P.O. Box 489
Marietta, Georgia 30061
Telephone: 770-419-8505
Facsimile: 770-590-8958

CERTIFICATE OF SERVICE

This is to certify that on this day, I hereby certify that I have served a true and
~~exact copy of the above-referenced PLAINTIFF'S VOLUNTARY DISMISSAL~~
WITHOUT PREJUDICE to the below listed counsel via US First Class Mail addressed
as follows:

Duane D. Pritchett, Esq.
Melanie F. Wilson, Esq.
DeKalb County Law Department
The MaLoof Center
5th Floor 1300 Commerce Drive
Decatur, GA 30030

Mark H. Cohen, Esq.
Troutman Sanders, LLP
600 Peachtree Street, NE
Suite 5200
Atlanta, GA 30308-2216

Anne W. Lewis, Esq.
Strickland Brockington Lewis LLP
Midtown Proscenium, Suite 2000
1170 Peachtree St., NE
Atlanta, GA 30309

This 30th day of June, 2006.

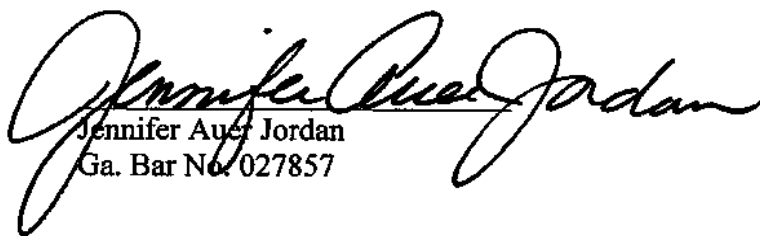

Jennifer Auer Jordan
Ga. Bar No. 027857

Exhibit L

Rome News-Tribune

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Voters in no hurry to get IDs

County all set to issue cards for July 18 primary

07/02/06

By Lauren Gregory, Rome News-Tribune Staff Writer

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... ..Click here for the voter ID letter.

The Floyd County Elections Office has been ready and waiting to issue voter identification cards since receiving a go-ahead from state officials Friday morning. But as of Friday afternoon, the only people to come in asking about them didn't actually need one, said Elections and Registration Supervisor Evon Billups.

"People are confused," Billups said, explaining that voters who already have driver's licenses have been inquiring about ID cards.

Only those citizens who do not have a form of valid photo identification — a driver's license, government-issued ID, passport, military ID or tribal ID card — need worry about getting the free card, which includes the registrant's photo, name, address, height, weight, eye color, sex and date of birth.

A new law requires voters to present government-issued photo IDs at the polls .

The Republican-backed voter ID law was first passed in 2005, but U.S. District Judge Harold L. Murphy in Rome blocked enforcement, saying it amounted to an unconstitutional poll tax. The state Legislature amended the law early this year to make photo IDs free to anyone who needs them in all of Georgia's 159 counties.

A challenge to the law is still pending in U.S. District Court in Rome.



Evon Billups, Floyd County elections supervisor, says she doesn't expect many requests for the new ID cards.



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Murphy has given petitioners until Wednesday to file another motion asking for a temporary halt to the law, according to court records. A hearing on the issue is scheduled for July 12.

The Elections Office is using this computer system to take photographs and print out temporary voter IDs. Laminated copies are mailed to recipients in about a week. Ryan Smith / RN-T

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Local Poll
Concerning the new sex offender law

It is too strong, it needs to be weakened to allow for their legal

In a separate action, former Democratic Gov. Roy Barnes dismissed the suit he filed — which had been scheduled for a Monday hearing in DeKalb Superior Court — but said it could be reinstated with a different plaintiff.

Billups is not expecting many requests for the new ID cards. "I have no way of knowing," she said, "but I really don't anticipate a lot of people."

Those who need to obtain one are welcome to come to the Elections Office, located in the Floyd County Administration Building at 12 E. Fourth Ave., which is open Monday through Friday from 8 a.m. to 5 p.m.

Billups will help voters fill out the correct paperwork, take a picture of them and print a temporary card. "They'll get something from us right then and there," she said, explaining that a laminated card printed in Vidalia will then be mailed to them in approximately one week.

If for some reason you are not able to get a card before going to the polls, she said, the law allows those without proper ID to cast a provisional ballot anyway. "But if you don't bring us back an ID within the next 48 hours, then (your vote) doesn't count," she cautioned.

Billups reminds voters that absentee voting is ongoing and will continue through July 14. Advance voting runs from July 10-14, she said.

Because new express poll machines will be in place for the first time during the July 18 primary, Billups urges people who do not want to wait in line to take advantage of advance voting. "We're training people as we speak, but the process might be a little slow at first," she said. "It's a good process, but it will take time (to get it down)."

The Associated Press contributed to this report.

WHAT YOU NEED TO GET A VOTER ID

1. A photo identity document, unless you have a nonphoto identity document showing both your full legal name and date of birth
2. Documentation showing your date of birth
3. Evidence that you are registered to vote in Georgia, either by voter precinct card; a new voter registration application or



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rights.

It is too weak, and should be even stronger to protect society.



Laws cannot protect society from sex offenders.



The law is good and should be left as is.



No comment.



confirmation of voter's record on the statewide voter registration system; or by verifying the original application in the voter registrar's office

4. Documentation showing your name and principal residence address

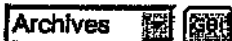
Acceptable photo identity documents:

- * Student ID card for public or private high school, college, university or vocational school
- * Transit card
- * Pilot's license
- * Nursing home ID card
- * Employee ID card
- * Government housing authority ID card
- * Any government-issued license
- * Any card accepted by local, state or federal government for access to buildings

Acceptable no-photo identity documents:

- * Original birth certificate or certified copy of birth certificate
- * Certificate of birth registration
- * Voter registration application
- * Copy of records filed in court by you or on behalf of your counsel
- * Naturalization documentation
- * Copy of marriage license application
- * Copy of your state or federal tax return filed for the previous calendar year
- * Any other document issued by local, state or federal government so long as the document provides a reasonably reliable confirmation of your identity
- * Paycheck or pay stub with the imprinted name of your employer
- * Original of the Social Security statement received by you for the current or preceding calendar year

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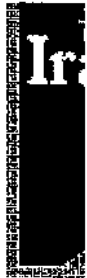


- * Hospital birth certificate
- * Authenticated copy of a doctor's record of post-natal care
- * Federal affidavit of birth

GRE

If the principal form of ID does not show name and address, acceptable documents to prove residence include:

- * Voter precinct card
- * Utility or cable bill issued within the last 60 days
- * Bank statement issued within the last 60 days for rent payments
- * Copy of your state or federal income tax return filed for the preceding calendar year
- * Homeowners insurance policy or bill for current or preceding calendar year
- * Mortgage, payment coupon, deed, or property tax bill for current or preceding calendar year
- * Current automobile registration receipt
- * Homestead exemption documentation
- * W-2 for preceding calendar year



IDs ACCEPTED AT THE POLLS

- * A Georgia driver's license that was properly issued by the appropriate state agency
- * A valid identification card issued by a branch, department, agency or entity of the state of Georgia, any other state, or the United States authorized by law to issue personal identification, provided that such identification card contains a photograph of the elector
- * A valid United States passport
- * A valid employee identification card containing a photograph of the elector and issued by any branch, department, agency or entity of the United States government, this state, or any county, municipality, board, authority or other entity of this state
- * A valid United States military identification card, provided that such identification card contains a photograph of the elector
- * A valid tribal identification card containing a photograph of the elector

Any elector who registered for the first time in Georgia by mail — and did not provide identification at the time of registering — may provide one of the six items of photo identification listed above, or for the elector's first time voting, may provide one of the following forms of identification: copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the elector.

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Exhibit M

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

MS. ROSALIND LAKE and)
 MR. MATTHEW L. HESS)
 qualified and registered voters)
 under Georgia law,)
)
 Plaintiffs,)
 v.)
 HON. SONNY PERDUE, in his)
 official capacity as Governor;)
)
 STATE ELECTION BOARD; and,)
)
 MS. GLORIA CHAMPION,)
 Superintendent of Elections for Fulton)
 County, Georgia; MS. JUANITA)
 MARSHALL EBER, Chair of the Fulton)
 County Board of Elections; MRS.)
 CYNTHIA J. WILLIAMS, MR. HARRY)
 W. MCDONALD, MR. FRANK B.)
 STRICKLAND, and MR. SAMUEL P.)
 WESTMORELAND,)
)
 Defendants.)

CIVIL ACTION
 FILE NO. 2006-CV-119207

AFFIDAVIT OF STEFAN PASSANTINO

STATE OF GEORGIA

COUNTY OF FULTON

I, STEFAN PASSANTINO, having appeared before the undersigned officer duly authorized to administer oaths and having been so sworn, state and depose as follows:

1.

My name is Stefan Passantino. I am over 18 years of age, competent under federal and state law to make this affidavit and do so upon my own personal knowledge.

This affidavit is made for use in the above-styled case.

2.

I am a registered voter in Georgia.

3.

My address is 3907 Upland Way, Marietta, GA 30066.

4.

My name and address appear on a list prepared by the Secretary of State's Office, which identifies me as a Georgia registered voter who does not possess a driver's license or a photo identification card issued by the Georgia Department of Driver Services ("DDS").

5.

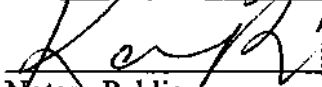
However, I do possess a driver's license issued by the DDS, a copy of which is attached to this Affidavit as Exhibit 1. Therefore, the list is inaccurate.

FURTHER AFFIANT SAYETH NOT.

This 5th day of July, 2006.


STEFAN PASSANTINO

Sworn to and subscribed before me
this 5th day of July


Notary Public
My commission expires:



Georgia *Official*

DRIVER'S LICENSE

NUMBER **065189209** EXPIRES **08-12-2006**

PASSANING, STEFAN CHARLES
3907 ISLAND WAY
MARIETTA, GA 30066-3057

SEX	BIRTHDATE	EXAM DATE	COUNTY
M	08-12-1966	08-16-2002	033
HEIGHT	WEIGHT	SEX	RESTRICTIONS
5-11	180	6 65	009.00
CLASS	ENDORSEMENTS	TYPE	
C		REG	

ORGAN DONOR *Stefan Passan*

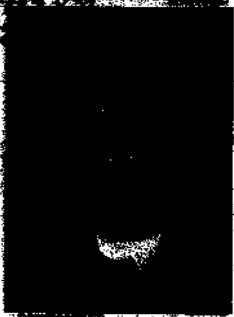


Exhibit N

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

MS. ROSALIND LAKE and)
MR. MATTHEW L. HESS)
qualified and registered voters)
under Georgia law,)
)
Plaintiffs,)
v.)
HON. SONNY PERDUE, in his)
official capacity as Governor;)
)
STATE ELECTION BOARD; and,)
)
MS. GLORIA CHAMPION,)
Superintendent of Elections for Fulton)
County, Georgia; MS. JUANITA)
MARSHALL EBER, Chair of the Fulton)
County Board of Elections; MRS.)
CYNTHIA J. WILLIAMS, MR. HARRY)
W. MCDONALD, MR. FRANK B.)
STRICKLAND, and MR. SAMUEL P.)
WESTMORELAND,)
)
Defendants.)

CIVIL ACTION
FILE NO. 2006-CV-119207

AFFIDAVIT OF BRADLEY J. LEWIS

STATE OF GEORGIA

COUNTY OF DEKALB

I, BRADLEY J. LEWIS, having appeared before the undersigned officer duly authorized to administer oaths and having been so sworn, state and depose as follows:

1.

My name is Bradley J. Lewis. I am over 18 years of age, competent under federal and state law to make this affidavit and do so upon my own personal knowledge. This affidavit is made for use in the above-styled case.

2.

I am a registered voter in Georgia.

3.

My address is 4769 Westhampton Drive, Tucker, GA 30084.

4.


My name and address appear on a list prepared by the Secretary of State's Office, which identifies me as a Georgia registered voter who does not possess a driver's license or a photo identification card issued by the Georgia Department of Driver Services ("DDS").

5.

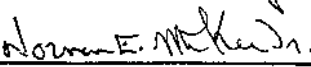
However, I do possess a driver's license issued by the DDS, a copy of which is attached as Exhibit 1 to this affidavit. Therefore, the list is inaccurate.

FURTHER AFFIANT SAYETH NOT.

This 5 day of July, 2006.


BRADLEY J. LEWIS

Sworn to and subscribed before me
this 5 day of July, 2006.


Notary Public
My commission expires:

Notary Public, DeKalb County, Georgia
My Commission Expires Sept 26, 2009

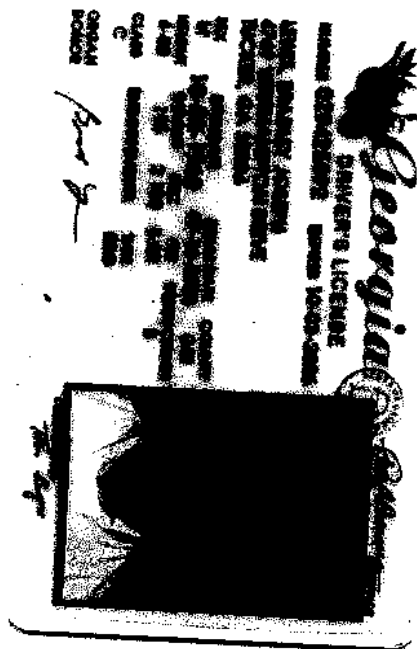


Exhibit O

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

MS. ROSALIND LAKE and)
MR. MATTHEW L. HESS)
qualified and registered voters)
under Georgia law,)
)
Plaintiffs,)
v.)
HON. SONNY PERDUE, in his)
official capacity as Governor;)
)
STATE ELECTION BOARD; and,)
)
MS. GLORIA CHAMPION,)
Superintendent of Elections for Fulton)
County, Georgia; MS. JUANITA)
MARSHALL EBER, Chair of the Fulton)
County Board of Elections; MRS.)
CYNTHIA J. WILLIAMS, MR. HARRY)
W. MCDONALD, MR. FRANK B.)
STRICKLAND, and MR. SAMUEL P.)
WESTMORELAND,)
)
Defendants.)

CIVIL ACTION
FILE NO. 2006-CV-119207

AFFIDAVIT OF RUBY J. KAJUMBA

STATE OF GEORGIA

COUNTY OF FULTON

I, RUBY J. KAJUMBA, having appeared before the undersigned officer duly authorized to administer oaths and having been so sworn, state and depose as follows:

1.

My name is Ruby J. Kajumba. I am over 18 years of age, competent under federal and state law to make this affidavit and do so upon my own personal knowledge.

This affidavit is made for use in the above-styled case.

2.

I am a registered voter in Georgia.

3.

My address is 3500 Towanda Drive, College Park, GA 30349.

4.

My name and address appear on a list prepared by the Secretary of State's Office, which identifies me as a Georgia registered voter who does not possess a driver's license or a photo identification card issued by the Georgia Department of Driver Services ("DDS").

5.

However, I do possess a driver's license issued by the DDS, a copy of which is attached to this Affidavit as Exhibit 1. Therefore, the list is inaccurate.

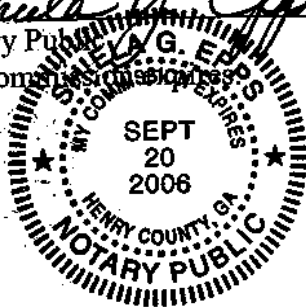
FURTHER AFFIANT SAYETH NOT.

This 5th day of July, 2006.

Ruby J. Kajumba
RUBY J. KAJUMBA

Sworn to and subscribed before me
this 5th day of July, 2006.

Shirley A. Epps
Notary Public
My commission expires



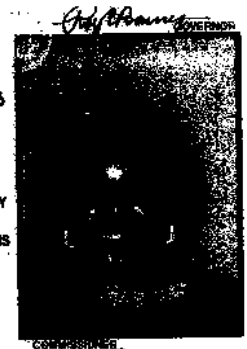
Georgia
DRIVER'S LICENSE

NUMBER 030345564 EXPIRES 09-05-2006

KAJUMBA, RUBY J
3500 TOWANDA DR
ATLANTA, GA 30349-2334

SEX	BIRTHDATE	EXAM DATE	COUNTY	
F	09-05-1944	08-08-2002	060	
HEIGHT	WEIGHT	CSC	FEE	RESTRICTIONS
5-05	214	4 R13	015.00	
CLASS	ENDORSEMENTS	TYPE		
C		REG		

Ruby J. Kumba



Tom Boyd