



4. In response to paragraphs 33 and 34 of the Complaint, the State of Ohio denies the allegations set forth in these paragraphs for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

5. The allegations set forth in paragraph 35 are denied.

6. The allegations set forth in paragraph 36 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

7. The allegations set forth in paragraphs 37, 38, and 39 are denied.

8. In response to paragraphs 40, 41, 42, 43, and 44 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

9. The allegations set forth in paragraph 45 are denied.

10. In response to paragraphs 46 and 47 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

11. The allegations set forth in paragraph 48 are denied.

12. In response to paragraph 49 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

13. The allegations set forth in paragraph 50 are denied.

14. The allegations set forth in paragraph 51 are admitted.

15. In response to paragraphs 52 and 53 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

16. The allegations set forth in paragraph 54 are admitted.

17. In response to paragraphs 55, 56, and 57 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

18. The allegations set forth in paragraph 58 are admitted.

19. In response to paragraphs 59, 60, and 61 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

20. The allegations set forth in paragraph 62 are admitted.

21. In response to paragraphs 63, 64, and 65 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

22. The allegations set forth in paragraph 66 are admitted.

23. In response to paragraphs 67 and 68 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

24. The allegations set forth in paragraph 69 are admitted.

25. In response to paragraphs 70, 71, 72, and 73 of the Complaint, these allegations are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

26. The allegations set forth in paragraph 74 are denied.

27. The allegations set forth in paragraph 75 and 76 are denied.

28. The allegations set forth in paragraph 77 and 78 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

29. The allegations set forth in paragraphs 79 and 80 are admitted.

30. The allegations set forth in paragraph 81 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

31. The allegations set forth in paragraph 82 are admitted.

32. The allegations set forth in paragraphs 83 and 84 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

33. The allegations set forth in paragraphs 85 and 86 are admitted.

34. The allegations set forth in paragraphs 87, 88, 89 and 90 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

35. The allegations set forth in paragraph 91 are denied.

36. In response to the allegations set forth in paragraph 92, the State of Ohio admits that it does not provide free identification cards to all registered voters. Defendant State of Ohio further states that a driver's license or state identification card is not required to vote in the State of Ohio, as they are in Indiana. Any other allegations contained in paragraph 92 are denied.

37. The allegations set forth in paragraph 93 are admitted.

38. The allegations set forth in paragraph 94 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

39. The allegations set forth in paragraphs 95 and 96 are admitted.

40. The allegations set forth in paragraphs 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, and 109 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

41. The allegations set forth in paragraph 110 are admitted. Defendant State of Ohio further states that the State of Ohio has a compelling and important interest in detecting and deterring voter fraud.

42. The allegations set forth in paragraph 111 are denied.

43. The allegations set forth in paragraph 112 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

44. In response to paragraph 113, Defendant State of Ohio denies that Ohio's voter id statute places severe burdens on the voting rights of homeless voters, and therefore denies the allegations set forth in this paragraph.

45. The allegations set forth in paragraphs 113, 114, and 115 are denied.

46. The allegations set forth in paragraph 116 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

47. The allegations set forth in paragraphs 117 and 118 are denied.

48. The allegations set forth in paragraph 119 are denied for lack of knowledge or information sufficient to form a belief as to their truth or falsity.

49. The allegations set forth in paragraphs 120, 121, 122, 123, 124, 125, 126, 127, and 128 are denied.

50. The allegations set forth in paragraph 129 of the Complaint are admitted.

51. The allegations set forth in paragraphs 130 and 131 are denied.

52. The allegations set forth in paragraph 132 are admitted.

53. The allegations set forth in paragraphs 133 and 134 are denied.

54. The State of Ohio denies any allegations not expressly admitted.

#### **Second Defense**

55. Plaintiffs' claims are barred laches.

#### **Third Defense**

56. Plaintiffs have failed to join indispensable parties to this litigation.

#### **Fourth Defense**

57. Plaintiffs have failed to present a claim upon which relief can be granted.

**Fifth Defense**

58. Plaintiffs' claims are barred by the Eleventh Amendment.

**Sixth Defense**

59. Plaintiffs lack standing.

**Seventh Defense**

60. Plaintiffs' claims are barred by abstention doctrines.

**Eighth Defense**

61. Plaintiffs' claims are moot.

**Ninth Defense**

62. Defendant State of Ohio reserves the right to bring additional defenses, including affirmative defenses, as the case proceeds.

WHEREFORE, having full answered the Complaint, Defendant State of Ohio respectfully requests that judgment be entered in its favor on all claims.

Respectfully submitted,

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OHIO ATTORNEY GENERAL

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 8<sup>th</sup> day of December, 2008, the foregoing Answer was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Sharon A. Jennings  
Sharon A. Jennings