May 22, 2012

VIA FAX ((740) 526-0512), EMAIL (Belmont@sos.state.oh.us), AND CERTIFIED MAIL

William F. Shubat
Director
Belmont County Board of Elections
103 Plaza Drive, Suite B
St. Clairsville, OH 43950

RE: Request for Public Records

Dear Director Shubat:

Pursuant to Ohio Revised Code Chapter 149, I request copies of the following “public records,” as that term is defined by R.C. 149.43 & R.C. 149.011(G):

1. Current poll worker training manual(s) containing training and/or instructions regarding provisional ballots.

2. A blank provisional ballot envelope.

3. Poll worker instructions for handling provisional ballots.


5. For each of the November 2008, November 2010, November 2011 and March 2012 elections, minutes, transcripts, reports or other records reflecting the public Board meetings where provisional ballots were counted or rejected.

6. For each of the November 2008, November 2010, November 2011 and March 2012 elections, a list of precincts and polling locations.
7. For each of the November 2008, November 2010, November 2011 and March 2012 elections, any reports or summaries of voter complaints regarding provisional ballots, precinct locations, or poll worker error.

Please also produce an Authentication Certificate or similar notarized document attesting that the documents produced are official copies of the documents kept in your office's files.

Please provide me with the requested public records by Friday, May 25. The copies may be sent to me via overnight delivery, at my expense. Thank you for your prompt attention to this request. Please do not hesitate to contact me with any questions.

Very truly yours,

Daniel B. Miller

cc: Caroline H. Gentry (via e-mail only)
EXHIBIT B
June 8, 2012

VIA FAX, EMAIL, AND CERTIFIED MAIL

Kimberlie J. Antrican
Director
Warren County Board of Elections
406 Justice Drive, Room 323
Lebanon, OH 45036

RE: Request for Public Records

Dear Director Antrican:

Pursuant to Ohio Revised Code Chapter 149, I request copies of the following “public records,” as that term is defined by R.C. 149.43 & R.C. 149.011(G):

1. For each of the November 2008, November 2010, November 2011, and March 2012 elections, any reports or other documents prepared by Board of Elections staff regarding the provisional ballots cast in those elections for use at any Board of Elections meeting.

2. A copy of the address locator book(s) or guide(s) used by poll workers to determine voter precincts in the March 2012 election, unless your county utilizes an integrated county-wide voter registration list at each polling place.

3. Any diagrams, drawings, instructions, or guides depicting or describing proper poll location layout, including single and multi-precinct locations, created by the county for the March 2012 election.


Please also produce an authentication certificate or similar notarized document attesting that the documents produced are official copies of the documents kept in your office’s files.
June 8, 2012
Page 2

I would prefer to receive electronic copies of these records – sent via email (dbmiller@porterwright.com) if practicable or by delivery of a CD containing the records if email transmission is not practicable – instead of paper copies. If any records are to be produced other than by email, please send the records via overnight delivery at my expense. You may contact my secretary, Tammie Magley, at (614) 227-2282 to obtain my firm’s overnight delivery account information.

I believe it would be reasonable for the Board of Elections to produce the requested public records no later than Tuesday, June 12. Upon receipt of this request, I would appreciate it if you would contact my associate, Jared Klaus, at (614) 227-2076 or JKlaus@porterwright.com and let him know by when I could expect to receive the requested records.

Thank you for your prompt attention to this request. Please do not hesitate to contact me with any questions.

Very truly yours,

[Signature]

Daniel B. Miller

DBM:dbm

cc: Caroline H. Gentry (via e-mail only)
    Jared M. Klaus (via e-mail only)
EXHIBIT C
June 8, 2012

VIA FAX, EMAIL, AND CERTIFIED MAIL

Betty Rousenberg
Monroe County Board of Elections
47084 Black Walnut Pkwy
Woodsfield, OH 43793

RE: Request for Public Records

Dear Director Rousenberg:

Pursuant to Ohio Revised Code Chapter 149, I request copies of the following "public records," as that term is defined by R.C. 149.43 & R.C. 149.011(G):

1. Current poll worker training manual(s) containing training and/or instructions regarding provisional ballots.
(SOS Manual Per Election / SOS Flip-Chart)

2. To the extent such instructions exist other than training manuals, poll worker instructions for determining whether voters may cast regular or provisional ballots and handling of provisional ballots.
(SOS Manual Per Election / SOS Flip-Chart)

3. For each of the November 2008, November 2010, November 2011, and March 2012 elections, any minutes, transcripts, reports, or other records reflecting the public Board of Elections meetings during which provisional ballots were counted or rejected. (Attached)

4. For each of the November 2008, November 2010, November 2011, and March 2012 elections, any reports or other documents prepared by Board of Elections staff regarding the provisional ballots cast in those elections for use at any Board of Elections meeting. (Attached)

5. For each of the November 2008, November 2010, November 2011, and March 2012 elections, a list of all precincts and a list of polling locations within the county that were multi-precinct locations. (Attached)
June 8, 2012
Page 2

6. For each of the November 2008, November 2010, November 2011, and March 2012, any reports, summaries, logs, or other documents compiling voter or poll worker complaints or comments regarding provisional ballots, precinct locations, or poll worker error. (Attached)

7. A copy of the address locator book(s) or guide(s) used by poll workers to determine voter precincts in the March 2012 election, unless your county utilizes an integrated county-wide voter registration list at each polling place. (Attached)

8. Any diagrams, drawings, instructions, or guides depicting or describing proper poll location layout, including single and multi-precinct locations, created by the county for the March 2012 election. (SOS Directives)


Please also produce an authentication certificate or similar notarized document attesting that the documents produced are official copies of the documents kept in your office’s files.

I would prefer to receive electronic copies of these records – sent via email (dbmiller@porterwright.com) if practicable or by delivery of a CD containing the records if email transmission is not practicable – instead of paper copies. If any records are to be produced other than by email, please send the records via overnight delivery at my expense. You may contact my secretary, Tammie Magley, at (614) 227-2282 to obtain my firm’s overnight delivery account information.

I believe it would be reasonable for the Board of Elections to produce the requested public records no later than Tuesday, June 12. Upon receipt of this request, I would appreciate it if you would contact my associate, Jared Klaus, at (614) 227-2076 or JKlaus@porterwright.com and let him know by when I could expect to receive the requested records.

Thank you for your prompt attention to this request. Please do not hesitate to contact me with any questions.

Very truly yours,

Daniel B. Miller

DBM:dbm

cc: Caroline H. Gentry (via e-mail only)
Jared M. Klaus (via e-mail only)
Mr. Miller:

Attached please find the requested documents from your Public Records Request dated June 8, 2012. As we are a small county, we did not have the lengthy documentation that some of the larger counties may have.

Please review and if there is any additional information you need, please feel free to contact our office.

Thank you.

Stephanie and Mary
Dear Daniel Miller

Enclosed are the documents which contain the information you requested. They are being transmitted in the form we keep them.

1. Enclosed are the pollworker and supervisor manuals.
2. Other than the manuals, there is a flowchart designed to help pollworkers determine when a voter is required to vote provisional.
3. Minutes of the meetings dealing with provisional ballots are included.
4. The only other documents regarding provisional ballots would be any relevant SOS Directive or Advisory.
5. Enclosed are a list of the polling locations and the precincts voting there.
6. Enclosed are summary sheets which also contain information pertaining to provisional ballots.
7. The voter registration system used to generate address lists for the pollworkers is no longer used. In addition, the information in our current voter registration system has changed due to precinct reductions.
8. Specific precinct layouts are not given to the Precinct Judges.
9. Enclosed are the Election Administration plans that have been used. The current changes for the November EAP are in the process of being completed and have yet to be submitted.

If you have questions, please feel free to contact us.

Sincerely
Mark Vernik
Deputy Director
Allen County Board of Elections
Hi Mr. Klaus,

Ashland County will work on this public records request as time remits. Will send it as it is done. Thanks

Kathy
Hello,

No 1, No 2 and No 3 attached. Also is attached the HAVA info pertaining to provisional ballots. Thanks

Kathy
Hello Jared,

Some of the items for provisional didn’t go the first time. Also attached is No. 5 and No. 7 Polling lists are for 2012. Will get you the rest. Thanks

Kathy

Kathy
Mr. Klaus:

Attached are some of the records you have requested. Let me know if you have any questions. These are the provisional reports on the provisional ballots cast for each of the requested elections.

Kelly McCabe
Mr. Klaus:

The street file attached is the current one to date. Some of the number ranges changed on a couple of streets since the 2012 Primary so when the precinct binder was cleaned out we removed those so we could add the new one when we get closer to the 2012 General.

The Precinct diagrams show how we set up each precinct for election day. The first sheet is a check list that each location has but since it is the same I am only sending you one copy. We set the locations up ourselves. I have also attached a precinct list for you.

The Election Administrative Plans will have to wait until Bill (our director) is back from vacation.

Kelly McCabe
Mr. Miller,

In response to the public records request, please see attached documents.

Also, we were not required to submit an Election Administration Plan in 2011, thus there is none to supply.

Please let me know if I can be of further assistance.

Amanda

Amanda K. Tubaugh

Director

Carroll County Board of Elections

119 S. Lisbon St., Suite 102

Carrollton, OH 44615

Phone: 330-627-2610

Fax: 330-627-5387

atubaugh@carrollcountyohio.us

carroll@ohiosos.state.oh.us

www.carrollcountyboe.com
Klaus, Jared M.

From: Pickarski, Sally [spickarski@clarkcountyohio.gov]
Sent: Wednesday, June 13, 2012 9:04 AM
To: Klaus, Jared M.
Subject: FW: Request for Public Records
Attachments: ProfReport.pdf; Copy of 13-Provballotscountedreportgen2011fmtfinal.xls; Prov ballots and reject numbers November 2010.xls; PROVISIONAL BALLOT REPORT.doc; ElectAdminPlan2010.doc; ElectAdminPlan3-2012rev.doc

I will try this again.

Thank you,

Sally Pickarski
Deputy Director
3130 E Main St
P O Box 1766
Springfield, OH 45501
937-521-2120

From: Elections
Sent: Tuesday, June 12, 2012 3:44 PM
To: 'Culp, Kim A.'
Subject: RE: Request for Public Records

Dear Daniel,

Enclosed you will find documents per the four questions you requested on your public record request of our office.

1. You will find the three SOS Certification of Provisional Ballots and one summary and grand total for 3/6/12 Primary in Clark County.

2. Giving you a complete copy of our Street Guide Listing (Will follow in separate email)

3. We do not have diagrams, drawings, instructions, or guides depicting or describing proper poll location layout. This is based on each precinct and how the Presiding Judge decides to best layout their particular precinct to allow the voter easy access into and out of the precinct. To arrange the Privacy Booths so the voter can vote privately, to ensure a secret ballot and still be close enough for the poll workers to help the voter if so needed.

4. We have only the Election Administration Plans submitted for November 2010 and March 2012. The November 2012 will not be approved until the end of June, 2012. We do not have to submit an EAP for the odd years.

If you have any other questions please feel free to email us.

Thank you,

Sally Pickarski
Deputy Director
3130 E Main St
P O Box 1766
Springfield, OH 45501
937-521-2120

From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 4:38 PM
To: Elections
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.
Klaus, Jared M.

From: Culp, Kim A.
Sent: Wednesday, June 13, 2012 8:55 AM
To: Klaus, Jared M.
Subject: FW: Request for Public Records
Attachments: Clark Co BOE March 2012 Street Guide 633731.pdf

Kim A. Culp, Legal Secretary | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2252 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | kculp@porterwright.com

porterwright

From: Elections [mailto:elections@clarkcountyohio.gov]
Sent: Tuesday, June 12, 2012 3:46 PM
To: Culp, Kim A.
Subject: RE: Request for Public Records

Dear Daniel,

Enclosed you will find our Clark County Street Guide Listing for question #2.

Thank you,

Sally Pickarski
Deputy Director
3130 E Main St
P O Box 1766
Springfield, OH 45501
937-521-2120

From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 4:38 PM
To: Elections
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.

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**************************End of Notice**************************
FROM: CLERMONT COUNTY BOARD OF ELECTIONS
DATE: June 12, 2012

Attached please find (Part 1 of 2) of Records Requested. The attached covers # 2 and # 4. We have no drawings etc as requested in #3.

If you have any questions, please do not hesitate to contact us.

Judy Miller, Director
Clermont County Board of Elections
(513) 732-7275
Attached please find Part 2 of 2 – Questions #1 (Provisionals)

If you have any questions, please do not hesitate to contact me.

Judy Miller, Director
Clermont County Board of Elections
(513) 732-7275
Klaus, Jared M.

From: Miller, Daniel B.
Sent: Tuesday, June 12, 2012 9:23 AM
To: Klaus, Jared M.
Subject: FW: Request for Public Records

Follow Up Flag: Follow up
Flag Status: Completed

Daniel B. Miller | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2101 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | dbmiller@porterwright.com

From: Culp, Kim A.
Sent: Tuesday, June 12, 2012 9:17 AM
To: Miller, Daniel B.
Subject: FW: Request for Public Records

Kim A. Culp, Legal Secretary | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2252 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | kculp@porterwright.com

From: Crawford Co BOE [mailto:crawford@ohiosecretaryofstate.gov]
Sent: Monday, June 11, 2012 3:45 PM
To: Culp, Kim A.
Subject: RE: Request for Public Records

6-11-12
The Crawford County Board of Elections is currently working on your public request. Having received the request as of 3:16 p.m. on Friday, June 8, we will not be able to fulfill your request by Tuesday, June 12. We will notify you when we have compiled the information and if/what costs this might entail.
Ruth Leuthold, Director
Crawford Co Bd of Elections

-----Original Message-----
From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 3:20 PM
To: 'crawford@sos.state.oh.us'
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.
**********Notice from Porter Wright Morris & Arthur LLP**********
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****************End of Notice****************
Attached are the materials you requested:

1) Provisional Instructions & Samples
2) Voting Procedure
3) Provisional Rule-Bd Minutes
4) Ineligible Provisionals presented to the Board
5) Polling Lists
6) Poll Worker Provisional Critiques
7) Street Listing and Precinct Lists with splits
8) Poll Place Diagram
9) Election Administration Plans (none submitted for 2011)

I attest that the included documents are true and accurate.

Ruth Leuthold, Director
Crawford County
We are a small office and are short staffed this week because of vacations. We are working on the BMV matches, the Administration Plan and conference is on June 14. I am sending you what I have done so far. Question number 4....we use the SOS Directives, Advisories and their bulletin board on frequently asked questions about provisional ballots as well as the reports that are attached. Those are all posted on The SOS website. Please let me know if you want me to scan and send you those. I didn't because of their availability on the website. I am sending you my materials for Question 1,3,4 and 5 today. I have nothing for question 2 and I will be working on questions 6,7,8, and 9 and will forward ASAP. I would appreciate knowing if you receive my e-mail attachments.

Thank you.

Sandy Bookmyer, Director
Jared

I did receive the record request from Daniel B. Miller. I did forward to him the information for questions 1-5. I will send the files for the rest of the request ASAP. I hope that to be by June 22.

Sandy Bookmyer, Director
Hardin County
Dear Sandy,

Thank you very much for your prompt attention to our records request. I apologize for taking so long to respond to you. In response to your question regarding Request #4, please do produce all the materials that you have, even if they are also available on the SoS web site. Again, I appreciate your diligence in complying with our request. Have a great day, Sandy. Please feel free to email or call me with any questions. My direct line is 614-227-2076.

Very truly yours,

Jared Klaus

-----Original Message-----
From: Hardin Co BOE [mailto:hardin@sos.state.oh.us]
Sent: Monday, June 11, 2012 3:13 PM
To: Klaus, Jared M.
Subject: record request

Jared

I did receive the record request from Daniel B. Miller. I did forward to him the information for questions 1-5. I will send the files for the rest of the request ASAP. I hope that to be by June 22.

Sandy Bookmyer, Director
Hardin County
Information you requested. Please let us know if you need any other information.

Sandy Kurtz
Grace Speiser
Henry Co Board of Elections
Mr. Miller,

I trust you will find everything you requested attached to this e-mail. If you have questions or problems, please contact us.

Thank you,
Lisa Schwartze, Director
Klaus, Jared M.

From: Sharon Locke [slocke@huroncountyboe.com]
Sent: Monday, June 11, 2012 11:27 AM
To: Klaus, Jared M.
Subject: Public Records Request

Attachments:
minutes 11-19-08.doc; minutes 11-15-10.doc; minutes 11-21-11.doc; minutes 3-20-12.doc;
Provisional Ballot Report 11-08.xls; Provisional determinations 11-08.xls; Provisional Ballot
Report 11-10.xls; Provisional Ballot Report 11-11.xls; Provisional Ballot Report 3-12.xls;
PRECINCT POLL LIST 2008.xls; PRECINCT POLL LIST FEB 2010.xls; PRECINCT POLL
LIST AUG 2011.xls; PRECINCT POLL LIST JAN 2012.xls; r300.01 street details.pdf; Huron
County EAP 1-3-12.doc; Huron County EAP 6-16-2010.doc; Huron County EAP
4-15-2011.doc; 2012061111108459.pdf; 20120611111058806.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jared:
In regards to number 1 and 2 our precinct election officials are required to call our office before issuing any provisional
ballots and the office staff make the determination as to whether the voter is actually a provisional voter or not. I have
attached a copy of our pages from the poll worker training manual pertaining to provisional's.
In regards to number 6 we do not compile a composite log of complaints or comments; we deal with them individually after
the election and correct any problems.
In regards to number 8 we do not do drawings or diagrams for set up of polling locations, we have been using all of our
locations for numerous years and the poll workers know the best way to set them up.

I, Sharon Locke, Director of the Huron County Board of Elections do hereby declare that the attached copies of documents
are the official copies that are stored in our office.

Sharon E. Locke

_Sharon E. Locke, Director_
_Huron County Board of Elections_

180 Milan Avenue, Suite 4
Norwalk, OH 44857
Phone - 419-668-8238
Fax - 419-668-8710
Cell - 419-681-1949

e-mail - slocke@huroncountyboe.com
web -
www.huroncountyboe.com
Dear Diana,

Thank you very much for your prompt response to our public records request. I'm sorry that Request #7 was confusingly worded. Please do produce the Street Segments with Precinct/District List for the Entire County. Also, please email me in a separate email after you have sent it. That way, I will know if it gets caught in our spam filter. Thanks again and have a great day.

Very truly yours,

Jared Klaus

---

Attached please find the official documents on file at our office per your request. Information requested #7 would be the Street Segments with precinct/district list for the entire county. I could probably generate that report in pdf format but it is rather large. Please let me know if you want that information & I will try to send it.

Diane M. Gribble, Director
All the training manuals are attached. Each Precinct receives a copy of their Precinct street list, attached. We instruct them to call with any and every question regarding an address they cannot find. This will answer #7. #8 you will find in our training manuals. #9 is not public record.

I believe this satisfies your request. Please let me know if you would like anything else.

Scott E. Daisher
Director
Lake County Board of Elections

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******************End of Notice******************
Klaus, Jared M.

From: Daisher, Scott E. [Scott.Daisher@lakecountyohio.gov]
Sent: Monday, June 11, 2012 8:35 AM
To: Culp, Kim A.
Subject: RE: Request for Public Records

All of our Precincts and Polling locations for the Elections Requested.

Scott E. Daisher
Director
Lake County Board of Elections

From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 3:49 PM
To: Daisher, Scott E.
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.

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***************End of Notice***************
Klaus, Jared M.

From: Miller, Daniel B.
Sent: Monday, June 11, 2012 9:16 AM
To: Klaus, Jared M.
Subject: FW: Request for Public Records
Attachments: November 25, 2008 MINUTES.DOC; NOVEMBER 23, 2010 MINUTES.doc; NOVEMBER 29, 2011 MINUTES.doc; March 20, 2012 MINUTES.doc

Follow Up Flag: Follow up
Flag Status: Flagged

More from Lake County. Save to K:

Daniel B. Miller | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2101 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | dbmiller@porterwright.com

From: Culp, Kim A.
Sent: Monday, June 11, 2012 9:08 AM
To: Miller, Daniel B.
Subject: FW: Request for Public Records

Kim A. Culp, Legal Secretary | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2252 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | kculp@porterwright.com

From: Daisher, Scott E. [mailto:Scott.Daisher@lakecountyohio.gov]
Sent: Monday, June 11, 2012 8:23 AM
To: Culp, Kim A.
Subject: RE: Request for Public Records

I will be sending several emails for your request. Attached are the minutes of 2008, 2010, 2011 and 2012 regarding provisional.

Scott E. Daisher
Director
Lake County Board of Elections

From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 3:49 PM
To: Daisher, Scott E.
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.
**********Notice from Porter Wright Morris & Arthur LLP**********

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****************End of Notice******************
Dear Jared Klaus,

Regarding question #9 of your public records request the content of those documents contain sections that are exempt from mandatory disclosure under Ohio's Public Records Act. I will be forwarding your public records request to our County's Prosecuting Attorney office for review. I will contact you as soon as they have finished reviewing your request.

Thank you,

Scott E. Daisher
Director
Lake County Board of Elections

Dear Mr. Daisher,

Thank you for your prompt response to our public records request. I apologize for taking so long to respond. If you could, please point me to some authority for your contention that the documents called for in Request #9 are not public records. Thanks again, Mr. Daisher, and have a great day.

Very truly yours,

Jared Klaus

All the training manuals are attached. Each Precinct receives a copy of their Precinct street list, attached. We instruct them to call with any and every question regarding an address they cannot find. This will answer #7. #8 you will find in our training manuals. #9 is not public record.
I believe this satisfies your request. Please let me know if you would like anything else.

Scott E. Daisher  
Director  
Lake County Board of Elections

---

From: Culp, Kim A.  
mailto:KCulp@porterwright.com  
Sent: Friday, June 08, 2012 3:49 PM  
To: Daisher, Scott E.  
Cc: Miller, Daniel B.  
Subject: Request for Public Records

Please see attached letter.

---

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**********End of Notice**********
All the training manuals are attached. Each Precinct receives a copy of their Precinct street list, attached. We instruct them to call with any and every question regarding an address they cannot find. This will answer #7. #8 you will find in our training manuals. #9 is not public record.

I believe this satisfies your request. Please let me know if you would like anything else.

Scott E. Daisher
Director
Lake County Board of Elections

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**********End of Notice**********
Klaus, Jared M.

From: Daisher, Scott E. [Scott.Daisher@lakecountyohio.gov]
Sent: Monday, June 11, 2012 8:35 AM
To: Culp, Kim A.
Subject: RE: Request for Public Records

All of our Precincts and Polling locations for the Elections Requested.

Scott E. Daisher
Director
Lake County Board of Elections

From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 3:49 PM
To: Daisher, Scott E.
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.
From: Miller, Daniel B.
Sent: Monday, June 11, 2012 9:16 AM
To: Klaus, Jared M.
Subject: FW: Request for Public Records
Attachments: November 25, 2008 MINUTES.DOC; NOVEMBER 23, 2010 MINUTES.doc; NOVEMBER 29, 2011 MINUTES.doc; March 20, 2012 MINUTES.doc

Follow Up Flag: Follow up
Flag Status: Flagged

More from Lake County. Save to K:\

---

From: Culp, Kim A.
Sent: Monday, June 11, 2012 9:08 AM
To: Miller, Daniel B.
Subject: FW: Request for Public Records

---

From: Daisher, Scott E. [mailto:Scott.Daisher@lakecountyohio.gov]
Sent: Monday, June 11, 2012 8:23 AM
To: Culp, Kim A.
Subject: RE: Request for Public Records

I will be sending several emails for your request. Attached are the minutes of 2008, 2010, 2011 and 2012 regarding provisional.

Scott E. Daisher
Director
Lake County Board of Elections

---

From: Culp, Kim A. [mailto:KCulp@porterwright.com]
Sent: Friday, June 08, 2012 3:49 PM
To: Daisher, Scott E.
Cc: Miller, Daniel B.
Subject: Request for Public Records

Please see attached letter.
**********Notice from Porter Wright Morris & Arthur LLP**********

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**************************End of Notice**************************
Dear Jared Klaus,

Regarding question #9 of your public records request the content of those documents contain sections that are exempt from mandatory disclosure under Ohio's Public Records Act. I will be forwarding your public records request to our County's Prosecuting Attorney office for review. I will contact you as soon as they have finished reviewing your request.

Thank you,

Scott E. Daisher
Director
Lake County Board of Elections

Dear Mr. Daisher,

Thank you for your prompt response to our public records request. I apologize for taking so long to respond. If you could, please point me to some authority for your contention that the documents called for in Request #9 are not public records. Thanks again, Mr. Daisher, and have a great day.

Very truly yours,

Jared Klaus

All the training manuals are attached. Each Precinct receives a copy of their Precinct street list, attached. We instruct them to call with any and every question regarding an address they cannot find. This will answer #7. #8 you will find in our training manuals. #9 is not public record.
I believe this satisfies your request. Please let me know if you would like anything else.

Scott E. Daisher  
Director  
Lake County Board of Elections

---

**From:** Culp, Kim A.  
**Sent:** Friday, June 08, 2012 3:49 PM  
**To:** Daisher, Scott E.  
**Cc:** Miller, Daniel B.  
**Subject:** Request for Public Records

Please see attached letter.
June 11, 2012

VIA EMAIL
(dbmiller@porterwright.com)

Mr. Daniel B. Miller
Porter Wright Morris & Arthur LLP
41 South High Street
Suites 2800-3200
Columbus, Ohio 43215-6194

Dear Mr. Miller:

The 8 documents sent in response to your request for public records dated June 8, 2012 are official copies of the documents kept in our office files. The Information Rqst number contained in the file name indicates the documents that correspond to your numbered items. They include:

Information Rqst 1 – November 2008 Provisional Reports for Bd Meeting
Information Rqst 1 – November 2010 Provisional Reports for Bd Meeting
Information Rqst 1 – November 2011 Provisional Reports for Bd Meeting
Information Rqst 1 – March 2012 Provisional Reports for Bd Meeting
Information Rqst 2 – March 6, 2012 Primary Election Precinct Listing
Information Rqst 3 – General Layout and Diagrams of select polling locations
Information Rqst 4 – EAP Submitted for March 6, 2012
Information Rqst 4 – EAP Submitted for November 2010 and 2011

I have also attached Advisory 2008-22 for your information that narrows the scope of documents that are subject to Public Records Requests concerning provisional ballots.

Sincerely,

Timothy A. Ward
Director

TAW/ms

Signed in my presence this 14th day of June 2012

MARY L. SHUMAN
Notary Public, State of Ohio
My Commission Expires 4/14/15
Mr. Miller,

Attached are the documents that comply with your public records request dated June 8, 2012.

Sincerely,

Timothy A. Ward
Director
Director Ward,

Thank you for your very prompt response. We would like to receive redacted copies of the worksheets for the November 2008, November 2010, November 2011, and March 2012 elections. I understand the redactions may take some time and that your office is under time constraints posed by the SOS's deadline for election administration plans. We respectfully ask that the redacted copies be produced as soon as reasonably possible given those constraints.

Sincerely yours,

Dan Miller

Mr. Miller,

Attached are the worksheets. The first page is from the November 2008 General Election and the second page is from the November 2010 General Election.

Please let me know if you would like the rest of these.

Timothy A. Ward
Director
Madison County Board of Elections
1423 State Route 38 SE
London, OH 43140
(740) 852-9424 phone
(740) 852-7131 fax
Thank you for your call this morning explaining how the staff's worksheets were not produced. I think the worksheets fall within the scope of the first category in my June 8 request:

For each of the November 2008, November 2010, November 2011, and March 2012 elections, any reports or other documents prepared by Board of Elections staff regarding the provisional ballots cast in those elections for use at any Board of Elections meeting.

I really don't want to create unnecessary work for you and your office though. So, before asking that the Madison County BOE produce all of the records in redacted form, do you think you could provide us with one or two redacted pages of the worksheets so that we can determine whether there would be any value in receiving all of the worksheets in redacted form?

Dan Miller

---

From: Miller, Daniel B.
Sent: Thursday, June 14, 2012 9:56 AM
To: 'electionboard@co.madison.oh.us'
Cc: Klaus, Jared M.
Subject: June 8 public record request

Director Ward,

Thank you for responding to my June 8 public records request. Your cover letter (copy attached) references SOS Advisory 2008-22. My understanding of the advisory is that the names of provisional voters and the precincts in which they voted are not exempt from disclosure pursuant to a public records request. Other information regarding provisional ballots, however, including any personal information on the provisional ballot envelopes and whether or not a specific person's provisional ballot was counted, is exempt from disclosure pursuant to a public records request.

Most of the personal information regarding provisional ballots exempt from public disclosure is found on the provisional ballot envelopes, and I have not requested those. Could you please confirm which, if any, records of the Madison County Board of Elections were not produced under the exemption for personal information described in Advisory 2008-22?

Thank you for your assistance.

Sincerely yours,

Dan Miller
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**********End of Notice**********
Klaus, Jared M.  

From: Miller, Daniel B.  
Sent: Thursday, June 14, 2012 11:00 AM  
To: 'electionboard@co.madison.oh.us'  
Cc: Klaus, Jared M.  
Subject: FW: June 8 public record request  

Director Ward,

Thank you for your call this morning explaining how the staff's worksheets were not produced. I think the worksheets fall within the scope of the first category in my June 8 request:

For each of the November 2008, November 2010, November 2011, and March 2012 elections, any reports or other documents prepared by Board of Elections staff regarding the provisional ballots cast in those elections for use at any Board of Elections meeting.

I really don't want to create unnecessary work for you and your office though. So, before asking that the Madison County BOE produce all of the records in redacted form, do you think you could provide us with one or two redacted pages of the worksheets so that we can determine whether there would be any value in receiving all of the worksheets in redacted form?

Dan Miller

---

From: Miller, Daniel B.  
Sent: Thursday, June 14, 2012 9:56 AM  
To: 'electionboard@co.madison.oh.us'  
Cc: Klaus, Jared M.  
Subject: June 8 public record request  

Director Ward,

Thank you for responding to my June 8 public records request. Your cover letter (copy attached) references SOS Advisory 2008-22. My understanding of the advisory is that the names of provisional voters and the precincts in which they voted are not exempt from disclosure pursuant to a public records request. Other information regarding provisional ballots, however, including any personal information on the provisional ballot envelopes and whether or not a specific person's provisional ballot was counted, is exempt from disclosure pursuant to a public records request.

Most of the personal information regarding provisional ballots exempt from public disclosure is found on the provisional ballot envelopes, and I have not requested those. Could you please confirm which, if any, records of the Madison County Board of Elections were not produced under the exemption for personal information described in Advisory 2008-22?

Thank you for your assistance.
Sincerely yours,

Dan Miller
Dear Joyce,

Thank you for responding to our Request for Public Records. Also, thank you in advance for your hard work in assembling these records. We understand this is probably only one of several things on your plate. In response to your question about Request #2, this request merely covers any type of poll worker instructions regarding provisional ballots other than training manuals (which is covered by Request #1). We fully understand that such additional instructions may not exist. Also, we are requesting the manual you are currently using. So, if the manual you are currently using is from the 2012 primary, that is the one we would like you to produce. Lastly, we understand that you can only produce what currently exists, so the video that will not be finished until August is obviously not something we would expect you to turn over. I will make a note to check your web page around that time. Thanks for letting us know about that.

Please let me know if you have any further questions as you proceed. Thanks again, Joyce.

Very truly yours,

Jared Klaus

Dear Jared – I have received your request for MCBOE information and we are in the process of preparing it for you on CD. There are a number of files with a lot of info so preparation time may be 1 week or more. Please explain to me what you are requesting in #2. We are in the process of creating a video of instructions to all poll workers for training and that will not be finished until Late August. It will be posted on our webpage. Also our manual is from the primary in 2012 – will that satisfy your request. I look forward to hearing from you – Regards, Joyce Kale-Pesta, Director, Mahoning County Board of Elections, Youngstown, Ohio.

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therefore cannot be relied upon to avoid any tax penalties or to support the promotion or marketing of any federal tax transaction.

***********************End of Notice***********************
Dear Jared,

Attached is all the information we could gather for you. Hope this satisfies your request. All info is in a zip file for you. Regards, Joyce
Dear Mr. Miller:

Item 1: I believe that was submitted in your 22 May RPR request.

Item 2: Excel attachment.

Item 3: PDF attachments (several).

Item 4: Word attachments (noted)

Steve Quillen
Good Afternoon Jared,

Per your request, I have attached multiple files.

If you have any questions, please contact our office.

Monroe County Board of Elections
47084 Black Walnut Pky.
Woodsfield, Ohio 43793
(740)472-0929

Thank you,
Betty Rousenberg, Director
&
Mollie Landefeld, Deputy Director
From: Christine E. Hamill [cehamill@muskingumcounty.org]
Sent: Thursday, June 14, 2012 8:44 AM
To: Klaus, Jared M.
Subject: RE: public request

Follow Up Flag: Follow up
Flag Status: Flagged

Yes, I am working on the request.
Chris

Dear Christine,

I hope all is well. It struck me since we last spoke that it might be more convenient for your office, and preferable for ours as well, to do a "rolling production," in which you produce pieces of our request as they are completed. You could send the records that are easily accessible now, and send the records that take some time to compile later on. Please let me know if that would work. Thanks again, Christine, and have a great day.

Very truly yours,

Jared Klaus

From: Klaus, Jared M. [mailto:jklaus@porterwright.com]
Sent: Thursday, June 14, 2012 7:21 AM
To: Christine E. Hamill
Subject: RE: public request

Dear Christine,

I hope all is well. It struck me since we last spoke that it might be more convenient for your office, and preferable for ours as well, to do a "rolling production," in which you produce pieces of our request as they are completed. You could send the records that are easily accessible now, and send the records that take some time to compile later on. Please let me know if that would work. Thanks again, Christine, and have a great day.

Very truly yours,

Jared Klaus

From: Christine E. Hamill [mailto:cehamill@muskingumcounty.org]
Sent: Monday, June 11, 2012 10:34 AM
To: Klaus, Jared M.
Subject: RE: public request

THANK YOU!

From: Klaus, Jared M. [mailto:jklaus@porterwright.com]
Sent: Monday, June 11, 2012 10:28 AM
To: Christine E. Hamill
Subject: RE: public request

Chris,
As I stated in our phone conversation this morning, you have my approval to produce the records requested in our June 8, 2012 Request for Public Records in July. Thank you again for your prompt attention to this matter.

Very truly yours,

Jared Klaus

---

From: Christine E. Hamill [mailto:cehamill@muskingumcounty.org]
Sent: Monday, June 11, 2012 10:20 AM
To: Klaus, Jared M.
Subject: public request

Jared,

I know I just spoke to you by phone but would you please respond by e-mail your approval of receiving the public request at a later date (sometime in July).

Sincerely,

Chris Hamill, Director
Muskingum County Board of Elections

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**********End of Notice**********
Jared,

Attached will be part of the public request and I will mail tomorrow the additional information you requested. Our Election Administration Plan is being completely revised and will be board approved next Wednesday, June 20th. I will send it to you next week.

Thank you for your patience!

Chris Hamill, Director
Muskingum County Board of Elections
Good Morning,

Confirming our telephone conversation, we will have a mix of paper and electronic media. Paper media is $.05 per page payable to the Ottawa County Board of Elections.

2. Additional instructions Flowchart attached
3. Minutes paper 31 pages
4. Precincts/polling locations attached
7. Street Files paper 63 pages
9. EAP info to follow at later date.

222 total pages at $.05 = 11.10

After receipt of check and copying, we will contact Tammie Magley for delivery account information.

Thank you for your help.

Carol Ann Hill
Ottawa County
Deputy Director
Good Morning,

Attached are EAP’s for Nov 2010 and March 2012. November 2012 is not yet complete – due July 9th to SOS.

Believe this brings us to the paper copy only items.

Carol Ann Hill
Deputy Director
Ottawa County
Klaus, Jared M.

From: Pike Co BOE [pike@sos.state.oh.us]
Sent: Monday, June 11, 2012 4:00 PM
To: Klaus, Jared M.
Subject: RE: Records Request

Follow Up Flag: Follow up
Flag Status: Flagged

By the first of next you should start seeing a rolling production.
Thank You
Shawna Burton

-----Original Message-----
From: Klaus, Jared M. [mailto:jklaus@porterwright.com]
Sent: Monday, June 11, 2012 3:02 PM
To: 'Pike Co BOE'
Cc: Miller, Daniel B.
Subject: RE: Records Request

Dear Ms. Burton,

Thank you for getting back to us regarding our June 8, 2012 Request for Public Records. While it is true that some counties have been told it is acceptable to produce the records after July 4, this has only been the case in a few, extreme circumstances where compelling reasons exist for granting such an extension. The vast majority of counties have stated that they will produce either by the June 12th deadline or within the next week. In addition, a "rolling production," in which records are produced in several phases, is also acceptable. Please realize that we are not insensitive to the time crunch that you are under. The law requires you to produce as soon as "reasonably possible," and that is all we can ask you to do. Accordingly, please indicate a general time frame for when we should expect to start receiving the records from your office. Thank you.

Very truly yours,

Jared Klaus

Jared M. Klaus | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2076 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | jklaus@porterwright.com

porterwright

-----Original Message-----
From: Pike Co BOE [mailto:pike@sos.state.oh.us]
Sent: Monday, June 11, 2012 2:30 PM
To: Miller, Daniel B.
Subject: Records Request

To Whom It May Concern,
Due to time constraints we will not be able to fulfill the request by tomorrow, I have talked to other counties who have contacted you, I was told that sometime after July 4th would be acceptable. Please let me know if this is the case.
Thank You
Shawna Burton, Director

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***************End of Notice***************
For number 1. We use the prescribed SOS pollworker training manual.

2. Instructions for how to handle provisional voters is heavily covered in each pw training session using both power point presentation and actual hands on handing of the forms.
Mr. Miller -

Attached, please find documents from our office responsive to your request on June 8, 2012.

By way of explanation, the EAP for the 2012 General Election has been omitted, as it has not yet been approved by our Board for submission to the Secretary of State. An EAP for the 2011 General Election was not required by the League of Women Voters settlement agreement, and thus our office did not produce one.

With respect to the list of all precincts and multi-precinct voting locations, you will notice that a number of the documents have dates other than those requested. Unless otherwise noted, the list immediately preceding an election was valid for that election (i.e. the August Special precinct list would be valid for the November General).

Lastly, the names of voters, pollworkers, and Board employees have been redacted consistent with our Board's records policies.

Should you have any questions, please do not hesitate to ask.

Regards,
Brad

Bradley L. Cromes, Deputy Director
Portage Co. Board of Elections
From: Portage Co BOE [mailto:portage@sos.state.oh.us]
Sent: Friday, June 08, 2012 4:28 PM
To: jklau@porterwright.com
Cc: dbmiller@porterwright.com
Subject: RE: Records Request

Jared -

We are in receipt of your request for records relating to polling location set up, poll worker training, EAPs, and provisional voting in our county from 2008 - present. With respect to the EAP request, we have not yet completed our EAP for the November 2012 General Election, and thus will not be able to provide you with that item at this time. The rest we should be able to supply.

Given that I will be out of the office on Monday and we have a Board meeting on Tuesday, I do not believe that we will have these records in toto by close of business on June 12th. If you would like, I am happy to send you a partial fulfillment of the request at that time, and supplement it at a later date with the materials that will take a bit longer to find. Alternatively, I can hold off on sending a response until all the records (with the exception of the November 2012 EAP) are compiled.

Please let me know how you would like to proceed. Enjoy the weekend, and I look forward to talking more with you about this request next week.

Regards,
Brad

Bradley L. Cromes, Deputy Director
Portage Co. Board of Elections

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Please note that no EAP is required in odd years.

June 12, 2012

Daniel B. Miller
Porter Wright Morris & Arthur LLP
41 S High St. Suites 2800-3200
Columbus, OH 43215

Dear Mr. Miller,

We certify that, on June 12, 2012, we produced copies of records from the files of the Putnam County Board of Elections in response to a public records request from Daniel B. Miller on June 8, 2012. The copies produced are authentic copies of records on file at the Putnam County Board of Elections.

Karen Lammers
Director

Shelly Burkhart
Deputy Director
Dear Mr. Miller,

We certify that, on June 12, 2012, we produced copies of records from the files of the Putnam County Board of Elections in response to a public records request from Daniel B. Miller on June 8, 2012. The copies produced are authentic copies of records on file at the Putnam County Board of Elections.

Karen Lammers                     Shelly Burkhart
Director                           Deputy Director
Hello,

I have attached the available documents per your public request. Here is the information we are able to provide based on your request:

1. The current poll worker training manuals are available on the Secretary of State's Website at [http://www.sos.state.oh.us/SOS/elections/PEO.aspx](http://www.sos.state.oh.us/SOS/elections/PEO.aspx). We also use a PowerPoint presentation that is available on our website at [http://www.electionsonthe.net/oh/ross/elecwork.htm](http://www.electionsonthe.net/oh/ross/elecwork.htm).

2. The above materials are the extent of the instructions for poll workers.

3. The minutes from each board meeting ruling on provisional ballots are attached.

4. No other documents exist.

5. The only lists available are the current precincts and polling locations. There is not a history set up for this information. The current lists are attached.

6. No documents exist.

7. A street list has been attached. Each precinct receives a street list for their precinct which is to be used to determine whether or not the voter is in the correct polling location. They are also given a copy of the map for their precinct which also shows surrounding precincts. This map is available on our website at [http://www.electionsonthe.net/oh/ross/precmaps.htm](http://www.electionsonthe.net/oh/ross/precmaps.htm).

8. The poll worker quick reference guide from the Secretary of State's office dictates how the polling location should be arranged.


I believe we have fulfilled your request to the best of our ability but if you find you need anything further, please let me know.

Thank you,

Katie

Katie Tuttle
Ross County Board of Elections
475 Western Ave., Suite D
P.O. Box 1663
Chillicothe, OH 45601
740-775-2350
Please see attached records as requested from the Stark County Board of Elections. The Board has not approved the Election Administration Plan for the November 2012 General election. It is scheduled to be approved at the next Board meeting on July 2, 2012.
Dear Jeanette,

Thank you very much for responding so promptly to our records request. Please forward along the November 2012 EAP after it is approved. I will let you know if we have any questions. Have a great day.

Very truly yours,

Jared Klaus
Mr. Miller and Mr. Klaus,

On June 11, 2012, I received your public records request for copies of nine pieces of information. The following is a summary of what is/is not attached. If you have any questions, please do not hesitate to contact me directly. The attached file is 4 MB compressed.

1. Current poll worker training manual(s). – Please see attached copy of the manual used in March 2012.
2. Other training manuals. – N/A anything not in the manual in item #1 is described orally during in-person training.
4. Reports for Provisional Ballots used at Board meetings. – N/A draft documents are retained until no longer of administrative value. This particular information is within the Board minutes, see item #3.
7. Address locator used by poll workers in March 2012. – Please see attached street listing.
8. Diagrams of poll location layout. – Please see attached.
9. Election Administration Plan for November 2010, 2011, March 2012, and November 2012. – Please see attached for the first three. The EAP for November 2012 has not been completed and approved by the Board as of today.

Thank you,
Sarah

cc: Chuck Miller, Director
Robert Stephenson, Assistant County Prosecutor

Sarah E. Kneuss, Deputy Director
330-365-3363
kneuss@co.tuscarawas.oh.us

Tuscarawas County Board of Elections
P.O. Box 69 * Courthouse Square
New Philadelphia, OH 44663
330-343-8819 main office
330-343-3125 fax
tuscaraw@sos.state.oh.us
Union County

Daniel B. Miller | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2101 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | dbmiller@porterwright.com

porterwright

From: Culp, Kim A.
Sent: Tuesday, June 12, 2012 2:58 PM
To: Miller, Daniel B.
Subject: FW: Request for Public Records

Kim A. Culp, Legal Secretary | Porter Wright Morris & Arthur LLP | 41 S High St Suites 2800-3200 | Columbus, OH 43215
Direct: 614-227-2252 | Fax: 614-227-2100 | Toll Free: 800-533-2794 | kculp@porterwright.com
porterwright

From: Ameena Birchfield [mailto:abirchfield@co.union.oh.us]
Sent: Tuesday, June 12, 2012 2:58 PM
To: Culp, Kim A.
Subject: RE: Request for Public Records

Here is the information that you requested. Just to inform you, the Administrative plan for 2010-2011 is currently being updated according to the Ohio Secretary of State’s directive 2012-01. Our updated Admin plan is due to the SOS on or by July 9, 2012. Let me know if you need anything else.

Thank you,

Ameena Birchfield

From: Union [mailto:Union@ohiosecretaryofstate.gov]
Sent: Friday, June 08, 2012 3:56 PM
To: moots@uncodems.org; Bill Steele (Union); Parrott, Robert W. (Union); Bill McCarty; Ameena Birchfield; Michelle Rausch; Gary Wallace; cookd5@nationwide.com
Subject: FW: Request for Public Records

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Please see attached letter.

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******************End of Notice******************
Jared:

This email is to notify Porter Wright that our office has received your public records request dated June 8, 2012. The first installment was just emailed to Daniel Miller. Additional installments will be emailed by the end of the week. Several items to note: #8. is included in the pollworker manuals. Also, the EAP for Nov. 2012 has not been approved by the board as of this date.

Debbie Prots
Williams Co. BOE
EXHIBIT E
Case: 2:06-cv-00896-ALM-TPK Doc #: 296-5 Filed: 06/20/12 Page: 2 of 3 PAGEID #: 8718

RECORD OF PROCEEDINGS

MINUTES OF THE ADAMS COUNTY BOARD OF ELECTIONS

HELD November 19, 2008

The Adams County Board of Elections met on Wednesday, November 19, 2008 at 8:30 a.m. Members present were: Virginia Grooms, Tim Lewis and Carol Knauff. Ed McDowell arrived a little later. Rob Gabbert, observer was in attendance also. Poncha’, technician was here from Premier Election Solutions. Kathy Jones stopped in about midday.

The Chairman opened the meeting with The Pledge of Allegiance and a moment of silence.

Motion by Lewis and seconded by Knauff to approve the minutes from the November 4, 2008 meeting. All in favor. Opposed none. Motion carried.

Motion by Knauff and seconded by McDowell to pay the following bills and all Election Day expenses:

<table>
<thead>
<tr>
<th>Premier Election Solutions, Inc.</th>
<th>$1,080.00</th>
<th>rental of 2 Accuvote Scan Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brown Publishing Company</td>
<td>$1,644.52</td>
<td>advertisement of Thank You &amp; levies</td>
</tr>
<tr>
<td>Dayton Legal Blank, Inc.</td>
<td>$551.25</td>
<td>precinct kits</td>
</tr>
<tr>
<td></td>
<td>$270.35</td>
<td>additional ballots for 11/4/08</td>
</tr>
</tbody>
</table>

All in favor. Opposed none. Motion carried.

The board was informed of a pollworker that thought she was scheduled to work, but wasn’t and had created a disturbance at the polls. Bratton Township books were not well maintained. The pollworkers did not document clearly how some voters chose to vote, whether paper or machine as well as did not do Provisionals correctly. Winchester Township pollworkers neglected to write down 11 voter names in the pollbook.

One ballot was returned undeliverable.
One ballot was received at the polls so it could not be counted.
4 ballots were received and dated too late to be counted.

Motion by Lewis and seconded by Knauff to adopt the following policy pertaining to Provisionals:

The Adams County Board of Elections will follow the guidelines pursuant to Directive 2008-101 that was received from the Secretary of State in determining the validity of Provisional ballots. Also included in this policy is that we will accept all Provisional ballots that are in their
envelopes even though the envelope may not be sealed. All in favor. Opposed none. Motion carried.

A policy was established for the request and conduct of an emergency meeting and what constitutes valid reasons for not attending. This policy is attached. Motion by McDowell and seconded by Lewis to adopt the policy. All in favor. Opposed none. Motion carried.

We proceeded with the Official Count.

Office staff sent letters to all Provisionals that had to provide ID by November 14, 2008. We only had a few people come in and provide their ID.

So the following Provisionals were rejected because they did not provide ID.

<table>
<thead>
<tr>
<th>Bratton Twp. - 2</th>
<th>Peebles West - 7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locust-Grove - 1</td>
<td>Bradyville - 4</td>
</tr>
<tr>
<td>Liberty South - 1</td>
<td>Seaman Pct. - 2</td>
</tr>
<tr>
<td>Manchester B - 1</td>
<td>W.Union East - 2</td>
</tr>
<tr>
<td>Peebles East - 8</td>
<td>W. Union North - 4</td>
</tr>
<tr>
<td>W. Union South - 3</td>
<td>Winchester Vlg. - 12</td>
</tr>
<tr>
<td>W. Union West - 3</td>
<td>Winchester Twp. - 5</td>
</tr>
<tr>
<td>Tiffin East - 5</td>
<td>Liberty North - 3</td>
</tr>
</tbody>
</table>

The following were rejected because they voted in the wrong precinct.

<table>
<thead>
<tr>
<th>Wamsley - 1</th>
<th>Seaman Vlg. - 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manchester B - 1</td>
<td>Tranquility - 3</td>
</tr>
<tr>
<td>Manchester C - 3</td>
<td>W. Union West - 1</td>
</tr>
<tr>
<td>Oliver - 1</td>
<td>Winchester Vlg. - 4</td>
</tr>
</tbody>
</table>

The following were rejected because they were not registered:

<table>
<thead>
<tr>
<th>Bratton - 3</th>
<th>Manchester C - 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cedar Mills - 2</td>
<td>Peebles East - 1</td>
</tr>
<tr>
<td>Locust Grove - 6</td>
<td>Peebles West - 5</td>
</tr>
<tr>
<td>Wamsley - 1</td>
<td>Jacksonville - 1</td>
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<tr>
<td>Liberty South - 5</td>
<td>Mineral Springs - 2</td>
</tr>
<tr>
<td>Manchester A - 3</td>
<td>Seaman Vlg. - 1</td>
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<tr>
<td>Manchester B - 1</td>
<td>Bradyville - 1</td>
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<tr>
<td>W. Union West - 1</td>
<td>Tiffin West - 1</td>
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<tr>
<td>Wayne Twp. - 1</td>
<td>Winchester Twp. - 3</td>
</tr>
<tr>
<td>Liberty North - 1</td>
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</tr>
</tbody>
</table>

21 absentees were opened that was received in the time allotted.
2 double bubble ballots received by Nov. 4th absentees were remade. 1 double bubble ballot from the polls was remade. Total – 3 double bubble ballots from Election Day.
Butler County Board of Elections
Board Meeting Minutes
March 21, 2012

The Butler County Board of Elections met on Wednesday, March 21, 2012, at
11:00 a.m. for a regular meeting and to certify the March 6, 2012 Primary
Election. Roll call was taken and present were Chairman Frank Cloud, Member
Judy Shelton, Member Tom Ellis, Member Bruce Carter, Deputy Director
Jocelyn Bucaro, and Sr. Executive Assistant Nancy Piper. Also present was Mr.
T.C. Rogers, Candidate for Butler County Commissioner. Absent from the
meeting was Director Lynn Edward Kinkaid.

There were no Bills to Approve.

Minutes to be reviewed and approved were from the meetings of March
5,6,7,2012, and March 13, 2012. Member Ellis moved to approve both sets of
Minutes, and the motion was seconded by Member Carter, who requested that
the Minutes be edited to reflect "moved" rather than "motioned" in several
instances. Roll call was taken:

Chairman Cloud    yea
Member Carter     yea
Member Shelton    yea
Member Ellis      yea

All in favor; motion carried as amended.

Results of the March 6, 2012 Primary Election were reviewed by the Board.

Deputy Director Bucaro led the discussion of the results which were as follows:

<table>
<thead>
<tr>
<th>Election Summary Report</th>
<th>03/21/12</th>
<th>16:36:55</th>
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</thead>
<tbody>
<tr>
<td>MARCH 2012 PRIMARY</td>
<td></td>
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<tr>
<td>Summary For Jurisdiction Wide, All Counters, All Races</td>
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<td></td>
</tr>
<tr>
<td>Official Results</td>
<td></td>
<td></td>
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<tr>
<td>Board Certified</td>
<td></td>
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</tr>
</tbody>
</table>

Registered Voters 231396 - Cards Cast 42689 18.45% Num. Report Precinct 299 - Num. Reporting 299 100.00%
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<tr>
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<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Number of Precincts</td>
<td>299</td>
</tr>
<tr>
<td>Precincts Reporting</td>
<td>299 100.0%</td>
</tr>
<tr>
<td>Times Counted</td>
<td>38625/34411 112.2%</td>
</tr>
<tr>
<td>Total Votes</td>
<td>38207</td>
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<tr>
<td>Newt Gingrich</td>
<td>6089 15.94%</td>
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<tr>
<td>Jon Huntsman</td>
<td>147 0.38%</td>
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<tr>
<td>Ron Paul</td>
<td>2689 7.04%</td>
</tr>
<tr>
<td>Rick Perry</td>
<td>149 0.39%</td>
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<tr>
<td>Mitt Romney</td>
<td>15993 41.86%</td>
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<tr>
<td>Rick Santorum</td>
<td>13140 34.39%</td>
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**DELEGATES AT LARGE-D DEM**

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<tr>
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<tbody>
<tr>
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</tr>
<tr>
<td>Precincts Reporting</td>
<td>299 100.0%</td>
</tr>
<tr>
<td>Times Counted</td>
<td>3770/12808 29.4%</td>
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<tr>
<td>Total Votes</td>
<td>3239</td>
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<tr>
<td>Barack Obama</td>
<td>3239 100.00%</td>
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**DISTRICT DELEGATES REP**

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<tbody>
<tr>
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<td>299</td>
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<tr>
<td>Precincts Reporting</td>
<td>299 100.0%</td>
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<tr>
<td>Times Counted</td>
<td>38625/34411 112.2%</td>
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<tr>
<td>Total Votes</td>
<td>37619</td>
</tr>
<tr>
<td>Newt Gingrich</td>
<td>6645 17.66%</td>
</tr>
<tr>
<td>Jon Huntsman</td>
<td>195 0.52%</td>
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<tr>
<td>Ron Paul</td>
<td>2919 7.76%</td>
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<tr>
<td>Rick Perry</td>
<td>240 0.64%</td>
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<tr>
<td>Mitt Romney</td>
<td>14974 39.80%</td>
</tr>
<tr>
<td>Rick Santorum</td>
<td>12646 33.62%</td>
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**UNITED STATES SENATOR- R REP**

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<tbody>
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<tr>
<td>Precincts Reporting</td>
<td>299 100.0%</td>
</tr>
<tr>
<td>Times Counted</td>
<td>38625/34411 112.2%</td>
</tr>
<tr>
<td>Total Votes</td>
<td>27266</td>
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<tr>
<td>David W. Dodt</td>
<td>1593 5.84%</td>
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<td>Donna K. Gilman</td>
<td>3894 14.28%</td>
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<td>Eric LaMont Gregory</td>
<td>1581 5.80%</td>
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<tr>
<td>Josh Maandel</td>
<td>18728 61.35%</td>
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<tr>
<td>Michael L. Pryce</td>
<td>3316 12.16%</td>
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<tr>
<td>Russell P. Bliss Jr.</td>
<td>21 0.08%</td>
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<td>Write-in Votes</td>
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**UNITED STATES SENATOR-D DEM**

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<tr>
<td>Times Counted</td>
<td>3770/12808 29.4%</td>
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<tr>
<td>Total Votes</td>
<td>3176</td>
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<td></td>
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<tr>
<td>---</td>
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</table>
| **Table 1:** United States Senator - G

<table>
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<tr>
<td>Times Counted</td>
<td>43/33</td>
<td>130.3%</td>
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<tr>
<td>Total Votes</td>
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</table>

**Candidate Results:**

- **Joseph R. DeMare:** 6
- **Anita Rios:** 1
- **Write-in Votes:** 3

| **Table 2:** United States Senator - L

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
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</thead>
<tbody>
<tr>
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<td>299</td>
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<td>184/186</td>
<td>98.5%</td>
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<tr>
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**Candidate Results:**

- **John Fockler:** 21
- **Write-in Votes:** 17

| **Table 3:** Congressman 8th District - R

<table>
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<th></th>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Number of Precincts</td>
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<tr>
<td>Precincts Reporting</td>
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<tr>
<td>Times Counted</td>
<td>38625/34411</td>
<td>112.2%</td>
</tr>
<tr>
<td>Total Votes</td>
<td>37066</td>
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</table>

**Candidate Results:**

- **John A. Boehner:** 31075
- **David Lewis:** 5991

| **Table 4:** Supreme Court Justice 1/1/13 - R

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<tr>
<th></th>
<th>Total</th>
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<tbody>
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<td>Number of Precincts</td>
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<td>Precincts Reporting</td>
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<tr>
<td>Times Counted</td>
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<tr>
<td>Total Votes</td>
<td>25210</td>
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</tbody>
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**Candidate Results:**

- **Terrence O'Donnell:** 25210

| **Table 5:** Supreme Court Justice 1-1-13 - D

<table>
<thead>
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<th>Total</th>
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<tbody>
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<td>Precincts Reporting</td>
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<tr>
<td>Times Counted</td>
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<td>2785</td>
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</table>

**Candidate Results:**

- **Robert W. Price:** 2785

| **Table 6:** Supreme Court Justice 1/2/13 - R

<table>
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</thead>
<tbody>
<tr>
<td><strong>Sherrod Brown</strong></td>
<td>3176</td>
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<table>
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<tr>
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<th>Precincts Reporting</th>
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<th>Times Counted</th>
<th>38625/34411</th>
<th>Total Votes</th>
<th>24025</th>
<th>Robert R. Cupp</th>
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<td>DEM</td>
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<td>Sharon L. Kennedy</td>
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<td>Number of Precincts</td>
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<td>Stephen W. Powell</td>
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| **STATE CENTRAL COMMITTEE REPUBLICAN - WOMAN 4TH DISTRICT** |
| **REP** |
| Number of Precincts | 287 |
| Precincts Reporting | 287 (100.0%) |
| Times Counted | 37866/33683 (112.4%) |
| Total Votes | 26859 |
| **Patricia F. Alderson** | 16478 (61.35%) |
| **Bea Lyons** | 10381 (38.65%) |

| **STATE CENTRAL COMMITTEE DEMOCRAT - WOMAN 7TH DISTRICT** |
| **DEM** |
| Number of Precincts | 12 |
| Precincts Reporting | 12 (100.0%) |
| Times Counted | 194/627 (30.9%) |
| Total Votes | 157 |
| **Jennifer O'Donnell** | 157 (100.0%) |

| **STATE CENTRAL COMMITTEE REPUBLICAN - WOMAN 7TH DISTRICT** |
| **REP** |
| Number of Precincts | 12 |
| Precincts Reporting | 12 (100.0%) |
| Times Counted | 759/728 (104.3%) |
| Total Votes | 594 |
| **Maggi Cook** | 95 (15.99%) |
| **Rebecca Heimlich** | 380 (63.97%) |
| **Jean Raga** | 49 (8.25%) |
| **Lori Viars** | 70 (11.78%) |

| **STATE SENATE 4TH DISTRICT-R** |
| **REP** |
| Number of Precincts | 287 |
| Precincts Reporting | 287 (100.0%) |
| Times Counted | 37866/33683 (112.4%) |
| Total Votes | 24017 |
| **Bill Coley** | 24017 (100.0%) |

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**SHERIFF-R**  
REP  
**Total**  
Number of Precincts | 299  
Precincts Reporting | 299 | 100.0%  
Times Counted | 38625/34411 | 112.2%  
Total Votes | 29768  

| Richard K. Jones | 29768 | 100.00% |

**COUNTY RECORDER-R**  
REP  
**Total**  
Number of Precincts | 299  
Precincts Reporting | 299 | 100.0%  
Times Counted | 38625/34411 | 112.2%  
Total Votes | 25833  

| Danny N. Crank | 25833 | 100.00% |

**COUNTY TREASURER-R**  
REP  
**Total**  
Number of Precincts | 299  
Precincts Reporting | 299 | 100.0%  
Times Counted | 38625/34411 | 112.2%  
Total Votes | 27281  

| Nancy Nix | 27281 | 100.00% |

**COUNTY ENGINEER-R**  
REP  
**Total**  
Number of Precincts | 299  
Precincts Reporting | 299 | 100.0%  
Times Counted | 38625/34411 | 112.2%  
Total Votes | 25759  

| Gregory J. Wilkens | 25759 | 100.00% |

**CORONER-R**  
REP  
**Total**  
Number of Precincts | 299  
Precincts Reporting | 299 | 100.0%  
Times Counted | 38625/34411 | 112.2%  
Total Votes | 25900  

| Lisa K. Mannix | 25900 | 100.00% |

**LIB CENTRAL COMMITTEE-HAM2WD3**  
LIB  
**Total**  
Number of Precincts | 1  
Precincts Reporting | 1 | 100.0%  
Times Counted | 2/2 | 100.0%  
Total Votes | 2  

| Andrew A. Peelman | 2 | 100.00% |

**LIB CENTRAL**  
LIB  
**Total**  
Number of Precincts | 1  
Precincts Reporting | 1 | 100.0%  
Times Counted | 2/2 | 100.0%  
Total Votes | 2  

| Andrew A. Peelman | 2 | 100.00% |

<p>| Andrew A. Peelman | 2 | 100.00% |</p>
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<td>AGAINST THE TAX LEVY</td>
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Deputy Director Bucaro informed the Board that the Official Run was conducted the previous day, March 20, 2012, and added to the unofficial tabulation were 343 Provisional Ballots as well as 90 absentee ballots. The results were as expected and balanced perfectly.

Member Carter moved to certify the March 6, 2012 Primary Election. Member Shelton seconded the motion. There was no discussion, and roll call was taken:

Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea

All in favor; motion carried.

The County Commissioner race between candidates Courtney Combs and T.C. Rogers resulted in a difference of less than ½ of 1% margin which requires that an automatic recount be ordered by the Board, Deputy Director Bucaro explained. Member Ellis questioned the Chairman whether this item should be under New Business, and Chairman Cloud agreed.

Member Shelton stated that she was very pleased to see that 5,133 absentee ballots were returned of the 5,370 issued. Member Carter added that the number of invalid absentee ballots was very low – only 41 out of 5,100 returned.
Deputy Director Bucaro reviewed the following Memorandum from the Secretary of State's Office with the Board:

03/20/2012

Refers to Directive 2012-12 Post-Election Audits – SOS Selection of Statewide Office for Post-Election Audit
The contested Ohio Supreme Court contest for the Democratic nomination is the office selected for the post election audit. Also, we are to use the At-Large race for Republican Presidential Delegates as the "top of the ticket." In addition, the Board must also select at least one other contest to be included, and must determine whether it will conduct its audit by precinct, by polling place, or by individual voting machine." (*This selection must take place at today's meeting.)

Deputy Director Bucaro further explained that because our county has multi-precinct polling locations, the smallest unit which we may audit is by polling location. The Board agreed to address determining the unit of audit, the selection of a county-wide contested race to be audited, and randomly select precincts whose vote total must be at least 5% of the total votes cast in the County under New Business later in the meeting.

Further Memoranda from the Secretary of State were reviewed as follows:

03/12/12

Tie Vote on March 6, 2012 Regarding Appointment of Director (Jon Husted)
Breaks tie vote of 3/5/2012 Reorganization Meeting, appointing Lynn Kinkaid to serve as Director.

03/13/12

ADA Publications Distribution Update (Laura Pietenpol)

03/14/12

Tie Vote on March 13, 2012 Regarding Appointment of Deputy Director (Jon Husted)
Breaks tie vote appointing Jocelyn Bucaro as Deputy Director.

03/15/12

Reimbursement Form Paper Ballots (Pat Wolfe)
Reporting expenses of providing backup paper ballots per Directive 2012-04. We are awaiting invoices and will submit by deadline of 4/6/12.

Deputy Director Bucaro reviewed with the Board the following "Other Communications,"

03/05/12

Submitted Petition for Initiated Constitutional Amendment – Freedom to Marriage and Religious Freedom Amendment (Mike DeWine, Ohio Attorney General)
There were 2 valid part-petitions, 1 invalid part-petition, 2 valid signatures and 1 invalid signature.

03/15 – Misc Correspondence – Aaron Ockerman
03/20/12 Regarding SB284, SB295, HB194, HB 430.

Under Old Business, the Board reviewed the Service Agreement from Advanced Ballot Solutions, LLC, and Chairman Cloud asked if the Commissioners had approved the agreement. Deputy Director Bucaro stated that both the Board and the Commissioners have approved the bid, and the contract before the Board today has been reviewed and approved by Roger Gates of the County Prosecutor's Office. To summarize, Deputy Director Bucaro advised the Board that Advanced Ballot Solutions, not ES&S, will be designated as the second party of the contract. Also, ABS provides us with a written guarantee that if our equipment fails, they will bring us a machine within 24 hours for our use. The final change was under Termination of the Agreement. The equipment itself shall be purchased by the County and will belong to the County. In other words, should our software license expire or is terminated, the County will still own the equipment. When the contract is executed, we are prepared to pay the invoice amount of $40,686 (purchase price of $53,586.00 less the $11,900 paid for use of the equipment thus far). Within ten days of the contract being executed, ABS will submit a Performance Bond to the County as required by the bid. Member Shelton moved to accept the contract, seconded by Member Cloud. Roll call was taken:

Chairman Cloud     yea
Member Carter      abstain
Member Shelton     yea
Member Ellis       yea

All in favor; motion carried.

Under New Business, Deputy Director Bucaro reminded the Board that the results of the Commissioner's race from the March 6, Primary Election between Courtney Combs and T.C. Rogers falls within the one-half of 1% threshold which requires an automatic recount to be ordered by the Board today. Member Carter moved to order the Recount, Member Shelton seconded. Roll call:
Chairman Cloud  yea  
Member Carter  yea  
Member Shelton  yea  
Member Ellis  yea  

All in favor; motion carried.

Deputy Director Bucaro advised the Board that we must give the candidates at least five days notice of the Recount, so the earliest we could conduct the Recount would be Monday, March 26th. The Recount has been tentatively scheduled to take place on that date beginning at 10:00 a.m.

Directive 2012-11 states that "the board will randomly select precincts whose vote totals for the race or issue to be hand-counted equal at least 5% of the total vote in the race to be recounted," which would be 1,627 in this race. Both candidates have agreed in writing to waive the twenty-four hour notice required to notify them when the drawing of the precincts to be hand-counted will take place. The waiver has been approved by the Secretary of State, and the drawing of the precincts may take place at the next Board Meeting, scheduled for Thursday, March 22, 2012 at 9:00 a.m. Member Ellis moved to randomly select the precincts to be included in the Recount at that meeting. The motion was seconded by Member Carter. Roll call was taken:

Chairman Cloud  yea  
Member Carter  yea  
Member Shelton  yea  
Member Ellis  yea  

All in favor; motion carried.

The Board discussed whether it was necessary to finish the Recount in the same day as begun, in order to cut down on possible overtime by the staff. Member Carter suggested that the Secretary of State be consulted as to whether we may break up a Recount. Our legal counsel at the Secretary of State was called, and a message was left. (Note: although there was no reply during the meeting, we have since been told that while it is not recommended, a Recount does not have to be completed in one day.) The Board also agreed that the start of the Recount begin at 8:30 a.m. Member Carter moved to schedule the Recount for Monday,
March 26, 2012 to begin at 8:30 a.m. The motion was seconded by Member Shelton. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

The next order of business was in regard to the Audit. The Board must set a unit for the audit, randomly select a contested, county-wide race to be included in the audit, and draw the polling locations whose total to be hand-counted shall equal at least 5% of the total number of votes cast for the county (countywide voter turnout), a figure of 2,135 - 5% of total cards cast which was of 42,689. Member Ellis moved that for the post-election audit, the unit will be polling places. The motion was seconded by Chairman Cloud. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried.

A coin toss was selected in order to randomly select the race to be audited: the Clerk of Courts race was to be represented by heads, and the Commission race represented by tails. The Commissioner's race was selected.

Member Carter moved that the Board go into a brief recess while the Board employees prepare for the random selection of polling locations. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried. The Board recessed.

Following recess, the Board proceeded to randomly draw the polling locations for the audit. The random drawing sufficiently met the number of required votes cast according to Directive 2012-12.
There was no other New Business.

Due to the absence of the Director, there was no Director’s Report.

Ms. Bucaro proceeded with the Deputy Director’s Report and began by informing the Board that the Poll Worker Department has completed their payroll for election workers, and that the March, 2012, election expenses were approximately $5,000 less than the same line items as November, 2012 expenses. She presented the Board with a breakdown as follows:

- Election Workers Salaries: $196,997.78
- Election Workers Reimbursements and Mileage: $4,213.00
- Total Election Workers Cost: $201,210.78
- Polling Place Rentals: $910.00
- Grand Total March: $202,120.78

In the November, 2011 General Election, expenses were as follows:

- Election Workers Salaries: $201,701.79
- Election Workers Reimbursements and Mileage: $5,564.23
- (Higher mileage due to Rover Mileage): $207,275.02
- Polling Place Rentals: $910.00
- Grand Total November: $208,185.02

Deputy Director Bucaro stated that we were very happy to be able to save the County roughly $6,000.

Ms. Bucaro reported to the Board the following information:

- The Board of Elections website is still under design, and we hope to launch the new site by the end of April.
- She and Director Kinkaid are meeting with individual departments and conducting post-election assessments.
- Changes implemented in Candidates and Ballot Services have improved in that area significantly.
- Polling place issues during the March 2012 Election included some problems encountered with the Manchester School (Banquet Hall), mainly regarding directional signage. This problem was addressed on Election Day. The reason we originally utilized the Manchester School was due to accessibility problems encountered at Miami University in Middletown, the
former location for those precincts. Middletown High School officials refused to meet with our staff, therefore the staff reached out to the Events Coordinator and the Superintendent for assistance. At this time, we were near the deadline to secure a location and the Manchester School was offered for our use. The Manchester School did not meet accessibility requirements, however, and we were advised by the Secretary of State that grant money would most likely not be available due to the High School being so close. Middletown Schools did offer to bring the Banquet Hall into compliance with accessibility requirements, and we did utilize that space for March. However, if we may not use Middletown High School for the November Presidential Election, we will find a private location and will not return to Manchester Banquet Hall due to multiple problems with this location. Ms. Bucaro explained that the school did not want our voters there while school is in session, however, it was her understanding that Middletown Schools will be closed on Election Day in November, so it may not be a problem to secure the high school as a polling location. Ms. Bucaro stated that by Statute, the school must provide the space and we simply need to provide Notice to that school. Member Ellis stated that we simply must plan to utilize this space continuously.

Deputy Director Bucaro continued to address the Board and commented on the current Poll Worker Training Program, especially addressing the Electronic Poll Books. Overall, the training went very well. The problems we saw on Election Day with our Provisional table were due to poll workers not being adequately trained on processing Provisional Voters on the Electronic Poll Books. Last-Minute-Instructions were provided to election workers, however, in some cases it was evident that they were not read. Therefore, Mr. Kinkaid and Ms. Bucaro plan to work closely with poll worker training on this subject. The Board discussed methods to streamline this process and better train the poll workers on sending voters to the correct Provisional table and providing appropriate ballots to the voters. The suggestion was made to place an additional person at the Provisional Table to guide voters to the correct provisional ballot precinct poll worker. Ms.
Bucaro assured the Board that we have sufficient election workers to staff a
Provisional Table, and that this was a very good suggestion. Ms. Bucaro also
informed the Board that during the opening of the polls, there was some
confusion regarding hooking up the signature pad. This issue will be addressed
for the November Election, and she added that more time is needed for hands-on
training of processes involved when a voter is not a “regular voter.”

Member Shelton then moved that the Board go into Executive Session for the
purpose of discussing personnel under O.R.C. 121.22 (G) (1). Member Ellis
seconded the motion. Roll call:

Chairman Cloud       yea
Member Carter        yea
Member Shelton       yea
Member Ellis         yea

All in favor; motion carried.

After Executive Session, Member Shelton moved to return to Regular Session,
seconded by Member Ellis. Roll call:

Chairman Cloud       yea
Member Carter        yea
Member Shelton       yea
Member Ellis         yea

All in favor; motion carried.

Member Shelton moved to adjourn the meeting, seconded by Member Cloud.

Roll call:

Chairman Cloud       yea
Member Carter        yea
Member Shelton       yea
Member Ellis         yea

All in favor; motion carried.

The meeting was adjourned at 1:15 p.m.
Frank Cloud, Chairman

Lynn Edward Kinkaid, Director

Thomas W. Ellis, Member

Judith A. Shelton, Member

Bruce Carter, Member

Absent
The Butler County Board of Elections met on Tuesday, March 20, 2012 at 2:00 p.m., for a special meeting to validate Provisional Ballots and approve the remakes of Provisional and Absentee Ballots from the March 6, 2012 Primary Election. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Thomas Ellis, Member Judy Shelton, Director Lynn Kinkaid, Deputy Director Jocelyn Bucaro, and Administrative Assistant Tiffany Harmon. Also present was Mr. Will Ellis, son of Board Member Ellis.

Director Lynn Kinkaid presented three Provisional Ballots that were Seventeen-Year-Old-Voters who had over voted and, six Provisional Ballots with invalid markings.

Member Ellis moved to approve the nine Provisional Remakes as submitted to the Board. Member Carter seconded the motion. Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Ellis      yea
Member Shelton    yea

All in favor, motion carried.

There were two Absentee ballots. One ballot had a timing mark error and the other was remade for voter intent.

Member Carter moved to remake the absentee ballot as a vote for Josh Mandel for Senator. Member Shelton seconded the motion. There was no discussion.

Roll call:

Chairman Cloud    yea
Member Carter     yea
Member Ellis      yea
Member Shelton    yea

All in favor; motion carried.
Member Ellis moved to approve the single remake due to a timing mark error as presented to the Board. Member Carter seconded the motion. There was no discussion. Roll call was taken:

Chairman Cloud      yea
Member Carter       yea
Member Ellis        yea
Member Shelton      yea

All in favor, motion carried.

Member Carter moved to accept the remake of a single Provisional Ballot with invalid markings. Member Shelton seconded the motion. Roll Call

Chairman Cloud      yea
Member Carter       yea
Member Ellis        yea
Member Shelton      yea

All in favor, motion carried.

Lynn Kinkaid presented two provisional ballots that were cast in the correct polling place, but incorrect precinct, due to poll worker error.

Member Carter moved to reject two ballots. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud      yea
Member Carter       yea
Member Ellis        yea
Member Shelton      yea

All in favor; motion carried.

Member Ellis moved to adjourn. Member Shelton seconded the motion. Roll call:

Chairman Cloud      yea
Member Carter       yea
Member Ellis        yea
Member Shelton      yea

All in favor; motion carried.

The meeting was adjourned at approximately 2:30 p.m.
Frank Cloud, Chairman
Lynn Edward Kinkaid, Director

Thomas W. Ellis, Member
Judith A. Shelton, Member

Bruce Carter, Member
EXHIBIT H
Butler County Board of Elections
Board Meeting Minutes
March 19, 2012

The Butler County Board of Elections met on Monday, March 19, 2012 at 9:00 am, for a special meeting to approve the opening of Valid Provisional Ballots from the March 6, 2012 Primary Election. Roll call was taken and present were Chairman Frank Cloud, Member Bruce Carter, Member Thomas Ellis, Member Judy Shelton, Director Lynn Kinkaid, and Deputy Director Jocelyn Bucaro. Also present were Administrative Assistant Tiffany Harmon, Sr. Executive Assistant Nancy Piper; Registration Manager, Diane Noonan; Early Voting Clerk, JacRisia McKinnon; and IT Manager, Jay Klein. T.C. Rogers, Candidate for Butler County Commissioner; Courtney Combs, Candidate for Butler County Commissioner; Sheila Mclaughan, Reporter for the Cincinnati Enquirer; and Beth Ryan, Attorney for the law firm of Taft Stettinius & Hollister LLP.

Chairman Cloud referred to the Agenda and declared that the purpose of the meeting was to vote on the validity of provisional ballots per Directive 2012-01.

Member Ellis moved to begin review of the Ballots and Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Ellis yea
Member Shelton yea

All in favor; motion carried.

Diane Noonan presented the provisional ballots to the Board. She explained the first seven Provisional Ballots were cast in the incorrect polling location.

Member Carter moved to invalidate the seven provisional ballots due to incorrect polling location per directive Directive 2012-01, seconded by Member Shelton.

Member Ellis suggested that in the future poll workers should be required to sign a document stating they directed the voter to the correct location and inform them that their vote will not count if cast in the incorrect location. Roll call:

Chairman Cloud yea
Member Carter yea
Member Ellis  yea
Member Shelton  yea

All in favor; motion carried.

Diane Noonan presented fifty provisional ballots to the Board. These voters were at the correct location and voted in the wrong precinct due to poll worker error.

She explained that all of these voters included a Social Security Number on the envelope and do fall under the NEOCH exception. Member Ellis moved to approve all fifty provisional ballots for opening under Directive 2012-06. Member Shelton seconded the motion. Member Carter requested to separate the Provisional Ballots into two groups based on proven poll worker error and hypothetical poll worker error. Member Ellis stated there is no way to differentiate which poll worker in each precinct processed the provisional ballot. Each location had a minimum of one poll worker processing provisional ballots incorrectly and stood fast with his motion that the fifty provisional ballots should be accepted under Directive 2012-06 as NEOCH Ballots. Roll call:

Chairman Cloud  yea
Member Carter  nay
Member Ellis  yea
Member Shelton  yea

Motion carried by majority vote.

Member Carter moved to recess briefly. Member Shelton seconded the motion and roll call was taken:

Chairman Cloud  yea
Member Carter  yea
Member Ellis  yea
Member Shelton  yea

All in favor, Motion carried.

Following recess, Chairman Cloud moved to resume the meeting. Member Shelton seconded the motion.

Roll Call:

Chairman Cloud  yea
Member Carter  yea
Member Ellis  yea
Member Shelton  yea

All in favor, Motion carried.
Diane Noonan contacted the Secretary of State's office for an explanation of the NEOCH exception. It was explained to her that if a provisional envelope has both a social security number and a driver's license number as identification they cannot be classified as NEOCH under Directive 2012-06. In order to be a NEOCH ballot, the voter can only list the Social Security number as identification on the provisional envelope. Member Ellis moved to rescind his previous motion to accept all fifty ballots based on the clarification from the Secretary of State, and Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea  
Member Carter    yea  
Member Ellis     yea  
Member Shelton   yea  

All in favor; motion carried.

Upon further discussion the board decided to separate the fifty provisional ballots into two groups. These groups included twenty-eight Provisional Ballots that clearly meet NEOCH standards under Directive 2012-06 and the twenty two additional ballots in question.

Member Carter moved to accept the twenty eight NEOCH ballots where the voter provided only the Social Security number as identification on the provisional envelope. Member Shelton seconded the motion. With no further discussion, roll call was taken:

Chairman Cloud  yea 
Member Carter    yea  
Member Ellis     yea  
Member Shelton   yea  

All in favor; motion carried.

Member Carter moved to reject the twenty-two provisional ballots that have both the voters' Social Security numbers and the driver's license numbers listed as a form of identification and therefore do not meet the NEOCH exception. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud  yea 
Member Carter    yea  
Member Ellis     yes  
Member Shelton   yes  

All in favor; motion carried.
Diane Noonan presented eight provisional ballots that were cast in the correct location, incorrect precinct, and did not list the Social Security Number as identification. Director Kinkaid stated that the poll worker department are working on procedures geared on prevent poll worker error. Member Carter moved to reject the eight provisional ballots before the Board. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yes

All in favor; motion carried.

Deputy Director Bucaro presented a single provisional ballot cast in the wrong precinct that should have been processed as an optical scan ballot. The envelope does not fall under the NEOCH exception. A hand-written note from the Presiding Judge stated that the signature pad was out of order, and the voter had erroneously been given a provisional ballot. Ms. Bucaro stated that there is a procedure in place for a failed signature pad in which the voter would be given an optical scan. Member Carter moved to reject the ballot, Chairman Cloud seconded the motion. Member Ellis questioned if the Board has the ability to reclassify a Provisional Ballot to an Optical Scan. Member Carter rescinded his motion to reject the Provisional Ballot pending clarification from the Secretary of State.

Ms. Noonan presented seven provisional ballots that should have been processed as Optical Scan Ballots. She requested the Ballots be opened and reclassified as an Optical Scan. Member Carter moved to reclassify the seven Provisional Ballots as Optical Scan. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried
Member Carter moved to accept all 313 provisional ballots deemed valid by the Board of Elections Staff in bipartisan teams per Directive 2012-01. Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea

All in favor; motion carried

Member Cloud informed the board that they must follow Provisional Law and are unable to count the single provisional ballot cast because of a failed signature pad because it does not fall under NEOCH. Member Carter moved to reject the ballot even though there was gross poll worker error. Chairman Cloud seconded the motion. There was no further discussion and roll call was taken:

Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea

All in favor; motion carried

Ms. Noonan presented three provisional ballots with no identification. Krissy Rine, legal counsel from the Secretary of State’s office informed the Board that they are unable to use the identification on the back of the envelope since the back is actually for voter registration. Member Carter moved to invalidate the three Provisional Ballots. Member Shelton seconded the motion and roll call was taken:

Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea

All in favor; motion carried

Ms. Noonan presented a single provisional ballot with no printed name and a social security number as the only form of identification which triggers a question of NEOCH under Directive 2012-06. Member Carter moved to accept the ballot. Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter  yea
Member Shelton  yea
Member Ellis  yea
All in favor; motion carried

Ms. Noonan presented a provisional ballot missing a printed name. Reluctantly Member Carter moved to invalidate ballot. Member Shelton seconded the motion. Roll Call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton  yea
Member Ellis    yea

All in favor; motion carried

A single ballot that was voted in Butler County was presented to the Board. The voter filled out the provisional envelope stating he currently lives in Hamilton County. Member Carter moved to invalidate the ballot. Chairman Cloud seconded the motion. Member Shelton questioned how this happened. Deputy Director Bucaro explained that the voter filled out a change of address to Hamilton County on the provisional envelope but voted the ballot in Butler County. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton  yea
Member Ellis    yea

All in favor; motion carried

Ms. Noonan presented thirty-eight provisional ballots whereas the voters were not registered in the state of Ohio. Member Carter moved to reject the thirty-eight provisional ballots. Member Shelton seconded the motion. There was no discussion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton  yea
Member Ellis    yea

All in favor; motion carried

Member Carter moved for a ten-minute recess. Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton  yea
Member Ellis    yea
All in favor; motion carried

Chairman Cloud called the meeting back into order. The next order of business was to review absentee ballots. Nancy Piper presented the ballots that were received by mail. Ten absentee ballots were received on March 7, 2012 and one ballot was received on March 12, 2012. Dates are difficult to read and Ms. Piper explained that they must be postmarked by March 5, 2012 to be valid absentee ballots. Ms. McKinnon explained the ballots can be received up to ten days after the deadline if they are postmarked by March 5, 2012.

Member Carter moved to reject the first nine Absentee Ballots containing postmarks on the sixth. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried

The tenth ballot was received on March 7th and the board employees could not determine the date postmarked on the envelope. Member Carter moved to accept, absent any evidence that it was mailed after March 5th. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried

The eleventh ballot was received on March 12, 2012. Member Carter stated that he believed that this was postmarked March 6th, and Member Shelton agreed. Member Carter moved to reject the ballot due to the late postmark. Member Shelton seconded the motion. Roll call:

Chairman Cloud yea
Member Carter yea
Member Shelton yea
Member Ellis yea

All in favor; motion carried
Member Carter moved to add thirty-six additional absentee ballots that have been scanned to be included in the official count, totaling ninety ballots to be added to the official run. Member Shelton seconded the motion. It was explained by Mr. Klein that three decks which account for the thirty six ballots were scanned after 11:00 pm on election night. They had not been added to the unofficial count due to staff error. Member Carter withdrew his motion to clarify and restate.

Member Carter moved to add the thirty-six ballots that were scanned late on election night to be added to the official tally. Chairman Cloud seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton   yea
Member Ellis     yea

All in favor; motion carried

Member Carter moved to approve the scanning and add the additional fifty-four absentee ballots to the official tally. Member Shelton seconded the motion.

Member Shelton stated she was glad to have such a great response from voters and received so many timely absentee ballots after Election Day. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton   yea
Member Ellis     yea

All in favor; motion carried

Lynn Kinkaid gave the breakdown of provisional ballots as follows;

Total valid 352. Total invalid 81. Total Provisional Ballots 426.

At approximately 12:43 p.m. Member Ellis moved to adjourn the meeting.

Member Shelton seconded the motion. Roll call:

Chairman Cloud  yea
Member Carter    yea
Member Shelton   yea
Member Ellis     yea

Motion passed.
The meeting was adjourned at approximately 12:45 p.m.
Frank Cloud, Chairman  

Lynn Edward Kinkaid, Director  

Thomas W. Ellis, Member  

Judith A. Shelton, Member  

Bruce Carter, Member
Butler County Board of Elections
Board Meeting Minutes
November 19, 2011

The Butler County Board of Elections met on Saturday, November 19, 2011. Roll call was taken and present were Chairman Thomas Ellis, Member Judy Shelton, Member John Holcomb, Director Jocelyn Bucaro, Deputy Director Lynn Kinkaid, Sr. Executive Assistant Nancy Piper and Administrative Assistant Janaya Scott.

There were no Minutes or Bills to approve.

Director Bucaro explained the requirement of the Board to meet prior to the staff opening the Provisional Ballots of the November 8, 2011 General Election, and to review invalid paper ballots per Directive 2011-36, Directive 2008-101, and R.C. 3505.183. She stated that this date is eleven days following the Election and it is the first day that the staff may begin opening Provisional Ballots. Director Bucaro informed the Board that there were 2,296 Provisional Ballots cast, of which 2,022 were determined to be valid. Two hundred and seventy two were deemed invalid and there are two ballots which the Board must review individually.

Director Bucaro provided the Board with an Opening Summary of 2,022 ballots believed to be valid. The Summary explained the breakdown of 223 ballots considered invalid, and those would not be opened. Member Holcomb moved to open the 2,022 provisional ballots deemed valid, and Member Shelton seconded.

Roll Call:

Chairman Ellis      yea
Member Holcomb     yea
Member Shelton     yea

All in favor; motion carried.

Chairman Ellis questioned as to whether our office notifies Provisional voters whose vote did not count, and Director Bucaro explained that each Provisional
voter is given an informational sheet with a "hotline" number where they can call
to determine if their vote was counted or not counted after review. If the voter is
not registered to vote and must vote a Provisional ballot, the voter will be
contacted to register for the next election with the information provided on the
Provisional envelope.

Director Bucaro pointed out to the Board that of the 102 voters who voted in the
wrong precinct, forty-nine were in the correct polling place, but at the wrong
table. Member Holcomb moved to remake the forty-nine ballots to the correct
precinct, and Member Shelton seconded. Roll Call:

Member Holcomb    yea
Member Shelton     yea
Chairman Ellis     yea

All in favor; motion carried.

Fifty-three provisional ballots were cast in the wrong precinct and the wrong
polling location. Director Bucaro mentioned the law about voting in the wrong
polling location which makes those votes invalid. Member Holcomb suggested
not giving these provisional voters in the wrong precinct and wrong polling place
an "I voted" sticker. Director Bucaro stated a single case where a voter had
participated in In-Office voting five days prior so that provisional wouldn't count,
and there were nine provisional envelopes where a voter did not sign. Also
mentioned were nine provisional ballots that were invalidated because the voter
forgot to print their name on the form, and three where the voter did not have
proper ID at the polls.

Voter Registration Manager Diane Noonan then presented the two ballots
requiring Board review. Member Holcomb moved to validate both provisional
ballots, Member Shelton seconded. Roll Call:

Member Holcomb    yea
Member Shelton     yea
Chairman Ellis     yea
All in favor; motion carried.

Director Bucaro also provided the Board with a Summary of the Absentee Ballots. Absentee Ballots Issued: 16,636. Ballots Returned: 15,860. Of those 15,591 were valid and 269 were invalid. The Summary also showed the breakdown of why the ballots were invalidated. Roll call:

Chairman Ellis yea
Member Holcomb yea
Member Cloud yea

All in favor; motion carried.

The Board mentioned that it would be in their interest to attend Poll Worker training as well as possibly become Poll Workers.

Director Bucaro stated that she would be involved in doing an assessment of each department as it relates to the election and would present a copy to the Board for review.

A motion for adjournment was made by Member Holcomb seconded by Member Shelton. Roll call:

Chairman Ellis yea
Member Holcomb yea
Member Cloud yea

All in favor; motion carried.

Meeting adjourned.
Thomas W. Ellis, Chairman

Jocelyn Bucaro, Director

John M. Holcomb, Member

Judith A. Shelton, Member

ABSENT
Frank Cloud, Member
In The Matter Of:

BOARD OF ELECTIONS

November 23, 2010

BRITTON AND ASSOCIATES
CLARK COUNTY BOARD OF ELECTIONS
SPRINGFIELD, OHIO

November 23, 2010, Meeting

Meeting held at the Clark County
Board of Elections, 3130 East Main Street,
Springfield, Ohio, on Tuesday, November 23, 2010,
at 2:00 p.m.

* * * * *

PRESENT:

Mr. Roger Evans, Board Chairman
Mr. Ted A. McClenen, Board Member
Mr. Ron Rhine, Board Member
Ms. Lynda Smith, Board Member

Mr. Mark Oster, Director
Ms. Sally Pickarski, Acting Deputy Director

ALSO PRESENT:

Mr. Andrew Pickering, Attorney
Mr. Brett Rapp, ES&S
Mr. Dale Henry, Secretary of State
Representative

* * * * *

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DAYTON - (937) 228-3370 CINCINNATI - (513) 651-3370
CHAIRMAN EVANS: All right.

MR. OSTER: What we had to do on these, we had to hold up until the Board took a look at all these ballots. Now, I'm going to go up there with Brett real quick and he is going to manually enter these that you okayed and also he is going to run the provisionals through. While I am doing that, Sally is going to go over the approval of the provisional report. And I will be back down in a couple minutes.

CHAIRMAN EVANS: Before we get out of whack, we need a motion to approve the bills for November 3 through November 17.

MR. MCCLENEN: So moved.

MR. RHINE: Second.

CHAIRMAN EVANS: It's been moved and seconded to approve the bills for the period of November 3 through November 17. Any questions on the motion? Hearing none, we will proceed to vote. Those in favor signify by saying aye.

MR. MCCLENEN: Aye.

MR. RHINE: Aye.

CHAIRMAN EVANS: Aye.

MS. SMITH: Aye.

CHAIRMAN EVANS: Nays? Hearing
none, motion carried.

Now, we will go to the approval of
the provisional report.

MS. PICKARSKI: You have the
breakdown there of all the 1147 additional ballots
and out of those we had 100 that we could not count
and 91 percent of them came out to be that were
counted out of the 1147.

CHAIRMAN EVANS: What was the main
reason?

MS. PICKARSKI: Your breakdown is
here. The biggest one was they voted in the wrong
precinct. 51 voted in the wrong precinct.
The next one was 26. They just
were not registered in the State of Ohio.
The next one, 19 --
MR. MCCLENEN: So we don't have
the form right there?

MS. PICKARSKI: No. This is the
form that I am going to send into the State. I can
make a copy of it for you.

MR. MCCLENEN: Yeah.

MS. PICKARSKI: 19 had, there were
no signatures on the blue envelope. Three failed
to provide ID and one was a duplicate. They had
already voted and it had been counted so they came in, which happens.

MR. MCCLENEN: So they voted early and still sent in?

MS. PICKARSKI: Yes. We have it a lot of times they come and get mom and dad, have you voted? No, they voted by mail and they just forgot.

MS. SMITH: Of the ones that counted, did it seem like that was a large number that we made provisional that should have been able to vote at the precinct?

MS. PICKARSKI: Well, we marked the book such that we put provisional stickers over each place where they would sign. That they were sent or we received an absentee ballot. Then, if we got something back, the majority of it is coming back from the post office. If it comes back undeliverable, then we mark provisional trying to see --

MS. SMITH: Where they are.

MS. PICKARSKI: We need an update of a new address or sometimes it's just the post office they don't deliver it. They have a new carrier or something and they don't want to mess
with it for whatever reason and it comes back to us as undeliverable which really it isn't.

MS. SMITH: But they don't deliver it.

MS. PICKARSKI: We don't have any way of knowing that until somebody comes in and says, well, I've lived there for --

MR. MCCLENEN: When they deliver that, do they have to sign for it?

MS. PICKARSKI: No. We just get back, if it's an acknowledgment card or confirmation card or whatever, it comes back to us. They usually have a yellow sticker on it. A lot of times if it's in the system to be forwarded, they will forward onto the new address but a lot of times that forwarding has expired and so then it comes back to us, no forwarding address or forwarding has expired. If it comes back to us with another address, we turn right around and in our system we can send out another card to that new address to see, confirmation card, to see if we get them to say, yes, we live at 123 West Main Street, you know, whatever.

MS. SMITH: Do we find it's mainly at apartments that they don't deliver them?
MS. PICKARSKI: That I can't tell.
A lot of times it has to do with apartments,
changing within the same building but, you know,
just different apartment or the P.O. Box, they
haven't give us a P.O. Box number as far as having
the full address. Very few do we get that we have
in our system that we can put where they reside at
where they want their mail mailed to a different
location for whatever reason. It's not a P.O. Box,
it's just a completely different location. That
doesn't happen to often.

MS. SMITH: I know there was one
where there was a husband and wife. He could vote
but she had to vote provisional. Would that just
be a mix up maybe?

MS. PICKARSKI: If we sent out, a
lot of times we send out cards --

MS. SMITH: And one comes back.

MS. PICKARSKI: When we change the
precinct, they say they didn't get it but it didn't
come back to us.

MR. HENRY: Can I ask a question?
How many of the provisionals were contacted to let
them know they had 10 days to come in and give you
their information and straighten out their reason
for voting provisional?

MS. PICKARSKI: You mean the hotline number? You mean to see if it counted?

MR. HENRY: No. People who vote provisionally have an opportunity to come in 10 days, up to 10 days after the election to prove their identity.

MS. PICKARSKI: That's only on the identity ones.

MR. HENRY: How many were there of those?

MS. PICKARSKI: I think only --

MS. SMITH: There were three --

MS. PICKARSKI: There were three that didn't come in.

MR. HENRY: Oh, only three didn't come in.

MS. PICKARSKI: Yes. To provide whatever information that they had. It was only three that failed to provide acceptable identification.

MS. SMITH: 91 percent seems pretty high.

MS. PICKARSKI: That's pretty good. It's 9 percent that did not count so only
100 basically out of the 1147 did not count.

MS. SMITH: I know people get upset when they have to vote provisional.

MS. PICKARSKI: We stress the maps and everything in training that's, you know, you come in, let's say I live on Detrick Jordan Pike, they can go into the big red map book and they can look up the address, but they can call us, I tell them call us and we can tell you where to send them. But for whatever reason, I don't know if they just get frustrated, you don't know what happens out there on that day of election.

MS. SMITH: What they are dealing with at that time.

MS. PICKARSKI: It will show in your breakdown there by each precinct and it will say voted in the wrong precinct and if I have one of them, I have umpteen of them.

MR. RHINE: Once it starts, it continues.

MS. SMITH: Did there seem to be a trend where one precinct was having more trouble than another or were they all --

MS. PICKARSKI: We had one particular precinct, yes, but we are going to
justify, remedy that I should say. We are making
some changes in there.

CHAIRMAN EVANS: The ballots says
empty, run through scanner, what was the problem
with that?

MS. PICKARSKI: The person got
away from them and they just went over and stuck it
in the scanner and then bring it back to the table
to be put into the envelope so it was counted, you
know, that night but it wasn't, you know, we don't
have a ballot now to run through to count it on
election night in the unofficial count.

CHAIRMAN EVANS: All right.

MR. MCCLENNEN: I'll move we
approve --

MS. PICKARSKI: We had about 900
that night of election that came in and about 247
then.

MR. MCCLENNEN: I'll move we
approve the provisional report.

MS. SMITH: I'll second that.

CHAIRMAN EVANS: It's been moved
and seconded to approve the provisional report as
amended. Any questions on the motion?

Hearing none, we will proceed to
Board Meeting
11-29-11

Attending:

Jeff Hastings, Chairman
Inajo Davis Chappell, Member
Eben O. (Sandy) McNair, IV, Member
Jane M. Platten, Director
Pat McDonald, Deputy Director
Reno Oradini, Assistant Prosecutor

Linda Steimle, Clerk to the Board
Dawn Peck, Court Reporter

Deborah L. Sutherland, Member absent

The Board returned into public session on November 29, 2011 at 11:35 a.m. and voted unanimously to adjourn the November 7, 2011 meeting.

The Board voted unanimously to excuse Board Member Sutherland from today's meeting.

**Agenda Item 1: Acknowledgement of Secretary of State Advisory:**

The Board voted unanimously to acknowledge Advisory 2011-09: Sub. H.B. 318.

**Agenda Item 2: Certification of Official Results of the November 8, 2011 General Election:**

Shantiel Soeder, Manager of the Ballot Department, provided the Board with the Official Canvass Certification Data Summary Report. A copy of the Official Canvass Certification Data Summary Report is attached to this document as Exhibit A.

The Board reviewed the Summary Report and Chairman Hastings asked how many of the rejected provisional ballots cast were in-house voters. Director Platten stated there were 47 ballots cast in-house that were in the wrong precinct. She further stated this problem was a staffing issue; staff has been advised to improve training and to set up additional safety nets to eliminate the incidence of wrong precinct ballots.

Director Platten stated once voter history is completed there will be a further review of election data to compare what occurred this year with absentee and election day voting verses what the voters did in prior years.

Director Platten then presented information regarding 9 voters who cast 2 ballots. She stated there were 7 voters who moved and went to their old location and cast a regular ballot. These voters also went to their new location and cast a provisional ballot. These voters all had 1 vote count and their provisional ballot is secure in the vault.

The last 2 voters cast 2 provisional ballots each. The first voter cast 1 provisional ballot at the Board of Elections and also a provisional ballot at their new polling location on Election Day. Both ballots are secure in the vault with neither vote having been counted. The final voter cast both their provisional ballots here at the Board; the ballots are secure in the vault with neither vote having been counted.
Director Platten asked the Board to allow staff to make calls to these individuals to determine the circumstances as to why they cast 2 ballots. She stated the findings would be reported back to the Board at the next meeting.

The Board voted unanimously to adopt Director Platten's recommendation to do further analysis on these 9 voters.

The Board voted unanimously to acknowledge the pre-and post-election test results of the vote tabulation system from the November 8, 2011 General Election.

The Board voted unanimously to remake 1,236 optical scan ballots from the November 8, 2011 General Election.

The Board voted unanimously to reject 1,988 absentee ballots from the November 8, 2011 General Election.

The Board voted unanimously to reject 2,048 provisional ballots from the November 8, 2011 General Election.

The Board voted unanimously to certify the Official District Wide Results for Cuyahoga, Geauga, Lorain, and Summit Counties from the November 8, 2011 General Election.

**Agenda Item 3: Approval of vouchers:**

The Board voted unanimously to approve the vouchers as submitted by the Fiscal Services Division.

**New Business:**

Discussion regarding the residency of State Senator Shirley A. Smith:

Chairman Hastings stated Tom Myers, an investigative reporter, had previously reported there was some question as to the residency of State Senator Shirley Smith. The Board had offered the Senator the opportunity to speak to the Board at today's meeting to address these questions.

Senator Smith was represented by counsel, Roger Synenberg. After questioning and presentation of evidence Attorney Synenberg stated it is clear the intent to return was always a factor as well as Senator Smith's residency is clearly 13901 Woodworth and has been for 34 years.

Chairman Hastings stated it was the Board's duty to follow up and in light of the testimony under oath nothing further needs to be investigated.

Chairman Hastings stated there was one other item for discussion. He stated the Agency was in receipt of additional protest documents filed by Mr. Christopher Litwinowicz and Ms. Rose Hunter. The Board discussed waiving the attorney client privilege to release the Memorandum of Law provided by Assistant Prosecuting Attorney Reno Oradini.

The Board voted to waive the attorney client privilege and release the Memorandum of Law. Board Member Chappell voted against the motion.

Chairman Hastings read the Memorandum of Law into the record and stated in part: "The protest deadline was August 26, 2011 and these protests are untimely....Even if these protests can be deemed as election
contest, the Board does not have jurisdiction, because election contests must be filed in court. There is no reason to hold a hearing on the current filings."

The Board voted unanimously not to have a hearing on the protest filed.

The protestors will be notified and provided with a copy of the Memorandum of Law.

Public Comment:

Adele Eisner: Questions regarding Official Results.

The Board voted unanimously to go into executive session to discuss pending/potential litigation.

The Board voted unanimously to return into public session.

The Board voted unanimously to rescind the bid awarded at the September 29, 2011 meeting to Election System and Software, Inc for the printing of optical scan Election Day ballot pages, in-house voting ballot pages, and absentee (ballot on demand) pages for all elections from January 1, 2012 through December 31, 2013.

The Board voted unanimously to reject all bids that were presented at the September 29, 2011 meeting for the printing of optical scan Election Day ballot pages, in-house voting ballot pages, and absentee (ballot on demand) pages for all elections from January 1, 2012 through December 31, 2013.

The Board voted unanimously to direct the staff to go out to bid as soon as possible for the printing of optical scan Election Day ballot pages, in-house voting ballot pages, and absentee (ballot on demand) pages for the March 6, 2012 Primary Election only.

The Board voted unanimously to adjourn at 1:10 p.m.
Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on November 29, 2011.

Jeff Hastings, Chairman

Inajo Davis Chappell, Member

Eben O. (Sandy) McNair, IV, Member

Deborah L. Sutherland, Member

Jane M. Platten, Director
PROVISIONAL VOTING SUMMARY

A total of 13,336 Provisional Ballots were cast In-House and on Election Day. Of those ballots, 11,288 (84.64%) were valid and tabulated by the Ballot Department. There were 2,048 rejected Provisional Ballots resulting in a 15.36% rejection rate for this election. Details of the rejections are below.

* The Provisional Ballot Rejection Rate is 14.76% when Provisional Voters who have already cast an Absentee Ballot are excluded.

<table>
<thead>
<tr>
<th>Reason for Rejection</th>
<th># Rejected</th>
<th>% of Total Provisional Rejections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wrong Precinct**</td>
<td>991</td>
<td>48.39%</td>
</tr>
<tr>
<td>Not Registered</td>
<td>768</td>
<td>37.50%</td>
</tr>
<tr>
<td>Voted Absentee*</td>
<td>94</td>
<td>4.59%</td>
</tr>
<tr>
<td>No Signature</td>
<td>74</td>
<td>3.61%</td>
</tr>
<tr>
<td>No Printed Name</td>
<td>71</td>
<td>3.47%</td>
</tr>
<tr>
<td>Missing Identification</td>
<td>15</td>
<td>0.73%</td>
</tr>
<tr>
<td>Incorrect Address</td>
<td>12</td>
<td>0.59%</td>
</tr>
<tr>
<td>Board Review Required</td>
<td>9</td>
<td>0.44%</td>
</tr>
<tr>
<td>Out of County</td>
<td>7</td>
<td>0.34%</td>
</tr>
<tr>
<td>Signature Does Not Match Registration Record</td>
<td>6</td>
<td>0.29%</td>
</tr>
<tr>
<td>Signature in Wrong Place on Provisional Envelope</td>
<td>1</td>
<td>0.05%</td>
</tr>
<tr>
<td>Total</td>
<td>2,048</td>
<td></td>
</tr>
</tbody>
</table>

** 499 provisional ballots (3.74%) rejected for being cast in the wrong precinct, were cast in the correct location.

<table>
<thead>
<tr>
<th>Provisional Data</th>
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</thead>
<tbody>
<tr>
<td>Provisional Ballots - CAST</td>
</tr>
<tr>
<td>Provisional Ballots - VALID</td>
</tr>
<tr>
<td>Provisional Ballots - REJECTED</td>
</tr>
<tr>
<td>Rejected - ABSENTEE VOTERS</td>
</tr>
<tr>
<td>Rejected - NOT INCLUDING ABSENTEE VOTERS</td>
</tr>
<tr>
<td>Rejected - WRONG PRECINCT (Total)</td>
</tr>
<tr>
<td>Rejected - WRONG PRECINCT/CORRECT LOCATION</td>
</tr>
</tbody>
</table>

% VALID of All Provisional Ballots Cast: 84.64%
% REJECTED of All Provisional Ballots Cast: 15.36%
% REJECTED Not Including Absentee Voters: 14.76%
% Wrong Precinct (Total) of All Provisional Ballots Cast: 7.43%
% Wrong Precinct/Correct Location of All Provisional Ballots Cast: 3.74%
Board Meeting
1-11-11

Attending:

Jeff Hastings, Chairman
Robert S. Frost, Member
Inajo Davis Chappell, Member
Jane M. Platten, Director
Pat McDonald, Deputy Director
Reno Oradini, Assistant Prosecutor

Linda Steimle, Clerk to the Board
La Donna Mitchell, Court Reporter

Eben O. (Sandy) McNair, IV, Member absent

The meeting began at 10:05 a.m.

The Board voted unanimously to excuse Board Member McNair from today’s meeting.

Agenda Item 1: Acknowledgement of Secretary of State Advisory and Directives:

The Board voted unanimously to acknowledge the following Secretary of State Advisory and Directives:

Advisory 2010-09: Chargebacks—Attorney General Opinion 2010-026
Directive 2010-80: Supplemental Procedures Regarding the 849 Provisional Ballots Subject to the Court Order in Hunter
Directive 2010-81: Precinct Reporting Requirement
Directive 2010-82: Reimbursement of Pollworker Training Costs
Directive 2010-85: Post-Election Audits for the November 2, 2010 General Election
Directive 2010-86: Cancellation of a Voter’s Registration Due to the Death of the Voter
Directive 2010-87: Steps that the Hamilton County Board of Elections Must Take as Part of the Investigation of 849 Provisional Ballots as Ordered by Judge Dlott
Directive 2010-88: Bilingual Voter Registration Forms
Directive 2010-89: Processing Duplicate Voter Registrations
Directive 2010-90: Cancellation of a Voter’s Registration Due to the Death of the Voter
Directive 2010-91: Voting Rights of Persons Facing Home Foreclosure
Directive 2010-93: Guidelines for Absentee Voting
Directive 2010-94: Voter Eligibility and Challenges Regarding Absentee Ballots Based Upon Data Discrepancies from Federal and State Database Matches
Directive 2010-95: Issuance and Acceptance of Absentee Ballots For Board of Elections That Have Established an Alternate Polling Location for In-Person Absentee Voting
Directive 2010-96: Guidelines for Determining the Validity of Provisional Ballots
Directive 2010-97: Privacy of Provisional Voter and Provisional Ballot Information
Directive 2010-98: Election Day Voter Challenges Based Upon a Failure to Match Voter Record Information in the Statewide Voter Registration Database with Bureau of Motor Vehicles and/or Social Security Administration Records
The Board voted unanimously to allocate 141 Voting Stations, 25 DS200 Precinct Based Optical Scanner Units and 9 ADA AutoMark Voting Units for the February 8, 2011 Special Election.

Agenda Item 6: Authorization to process payment for the February 8, 2011 Special Election in the amount not to exceed $900.00 for 3 private voting locations being used for this election:

The Board voted unanimously to authorize the payment for the February 8, 2011 Special Election in the amount not to exceed $900.00 for 3 private voting locations being used for this election.

Agenda Item 7: Authorization to process payroll for the February 8, 2011 Special Election in the amount not to exceed $21,458.90 for Poll Workers and Election Officials:

The Board voted unanimously to authorize the payroll for the February 8, 2011 Special Election in the amount not to exceed $21,458.90 for Poll Workers and Election Officials.

Agenda Item 8: Approval of Poll Worker Performance Standards Report from the November 2, 2010 General Election required by Secretary of State Directive 2010-55:

Henry Curtis, Manager of the Poll Worker Department, provided the Board with a summary of the Poll Worker Performance Standards Report from the November 2, 2010 General Election. He stated that based on the requirements of Directive 2010-55, it is recommended that no poll workers who served during the November 2, 2010 Election be removed. He further stated that pursuant to the Cuyahoga County Board of Elections policy on training poll workers each year, all poll workers will receive training prior to serving in a 2011 Election. Special training emphasis will be placed on the criteria in which the data reflects weaknesses on Election Day performance.

Director Platten stated that the two areas that the agency will focus heavily on are the provisional ballot process and the ballot reconciliation process which occurs at the end of the night.

The Board voted unanimously to approve the Poll Worker Performance Standards Report from the November 2, 2010 General Election required by Secretary of State Directive 2010-55.

Agenda Item 9: Review of possible double voting from the November 2, 2010 General Election:

Betty Grant Edwards, Manager of the Registration Department, stated that William Evans came to the Board of Elections to vote in the November 2, 2010 General Election. Mr. Evans was required to vote a provisional absentee ballot because he had moved but had not updated his address in the Voter Registration System. Mr. Evans came in on three occasions and voted a provisional absentee ballot each time. She further stated that he was given multiple ballots due to operator error: the ballots were not put into the system, nor were notations made in his record stating that he already came in to vote. The agency is currently reviewing the provisional absentee voter procedure.

Mr. Evans addressed the Board and stated that he comes downtown often and stopped in to vote, further stating that he did not realize each time he did this it was for the same election. Ms. Evans, William Evan’s mother also addressed the Board regarding her son’s medical condition.

Chairman Hastings reminded Mr. Evans that he could only vote one time per election. The Board did not take any action on this agenda item.

Agenda Item 10: Approval of vouchers:

The Board voted unanimously to approve the vouchers as submitted by the Fiscal Services Division.
BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

In Re:
Special Meeting

- - -

PROCEEDINGS

before Chairman Douglas J. Preisse, Director William A. Anthony, Jr., Deputy Director Dana Walch, and Board Members Michael F. Colley, Zachary E. Manifold, and Kimberly E. Marinello, at the Franklin County Board of Elections, 280 East Broad Street, Columbus, Ohio, called at 3:24 p.m. on Monday, March 19, 2012.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724
APPEARANCES:

Franklin County Prosecutor's Office
By Mr. Harold J. Anderson, III
Assistant Prosecuting Attorney
373 South High Street, 13th Floor
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,
Executive Assistant to the Board

Ms. Karen Cotton,
Operations Manager,
Franklin County Board of Elections

Mr. Jeffrey Mackey,
Petitions and Financial Filings Clerk,
Franklin County Board of Elections

Mr. Ben Piscitelli,
Public Information Officer,
Franklin County Board of Elections

Ms. Renee Klco,
Manager of Voter Services,
Franklin County Board of Elections

Mr. Todd Wedekind,
Manager of the Absentee Department
Franklin County Board of Elections
<table>
<thead>
<tr>
<th>ITEM</th>
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</tr>
</thead>
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<tr>
<td>Terri Jamison Petition</td>
<td>5</td>
</tr>
<tr>
<td>Voter Registration Challenges</td>
<td>23</td>
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<tr>
<td>Approval of Remade Absentee and Election Day Paper Ballots</td>
<td>25</td>
</tr>
<tr>
<td>Provisional Ballots</td>
<td>27</td>
</tr>
<tr>
<td>Adjourn</td>
<td>54</td>
</tr>
</tbody>
</table>
DIRECTOR ANTHONY: Is there a second?

BOARD MEMBER MARINELLO: Second.

DIRECTOR ANTHONY: All those in favor, say aye.

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: And the next item on the agenda would be the provisional ballots; always a lot of fun. We bring Renee Klco, our manager, back up. She has a form that we have to submit to the Secretary of State's office that's in your packet. It has all of the ballots that we issued, all of the provisional ballots that we issued, and then all of the provisional ballots that we had to reject or reasons to reject the provisional ballots, and then it has a summary sheet of both of them.

As you can see, we issued a total of 159 -- 154 ballots on Election Day, I mean prior to Election Day, and 2,182 on Election Day. And then we counted 2,073 ballots and then 15 of them met the National -- the NEOCH. I forgot what that stood for; I had a mental block.

MS. KLCO: You asked me too quick.

DIRECTOR ANTHONY: Yeah. Anyway --

DEPUTY DIRECTOR WALCH: It's the
Northeast Ohio Coalition for the Homeless.

DIRECTOR ANTHONY: For the Homeless.

That's right. I couldn't think of that. It was a lawsuit that they filed to be able to count ballots; that there's other provisions that we would use to count ballots. Then we had 243 rejected. And the rest of the sheet, I probably took some of Renee's thunder. I'm sorry, Renee. You can fill in where I didn't.

MS. KLCO: There are four that I would like to show the Board members, where the signature we have on file does not match the signature that is on the envelope.

(Board members reviewing documents.)

CHAIRMAN PREISSE: And you're sharing those with us because?

MS. KLCO: It's our recommendation that they not be counted.

CHAIRMAN PREISSE: Based on the signature.

There's quite a difference, to my eyes, on those two.

BOARD MEMBER COLLEY: Mine too.

CHAIRMAN PREISSE: Looks significantly
different. Looks essentially printed.

That's entirely different.

(Board members continue to review documents.)

CHAIRMAN PREISSE: And, Renee, those four
are a rather more subjective consideration than these
other silos.

MS. KLCO: Correct.

DEPUTY DIRECTOR WALCH: The ones that are
in your sheet, there's various reasons as to why the
staff found them deficient and recommends rejection
on those.

These were four that sort of fit into
another category that we thought specifically the
Board should take a look at.

MS. ANNARINO: Can I ask a question as a
member of the audience and the public? What do you
do to check with the people that signed these ballots
to see whether there's a medical reason or some other
reason for the signature to appear to be different
than what's in your book?

MS. KLCO: As Chairman Preisse said, it's
usually a subjective -- lots of times we can find
little bits of the signature that match. We also
check with the poll workers to see if they've written anything, maybe somebody's arm is in a sling or their arm is broken --

MS. ANNARINO: Or had a stroke or something.

MS. KLCO: -- or had a stroke. And they usually write that down. And there's nothing on any of these and they're significantly, I mean very significantly --

MS. ANNARINO: I'm not looking at them. I just was wondering if there was a protocol where the person was given an opportunity to explain why the signatures could be different, and that would happen if the poll worker took the time to make a note in the summary at the poll.

MS. KLCO: Correct.

MS. ANNARINO: If they didn't do it, if they didn't take the time or ask the question, then there is no follow-up directly to the voter.

MS. KLCO: No.

MS. ANNARINO: Okay. Thank you.

THE COURT REPORTER: Can I have your name, your first and last name, please?

MS. ANNARINO: Louise, L-o-u-i-s-e,
Annarino, A-n-n-a-r-i-n-o.

DIRECTOR ANTHONY: What you will have to do is vote to reject those.

DEPUTY DIRECTOR WALCH: Well, I think first we were hoping to get a motion on the staff recommendation on the 2,336 other ones that the staff thought were clear-cut, and then do motions on these extra ones.

BOARD MEMBER MANIFOLD: So these four outside of, they're not on the --

DEPUTY DIRECTOR WALCH: That's correct.

BOARD MEMBER MANIFOLD: Okay. So once we reject these, do we have to update this sheet?

MS. KLCO: No. They should be on that sheet. I'm sorry.

BOARD MEMBER MARINELLO: They're under the -- the four are the non-matching voter signatures.

MS. KLCO: Yeah. I'm sorry.

DIRECTOR ANTHONY: So we don't have to do nothing on these.

BOARD MEMBER MANIFOLD: We don't have to do anything.

CHAIRMAN PREISSE: Yeah, I didn't follow
what you were saying as it relates to the two
motions.

It seems to me if the four are --

DEPUTY DIRECTOR WALCH: If the four are
included in there, then we only need one.

CHAIRMAN PREISSE: Okay. All right. Any
other thoughts or questions?

DIRECTOR ANTHONY: And the number that
you have, Renee, that they should be moving to
recommend to validation, is what? What number would
that be?

MS. KLCO: To validate?

DIRECTOR ANTHONY: Yeah.

DEPUTY DIRECTOR WALCH: 2,088.

MS. KLCO: 2,088.

DIRECTOR ANTHONY: 2,088? Okay.

DEPUTY DIRECTOR WALCH: And there were
248 rejections.

DIRECTOR ANTHONY: Okay.

DEPUTY DIRECTOR WALCH: And those four
are included in the recommendation.

MS. KLCO: In 288 there's one that we
would deem as valid, but there's a problem with it
that I wanted to bring to the Board's attention. The
poll worker even wrote in their notes that they
issued a candidates and issues to this voter as well
as an issues-only ballot, and the voter voted both,
so we would like to remove the issues only and just
validate the candidates and issues.

BOARD MEMBER MARINELLO: Where's that
included in all of this?

MS. KLCO: It's in the good.

BOARD MEMBER MARINELLO: Oh, okay.

MS. KLCO: And on the issues part of it,
they voted the same way on both ballots as opposed to
the sixth problem I have.

DEPUTY DIRECTOR WALCH: We're still on
No. 5, first.

CHAIRMAN PREISSE: And we don't have to
take any action on that if you already --

MS. KLCO: No.

CHAIRMAN PREISSE: You're just bringing
it to our attention, but that's already in the 2,088.

MS. KLCO: Yes.

DIRECTOR ANTHONY: Did you want them to
see it or is there any reason for them to want to see
it?

MS. KLCO: Not really, unless they want
to look at it.

CHAIRMAN PREISSE: What's problem No. 6?

MS. KLCO: Problem No. 6 is an absentee voter who brought their un-voted absentee ballot to the polls. They were issued one full ballot, candidates and issues, and one issues-only ballot. On one ballot they voted for the issue, on the other ballot they voted against the issue. So we would like to remake the candidates-and-issues ballot, taking out the issue all together.

BOARD MEMBER MARINELLO: How did they end up getting two ballots?

CHAIRMAN PREISSE: Taking out the issue-only ballot?

MS. KLCO: And not count that either because they voted "for" on one and "against" on the other.

BOARD MEMBER MARINELLO: How did they get two ballots?

MS. KLCO: Poll worker.

BOARD MEMBER MARINELLO: Oh.

DIRECTOR ANTHONY: They didn't bring it with them?

MS. KLCO: No, they didn't vote their
absentee. It's in here as well.

DIRECTOR ANTHONY: Oh, okay.

MS. KLCO: We've got all sorts of paper in here.

DEPUTY DIRECTOR WALCH: So there's a total of three ballots in there: One completely un-voted, the absentee --

MS. KLCO: Yes. One full ballot, candidates and issues, and one issues-only ballot.

DIRECTOR ANTHONY: So you're proposing to just remake it to an issues-only.

MS. KLCO: No. Just make it candidates only.

BOARD MEMBER MARINELLO: Candidates only.

DIRECTOR ANTHONY: Okay.

DEPUTY DIRECTOR WALCH: And not count the issue because they're conflicting.

MS. KLCO: And not count the issue because they voted for and against.

DIRECTOR ANTHONY: Is that in this?

Where is that in here?

MS. KLCO: It won't be in there because this is a requested paper ballot. This is not a provisional.
DIRECTOR ANTHONY: Okay. Gotcha.

MS. KLCO: It should have been.

MR. WEDEKIND: Yes.

CHAIRMAN PREISSE: I'm guessing there's not a whole lot of precedent, to our knowledge, on this particular case.

MS. KLCO: Not that I'm aware of, no.

DEPUTY DIRECTOR WALCH: Not that I've heard, either, Mr. Chairman.

CHAIRMAN PREISSE: Well then, we rely on the supposed good judgment of the collective Board and staff recommendation which in essence is -- well, I wouldn't want to say it's the same as counting both ballots because we couldn't and wouldn't do that. At the end of the day, if you don't count both, it's the same, so, okay, and you got that in the 2,088 as well.

MS. KLCO: No. This is not part of the 2,088. This is not a provisional ballot.

CHAIRMAN PREISSE: Oh.

MS. KLCO: This was mixed in with the provisional ballots. It should have been a provisional ballot, but it was not.

CHAIRMAN PREISSE: Okay.
DEPUTY DIRECTOR WALCH: I guess we would need to --

CHAIRMAN PREISSE: We handle that separately.

DEPUTY DIRECTOR WALCH: We would handle that separately from the 2,088 and the 248 provisional because that's officially a provisional ballot.

MS. KLCO: Correct.

CHAIRMAN PREISSE: Okay.

DEPUTY DIRECTOR WALCH: We would be asking the Board's approval to remake --

MS. KLCO: Correct.

DEPUTY DIRECTOR WALCH: -- the paper ballot, the Election Day paper ballot request by combining the two ballots together.

CHAIRMAN PREISSE: I see. Why don't we handle the first issue, first. Have we had sufficient discussion and questions on the provisional ballot issue?

BOARD MEMBER MANIFOLD: I think so. I think, you know, I would just say I was looking over the number and you're only looking at -- once you take out the people that aren't registered voters,
the people that just aren't registered to vote in the state, you're down to 104, just basically 104.

MS. KLCO: And the ones who voted absentee.

BOARD MEMBER MANIFOLD: Yeah.

DIRECTOR ANTHONY: And you take that 11 out, too.

BOARD MEMBER MANIFOLD: Yeah. I mean, I think you're up over 95 percent get approved, which I think that's a great sign. I think that means a lot to show that the staff is doing a good job with training.

MS. KLCO: I have a great team.

DEPUTY DIRECTOR WALCH: And, overall, even including the ones that weren't registered, this is still an 89 -- it's almost an 89 percent total validation rate.

BOARD MEMBER MANIFOLD: Yeah.

DEPUTY DIRECTOR WALCH: But, you're right, if we remove those that just were not registered, it's a very high validation rate of the provisionals.

BOARD MEMBER MANIFOLD: Okay.

BOARD MEMBER MARINELLO: Mr. Chairman, I
move the Board accept the staff recommendation for
the validation of 2,088 provisional ballots and the
rejection of 248 provisional ballots as submitted.

DIRECTOR ANTHONY: Is there a second?

BOARD MEMBER COLLEY: Second.

DIRECTOR ANTHONY: All those in favor,
say aye.

BOARD MEMBERS: Aye.

DIRECTOR ANTHONY: Motion carries.

Then we need a motion to remake the
ballot that Renee was talking about. So you just
want to remake just the candidates only --

MS. KLCO: Yes.

DIRECTOR ANTHONY: -- for that ballot, so
we need a motion.

CHAIRMAN FREISSE: Do we need to do that?

DIRECTOR ANTHONY: I don't know if we
need to or not. Well, I think we probably should.

MR. ANDERSON: Yeah, you would.

DIRECTOR ANTHONY: Yeah, we would need a
motion.

MR. ANDERSON: You need a motion if
you're going to remake it.

DIRECTOR ANTHONY: Right. Because we had