



## Davis Wright Tremaine LLP

ANCHORAGE    BELLEVUE    LOS ANGELES    NEW YORK    PORTLAND    SAN FRANCISCO    SEATTLE    SHANGHAI    WASHINGTON, D.C.

HARRY J. F. KORRELL  
Direct (206) 628-7680  
harrykorrell@dwt.com

2600 CENTURY SQUARE  
1501 FOURTH AVENUE  
SEATTLE, WA 98101-1688

TEL (206) 622-3150  
FAX (206) 628-7699  
www.dwt.com

May 9, 2005

### VIA E-MAIL

William C. Rava, Esq.  
Perkins Coie LLP  
1201 Third Avenue  
Suite 4800  
Seattle, WA 98101-3099

Re:    Borders et al. v. King County et al., Cause No. 05-2-00027-3

Dear Will:

I have reviewed your letter of May 5, 2005, and your request that Petitioners agree that only one vote by a double voter is an illegal vote. Petitioners do not agree with your reading of the law. It appears from the statute that all votes cast by someone casting multiple ballots are illegal votes.

You also requested that we agree to drop from our list of illegal double voters those persons who voted in Washington and in other states. We again disagree with your analysis, particularly in light of the judge's ruling on what did and did not have to be challenged in advance of the election. If you have any authority supporting your position, please share it and I will be happy to consider it. Regarding the documents pertaining to these double voters, we (like you) are still collecting and producing documents to show that certain of the illegal voters voted. As we receive them, we will produce them to you. There is no basis for your request that we strike these voters from the illegal vote list.

You mentioned filing a motion on this issue. I am sure we will each have issues we want the court to address regarding perceived deficiencies in the other side's evidence. It seems to me that the most efficient way to address these may be to brief them in the trial briefs, but I am happy to discuss this further if you think it would streamline things.

William C. Rava, Esq.  
May 9, 2005  
Page 2



Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in black ink, appearing to read 'Harry J. F. Korrell', written over a horizontal line.

Harry J. F. Korrell

cc: Counsel of Record for Respondents and Intervenors