



1 **TO:** All Parties

2  
3 **AND TO:** Their Counsel of Record

4 PLEASE TAKE NOTICE, pursuant to CR 30 and CR 45, that the oral deposition of  
5 the person designated by Building Industry Association of Washington ("BIAW") as the  
6 officer, director, managing agent or other person who consents to testify on BIAW's behalf  
7 concerning the subjects specified below will be taken by Intervenor-Respondent Washington  
8 State Democratic Central Committee at the following time, date and place.  
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15 **Time and Date**  
16 **of Deposition**

15 **Place of**  
16 **Deposition**

17  
18 Wednesday, April 27, 2005 at 9:00 a.m.

18 Ramada Inn  
19 621 S. Capitol Way - Boardroom  
20 Olympia, Washington 98501  
21 (360) 352-7700  
22

23 The testimony will be recorded stenographically. The deposition shall be subject to  
24 continuance or adjournment from time to time and place to place until completed. The  
25 subject areas of the deposition will be:  
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27  
28 (1) The date you were retained by Petitioners or Davis, Wright Tremaine  
29 ("DWT") to assist developing factual information for any litigation relating to the November  
30 election, including a possible election contest ("Retention Date"), and the terms of such  
31 retention, including purpose of retention, the scope of services, and compensation  
32 ("Retention Scope");  
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34 (2) All communications within BIAW relating in any way to the 2004 governor's  
35 election, between November 2 and the Retention Date;  
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37 (3) All communications between BIAW or any of its employees or agents and:  
38 the Petitioners or their employees or agents, the Washington State Republican Party, the  
39 Republican National Committee or the Republican Governors Association (or the employees  
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Seattle, Washington 98101-3099  
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1 or agents of any of those organizations) relating to the 2004 Governor's election, between  
2  
3 November 2 and the Retention Date;

4 (4) A description of all work done before the Retention Date to research or  
5  
6 locate any illegal voters in the Governor's election, including but not limited to a detailed  
7  
8 description of:  
9

10 (a) each data base used (including its creator, location, cost and content)  
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12 in identifying such voters;

13 (b) the number of people utilized to do such work, the amount they were  
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15 compensated and who paid such compensation;

16 (c) each county, and if less than an entire county, the precinct or groups  
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18 of precincts that were checked in any manner for illegal voters;

19 (d) the number and identity, including name, address, and voter  
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21 registration number, of any individuals who were researched as possible illegal  
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23 voters in each county or portion of a county, the basis for believing a voter might be  
24  
25 an illegal voter; and the disposition of the research on each individual;

26 (e) the name, address, and voter registration number of any person who  
27  
28 you identified as being a potential illegal felon voter that does not appear on the  
29  
30 attached Exhibit A;

31 (f) the criteria used to include an individual on a list of "felon voters";

32 (g) whether research was discontinued on any individual or in any county  
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34 or part of a county, and if so the reasons why the research was discontinued and the  
35  
36 identity of such persons or counties;

1 (h) the nature and location of all documents reflecting any work done by  
2 BIAW relating to possible illegal voters, between November 2 and the Retention  
3 Date  
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6 (5) A description of all work done to research or locate any illegal voters in the  
7 Governor's election outside the Retention Scope, including but not limited to a detailed  
8 description of:  
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11 (a) each data base used (including its creator, location, cost and content)  
12 in identifying such voters;  
13

14 (b) the number of people utilized to do such work, the amount they were  
15 compensated and who paid such compensation;  
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17 (c) each county, and if less than an entire county, the precinct or groups  
18 of precincts that were checked in any manner for illegal voters;  
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20 (d) the number and identity, including name, address, and voter  
21 registration number, of any individuals who were researched as possible illegal  
22 voters in each county or portion of a county, the basis for believing a voter might be  
23 an illegal voter; and the disposition of the research on each individual;  
24

25 (e) the name, address, and voter registration number of any person who  
26 you identified as being a potential illegal felon voter that does not appear on the  
27 attached Exhibit A;  
28

29 (f) the criteria used to include an individual on a list of "felon voters";  
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31 (g) whether research was discontinued on any individual or in any county  
32 or part of a county, and if so the reasons why the research was discontinued and the  
33 identity of such persons or counties;  
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1 (h) the nature and location of all documents reflecting any work done by  
2 BIAW relating to possible illegal voters, between November 2 and the Retention  
3 Date  
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6 (6) Any document, witness or other information that shows or supports in any  
7 way a conclusion that any individual that you believed voted illegally in the 2004 general  
8 election cast a vote in the Governor's race, and for whom such vote was cast.  
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15 DATED: April 25, 2005.

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17  
18 **PERKINS COIE LLP**

**SPEIDEL LAW FIRM**

19  
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21 By Kevin J. Hamilton by RSE

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28 Attorneys for Intervenor-Respondent  
29 Washington State Democratic Central  
30 Committee  
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