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January 28, 2005

VIA FACSIMILE & ELECTRONIC MAIL

Dan Hamilton
Pierce County Deputy Prosecuting Attorney
930 Tacoma Avenue South # 946
Tacoma, WA 98402

Re: *Timothy Borders, et al. v. King County and Dean Logan, et al.*

Dear Mr. Hamilton:

Enclosed please find a deposition notice for a Rule 30(b)(6) witness from Pierce County. Please note that although we have scheduled the deposition for February 11, 2005, at 1:00 p.m., we are open to discussing alternative dates. If you would like to discuss rescheduling, please contact Rob Maguire at (206) 628-7756 or Harry Korrell at (206) 628-7680.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in black ink, appearing to read 'R. Porcarelli', written over the printed name of Robert F. Porcarelli.

Robert F. Porcarelli

Enclosure

1 The deposition shall take place before a deposition officer duly authorized to administer
2 oaths, and shall be recorded by stenographic means. The deposition shall continue from day to
3 day, excluding Saturdays, Sundays, and holidays, until completed.

4 Pursuant to this Notice and to Civil Rule 30(b)(6), Respondent Pierce County is
5 required and requested to designate and produce at the deposition a person or persons to testify
6 on behalf of Snohomish County on the following matters:

7 1. The efforts made by county elections officials to reconcile the number of votes
8 or ballots counted and the number of voters credited in Washington's statewide general election
9 on November 2, 2004 and all subsequent recounts, including but not limited to any errors made
10 during the reconciliation process, and the size of the discrepancy (in terms of number of votes)
11 between the number of votes or ballots counted and the number of voters credited with voting.

12 2. The process followed by county elections officials to verify all provisional
13 ballots cast or counted in Washington's statewide general election on November 2, 2004, and
14 all subsequent recounts, including but not limited to efforts made to ensure that provisional
15 ballots were verified before being counted; the number of provisional ballots counted without
16 verification that the person casting the ballot was a registered voter and had not already voted
17 by absentee or other ballot; and whether it is possible to retrieve such ballots.

18 3. The measures taken by county elections officials to ensure that ballots cast on
19 behalf of dead persons, by felons who had not had their voting rights restored, and voters
20 voting more than once cannot be cast and if cast will not be counted in Washington's statewide
21 general election on November 2, 2004, and all subsequent recounts and the number of such
22 ballots that were cast and/or counted.

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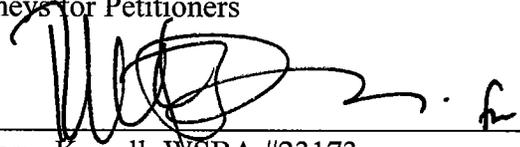
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1 DATED this 28th day of January, 2005.

2 Davis Wright Tremaine LLP
3 Attorneys for Petitioners

4 By 
5 Harry Korrell, WSBA #23173
6 Robert J. Maguire, WSBA #29909

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