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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CHELAN

TIMOTHY BORDERS et al.,  
Petitioners,  
v.  
KING COUNTY et al.,  
Respondents.  
and  
Washington State Democratic Central  
Committee,  
Intervenor-Respondent,  
and  
Libertarian Party of Washington State et al.,  
Intervenor-Respondents.

No. 05-2-00027-3

**SUBPOENA DUCES TECUM**

1 STATE OF WASHINGTON

2 To: **Thurston County**

3 Cc: **David Klumpp, Esq.**  
4 Thurston County Chief Civil Deputy Prosecuting Attorney  
5 2000 Lakeridge Drive SW  
6 Olympia, WA 98502  
7 FAX: (360) 709-3006

8 GREETINGS:

9 YOU ARE HEREBY COMMANDED to be and appear as follows:

10 PLACE: Thurston County Prosecuting Attorney's Office  
11 2000 Lakeridge Drive SW  
12 Olympia, WA 98502

13 DATE: Tuesday, April 26, 2005

14 TIME: 9:00 a.m. PST

15 To produce and permit inspection and copying of the documents or objects in  
16 accordance with Attachment A at the place, date, and time specified above, at the request  
17 of the Petitioners in the above-entitled cause. If documents or objects are received at the  
18 above specified location by the specified date and time, your attendance is waived.

19 DATED this 19<sup>th</sup> day of April, 2005.

20 Davis Wright Tremaine LLP  
21 Attorneys for Petitioners

22 By David M. Borzeman, for  
23 Harry J. F. Korrell, WSBA #23173  
24 Robert J. Maguire, WSBA #29909  
25 1501 Fourth Avenue, Suite 2600  
26 Seattle, Washington 98101-1688  
27 Telephone: (206) 622-3150

SUBPOENA DUCES TECUM - 2

SEA 1633778v1 55441-4

Davis Wright Tremaine LLP  
LAW OFFICES  
2600 Century Square • 1501 Fourth Avenue  
Seattle, Washington 98101-1688  
(206) 622-3150 • Fax: (206) 628-7699

## ATTACHMENT "A"

### I. DEFINITIONS

"Document" means, without limiting without limiting its generality, the original (or a copy when the original is not available) and each non identical copy (including those which are non identical by reason of notations and markings) of papers, writings and records of any nature whatsoever, including, but not limited to, electronic mail messages, contracts, agreements, correspondence, letters, telegrams, wires, cables, reports, schedules, diaries, statements, photographs, reproductions, maps, surveys, plats, drawings, blueprints, sketches, charts, models, invoices, purchase orders, ledgers, journals, checks, check stubs, notes, estimates, summaries, desk calendars, work papers, studies, appointment books, time sheets, logs, inventories, printouts, computer tapes, tape recordings, video recordings, microfilm, microfiche, recordings, or other data compilations from which information can be obtained through detection devices into reasonably usable form, minutes of meetings, memoranda, including intercorporate, intracorporate, interoffice and intraoffice memoranda, memoranda regarding conferences, conversations or telephone conversations and any and all written, printed, typed, punched, or recorded matter of whatsoever kind of description, including drafts of any of the foregoing, as well as any computer disks, computer files, computer hard drives, computer backup tapes, archival media, or other electronic data, document or message storage of any kind or nature (whether on a disk, hard drive, file server, personal computer or other medium).

"You" or "your agents, servants, employees, attorneys, or representatives" includes but is not limited to all persons, professionals and/or associates, legal assistants and/or support staff who performed work as part of your team or under your supervision or at your direction in connection with the topics identified in this subpoena.

## II. INSTRUCTIONS

1. Please produce all the documents, described below, wherever located, which are in the possession, custody or control of you or any of your agents, servants, employees, attorneys, or representatives.

2. Any copy of a document that varies in any way from the original or from any other copy of the document, whether by reason of handwritten or other notation or any omission, shall constitute a separate document and must produced.

3. The original of each document requested is to be produced. Each document requested is also to be produced for inspection in its original file folder, file jacket, or cover.

4. Documents are to be produced in such a fashion that the specific individual or entity from whom they were obtained can be readily determined.

5. If you do not produce any document herein requested under a claim of privilege, work produce, or other ground of non production, please submit in lieu of such document a written statement which:

- (a) specifies the privilege, work product, or other asserted ground of non-production;
- (b) describes the nature and general topic of the documents to the extent possible in a manner consistent with the privilege, work product, or other asserted ground of non production;
- (c) identifies the person or persons who prepared the documents and, if applicable, the person or persons to whom the document was sent;
- (d) identifies each other person who has seen or had possession of the documents; and

- (e) specifies the date on which the document was prepared by the author and/or received by the addressees.

6. If any document was, but no longer is, in your custody or control, state whether it has been lost, destroyed, transferred, or otherwise disposed of, and in each instance, identify the document as completely as possible, including without limitation, the author(s), addressee(s), any person(s) who saw the document, the date of the document and date when the document was received, the subject matter of the document, and the circumstances surrounding the disposition of the document and the date that disposition occurred.

### **III. DOCUMENTS REQUESTED**

Produce copies of:

1. All poll book pages from the 2004 General Election containing the names of those individuals listed on the attached Exhibit 1.
2. All absentee ballot envelopes from the 2004 General Election returned by those individuals listed on the attached Exhibit 1.
3. All provisional ballot envelopes from the 2004 General Election submitted by those individuals listed on the attached Exhibit 1.
4. All records reflecting or referring to the restoration of civil rights of those individuals listed on the attached Exhibit 2.
5. All records reflecting or referring to civil rights *not* having been restored to those individuals listed on the attached Exhibit 2.

# EXHIBIT 1

Voter ID	Last	First	MI	Suffix
97012854	ACKERMAN	GLENN	J	JR
97060325	AMESQUITA	RORY	R	
97062580	BAKKO	KELLY	R	
97060714	BANGS	HARRY	M	
96012272	BANNISTER	JERRY	A	
97064653	BERGMAN	DAWN	M	
97067466	BOYD	JAMES	LEWIS	
97068431	COLLINS	BRUCE	D	
97067707	COOGAN	MICHAEL	P	
97030520	CROSSLAND	JOSEPH	F	
97044440	CURRY	DAWN	L	
96011223	FRAZIER	DULCIE	S	
12879435	GERDTS	DONALD	P	
97019391	GUYDISH	GRETCHEN	M	
97045674	HANSON	LANE	A	
97046421	HERMAN	KATHLEEN	J	NULL
97023120	KENNEDY	DEAN	H	
97058145	LEIGH	BENJAMIN	J	
97056832	LOWERY	KENNETH		
12785046	MARSH	ROY	D	
97037677	MARTIN	ALAN	J	
97066773	PERRY	RICHARD	J	JR
97020654	PERSONS	TIMOTHY	D	
11636992	RAGSDALE	RICKY	L	
12787851	RAMOS	DOMINGO	T	
12264455	RHODES	STEPHEN		
97009871	ROBINSON	TIMOTHY	E	
12149060	RUSH	DIANA	S	
12011237	SANDERS	JOHN	A	
12431963	SPERLINE	VICTORIA		
96006231	STANNARD	ROBERT	B	
97066312	STEIN	DAVID	L	
12802114	STRONG	HUGH	D	
12491348	TOBECK	SCOTT	RUSSELL	
96001812	TURNER	DAN	A	
11488782	WASHINGTON	JOE		
10726315	WINTON	GEORGE	PHILIP	JR

EXHIBIT 2

Where Voted	Voter ID	Last	First	Middle	Where Convicted	Case no.(s)
Thurston	97012854	ACKERMAN	GLENN	J	Thurston	93111044
Thurston	97060325	AMESQUITA	RORY	R	Thurston	32044; 108595; 8413590; 971014879; N148811
Thurston	97062580	BAKKO	KELLY	R	Thurston	41004547
Thurston	97060714	BANGS	HARRY	M	Thurston	92111763
Thurston	96012272	BANNISTER	JERRY	A	Thurston	93110595
Thurston	97064653	BERGMAN	DAWN	M	Thurston	21010281; 31014919
Thurston	97067466	BOYD	JAMES	LEWIS	Thurston	21031885; 41013821
Thurston	97068431	COLLINS	BRUCE	D	Thurston	981019372
Thurston	97067707	COOGAN	MICHAEL	P	Thurston	11019116; 841004056
Thurston	97030520	CROSSLAND	JOSEPH	F	Thurston	60036; 991014034; J12072; TCS57784
Thurston	97044440	CURRY	DAWN	L	Thurston	1020051
Thurston	96011223	FRAZIER	DULCIE	S	Thurston	991001838
King	20457341	GARBODEN	ANDREW	TRACY	Thurston	9115773
Thurston	12879435	GERDITS	DONALD	P	Thurston	991003873; 991003938
Thurston	97019391	GUVDISH	GRETCHEN	M	Thurston	9819245; C2354
Thurston	97045674	HANSON	LANE	A	Thurston	74302; 8112173; 8715660; 851001196
Whatcom	263586	HIGASHI	GARY	H	Thurston	9512963
Pierce	282602	HOWE	CHRISTOPHER		Thurston	80148; 7329155; 31025458; 91011758; 941012813; 951002719; 961072521; 971018689; 991014891; K21713FV
King	40082859	HUFF	LELAND	A	Thurston	12967
Spokane	1027091	JOHNSON	RICHARD	S	Thurston	9517485
Thurston	97023120	KENNEDY	DEAN	H	Thurston	9116290; N70111
Pierce	716015	KRUEGER	JASON	M	Thurston	21011946
King	30193971	LANDSDOWN	LARRY	D	Thurston	39105; 55234; 9016046
Thurston	97058145	LEIGH	BENJAMIN	J	Thurston	21002637
Thurston	97056832	LOWERY	KENNETH	D	Thurston	991004381
Thurston	12785046	MARSH	ROY	D	Thurston	9014001
Thurston	97037677	MARTIN	ALAN	J	Thurston	9016224
Pierce	136307	NELSON	CHARLES	E	Thurston	991010349; N82608

EXHIBIT 2

Where Voted	Voter ID	Last	First	Middle	Where Convicted	Case no.(s)
Thurston	97066773	PERRY	RICHARD	J	Thurston	14684; 31002846; 891032232;
Thurston	97020654	PERSONS	TIMOTHY	D	Thurston	991016118; B00207029
Thurston	11636992	RAGSDALE	RICKY	L	Thurston	52126; 9814715
Thurston	12787851	RAMOS	DOMINGO	T	Thurston	92111267; 03367GAM
Thurston	12264455	RHODES	STEPHEN		Thurston	CR0004338; 416019
Thurston	97009871	ROBINSON	TIMOTHY	E	Thurston	86048; 8915101; 8916662
Thurston	12149060	RUSH	DIANA	S	Thurston	9014337
Thurston	12011237	SANDERS	JOHN	A	Thurston	9211014; 96112614; 6848696;
King	970399445	SAVOK	ROBERT	P	Thurston	9912401; 991010136;
King	40083588	SCHULTZ	KEVIN	LEE	Thurston	BC0136723; CR175757
King	10395712	SILVESTRI	ANTHONY	O	Thurston	26896; N129941; 148894;
Thurston	12431963	SPEERLINE	VICTORIA		Thurston	981013315; C5609L YP;
Thurston	96006231	STANNARD	ROBERT	B	Thurston	CR0180032
Thurston	97066312	STEIN	DAVID	L	Thurston	9213451; N101845; N86593
Thurston	12802114	STRONG	HUGH	D	Thurston	9319945
Thurston	12491348	TOBECK	SCOTT	RUSSELL	Thurston	72685; 941009706; N81023;
Thurston	96001812	TURNER	DAN	A	Thurston	N95263
Thurston	11488782	WASHINGTON	JOE		Thurston	11012464
Pierce	90860	WILLIAMS	HARRY		Thurston	8915186; 9212730
Thurston	10726315	WINTON	GEORGE	PHILIP	Thurston	1004251
						8029046; 9011753
						941002191
						97117070
						9411721