

EXHIBIT A

1 (3) Whenever you are asked the "identity of" or to "identify" any person or
2 representative, state the person's (a) name; (b) last known business address and telephone
3 number; (c) last known residence address and telephone number; (d) present occupation and
4 business affiliation; (e) occupation and business affiliation at the time to which your response
5 relates; and (f) relationship to you.

6
7 (4) The word "document" means all written or printed materials
8 (handwritten, typed, or otherwise reproduced) and includes any materials in digital form.

9 (5) Where applicable, the masculine includes the feminine or neuter, and
10 where applicable, the singular includes the plural, and the plural includes the singular.

11 (6) Whenever you are asked to "identify" or "describe" an oral
12 communication, state with respect thereto: (a) the date and place thereof; (b) the mode of
13 communication (e.g., in person, by telephone, etc.); (c) the identify of each person who
14 participated in or heard any part of the oral communication; (d) the substance of what was said
15 by each person who participated therein; and (e) the identity of each document that recorded,
16 summarized, confirmed, or was made with reference to the oral communication.

17
18 (7) Unless otherwise specified, the term "representative" includes a person's
19 attorneys, agents, investigators, and any other person acting on his behalf.

20
21 (8) "Relate" or "relating to" means referring, regarding, or pertaining, in
22 any manner whatsoever, in whole or in part, directly or indirectly, implicitly or explicitly.

23 **INTERROGATORIES**

24 **INTERROGATORY NO. 1:** List the names, addresses, official titles (if any), and
25 other identification of all witnesses, including expert witnesses, who, it is contemplated, will
26

1 be called upon to testify (including declarations) in support of your defense of this action,
2 including as part of motions practice, indicating the nature and substance of the testimony
3 which is expected to be given by each such witness, and stating the relationship, if any, to the
4 defendants or Defendant-Intervenors.

5
6 **ANSWER: Nick Handy and Catherine Blinn may be called as witnesses to**
7 **describe the implementation of the Top Two primary and related laws, and to describe**
8 **the functions and activities of the Secretary of State and the relationships between that**
9 **office and the local election officers. Dr. Todd Donovan of Western Washington**
10 **University has been retained as an expert, primarily to review any studies or research**
11 **prepared by the Plaintiffs for trial but possibly to testify to rebut evidence introduced by**
12 **the Plaintiffs.**

13
14 **INTERROGATORY NO. 2: List specifically and in detail each and every exhibit,**
15 **study or report you propose to utilize and rely upon in the trial or hearing on injunction in this**
16 **matter. This interrogatory is directed to all exhibits, reports and studies you intend to use or**
17 **rely on at trial or that you may use or rely on at trial.**

18 **ANSWER: As of the present date, we have not identified specific exhibits, studies**
19 **or reports we propose to utilize or rely upon in a trial or hearing. As we identify such**
20 **material, we will supplement our answer.**

21
22 **INTERROGATORY NO. 3: With reference to the exhibits, studies and reports listed**
23 **in the previous interrogatory, please state the source and the nature of each (i.e., whether each**
24 **is documentary, a picture, or other), who prepared each and the date on which it was prepared.**

25 **ANSWER: See Answer to Interrogatory No. 2.**
26

EXHIBIT B

From: [Pharris, James \(ATG\)](#)
To: ["McDonald, David"](#); [Throop, Emily D](#); ["John White"](#); ["Hansen@lfa-law.com"](#); ["orrin@orringrover.com"](#); ["Thomas Ahearne"](#)
Cc: [Even, Jeff \(ATG\)](#); [Zipp, Allyson \(ATG\)](#)
Subject: Donovan Report (No. 1)
Date: Thursday, August 12, 2010 10:22:09 AM
Attachments: [Todd Donovan Aug 2010 report on factual political knowledge.pdf](#)

I'm attaching the first of two reports Todd Donovan has produced.

From: [Pharris, James \(ATG\)](#)
To: ["orrin@orringrover.com"](#); ["John White"](#); ["Hansen@lfa-law.com"](#); [Throop, Emily D](#); ["McDonald, David"](#); ["Thomas Ahearne"](#)
Cc: [Zipp, Allyson \(ATG\)](#); [Even, Jeff \(ATG\)](#)
Subject: Donovan report (2)
Date: Thursday, August 12, 2010 10:24:03 AM
Attachments: [Todd Donovan Aug 2010 report on paper by Manweller.pdf](#)

Here is the other report Todd Donovan has prepared.

Jim

EXHIBIT C

1 **INTERROGATORIES AND REQUESTS FOR PRODUCTION**

2 **INTERROGATORY NO. 1:** Identify, as specified by the Instructions of these
3 Interrogatories, each person who participated in any way in answering these Interrogatories
4 and Requests for Production. If there is more than one person providing the answers, specify
5 in detail and with particularity each answer provided by each specific person.
6

7 **ANSWER:** Dan Brady, Executive Director of the Washington State Republican
8 Party, Luke Esser, Chairman of the Washington State Republican Party, and John J. White,
9 Jr., Livengood, Fitzgerald & Alskog, PLLC, attorney for the plaintiffs, answered these
10 Interrogatories. Kevin B. Hansen, Livengood, Fitzgerald & Alskog, PLLC, co-counsel for the
11 plaintiffs, assisted.
12

13 **INTERROGATORY NO. 2:** Identify, as specified by the Instructions of these
14 Interrogatories, every witness, including expert witnesses, upon whose testimony (including
15 declarations) you intend to rely in this action, including as part of motions practice,
16 identifying in each instance the nature and substance of the testimony which is expected to be
17 given by each such witness, and stating the relationship, if any, of the witness to the Plaintiffs.
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19 **ANSWER:**

20 1. Dan Brady, Executive Director of the Washington State Republican Party. Mr.
21 Brady will testify regarding confusion among voters and Party members resulting from
22 I-872's implementation, including use of the Republican Party name by candidates filing for
23 office, in state and local voters' pamphlets, and on ballots; the effect on Party-supported
24 candidates and the ability of the WSRP to communicate with its members regarding the
25 identity of Party-supported candidates; and Washington State Republican Party rules
26

1 regarding delegates to state, local and national conventions; election of Republican Party
2 precinct committee officers, and nomination of Republican Party candidates.

3 2. Luke Esser, Chairman of the Washington State Republican Party. Mr. Esser
4 will testify regarding the same subject matter as Mr. Brady, and the impact of I-872 as a part
5 of Washington's broader regulation of election campaigns.
6

7 3. Professor Mathew Manweller, Assistant Professor, Political Science, Central
8 Washington University. Professor Manweller will testify regarding his published paper, *The*
9 *Very Partisan Non-Partisan Top-Two Primary: Understanding What Voters Don't*
10 *Understand; and Voter Confusion*. Professor Manweller is a member of the Washington State
11 Republican Party's [Executive Board/State Committee]. His address is 400 East University
12 Way, Ellensburg, Washington 98296, and his phone number is (509) 963-2408.
13

14 4. Sam S. Reed, Secretary of State of Washington. Mr. Reed will testify as an
15 adverse witness regarding Washington's implementation of I-872 since its adoption in 2004,
16 information conveyed to voters by expression of "party preference" on the ballot, the use of
17 alternative names for the Republican Party, and the State of Washington's education plan to
18 instruct voters on the primary election systems used since 2003.

19 5. Fredi Simpson, Member Republican National Committee from Washington,
20 former state and county party officer. Ms. Simpson will testify regarding the impact of I-872
21 on local Republican Parties, selection of Party officers and impact on Party message and
22 candidate positions in strongly Republican jurisdictions.
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1 6. Richard Winger, Publisher *Ballot Access News*. Mr. Winger will testify
2 regarding harms arising from ballot confusion, including but not limited to harms to minor
3 parties and their adherence.

4 **INTERROGATORY NO. 3:** Identify, as specified by the Instructions of these
5 Interrogatories, each person who you expect to call as an expert or other witness at trial, and
6 state in each instance the subject matter on which the expert or other witness is expected to
7 testify, the substance of the facts and opinions to which the expert or other witness is expected
8 to testify and a summary of the grounds of each opinion.

9
10 **ANSWER:** See answer to Interrogatory No. 2.

11 **REQUEST FOR PRODUCTION NO. 1:** Produce a current curriculum vitae and list
12 of publications for every expert witness identified in response to Interrogatories No. 2 or 3.

13 **RESPONSE:** The *curriculum vitae* of Professor Manweller is attached.

14 **REQUEST FOR PRODUCTION NO. 2:** Produce a copy of all documents, exhibits,
15 studies, reports, or other written materials produced by, or received from, each expert
16 identified in response to Interrogatories No. 2 or 3 in connection with this matter.

17 **RESPONSE:** The paper referenced in Interrogatory No. 1 is attached.

18 **INTERROGATORY NO. 4:** Identify, as specified by the Instructions of these
19 Interrogatories, any instructions you have provided to any expert identified in response to
20 Interrogatories No. 2 or 3 with regard to this litigation.

21 **ANSWER:** The Republican Party objects to this Interrogatory to the extent that it
22 seeks attorney work product. Subject to the foregoing objection, the plaintiffs have provided
23 no instructions to Professor Manweller with regard to this litigation.

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EXHIBIT D

From: [Lee Wilson](#)
To: [Pharris, James \(ATG\)](#); [Eyen, Jeff \(ATG\)](#); [Zipp, Allyson \(ATG\)](#); "ThomasAhearne"; cardk@foster.com; magnm@foster.com; "McDonald, David"; emily.throop@kigates.com; "Orrin Grover"; gkiller3@earthlink.net
Cc: [John White](#); [Kevin Hansen](#)
Subject: WSRP v. State/USDC #CV05-0927-JCC - WSRP Supple. Designation of Witnesses
Date: Tuesday, August 31, 2010 2:59:15 PM
Attachments: [Pltf.Supple.Disclose.Witnesses.pdf](#)

Dear Counsel,

Attached please find Supplement Designation of Witnesses for the WSRP in the above-referenced matter.

Ms. Lee Wilson, Assistant to:
John J. White, Jr. and Kevin B. Hansen
LIVENGOOD, FITZGERALD & ALSKOG, PLLC
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Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON STATE REPUBLICAN
PARTY, et al.,

Plaintiffs,

WASHINGTON DEMOCRATIC
CENTRAL COMMITTEE, et al.,

Plaintiff Intervenors,

LIBERTARIAN PARTY OF
WASHINGTON STATE, et al.,

Plaintiff Intervenors,

v.

STATE OF WASHINGTON, et al.,

Defendant Intervenors,

WASHINGTON STATE GRANGE,

Defendant Intervenors.

NO. CV05-0927-JCC

SUPPLEMENTAL DESIGNATION OF
WITNESSES

The Washington State Republican Party ("WSRP") supplements its Designation of
Primary Fact Witnesses as follows:

1. WSRP reserves the right to call as witness any person designated as a witness by any
other party.

SUPPLEMENTAL DESIGNATION
OF WITNESSES - 1

LIVENGOOD, FITZGERALD & ALSKOG
121 THIRD AVENUE
P.O. BOX 908
KIRKLAND, WASHINGTON 98083-0908
PHONE: (425) 822-9281 FAX: (425) 828-0908

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2. The WSRP designates the following as a witness that may be called at trial as a primary fact witness.

Mr. Dave Ammons
Office of the Secretary of State of Washington
Legislative Building
P.O. Box 40220
Olympia, WA 98504-0220

3. The WSRP designates the following as a possible primary fact witness and expert

Todd Donovan, PhD
Political Sciences Department
Western Washington University
516 High Street
Bellingham, WA 98225

DATED this 31st day of August, 2010

/s/ John J. White, Jr
John J. White, Jr., WSBA #13682
Kevin B. Hansen, WSBA #28349
of Livengood, Fitzgerald & Alskog, PLLC
Attorneys for Plaintiffs
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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2010, I e-mailed a copy of Plaintiffs' Supplemental Designation of Witnesses to counsel listed below.

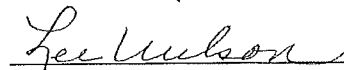
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Attorney for Plaintiff Intervenor Libertarian Party of Washington State

DATED: August 31, 2010



Lee Wilson