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

Timothy Borders, Thomas Canterbury, Tom Huff, Margie Ferris, Paul Elvig, Edward Monaghan, and Christopher Vance, Washington residents and electors, and the Rossi for Governor Campaign, a candidate committee,

Petitioners,

v.

King County and Dean Logan, its Director of Records, Elections and Licensing Services, 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

**CR 30(B)(6)
SUBPOENA AD
TESTIFICATUM**

1 STATE OF WASHINGTON

2 To: King County Division of Records, Elections, and Licensing Services
3 500 4th Avenue, Room 553
4 Seattle, WA 98104

5 Cc: Don Porter
6 King County Division of Records, Elections, and Licensing Services
7 500 4th Avenue, Room 553
8 Seattle, WA 98104

9 GREETINGS:

10 YOU ARE HEREBY COMMANDED, pursuant to this Subpoena and CR 30(b)(6),
11 to designate and produce at a deposition a person or persons to testify on behalf of the
12 King County Division of Records, Elections, and Licensing Services on the matters
13 described below, at the following place, date, and time:

14 PLACE: Offices of Davis Wright Tremaine
15 1501 4th Avenue, Suite 2600
16 Seattle, WA 98101

17 DATE: Thursday, May 19, 2005

18 TIME: 9:00 a.m. PST

19 Then and there to testify as a witness at the request of Petitioners in the above-
20 entitled cause, and to remain in attendance until discharged. The deposition shall take
21 place before a deposition officer duly authorized to administer oaths, and shall be recorded
22 by stenographic means. The following matters shall be examined at the deposition:

- 23 (1) the number of provisional ballots cast directly into AccuVote machines without
24 first being verified, the precincts in which they were cast, and the identities of the
25 individuals casting those ballots.
26 (2) the reconciliation and the number of discrepancies in the reconciliation of
27 pollsite, provisional, and absentee ballots.
(3) the number of federal write-in ballots issued, returned by voters, and the crediting

1 process with respect to those voters.

2 (4) the number of individuals in the address confidentiality program and the crediting
3 process with respect to those voters.

4 (5) the contents of the voter files produced by King County and marked as the
5 "12/29" release and modifications or updates, if any, contained in the "12/29"
6 release as compared to the locked-down version used prior to certification.

7 (6) the number of absentee ballots issued to voters, returned by voters, processed by
8 PSI, accounted for by verifiers, openers, and tabulators.

9 (7) the process of crediting absentee voters and any discrepancy between the number
10 of individuals credited with voting by absentee and the number of absentee
11 ballots tabulated.

12 (8) the number of provisional ballots counted for which King County did not have a
13 voter registration signature on file, the identity of the individuals casting those
14 ballots, and the precincts in which those ballots were cast.

15 (9) the number of provisional ballots that King County determined were cast by
16 lawfully registered voters.

17 (10) the number of provisional ballots that King County determined were cast by
18 persons who were not lawfully registered to vote.

19 (11) the number of provisional ballots that King County determined were cast by
20 persons who cast more than one ballot.

21 DATED this 11th day of May, 2005.

22 Davis Wright Tremaine LLP
23 Attorneys for Petitioners

24
25 By 
26 Harry J.F. Korrell, WSBA #23173
27 Robert J. Maguire, WSBA #29909
1501 Fourth Avenue, Suite 2600

Seattle, Washington 98101-1688
Telephone: (206) 622-3150

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