THE HONORABLE JOHN E. BRIDGES

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR CHELAN COUNTY

Timothy Borders et al., Petitioners, v. King County et al., Respondents, and Washington State Democratic Central Committee, Intervenor-Respondent.	NO. 05-2-00027-3 CR 30(b)(6) SUBPOENA DUCES TECUM TO JEFFERSON COUNTY

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, Washington 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000

TO: JEFFERSON COUNTY

YOU ARE HEREBY COMMANDED, at the request of Intervenor-Respondent Washington State Democratic Central Committee and pursuant to CR 30(b)(6) and CR 45, to designate one or more officers, directors, managing agents or other persons who consent to testify on your behalf in the above-entitled case, concerning the following subjects:

(1) The policies and practices adopted or employed by Jefferson County for the 2004 General Election with respect to voter crediting;

(2) The policies and practices adopted or employed by Jefferson County for the 2004 General Election with respect to the issuance, receipt and processing of provisional ballots and what specific steps were taken, if any, to ensure compliance with the emergency regulations issued by the Secretary of State and codified at WAC 434-253-047, and when each such step was taken;

(3) The policies and practices adopted or employed by Jefferson County for the 2004 General Election with respect to the verification of signatures on provisional ballots;

(4) The extent to which Jefferson County counted provisional ballots in the 2004 General Election prior to signature verification, including the specific number of such ballots and the names, addresses, phone numbers of all such voters, their precincts, and their voter registration numbers;

(5) If Jefferson County counted provisional ballots prior to signature verification, what steps were taken subsequent to the tabulation of the ballots to verify signatures, who did each such step, what or who caused that step to be taken, and what was the result of those steps (i.e., how many, if any, of the provisional ballots were determined to have been voted by lawfully registered voters);

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(6) The extent to which Jefferson County counted provisional ballots in the 2004 General Election prior to confirmation of voter registration or determination of whether the voter had already voted, including the specific number of such ballots and the names, addresses, phone numbers of all such voters, their precincts, and their voter registration numbers; and

(7) If Jefferson County counted provisional ballots prior to confirmation of voter registration or determination of whether the voter had already voted, what steps were taken subsequent to the tabulation of the ballots to confirm voter registration or to determine whether the voter had already voted, who did each such step, what or who caused that step to be taken, and what was the result of those steps (i.e., how many, if any, of the provisional ballots were determined to have been voted by lawfully registered voters).

Such person shall appear at the time, date and place listed below to testify in the above-entitled case, and shall remain in attendance until discharged.

Time and Date of Deposition	**Place of Deposition**
Thursday, April 21, 2005 at 1:00 p.m.	1820 Jefferson St., Port Townsend, Washington 98368

The deposition shall be subject to continuance or adjournment from time to time and place to place until completed.

YOU ARE FURTHER COMMANDED pursuant to CR 45 to bring with you at said place and time, or such other place and time prior to the deposition as may be agreed upon, the documents described in Exhibit A to this subpoena for examination and copying.

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Seattle, Washington 98101-3099
Phone: (206) 359-8000
Fax: (206) 359-9000

DATED: April 8, 2005.

PERKINS COIE LLP

By Kevin J. Hamilton by RSE

Kevin J. Hamilton, WSBA # 15648
William C. Rava, WSBA # 29948
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099

Attorneys for Intervenor-Respondent
Washington State Democratic Central
Committee

SPEIDEL LAW FIRM

Russell J. Speidel, WSBA # 12838
7 North Wenatchee Avenue, Suite 600
Wenatchee, WA 98807

JENNY A. DURKAN

Jenny A. Durkan, WSBA # 15751
c/o Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099

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EXHIBIT A

All documents, records, emails, notes, spreadsheets or other materials in your possession, custody, or control, relating to provisional ballots counted in Jefferson County without first (a) being verified or (b) a determination of whether the voter had already voted or (c) having their signatures checked or verified. The term "document" in this subpoena means any written, typed, graphic, recorded, or electronically stored matter whatsoever. The term "document" thus includes, without limitation, emails, letters, faxes, pictures, files, summaries, spreadsheets, notes, drafts, and working papers. Without limitation, responsive material should include:

(1) Documents sufficient to identify, for each such ballot, the voter's name, registration address, registration number, and precinct of registration, as well as the precinct in which the ballot was cast.

(2) Copies of the envelopes of all such provisional ballots that were counted.

(3) All internal documents and communications relating to such provisional ballots.

(4) All external documents and communications relating to such provisional ballots.

(5) Any communications with the Secretary of State or anyone employed by his office or representing his office regarding such ballots or the issue of verifying provisional ballots or checking the signatures on provisional ballots.

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