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SHEFFELMAN PLLC

SUPERIOR COURT OF WASHINGTON FOR CHELAN COUNTY

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.

Chelan County; Klickitat County; Klickitat County Auditor Diana Housden; Lewis County Auditor Gary Zandell; Snohomish County; Sam Reed, in his official capacity as Secretary of State for the State of Washington; Frank Chopp, Speaker of the Washington State House of Representatives; and Lieutenant Governor Brad Owen, President of the Washington State Senate,

Respondents,

v.

Washington State Democratic Central Committee,  
Intervenor Respondents

v.

Libertarian Party of Washington State,  
Intervenor Respondents.

*Honorable John E. Bridges*

NO. 05-2-00027-3

RESPONDENT  
SECRETARY OF STATE'S  
INTERROGATORIES AND  
REQUESTS FOR  
PRODUCTION OF  
DOCUMENTS TO THE  
WASHINGTON STATE  
DEMOCRATIC CENTRAL  
COMMITTEE [*"Secretary of  
State's Discovery Requests  
To the Democrats"*]

**AND THE WASHINGTON  
STATE DEMOCRATIC  
CENTRAL  
COMMITTEE'S  
RESPONSES THERETO**

TO: Respondent Secretary of State ("Secretary");

AND TO: Jeffrey Even and Thomas Ahearne, Attorneys for Respondent Secretary of State.

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERETO - 1

[15934-0006-000000/SL050700.056]

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

1 Pursuant to CR 26, 33 and 34, Intervenor-Respondent Washington State Democratic  
2 Central Committee ("WSDCC") hereby serves its Answers, Responses and Objections to  
3 Secretary of State's Discovery Requests to the Democrats.  
4  
5

6  
7 **INTRODUCTION**

8 *The Respondent Secretary of State is serving virtually identical discovery requests on*  
9 *the Petitioners and political parties in this case. These requests require them to fully*  
10 *disclose their claims and facts so this election contest can proceed to a prompt, orderly, and*  
11 *impartial resolution based upon a full consideration of the claims and legally relevant facts*  
12 *being contested by the Petitioners and political parties in this case.*

13  
14 *Given the purpose of these discovery requests, as well as the significant amount of*  
15 *investigation and discovery that the Petitioners and political parties have for many months*  
16 *been doing with respect to their claims in this case, the Petitioners and political parties*  
17 *should have no difficulty providing, full and candid answers so this election contest can*  
18 *promptly proceed to an orderly resolution on the merits. (See also, e.g., Civil Rule 11 and*  
19 *Washington State Physicians Ins. Exchange & Ass'n v. Fisons Corp., 122 Wn.2d 299, 858*  
20 *P.2d 1054 (1993))*

21  
22 *If counsel for the Petitioners or a political party nonetheless has an objection to*  
23 *answering some part of these discovery requests, the undersigned counsel for the Secretary*  
24 *of State will gladly make themselves available for a discovery conference before these*  
25 *requests' April 7 deadline in order to work out a fair resolution to that objection so answers*  
26 *can be timely provided without unnecessary delays and expense.*  
27

28  
29 **FIVE GENERAL REMINDERS**

30 1. **Interrogatories:** Since the Chelan County Superior Court has ruled that the  
31 Civil Rules apply in this case, the Respondent Secretary of State is serving these  
32 Interrogatories upon you pursuant to Civil Rule 33. You are reminded that Rule 33 requires  
33 you to answer each of these Interrogatories under oath, and to then deliver those sworn  
34 answers to the undersigned attorney's Seattle, Washington office on or before Thursday,  
35 April 7, 2005.  
36  
37

38 These Interrogatories cover and include all information and knowledge available to  
39 you. This includes all information and knowledge available to any person who obtained  
40  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 2

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1 information for you or on your behalf- including your agents, investigators, consultants, and  
2 representatives.  
3

4  
5 1. Production Requests: Since the Chelan County Superior Court has ruled that  
6 the Civil Rules apply in this case, the Respondent Secretary of State is serving these  
7 Production Requests upon you pursuant to Civil Rule 34. You are reminded that Rule 34  
8 requires you to find the "documents" described in these Production Requests and produce  
9 them at the undersigned attorney's Seattle, Washington office to be inspected and copied at  
10 9:00 a.m. on Thursday, April 7, 2005.  
11  
12

13  
14  
15  
16 These Production Requests cover and include all "documents" of any nature which  
17 are or have been within your possession, custody, or control. This includes all the documents  
18 of any person who obtained information for you or on your behalf- including your agents,  
19 investigators, consultants, and representatives. All "documents" shall be produced in the  
20 same folders, files, and form in which they are maintained by the person who holds or  
21 maintains those documents. Documents attached to each other shall not be separated.  
22  
23

24  
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27  
28 3. Objections: Since the Chelan County Superior Court has ruled that the Civil  
29 Rules apply in this case, you are reminded that if you object to producing any of the  
30 requested "documents", or object to answering any part of any Interrogatory, then you must  
31 fully state your objection and all the factual and legal reasons supporting your objection. If  
32 you object on the ground of privilege, you must fully state the nature and extent of the  
33 privilege you claim. If you object to answering only part of a Production Request or  
34 Interrogatory, you must identify the specific part to which you object and answer the  
35 remainder. ANY OBJECTION WHICH IS NOT SO ASSERTED OR IS NOT TIMELY  
36 SERVED WILL BE DEEMED WAIVED. **You are also expressly reminded of your**  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 3

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1 **discovery response obligations under *Washington State Physicians Ins. Exchange &***  
2  
3 ***Ass'n v. Fisons Corp.*, 122 Wn.2d 299, 858 P.2d 1054 (1993), and its progeny.**

4  
5 4. Supplementation: Since the Chelan County Superior Court has ruled that the  
6  
7 Civil Rules apply in this case, you are reminded that Rule 26(e) requires you to supplement  
8  
9 your Interrogatory answers and Production Request responses after you have served your  
10  
11 initial answers and responses.

12  
13 These Production Requests and Interrogatories are continuously renewed to and  
14  
15 through the hearing of this case. Therefore, if you ever obtain any information that  
16  
17 materially affects any Interrogatory answer or Production Request response so that the  
18  
19 affected answer or response is no longer true, you are required to promptly correct that  
20  
21 answer or response. Your failure to do that will be a knowing concealment of the truth.

22  
23 5. Sanctions. Since the Chelan County Superior Court has ruled that the Civil  
24  
25 Rules apply in this case, you are reminded that the Court may severely sanction you if you  
26  
27 fail to comply with any of the Civil Rules. For example, Rule 37 authorizes the Court to  
28  
29 exclude evidence favorable to you, to strike your pleadings and enter a default judgment  
30  
31 against you, and order you to pay the expenses and attorney fees of the party submitting  
32  
33 these discovery requests.

#### 34 SEVEN DEFINITIONS

35  
36  
37 The following paragraphs define several of the terms used in these discovery  
38  
39 requests so you cannot claim in good faith to have misunderstood what these discovery  
40  
41 requests are requesting. Therefore, please read these definitions carefully.

42  
43 (a) "Petitioners" means Timothy Borders, Thomas Canterbury, Tom Huff,  
44  
45 Margie Ferris, Paul Elvig, Edward Monaghan, Christopher Vance, and the Rossi For  
46  
47 Governor Campaign.

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 4

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1 (b) “you” & “your” mean the Washington State Democratic Central Committee.

2  
3 (c) “person” means humans as well as entities. For example, the term "person"  
4 includes any type of candidate committee, political party, company, partnership, association,  
5 organization, and non-profit corporation.  
6  
7

8 (d) “document” means any written, typed, graphic, recorded, or electronically  
9 stored matter whatsoever. The term “document” accordingly includes emails, letters,  
10 telefaxes, pictures, files, summaries, spreadsheets, notes, drafts, and working papers.  
11  
12

13 If any information is on a computer disk, tape, or other memory or storage device,  
14 the term “document” means (i) a printout of that information in hard-copy form, or (ii) a CD  
15 or DVD with a complete, useable copy of all of that information. Thus, for example, the  
16 term “document” includes a hard-copy printout, CD, or DVD of all emails responsive to  
17 these discovery requests.  
18  
19  
20  
21  
22  
23

24 (e) “identify”.

25 (i) When applied to a human, the term "identify" means state their full name  
26 and, to the extent reasonably available to you, the phone number, email  
27 address, and residence address at which they can most easily be  
28 contacted.  
29  
30  
31

32 (ii) When applied to an entity, the term "identify" means state that entity's full  
33 name and, to the extent reasonably available to you, the phone number,  
34 email address, and business address at which it can most easily be  
35 contacted.  
36  
37

38 (iii) When applied to a document, the term "identify" means state its general  
39 description (e.g., letter, handwritten note, report, etc.), its date, its  
40 addressee, its author, a brief summary of its general contents and, to the  
41 extent reasonably available to you, the persons receiving copies of that  
42 document. *Alternatively, if that document is being produced with*  
43 *document production numbers on it, you may simply state the document*  
44 *production numbers.*  
45  
46  
47

1 (f) "and" & "or". The words "and" and "or" should not be interpreted to  
2  
3 exclude any information from any Interrogatory answer or Production Request response.  
4 Both words should therefore be interpreted to mean "and/or" when necessary to prevent such  
5  
6 exclusion.  
7

8 (g) Singular/Plural. The use of the singular or plural form of a word in any  
9  
10 Interrogatory or Production Request should not be construed to exclude any information  
11  
12 from any Interrogatory answer or Production Request response.  
13

#### 14 I. GENERAL OBJECTIONS

15  
16 1. WSDCC objects to production of information or documents that are outside  
17  
18 of its possession, custody or control.  
19

20 2. WSDCC objects to the production of privileged communications, including  
21  
22 attorney-client communications, or information covered by the attorney work-product  
23  
24 doctrine.  
25

26 3. WSDCC objects to these discovery requests to the extent they seek  
27  
28 information that is neither relevant to the issues in the litigation nor reasonably calculated to  
29  
30 lead to the discovery of admissible evidence.  
31

32 4. WSDCC answers these requests without prejudice to its argument that all  
33  
34 allegedly illegal voters had to be challenged *before* the 2004 General Election as provided in  
35  
36 RCW 29A.68.020(5)(b).  
37

38 5. WSDCC's objects to these requests to the extent they focus on "proportional"  
39  
40 or other "circumstantial evidence" related to how illegal votes might have been cast. As our  
41  
42 Supreme Court has emphasized with respect to illegal votes, if no evidence is produced  
43  
44 showing for whom the elector voted, such votes "must be treated between the parties as an  
45  
46 legitimate vote. Neither of the candidates were responsible for the manner in which the vote  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 6

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1 got into the ballot box, and, both being innocent of wrongdoing, it would be an injustice to  
2 charge the error to either of them." *Hill v. Howell*, 70 Wash. 603, 610-611 (1920).

3  
4  
5 6. Discovery is ongoing in this case, and WSDCC reserves the right to  
6 supplement or amend these responses as new information is disclosed in the course of this  
7 litigation.  
8

9  
10 7. Unless attached hereto or otherwise noted, documents will be produced at the  
11 offices of Perkins Coie LLP, 1201 Third Ave., 48th floor, Seattle, WA. These documents  
12 will be made available at a time mutually convenient for the parties and their counsel.  
13  
14

15 8. Each General Objection applies to each of the interrogatories and requests for  
16 production below, as though fully stated. Any repetition is for emphasis only and not to the  
17 exclusion of any other General Objection.  
18  
19  
20  
21

22  
23 **INTERROGATORIES & PRODUCTION REQUESTS**  
24 **[following pages]**  
25

26  
27 **Errors, Etc. Alleged Against The Respondent Secretary Of State**

28 *Without specifying the "respondents" to which it refers, the Election Contest Petition*  
29 *alleges that respondents committed "errors ", "omissions ", "mistakes ", "misconduct ",*  
30 *"neglect", and "other wrongful acts" -- e.g., that this election is being contested "because of*  
31 *the errors, omissions, misconduct, neglect, and other wrongful acts of respondent election*  
32 *officials" (1st para., Sec. 117), because "Respondents ... have made errors and been*  
33 *negligent, and they have committed other wrongful acts" (2nd para., Sec. IV), because*  
34 *"respondents have committed errors, omissions, mistakes, neglect, and other wrongful acts"*  
35 *(Sec. VIA), and because of "Respondents' errors, omissions, misconduct, neglect, and other*  
36 *wrongful acts" (Sec. VIB-C). The, following Interrogatories ask you to disclose your claims*  
37 *and facts (if any) with respect to one of those respondents - i.e., the respondent Secretary of*  
38 *State.*  
39  
40

41  
42 **INTERROGATORY NO. 1:** Do you claim that the respondent Secretary of State  
43 committed any error, omission, mistake, misconduct, neglect, or wrongful act relating to the  
44 2004 Governor's election?  
45  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 7

[15934-0006-000000/SL050700.056]

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1           **ANSWER:** Yes. Although the issue will not be tried in this case, WSDCC notes  
2  
3 that the Secretary of State has wrongfully withheld the monies WSDCC deposited in  
4  
5 connection with its request for the manual recount that resulted in Christine Gregoire being  
6  
7 duly certified by the Legislature as the Governor of Washington rather than Mr. Rossi.  
8  
9 WSDCC's investigation is ongoing, and in particular WSDCC has not yet deposed the  
10  
11 Secretary of State or any of his employees. Should this investigation uncover any additional  
12  
13 responsive information, WSDCC will supplement its response.  
14

15  
16           **INTERROGATORY NO. 2:** If your answer to the preceding Interrogatory was  
17  
18 anything other than an unequivocal "no", then for each error, omission, mistake, misconduct,  
19  
20 neglect, or wrongful act you claim the respondent Secretary of State committed, please:  
21

- 22
- 23           (a) state what you claim that error, omission, mistake, misconduct, neglect,  
24           or wrongful act was;
  - 25
  - 26           (b) state whether you claim that error, omission, mistake, misconduct,  
27           neglect, or wrongful act caused Ms. Gregoire to be declared duly elected  
28           even though she did not receive the highest number of legal votes; and  
29
  - 30           (c) if you claim it did, explain exactly how you claim it did.  
31

32           **ANSWER:**

33  
34           See answer to Interrogatory No. 1.  
35  
36

37  
38           **INTERROGATORY NO. 3:** Please identify every person with any knowledge  
39  
40 concerning your answer to Interrogatory Nos. 1-2 above, along with a brief description of  
41  
42 the subject matter of that person's knowledge.  
43

44           **ANSWER:**  
45  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 8

[15934-0006-000000/SL050700.056]

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1 The Secretary of State and his staff have full knowledge of WSDCC's demand for  
2 repayment of its deposit and the Secretary's refusal to do so. In addition, the Secretary of  
3 State, employees of the Secretary of State, and county auditors and elections officials have  
4 general knowledge relating to whether the Secretary fulfilled his duties and committed  
5 errors, omissions, mistakes, misconduct, neglect, or wrongful acts.  
6  
7  
8  
9

10  
11  
12 **INTERROGATORY NO. 4:** Please identify every document that supports, is  
13 inconsistent with, or otherwise relates to your answer to Interrogatory Nos. 1-2 above.  
14

15  
16 **ANSWER:**

17  
18 With the exception of communications from WSDCC requesting repayment, all of  
19 which were sent to the Secretary of State's office and are in his possession, WSDCC is not  
20 currently aware of any documents that support or otherwise relate to its answers to  
21 Interrogatory Nos. 1 and 2, above.  
22  
23  
24  
25

26  
27  
28 **Failure To Perform Obligations Alleged Against The Respondent Secretary Of State**

29 *Without specifying the "respondents" to which it refers, the Election Contest Petition*  
30 *states that "Respondents and their agents have failed to perform their obligations under the*  
31 *constitutions of the State of Washington and the United States and elections laws" (2nd*  
32 *para., Sec. IV), and that "Respondents ... failed to implement procedures to avoid mistakes,*  
33 *errors, and alteration or submission of invalid votes" (3rd para., Sec. IV). The following*  
34 *Interrogatories ask you to disclose your claims and facts (if any) with respect to one of those*  
35 *respondents - i.e., the respondent Secretary of State.*  
36

37  
38 **INTERROGATORY NO. 5:** Do you claim the respondent Secretary of State failed  
39 to perform any obligation with respect to the 2004 Governor's election?  
40

41  
42 **ANSWER:**

43  
44 See Answer to Interrogatory No. 1, above.  
45  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 9

[15934-0006-000000/SL050700.056]

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1                   **INTERROGATORY NO. 6:** If your answer to the preceding Interrogatory was  
2 anything other than an unequivocal "no", then for each obligation you allege the respondent  
3 Secretary of State failed to perform, please:  
4

- 5  
6           (a)     identify that obligation;  
7  
8           (b)     identify the specific constitutional provision or specific law which you  
9 claim created that obligation;  
10  
11           (c)     state how you claim the respondent Secretary of State failed to perform  
12 that obligation;  
13  
14           (d)     state whether you claim that failure by the Secretary of State caused Ms.  
15 Gregoire to be declared duly elected even though she did not receive the  
16 highest number of legal votes; and  
17  
18           (e)     if you claim it did, explain exactly how you claim it did.  
19  
20

21  
22           **ANSWER:**

23  
24           See answers to Interrogatory Nos. 1 and 2, above.  
25  
26

27  
28           **INTERROGATORY NO. 7:** Please identify every person with any knowledge  
29 concerning your answer to Interrogatory Nos. 5-6 above, along with a brief description of  
30 the subject matter of that person's knowledge.  
31

32  
33           **ANSWER:**

34  
35           See answer to Interrogatory No. 3, above.  
36  
37

38  
39           **INTERROGATORY NO. 8:** Please identify every document that supports, is  
40 inconsistent with, or otherwise relates to your answer to Interrogatory Nos. 5-6 above.  
41

42  
43           **ANSWER:**

44  
45           See answer to Interrogatory No. 4, above.  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 10

[15934-0006-000000/SL050700.056]

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**Alleged Error In The Secretary Of State's Certification**

*The Election Contest Petition states that "an error has occurred in the Secretary of State's certification of the election returns" (Sec. VI F). The following Interrogatories ask you to disclose your claims and facts (if any) with respect to that allegation concerning the respondent Secretary of State.*

**INTERROGATORY NO. 9:** Do you claim the respondent Secretary of State committed any error in his certification of the election returns for the 2004 Governor's election?

**ANSWER:**

No.

**INTERROGATORY NO. 10:** For each error you claim has occurred in the Secretary of State's certification of the election returns for the 2004 Governor's election, please:

- (a) state what you claim that error was;
- (b) state whether you claim the Secretary of State caused or is responsible for that error;
- (c) if you claim the Secretary of State caused or was responsible for that error, please explain exactly how you claim he caused or was responsible for that error;
- (d) state whether you claim that error caused Ms. Gregoire to be declared duly elected even though she did not receive the highest number of legal votes; and
- (e) if you claim if did, explain exactly how you claim it did.

**ANSWER:**

See answer to Interrogatory No. 9, above.

1  
2  
3 **INTERROGATORY NO. 11:** Please identify every person with any knowledge  
4 concerning your answer to Interrogatory Nos. 9-10 above, along with a brief description of  
5 the subject matter of that person's knowledge.  
6  
7

8 **ANSWER:**  
9

10 See answer to Interrogatory No. 9, above.  
11  
12

13  
14 **INTERROGATORY NO. 12:** Please identify every document that supports, is  
15 inconsistent with, or otherwise relates to your answer to Interrogatory Nos. 9-10 above.  
16  
17

18 **ANSWER:**  
19

20 See answer to Interrogatory No. 9, above.  
21  
22

23  
24 ***Illegal Votes Apparently Given To Gregoire And Rossi***

25 *The Election Contest Petition states that "it appears that a sufficient number of*  
26 *illegitimate, invalid and/or illegal votes has been given to Ms. Gregoire that, if taken from*  
27 *her, would reduce the number of her legal votes below the number of votes given to Mr.*  
28 *Rossi, after deducting therefrom the illegal votes that may be shown to have been given to*  
29 *him. RCW 29A.68.110" (Sec. VLB.10).*  
30

31 *The Petitioners' February 22 answers to the intervenor Democrats' discovery*  
32 *requests further maintain that Petitioners base their contentions as to the candidate for*  
33 *whom those illegal votes were cast on facts such as direct evidence (e.g., "the specific*  
34 *ballots cast illegally" and "testimony from the illegal voters ") and circumstantial evidence*  
35 *(e.g., "a proportional analysis", "proportional allocation" by precinct, or "media reports").*  
36 *See Petitioner Rossi Campaign 's February 22 answers to the Democrats' Interrogatory*  
37 *Nos. 3, S, 7, 9, 14, & 16.*  
38

39 *The following Interrogatories ask you to fully disclose your facts concerning every*  
40 *illegal vote alleged in this election contest.*  
41

42 **INTERROGATORY NO. 13:** With respect to the 2004 Governor's election,  
43  
44 please:

- 45 (a) state the total number of illegitimate, invalid, or illegal votes you claim  
46 were apparently given to Ms. Gregoire; and  
47

RESPONDENT SECRETARY OF STATE'S  
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1 (b) state the total number of illegitimate, invalid, or illegal votes you claim  
2 were apparently given to Mr. Rossi;  
3

4 **ANSWER:**  
5

6 This request is not clear. To the extent it is asking for information that WSDCC has  
7 concerning the gubernatorial candidate for whom an allegedly illegal voter's vote was  
8 allegedly cast, WSDCC answers as follows:  
9

10 (a) WSDCC is currently aware of 5 allegedly illegal votes for Gov. Gregoire that  
11 were apparently counted.  
12

13 (b) WSDCC is currently aware of 11 allegedly illegal votes for Mr. Rossi that were  
14 apparently counted.  
15

16 Attached hereto as Exhibit A is a list of these voters. Twelve of these voters were  
17 identified by the Petitioners as allegedly illegal votes. The remaining four were named in  
18 the identified newspaper articles. WSDCC's investigation is ongoing, and it will supplement  
19 its answer should the investigation uncover any additional information.  
20

21 To the extent this request is asking for something else, WSDCC objects as vague and  
22 ambiguous.  
23

24 **INTERROGATORY NO. 14:** Please:  
25

26 (a) identify the voters in whose name you claim illegitimate, invalid, or  
27 illegal votes were cast in the 2004 election - including each such voter's  
28 full name and, to the extent available to you, that voter's residence  
29 address, telephone number, voter ID or registration number, county  
30 voting precinct, and date of birth;  
31

32 (b) for each voter you identify, briefly state the reason you claim their vote  
33 was illegitimate, invalid, or illegal (e.g., felon, deceased, voted twice, cast  
34 by person other than the registered voter, etc.);  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 13

[15934-0006-000000/SL050700.056]

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- 1 (c) for each voter you identify, state the candidate for whom you claim that  
2 voter's vote was apparently cast in the 2004 Governor's election;  
3  
4 (d) for each voter you identify, state every type of direct or circumstantial  
5 evidence you rely upon for your claim concerning the gubernatorial  
6 candidate for whom that voter's vote was apparently cast (e.g.,  
7 proportional analysis, voter testimony, etc.).  
8

9  
10 To facilitate the prompt and orderly evaluation of the illegal votes you claim were cast in the  
11 2004 Governor's election, please provide your answers in the matrix format illustrated  
12 below.  
13

14  
15 **ANSWER:**  
16

17 Other than those voters listed in Exhibit A, WSDCC does not currently have a list of  
18 voters in whose name it claims illegitimate, invalid, or illegal votes were cast in the 2004  
19 election. WSDCC has requests outstanding to various county auditors and election officials  
20 for the requested information and expects to have it available for the May 6 disclosure date  
21 set by the Court. To the extent WSDCC has documentation available currently that  
22 corroborates or contradicts the Petitioners' claims regarding their list of illegal voters, it will  
23 make those documents available for inspection. The information that WSDCC has  
24 concerning the gubernatorial candidate for whom an allegedly illegal voter's vote was  
25 allegedly cast is listed in Exhibit A. To the extent WSDCC has copies of these newspaper  
26 articles, it will make them available for review and/or copying.  
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	(a)	(a)	(a)	(a)	(a)	(a)	(b)	(c)	(d)
	Voter's full name	residence address	phone	voter ID/ registration number	Date of birth	county & precinct	reasons you claim vote illegal	candidate for whom you claim vote was apparently cast	type of evidence you rely upon to show candidate for whom vote was apparently cast
1	Voter #1								
2	Voter #2								
3	Voter #3								

**INTERROGATORY NO. 15:** Please identify every person with any knowledge concerning your answer to the Interrogatory Nos. 13-14 above, along with a brief description of the subject matter of that person's knowledge.

**ANSWER:**

The persons listed in Exhibit A as allegedly having cast allegedly illegal votes have knowledge related to whether they were entitled to vote, whether they voted, for whom they voted in the gubernatorial election. County election officials and the reporters credited with writing the listed newspaper articles have similar information.

**INTERROGATORY NO. 16:** Please identify every document that supports, is inconsistent with, or otherwise relates to your answer to Interrogatory Nos. 13-14 above.

**ANSWER:**

WSDCC will produce copies of the listed newspaper articles to the extent it has copies.

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 15

[15934-0006-000000/SI.050700.056]

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1                   **Errors, Etc. Causing Fewer Lawful Votes To Be Counted For Rossi Than Gregoire**

2                   *The Election Contest Petition states that "As a result of Respondents' errors,*  
3 *omissions, misconduct, neglect, and other wrongful acts, Respondents failed to count more*  
4 *lawful votes for Candidate Rossi than the number of votes separating the candidates" (Sec.*  
5 *VI. C), that "The number of individuals who state that they voted for Mr. Rossi but their*  
6 *ballots were wrongfully rejected by Respondents exceeds the number of votes certified by the*  
7 *Secretary of State as separating the two candidates by more than double" (Sec. VI. C), and*  
8 *that "the votes of lawfully registered voters were not counted, and the failure of the*  
9 *Respondents to count them, when presented with evidence of Respondents' errors, was*  
10 *arbitrary, capricious, wrongful, and a violation of their obligations under Washington's*  
11 *election laws" (5th para., Sec. VI).*

12                   In addition to the statements Petitioners refer to by individuals whose votes for Mr.  
13 Rossi were rejected, their February 22 answers to the intervenor Democrats' discovery  
14 requests indicate that Petitioners base their contentions in this case concerning the candidate  
15 for whom votes were cast on facts such as direct evidence (e.g., "the specific ballots cast  
16 illegally" and "testimony from the illegal voters") and circumstantial evidence (e.g., "a  
17 proportional analysis ", "proportional allocation" by precinct, or "media reports'). See the  
18 Petitioner Rossi Campaign's February 22 answers to the Democrats' Interrogatory Nos. 3, 5,  
19 7, 9, 14, & 16.

20                   *The following Interrogatories ask you to fully disclose your facts concerning the*  
21 *errors, omissions, misconduct, neglect, and other wrongful acts of elections officials alleged*  
22 *in this election contest.*

23                   **INTERROGATORY NO. 17:** Do you contend that errors, omissions, misconduct,  
24 neglect, wrongful acts, irregularities, or improper conduct of elections officials caused Ms.  
25 Gregoire to be declared duly elected although she did not receive the highest number of  
26 legal votes?

27                   **ANSWER:** No.

28                   **INTERROGATORY NO. 18:** With respect to the 2004 Governor's election,  
29 please:

- 30                   (a) state the total number of lawful votes for **Mr. Rossi** that you claim were  
31 not counted as a result of errors, omissions, misconduct, neglect,  
32 wrongful acts, irregularities, or improper conduct of elections officials;

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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 16

[15934-0006-000000/SL050700.056]

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- 1 (b) state the total number of unlawful votes for **Mr. Rossi** that you claim  
2 were counted as a result of errors, omissions, misconduct, neglect,  
3 wrongful acts, irregularities, or improper conduct of elections officials;  
4 and  
5  
6 (c) state the total number of lawful votes you claim were cast for **Mr. Rossi**  
7 in the 2004 governor's election.;

8  
9  
10 **ANSWER:**

11 (a) WSDCC is not currently aware of any lawful votes for Mr. Rossi that were not  
12 counted as a result of errors, omissions, misconduct, neglect, wrongful acts, irregularities, or  
13 improper conduct of elections officials and it therefore does not know how many such  
14 lawful votes, if any, were not counted. WSDCC refers the Secretary to its answer to  
15 Interrogatory No. 20.  
16  
17

18 (b) To date, WSDCC is only aware of those unlawful votes listed in response to  
19 Interrogatory Nos. 13 and 14, above.  
20

21 (c) With reference to the answers and information provided herein, WSDCC  
22 currently believes that 1,373,221 lawful votes were cast for Mr. Rossi in the 2004 governor's  
23 election.  
24

25 WSDCC's investigation is ongoing and it will supplement its answer to the extent the  
26 investigation uncovers additional responsive information.  
27  
28

29  
30  
31 **INTERROGATORY NO. 19:** With respect to the 2004 Governor's election,  
32 please:  
33

- 34 (a) state the total number of lawful votes for **Ms. Gregoire** that you claim  
35 were not counted as a result of errors, omissions, misconduct, neglect,  
36 wrongful acts, irregularities, or improper conduct of elections officials;  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 17

[15934-0006-000000/SL050700.056]

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- 1 (b) state the total number of unlawful votes for **Ms. Gregoire** that you claim  
2 were counted as a result of errors, omissions, misconduct, neglect,  
3 wrongful acts, irregularities, or improper conduct of elections officials;  
4 and  
5  
6 (c) state the total number of lawful votes you claim were cast for **Ms.**  
7 **Gregoire** in the 2004 governor's election.;

8  
9  
10 **ANSWER:**

11 (a) WSDCC is currently aware that King and Pierce counties failed to count a  
12 number of provisional and/or absentee ballots and is investigating the extent to which those  
13 failures were the result of errors, omissions, misconduct, neglect, wrongful acts,  
14 irregularities, or improper conduct of elections officials. WSDCC therefore does not know  
15 how many such lawful votes, if any, were not counted.  
16  
17

18 (b) To date, WSDCC is only aware of those unlawful votes listed in response to  
19 Interrogatory Nos. 13 and 14, above.  
20

21 (c) With reference to the answers and information provided herein, WSDCC  
22 currently believes that 1,373,355 lawful votes were cast for Gov. Gregoire in the 2004  
23 governor's election.  
24  
25

26 WSDCC's investigation is ongoing and it will supplement its answer to the extent the  
27 investigation uncovers additional responsive information.  
28  
29

30  
31  
32 **INTERROGATORY NO. 20:** Please:  
33

- 34 (a) for each lawful vote you claim was cast in the 2004 election but not  
35 counted as a result errors, omissions, misconduct, neglect, wrongful acts,  
36 irregularities, or improper conduct of elections officials, identify the voter  
37 in whose name you claim that lawful vote was cast - including each such  
38 voter's full name and, to the extent available to you, that voter's residence  
39 address, telephone number, voter ID or registration number, county  
40 voting precinct, and date of birth;  
41  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 18

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- 1 (b) for each vote you identify, briefly state the error, omission, misconduct,  
2 neglect, wrongful act, irregularity, or improper conduct you claim caused  
3 that lawful vote to not be counted (e.g., late issuance of military ballot,  
4 refusal to correct error brought to election official's attention, etc.);  
5  
6 (c) for each vote you identify, state the candidate for whom you claim that  
7 vote was apparently cast in the 2004 Governor's election; and  
8  
9 (d) for each vote you identify, state every type of direct or circumstantial  
10 evidence you rely upon for your claim concerning the gubernatorial  
11 candidate for whom that vote was apparently cast (e.g., proportional  
12 analysis, statement by the voter, etc.).  
13  
14

15 To facilitate the prompt and orderly evaluation of the lawful votes you claim were not  
16 counted in the 2004 Governor's election, please provide your answers in the matrix format  
17 illustrated below.  
18  
19

20  
21 **ANSWER:**  
22

23 WSDCC's answer to this Interrogatory does not currently lend itself to presentation  
24 in the matrix format suggested by the Secretary of State. Although its investigation is not  
25 yet complete, WSDCC is currently aware of the following categories of lawful votes in the  
26 2004 General Election that may not have been counted:  
27  
28  
29

30 (1) According to an April 4, 2005 King County report, a copy of which the  
31 Secretary already has, approximately 93 lawful ballots were not counted in King County.  
32 According to an April 8, 2005 letter from King County, one additional lawful ballot was  
33 apparently recently located in King County.  
34  
35

36 (2) According to an April 5, 2005 article in the *News-Tribune*, Pierce County  
37 recently discovered a "small number" of uncounted lawful ballots.  
38

39 (3) King County may have rejected a number of lawful provisional and/or  
40 absentee ballots because (a) King County failed to completely canvass the ballot; (b) King  
41 County wrongfully cancelled a voter's registration; or (c) King County wrongly rejected  
42  
43  
44  
45  
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47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 19

[15934-0006-000000/SL050700.056]

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1 efforts to rehabilitate the allegedly mismatched signature on an absentee or provisional  
 2 ballot envelope.  
 3

4 WSDCC has no information relating to whether these uncounted lawful votes in the  
 5 2004 General Election included votes in the gubernatorial election and, if so, for which  
 6 candidate (including write-in candidates) the voter voted. WSDCC's investigation is  
 7 ongoing and it will supplement its answer to the extent the investigation uncovers additional  
 8 responsive information.  
 9  
 10  
 11  
 12  
 13  
 14

	(a)	(a)	(a)	(a)	(a)	(a)	(b)	(c)	(d)
	Voter's full name	residence address	phone	voter ID/ registration number	Date of birth	county & precinct	error, etc. you claim caused lawful vote to not be counted	Candidate for whom you claim vote was apparently cast	type of evidence you rely upon to show candidate for whom vote was apparently cast
15									
16	1	Voter #1							
17	2	Voter #2							
18	3	Voter #3							

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32  
33 **INTERROGATORY NO. 21:** Please:

- 34  
35 (a) identify each unlawful vote you claim was cast in the 2004 election but  
 36 nonetheless was counted as a result errors, omissions, misconduct,  
 37 neglect, wrongful acts, irregularities, or improper conduct of elections  
 38 officials - including, to the extent available to you, the full name of the  
 39 voter in whose name you claim that vote unlawful vote was cast, that  
 40 voter's residence address, telephone number, voter ID or registration  
 41 number, county voting precinct, and date of birth;  
 42  
 43  
 44  
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 46  
 47

RESPONDENT SECRETARY OF STATE'S  
 DISCOVERY REQUESTS TO DEMOCRATS  
 AND DEMOCRATS' RESPONSES  
 THERETO - 20

[15934-0006-000000/SL050700.056]

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- 1 (b) for each vote you identify, briefly state the error, omission, misconduct,  
2 neglect, wrongful act, irregularity, or improper conduct you claim caused  
3 that unlawful vote to be counted (e.g., provisional ballot that was not  
4 validated, undervote that was improperly enhanced, ballot that was  
5 improperly duplicated, improper correction of error brought to election  
6 official's attention, etc.);  
7  
8  
9 (c) for each vote you identify, state the candidate for whom you claim that  
10 vote was apparently cast in the 2004 Governor's election; and  
11  
12 (d) for each vote you identify, state every type of direct or circumstantial  
13 evidence you rely upon for your claim concerning the gubernatorial  
14 candidate for whom that vote was apparently cast (e.g., proportional  
15 analysis, statement by the voter, etc.).  
16

17 To facilitate the prompt and orderly evaluation of the unlawful votes you claim were  
18 counted in the 2004 Governor's election, please provide your answers in the matrix format  
19 illustrated below.  
20  
21

22  
23 **ANSWER:**  
24

25 WSDCC's answer to this Interrogatory does not currently lend itself to presentation  
26 in the matrix format suggested by the Secretary of State. Although its investigation is not  
27 yet complete, in addition to those votes listed in Exhibit A, WSDCC is currently aware of  
28 the following categories of unlawful votes in the 2004 General Election that may have been  
29 counted:  
30  
31  
32  
33

34  
35 (1) Felons who did not have their rights restored may have voted in a number of  
36 counties, including, *inter alia*, King, Pierce, Kitsap, Adams and Chelan.  
37

38  
39 (2) Adams, Benton, Chelan, Cowlitz, Island, Jefferson, King, Pierce, Spokane,  
40 Stevens, Walla Walla, Whatcom and Whitman counties may have counted provisional  
41 ballots before voter signatures on the provisional ballot envelopes were verified as required  
42 by Washington law. See also answer to Interrogatory No. 29, below.  
43  
44  
45  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 21

[15934-0006-000000/SL050700.056]

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1 WSDCC's investigation is ongoing and it will supplement its answer to the extent the  
 2 investigation uncovers additional responsive information.  
 3  
 4  
 5

	(a)	(a)	(a)	(a)	(a)	(a)	(b)	(c)	(d)
	Full name of unlawful voter for other identification of vote if name not available	residence address  [if voter name available ]	phone  [if voter name available]	voter ID/ registration number  [if voter name available]	date of birth  [if applies]	county & precinct of that vote	Error, etc. you claim caused that unlawful vote to be counted	candidate for whom you claim that unlawful vote was apparently counted	type of evidence you rely upon to show candidate for whom that unlawful vote was apparently counted
6									
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18	1	Voter #1							
19	2	Voter #2							
20	3	Voter #3							
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25 **INTERROGATORY NO. 22:** Please identify every person with any knowledge  
 26 concerning your answer to Interrogatory Nos. 17-21 above, along with a brief description of  
 27 the subject matter of that person's knowledge.  
 28  
 29

30 **ANSWER:**

31 County election officials have knowledge relating to unlawful votes that may have  
 32 been counted and lawful votes that may not have been counted. See also answer to  
 33 Interrogatory No. 15.  
 34  
 35  
 36  
 37

40 **INTERROGATORY NO. 23:** Please identify every document that supports, is  
 41 inconsistent with, or otherwise relates to your answer to Interrogatory Nos. 17-21 above.  
 42  
 43

44 **ANSWER:**

1 To the extent WSDCC has such documents in its possession, custody or control, it  
2 will make such documents available for inspection and/or copying.  
3  
4

5  
6 **More Votes Than Voters**

7 *The Election Contest Petition states that "Respondents counted many more votes*  
8 *than were cast by legitimate, registered voters" (2nd para., Sec. IV), that respondents'*  
9 *wrongful acts include "employing procedures that resulted in the counting of votes far in*  
10 *excess of the number of lawfully registered electors who participated in the election" (Sec.*  
11 *VLA. 1), and that "many, potentially thousands, more votes were counted than were cast by*  
12 *lawfully registered voters" (Sec. VI 13.4*

13  
14 *The following Interrogatory asks you to fully disclose your facts (if any) relating to*  
15 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos.*  
16 *13-23 above*  
17

18  
19 **INTERROGATORY NO. 24:** With respect to the 2004 Governor's election,  
20  
21 please:

- 22  
23 (a) state the name of every county in which you claim more votes were  
24 counted than were cast by lawfully registered voters;  
25  
26 (b) for each county you list, state the total number of such votes you claim  
27 were counted in excess of the number of votes cast by lawfully registered  
28 voters;  
29  
30 (c) state whether you claim any of the gubernatorial candidates or their  
31 campaigns were in any way responsible for the counting of more votes  
32 than were cast by lawfully registered voters in the 2004 Governor's  
33 election - and if you claim any of them were, explain for each candidate  
34 or campaign exactly what you claim that responsibility was;  
35  
36 (d) identify every person with any knowledge concerning your answer to this  
37 Interrogatory, along with a brief description of the subject matter of that  
38 person's knowledge; and  
39  
40 (e) identify every document that supports, is inconsistent with, or otherwise  
41  
42 relates to your answer to this Interrogatory.  
43  
44

45  
46 **ANSWER:**  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 23

[15934-0006-000000/SL050700.056]

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1 WSDCC does not currently claim that more votes were counted than were cast by  
2 lawfully registered voters in any county.  
3  
4

5  
6 **Felon Voters**

7 *The Election Contest Petition states "Respondents counted votes by felons" (1st*  
8 *para., Sec. IV), that respondents' wrongful acts include the "counting of votes of convicted*  
9 *felons who have not had their civil rights restored" (Sec. VI.A.3), and that "convicted felons*  
10 *who have not had their civil rights restored voted and had their votes counted" (Sec. VI. B.*  
11 *3).*

12  
13 *The following Interrogatory asks you to fully disclose your facts (if any) relating to*  
14 *those allegations in addition to the facts you disclosed in your answers to Interrogatory*  
15 *Nos. 13-23 above.*  
16

17  
18  
19 **INTERROGATORY NO. 25:** With respect to the 2004 Governor's election,  
20  
21 please:  
22

- 23 (a) state the name of every county in which you claim votes by convicted  
24 felons (who have not had their civil rights restored) were counted for  
25 Governor;  
26  
27 (b) for each county you list, state the total number of such felon votes you  
28 claim were counted for Governor;  
29  
30 (c) state whether you claim any of the gubernatorial candidates or their  
31 campaigns were in any way responsible for the counting of votes by  
32 convicted felons (who have not had their civil rights restored) - and if  
33 you claim any of them were, state for each candidate or campaign exactly  
34 what you claim that responsibility was;  
35  
36 (d) identify every person with any knowledge concerning your answer to this  
37 Interrogatory, along with a brief description of the subject matter of that  
38 person's knowledge; and  
39  
40 (e) identify every document that supports, is inconsistent with, or otherwise  
41 relates to your answer to this Interrogatory.  
42  
43  
44

45 **ANSWER:**  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 24

[15934-0006-000900/SL050700.056]

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1 (a) With the exception of those voters listed in Exhibit A, who might be felons who  
2 have not had their civil rights restored, WSDCC has not specifically identified any other  
3 felons who voted in the 2004 gubernatorial election.  
4

5  
6 (b) WSDCC again refers the Secretary to Exhibit A.  
7

8 (c) The WSDCC does not claim that any of the gubernatorial candidates or their  
9 campaigns were in any way responsible for the counting of votes by convicted felons (who  
10 have not had their civil rights restored).  
11

12 (d) See answer to Interrogatory No. 15.  
13

14 (e) See answer to Interrogatory No. 16.  
15  
16  
17  
18  
19

20 **Dead Voters**

21 *The Election Contest Petition states that "Respondents counted ... votes cast in the*  
22 *name of deceased persons" (3rd para., Sec. IV), that respondents' wrongful acts include the*  
23 *"counting of invalid votes submitted in the name of persons who died before the election"*  
24 *(Sec. VI. A.4), and that "invalid votes were counted in the name of deceased persons" (Sec.*  
25 *VIB.4).*  
26

27 *The following Interrogatory asks you to fully disclose your facts (if any) relating to*  
28 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos.*  
29 *13-23 above.*  
30

31  
32  
33 **INTERROGATORY NO. 26:** With respect to the 2004 Governor's election,  
34 please:  
35

- 36  
37 (a) state the name of every county in which you claim votes submitted in the  
38 name of persons who died before the election were counted for Governor;  
39  
40 (b) for each county you list, state the total number of such votes you claim  
41 were counted for Governor;  
42  
43  
44  
45  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 25

[15934-0006-000000/SL050700.056]

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- 1 (c) state whether you claim any of the gubernatorial candidates or their  
2 campaigns were in any way responsible for the counting of votes  
3 submitted in the name of persons who died before the election - and if  
4 you claim any of them were, state for each candidate or campaign exactly  
5 what you claim that responsibility was;  
6  
7 (d) identify every person with any knowledge concerning your answer to this  
8 Interrogatory, along with a brief description of the subject matter of that  
9 person's knowledge; and  
10  
11 (e) identify every document that supports, is inconsistent with, or otherwise  
12 relates to your answer to this Interrogatory. (Be sure to include the death  
13 certificate or other documentation that shows the date on which you claim  
14 the voter died.)  
15  
16

17 **ANSWER:**  
18

19 (a) With the exception of those voters listed in response to Interrogatory Nos. 13 and  
20 14, above, who might have submitted votes on behalf of deceased persons, WSDCC does  
21 not have any information to suggest that counties counted votes submitted on behalf of  
22 deceased persons in the 2004 gubernatorial election.  
23

24 (b) WSDCC again refers the Secretary to Exhibit A.  
25

26 (c) The WSDCC does not claim that any of the gubernatorial candidates or their  
27 campaigns were in any way responsible for the counting of votes submitted on behalf of  
28 deceased persons.  
29

30 (d) See answer to Interrogatory No. 15.  
31

32 (e) See answer to Interrogatory No. 16.  
33  
34

35 **Ballots Submitted By Persons Other Than The Registered Voter**  
36

37 *The Election Contest Petition states that "Respondents counted votes by [persons]*  
38 *ineligible to vote" (3rd para., Sec. IV), that respondents' wrongful acts include the "counting*  
39 *of ballots submitted by persons other than the registered voter in whose name the ballots*  
40 *were submitted" (Sec VIA.5), and that "absentee ballots signed by individuals other than the*  
41 *registered voter to whom they were sent were counted" (Sec VI.B. 5),*  
42  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 26

[15934-0006-000000/SI.050700.056]

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1                    *The following Interrogatory asks you to fully disclose your facts (if any) relating to*  
2 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos,*  
3 *13-23 above.*  
4  
5

6  
7                    **INTERROGATORY NO. 27:** With respect to the 2004 Governor's election,  
8  
9 please:

- 10  
11                    (a) state the name of every county in which you claim votes submitted by  
12 persons other than the registered voter in whose name the ballot was  
13 submitted were counted for Governor;  
14  
15                    (b) for each county you list, state the total number of such votes you claim  
16 were counted for Governor;  
17  
18                    (c) state whether you claim any of the gubernatorial candidates or their  
19 campaigns were in any way responsible for the counting of votes  
20 submitted by persons other than the registered voter in whose name the  
21 ballot was submitted - and if you claim any of them were, state for each  
22 candidate or campaign exactly what you claim that responsibility was;  
23  
24                    (d) identify every person with any knowledge concerning your answer to this  
25 Interrogatory, along with a brief description of the subject matter of that  
26 person's knowledge; and  
27  
28                    (e) identify every document that supports, is inconsistent with, or otherwise  
29 relates to your answer to this Interrogatory.  
30  
31  
32

33                    **ANSWER:**

34  
35                    (a) With the exception of those voters listed in response to Interrogatory Nos. 13 and  
36 14, above, who might have submitted votes on behalf of persons other than the registered  
37 voter, WSDCC does not have any information to suggest that counties counted votes  
38 submitted on behalf of persons other than the registered voter in the 2004 Gubernatorial  
39 Election.  
40  
41  
42  
43

44                    (b) WSDCC again refers the Secretary to Exhibit A.  
45  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 27

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1 (c) The WSDCC does not claim that any of the gubernatorial candidates or their  
2 campaigns were in any way responsible for the counting of votes submitted on behalf of  
3 persons other than the registered voter.  
4  
5

6 (d) See answer to Interrogatory No. 15.  
7

8 (e) See answer to Interrogatory No. 16.  
9

10  
11  
12 **Military & Absentee Ballots**

13 *The Election Contest Petition states that respondents' wrongful acts included "failing*  
14 *to ensure that military overseas and other absentee voters received absentee ballots in a*  
15 *timely manner" (Sec. VIA. b), and that "military overseas and other absentee voters may*  
16 *have been disenfranchised by administrative error" (Sec. VI.B.8).*

17 *The, following Interrogatory asks you to fully disclose your facts (if any) relating to*  
18 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos.*  
19 *13-23 above.*  
20

21  
22  
23  
24 **INTERROGATORY NO. 28:** With respect to the 2004 Governor's election,  
25 please:  
26

- 27  
28 (a) state the name of every county from which you claim military overseas  
29 and other absentee voters did not timely receive their ballots - and for  
30 each county you list, state whether you claim that county mailed those  
31 voters' ballots later than any state or federal law deadlines;  
32  
33 (b) state the name of every county for which you claim military overseas and  
34 other absentee voters were disenfranchised by administrative error - and  
35 for each county, state exactly what that administrative error was;  
36  
37 (c) for each county you list, state the total number of military overseas and  
38 other absentee voters you claim were disenfranchised or did not have  
39 their ballots counted for Governor;  
40  
41 (d) state whether you claim any of the gubernatorial candidates or their  
42 campaigns were in any way responsible for any untimely receipt or  
43 administrative error relating to military overseas and other absentee  
44 ballots - and if you claim any of them were, state for each candidate or  
45 campaign exactly what you claim that responsibility was;  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 28

[15934-0006-000000/SL050700.056]

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- 1 (e) identify every person with any knowledge concerning your answer to this  
2 Interrogatory, along with a brief description of the subject matter of that  
3 person's knowledge; and  
4  
5 (f) identify every document that supports, is inconsistent with, or otherwise  
6 relates to your answer to this Interrogatory.  
7

8 **ANSWER:**  
9

10 WSDCC does not claim that any county mailed military overseas and other absentee  
11 voter ballots later than any state or federal law deadline. WSDCC does not have any  
12 information about when such ballots may have been received by such voters and does not  
13 have any information to suggest that such voters were disenfranchised by administrative  
14 error.  
15  
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20

21 **Counting Of Provisional Ballots**

22 *The Election Contest Petition states that "many provisional ballots were counted*  
23 *without any determination being made that the voter was entitled to vote or had not already*  
24 *voted" (Sec. VI B.2)).*

25 *The following Interrogatory asks you to fully disclose your facts (if any) relating to*  
26 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos.*  
27 *13-23 above.*  
28  
29  
30

31  
32 **INTERROGATORY NO. 29:** With respect to the 2004 Governor's election,  
33 please:  
34

- 35  
36 (a) state the name of every county in which you claim provisional ballots  
37 were counted without a determination being made that the voter was  
38 entitled to vote or had not already voted;  
39  
40 (b) for each county you list, state the total number of provisional ballots you  
41 claim were counted without a determination being made that the voter  
42 was entitled to vote or had not already voted;  
43  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 29

[15934-0006-000900/SL050700.056]

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1 (c) state whether you claim any of the gubernatorial candidates or their  
2 campaigns were in any way responsible for the counting of provisional  
3 ballots without determining that the voter was entitled to vote or had not  
4 already voted - and if you claim any of them were, state for each  
5 candidate or campaign exactly what you claim that responsibility was;  
6

7 (d) identify every person with any knowledge concerning your answer to this  
8 Interrogatory, along with a brief description of the subject matter of that  
9 person's knowledge; and  
10

11 (e) identify every document that supports, is inconsistent with, or otherwise  
12 relates to your answer to this Interrogatory.  
13  
14

15 **ANSWER:**  
16

17 (a) & (b) Adams (108), Benton (37), Chelan (unknown), Cowlitz (13), Island (27),  
18 Jefferson (6), King (unknown), Pierce (unknown), Spokane (3), Stevens (560), Walla Walla  
19 (342), Whatcom (17) and Whitman (783).  
20  
21

22 (c) The WSDCC does not claim that any of the gubernatorial candidates or their  
23 campaigns were in any way responsible for the counting of provisional ballots without  
24 determining that the voter was entitled to vote or had not already voted.  
25  
26

27 (d) County election officials in the above-listed counties have knowledge related to  
28 how those counties processed provisional ballots.  
29  
30

31 (e) WSDCC will make all documents in its possession, custody or control available  
32 for inspection and/or copying. In addition, attached hereto as Exhibit B is an index listing  
33 all discovery responses from the various counties that WSDCC has received as of yesterday  
34 morning. WSDCC will provide a copy of any such discovery responses at the Secretary's  
35 request. WSDCC also has discovery and public records requests outstanding that might  
36 result in the discovery of additional responsive documents.  
37  
38  
39  
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45 WSDCC's investigation is ongoing and it will supplement its response to the extent  
46 the investigation uncovered additional responsive information or documents.  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 30

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**Multiple Voters**

*The Election Contest Petition states that "invalid votes that were submitted by people who submitted more than one ballot were improperly counted" (Sec. VI B.6).*

*The following Interrogatory asks you to fully disclose your facts (if any) relating to that allegation in addition to the facts you disclosed in your answers to Interrogatory Nos. 13-23 above.*

**INTERROGATORY NO. 30:** With respect to the 2004 Governor's election,

please:

- (a) state the name of every county in which you claim an invalid vote submitted by a person who submitted more than one ballot was improperly counted;
- (b) for each county you list, state the total number of such votes you claim were counted for Governor;
- (c) state whether you claim any of the gubernatorial candidates or their campaigns were in any way responsible for the improper counting of invalid votes submitted by people who submitted more than one ballot - and if you claim any of them were, state for each candidate or campaign exactly what you claim that responsibility was;
- (d) identify every person with any knowledge concerning your answer to this Interrogatory, along with a brief description of the subject matter of that person's knowledge; and
- (e) identify every document that supports, is inconsistent with, or otherwise relates to your answer to this Interrogatory.

**ANSWER:**

WSDCC does not at this time claim that an invalid vote submitted by a person who submitted more than one ballot was improperly counted. WSDCC's investigation is ongoing and it will supplement its answer to the extent the investigation uncovers responsive information.

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 31

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**Overvote & Undervote Procedures**

*The Election Contest Petition states that "Respondents failed to implement uniform procedures for the canvassing of overvotes and undervotes and some of them changed their procedures in the middle of the election and recount" (4'h para., Sec. IV).*

*The following Interrogatory asks you to fully disclose your facts (if any) relating to this allegation in addition to the facts you disclosed in your answers to Interrogatory Nos. 13-23 above.*

**INTERROGATORY NO. 31:** With respect to the 2004 Governor's election,

please:

- (a) state the name of every county for which you claim there was a lack of uniform procedures for the canvassing of overvotes and undervotes on ballots;
- (b) state the name of every county you claim changed its procedures for the canvassing of overvotes and undervotes on ballots during the election and recount;
- (c) for each county you list, state the total number of ballots you claim were not properly counted due to that county's failure to implement uniform or consistent procedures for the canvassing of overvotes and undervotes;
- (d) state whether you claim any of the gubernatorial candidates or their campaigns were in any way responsible for the failure to implement uniform or consistent procedures for the canvassing of overvotes and undervotes in the 2004 Governor's election - and if you claim any of them were, state for each candidate or campaign exactly what you claim that responsibility was;
- (e) identify every person with any knowledge concerning your answer to this Interrogatory, along with a brief description of the subject matter of that person's knowledge; and
- (f) identify every document that supports, is inconsistent with, or otherwise

relates to your answer to this Interrogatory.

**ANSWER:**

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 32

[15934-0006-000000/SL050700.056]

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1 Subject to the objections that follow, WSDCC does not at this time claim that there  
2 was a lack of uniform procedures for the canvassing of overvotes and undervotes in any  
3 county. WSDCC's investigation is ongoing and it will supplement its answer to the extent  
4 the investigation uncovers responsive information.  
5  
6  
7

8 To the extent this request relates to Petitioners' equal protection claims, WSDCC  
9 objects to this request as beyond the scope of permissible discovery and not reasonably  
10 calculated to lead to the discovery of admissible evidence. The Court has dismissed such  
11 claims.  
12  
13  
14  
15  
16  
17

18 **Obscuring Original Marks On Ballots**

19 *The Election Contest Petition states that "respondents violated Washington law by*  
20 *marking on the ballots in such a manner as to obscure the original marks by the voter,*  
21 *making it impossible to review what the voter 's intent was" (4<sup>h</sup> para., Sec. IV), and that the*  
22 *respondents' wrongful acts include "violating the provisions of Washington election law*  
23 *regarding the duplication and enhancement of ballots by marking on ballots in ways that*  
24 *permanently obscured the original marks by the voters making it impossible to now discern*  
25 *voters' intent" (Sec. VLA.11).*  
26

27 *The following Interrogatory asks you to fully disclose your facts (if any) relating to*  
28 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos.*  
29 *13-23 above.*  
30  
31  
32

33 **INTERROGATORY NO. 32:** With respect to the 2004 Governor's election,  
34 please:  
35  
36

- 37 (a) state the name of every county in which you claim ballots were marked in  
38 such a manner as to obscure the original marks by the voter;  
39  
40 (b) for each county you list, state the total number of ballots you claim were  
41 marked in such a manner as to obscure the original marks by the voter  
42 with respect to the Governor's race;  
43  
44  
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46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 33

[15934-0006-000000/SL050700.056]

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- 1 (c) state whether you claim any of the gubernatorial candidates or their  
2 campaigns were in any way responsible for the marking of ballots in such  
3 a manner as to obscure the original marks by the voter - and if you claim  
4 any of them were, state for each candidate or campaign exactly what you  
5 claim that responsibility was;  
6  
7 (d) identify every person with any knowledge concerning your answer to this  
8 Interrogatory, along with a brief description of the subject matter of that  
9 person's knowledge; and  
10  
11 (e) identify every document that supports, is inconsistent with, or otherwise  
12 relates to your answer to this Interrogatory.  
13  
14

15 **ANSWER:**

16  
17 WSDCC does not at this time claim that ballots were marked in such a manner as to  
18 obscure the original marks by the voter in any county. WSDCC's investigation is ongoing  
19 and it will supplement its answer to the extent the investigation uncovers responsive  
20 information.  
21  
22  
23  
24  
25

26 **Improperly Secured Ballots**

27 *The Election Contest Petition states that "Respondents failed to secure properly*  
28 *certain absentee, provisional, and other ballots" and that "the improperly secured ballots*  
29 *were not properly counted" (3rd para., Sec. IV).*

30 *The, following Interrogatory asks you to fully disclose your facts (if any) relating to*  
31 *those allegations in addition to the facts you disclosed in your answers to Interrogatory Nos.*  
32 *13-23 above.*  
33  
34  
35  
36

37 **INTERROGATORY NO. 33:** With respect to the 2004 Governor's election,  
38  
39 please:

- 40  
41 (a) state the name of every county in which you claim ballots were  
42 improperly secured and not properly counted;  
43  
44 (b) for each county you list, state the total number of ballots you claim were  
45 improperly secured and not properly counted for Governor;  
46  
47

RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 34

[15934-0006-000000/SL050700.056]

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- 1 (c) state whether you claim any of the gubernatorial candidates or their  
2 campaigns were in any way responsible for the improper security of  
3 ballots or those ballots being improperly counted - and if you claim any  
4 of them were, state for each candidate or campaign exactly what you  
5 claim that responsibility was;  
6  
7 (d) identify every person with any knowledge concerning your answer to this  
8 Interrogatory, along with a brief description of the subject matter of that  
9 person's knowledge; and  
10  
11 (e) identify every document that supports, is inconsistent with, or otherwise  
12 relates to your answer to this Interrogatory.  
13  
14

15 **ANSWER:**

16 WSDCC does not at this time claim that ballots were improperly secured by any  
17 county. WSDCC's investigation is ongoing and it will supplement its answer to the extent  
18 the investigation uncovers responsive information.  
19  
20  
21  
22  
23

24 **Your Experts**

25 **INTERROGATORY NO. 34:** Please identify all expert witnesses you intend to  
26 call at time of trial or to submit any testimony or evidence you use in this case, and  
27 separately state as to each such expert witness:  
28  
29  
30

- 31 (a) the subject matter(s) of that witness's expected testimony and evidence;  
32  
33 (b) the substance of the facts and opinions to which that witness is expected  
34 to submit any testimony or evidence;  
35  
36 (c) a summary of the grounds and basis for each opinion to which that  
37 witness is expected to submit any testimony or evidence; and  
38  
39 (d) the identity of all documents reviewed or relied upon by that witness in  
40 forming the basis for the opinions and facts about which that witness is  
41 expected to submit any testimony or evidence.  
42  
43  
44

45 **ANSWER:**

46  
47  
RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 35

[15934-0006-000000/SL050700.056]

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1 WSDCC has not at this time identified any expert witness that it intends to call at the  
2 time of trial in this case. The WSDCC will comply with its obligations under the Civil  
3 Rules and any scheduling orders entered by the Court in this action.  
4  
5  
6  
7

8 **REQUEST FOR PRODUCTION NO. 1:** Please produce the documents you were  
9 asked to identify in the preceding Interrogatory.  
10

11 **RESPONSE:**

12 See answer to Interrogatory No. 34.  
13  
14

15 **Other Persons With Knowledge**

16 **INTERROGATORY NO. 35:** To the extent not done in your answers to the other  
17 Interrogatories in this set of discovery requests, please identify all persons with knowledge  
18 of any of the following:  
19

- 20 (a) your responses and answers to these discovery requests;  
21  
22 (b) any of the documents requested in these discovery requests; or  
23  
24 (c) matters alleged in the Election Contest Petition or your pleadings in this  
25 case.  
26

27 For each person identified, please state the subject matters about which that person has  
28 knowledge.  
29

30 **ANSWER:**

31 The parties to this action, their counsel and counsel's assistants, consultants and staff,  
32 county election officials and state election officials including the Secretary have knowledge  
33 relating to the matters alleged in the Contest Petition and other pleadings in this case.  
34  
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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 36

[15934-0006-000000/SL050700.056]

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Documents

**REQUEST FOR PRODUCTION NO. 2:** To the extent not already done in response to the above Request For Production No. 1, please produce all documents you were asked to identify in the Interrogatories in this set of discovery requests.

**RESPONSE:**

Notwithstanding WSDCC objections, it will make available for inspection and copying all responsive documents at a mutually convenient time and location.

**INTERROGATORY NO. 36:** If any document requested in these discovery requests was, but no longer is, in existence, in your possession, or subject to your custody or control, please identify that document, explain the circumstances and date of its disposition, and identify all persons with any knowledge about or involvement in that disposition.

**ANSWER:**

WSDCC is not currently aware of any such documents.

**INTERROGATORY NO. 37:** If you contend that any document responsive to any Request For Production or Interrogatory is privileged, in whole or in part, or otherwise object to its production, then with respect to each such document please:

- (a) state fully the reasons for all objections and privileges you assert;
- (b) identify the persons having knowledge of the factual basis (if any) upon which that privilege or other objection is asserted; and
- (c) identify that document and all persons who have ever seen it, along with all additional information you are willing to disclose with respect to that document in order for the respondent Secretary of State to determine whether or not to file a motion to compel.

1                   **ANSWER:**

2                   WSDCC has reached an agreement with Petitioners related to the scope and extent of  
3  
4 required privilege logs. WSDCC respectfully requests that the Secretary enter into a similar  
5  
6 agreement.  
7  
8

9  
10                                   **Persons Responding To These Discovery Requests**

11                   **INTERROGATORY NO. 38:** Please identify each person responsible for  
12  
13 supplying any part of your answers or responses to this set of discovery requests, and state  
14  
15 the parts for which each such person is responsible.  
16  
17

18                   **ANSWER:**

19                   Counsel for WSDCC and their assistants provided these answers.  
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1                   **INTERROGATORY NO. 39:** Did each of the persons you were asked to identify  
2  
3 in the preceding Interrogatory read the Introduction, Five General Reminders, and Seven  
4  
5 Definitions at the beginning of these discovery requests? If your answer is "no", please  
6  
7 identify the persons who did not read the Introduction, General Reminders, and Definitions,  
8  
9 and state all of that person's reasons for failing to read them.

10                   **ANSWER:**

11                   Yes.

12  
13  
14  
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16                   Objections and Responses submitted this 8<sup>th</sup> day of April, 2005.

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18  
19  
20                   **PERKINS COIE LLP**

21                   By   
22                   Kevin J. Hamilton, WSBA No. 15648  
23                   William C. Rava, WSBA No. 29948  
24                   Beth Colgan, WSBA No. 30520  
25                   Attorneys for Intervenor Respondent  
26                   Washington State Democratic Central  
27                   Committee

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RESPONDENT SECRETARY OF STATE'S  
DISCOVERY REQUESTS TO DEMOCRATS  
AND DEMOCRATS' RESPONSES  
THERE TO - 39

[15934-0006/SL050700.056]

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

***EXHIBIT A***

## Exhibit A

County	Last Name	First Name	MI	Indication of Vote?	Indication of Vote Cite	Source	County Cancelled For Felony?
King	Campbell	Darren	J.	R	King County Journal (3/9/05)	R List	
King	Cotterell	Bryan	Martin	R	King 5	R List	Y
King	Heinen	Rosemary		R	Seattle Times (1/23/05)	R List	
King	Lacourse	Brian	Andrew	D	King 5	R List	Y
King	Nause	William	L.	R	Seattle Times (1/23/05)	R List	
King	Walker	Paul	S.	R	Seattle Times (2/9/05)	R List	Y
Pierce	Shay	Jesse		D	Seattle Times (1/23/05)	R List	Y
Spokane	Rupert	Shane	S. C.	R	Spokesman 3/5/05	R List	
Spokane	Wavra	Lenhart	D.	D	Spokesman 3/5/05	R List	
Spokane	Zuiderweg	Garnt		D	Spokesman 3/5/05	R List	
KING	HEIDMILLER	JOHN	WILLIAM	Registered Republican in CA	Produced by R's -- RC009764	R List	
King	Holmgren	Charlette	Mary	R	Rossi Files; List; Seattle P-I 1/7/05; Seattle Times 1/7/05	R List	
King	Divorne	Shahn		R	Seattle Times (1/23/05)	Seattle Times (1/23/05)	
Pierce	Hendricks	Robin		D	TNT (2/19/05)	TNT (2/19/05)	
Pierce	Green	Jeff		R	TNT (2/19/05)	TNT (2/19/05)	
Kitsap	Rosen	Cameron		R	Kitsap Sun (1/27/05)	Kitsap Sun (1/27/05)	

***EXHIBIT B***

## Election Discovery Index

County	Discovery	Response to WSDCC Request Due	Date Signed
<b>Adams</b>	Adams County's Response to Petitioners' First Interrogatories and Requests for Production.		01/20/05
<b>Adams</b>	Adams County and Adams County Auditor's Response to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS
<b>Asotin</b>		02/26/05	
<b>Benton</b>		02/26/05	
<b>Chelan</b>	Chelan County's Objections to Petitioners' First Interrogatories and Requests for Production		01/18/05
<b>Chelan</b>	Chelan County's Response to Petitioners' First Interrogatories and Requests for Production		02/03/05
<b>Chelan</b>	Chelan County and Chelan County Auditor's Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	03/14/05
<b>Clallam</b>	Clallam County's Response to Petitioners' First Interrogatories and Requests for Production		01/21/05
<b>Clallam</b>	Clallam County's Responses to WSDCC's First Interrogatories and Request for Production	02/26/05	NS
<b>Clark</b>	Clark County's Response to Petitioners' First Interrogatories and Requests for Production		02/17/05
<b>Clark</b>		02/26/05	
<b>Columbia</b>		02/26/05	
<b>Cowlitz</b>	Cowlitz County's Response to Petitioners' First Interrogatories and Requests for Production		NS
<b>Cowlitz</b>	Cowlitz County's Response to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS

## Election Discovery Index

County	Discovery	Response to WSDCC Request Due	Date Signed
<b>Douglas</b>		02/26/05	
<b>Ferry</b>	Ferry County's to Petitioners' First Set of Interrogatories and Requests for Production		01/31/05
<b>Ferry</b>	Ferry County's to WSDCC's First Set of Interrogatories and Requests for Production	02/26/05	02/03/05
<b>Franklin</b>	Franklin County's Response to Petitioners' First Interrogatories and Requests for Production		01/20/05
<b>Franklin</b>	Franklin County's Answers and Responses to WSDCC First Interrogatories and Requests for Production to Respondent Franklin County and Franklin County Auditor	02/26/05	02/23/05
<b>Garfield</b>	Garfield County and Its Auditor's Responses to Petitioner's First Interrogatories and Request for Production [revised per stipulation]		01/00/05
<b>Garfield</b>	Garfield County and Garfield County Auditor's Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS
<b>Grant</b>	Grant County and Grant County Auditor's Responses to WSDCC's Interrogatories and Requests for Production	02/26/05	03/17/05
<b>Grays Harbor</b>	Grays Harbor County's Responses to Petitioners' First Interrogatories and Requests for Production		02/03/05

## Election Discovery Index

County	Discovery	Response to WSDCC Request Due	Date Signed
<b>Grays Harbor</b>	Grays Harbor County's Responses to the Democratic Petitioner's Request for Information Initially Presented as Interrogatories and Requests	02/26/05	NS
<b>Island</b>	Island County's Responses to Petioners' First Interrogatories and Requests for Production [revised per stipulation]		02/01/05
<b>Island</b>	Island County's and Island County Auditor's Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	03/21/05, 03/22/05
<b>Jefferson</b>	Jefferson County's Responses to Petitioners' First Interrogatories and Requests for Production		02/02/05
<b>Jefferson</b>	Jefferson County and Jefferson County Auditor's Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS
<b>King</b>		02/26/05	
<b>Kitsap</b>		02/26/05	
<b>Kittitas</b>		02/26/05	
<b>Klickitat</b>	Klickitat County Auditor's Responses to Petitioners' First Interrogatories and Requests for Production [revised per stipulation]		02/14/05
<b>Klickitat</b>	Klickitat County Auditor's Response to WSDCC First Interrogatories and Requests for Production	02/26/05	02/23/05

## Election Discovery Index

County	Discovery	Response to WSDCC Request Due	Date Signed
<b>Klickitat</b>	Respondent Klickitat County's Objections, Answers, and Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	03/02/05
<b>Lewis</b>	Lewis County's Responses to Petitioners' First Interrogatories and Requests for Production		01/18/05
<b>Lewis</b>	Lewis County's Responses to WSDCC First Interrogatories and Requests for Production	02/26/05	02/10/05
<b>Lincoln</b>	Lincoln County Response to Interrogatories and Requests for Production	03/02/05	03/31/05
<b>Mason</b>	Mason County's Responses to Petitioner's First Interrogatories and Requests for Production		01/27/05
<b>Mason</b>	Mason County and Mason County Auditor's Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS
<b>Okanogan</b>	Okanogan County's Responses to Petitioners' First Interrogatories and Requests for Production		01/20/05
<b>Okanogan</b>		02/26/05	
<b>Pacific</b>		02/26/05	
<b>Pend Oreille</b>	Pend Oreille County's Response to Petitioners' First Interrogatories and Requests for Production		NS
<b>Pend Oreille</b>	Pend Oreille County's Response to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS
<b>Pierce</b>		02/26/05	

## Election Discovery Index

County	Discovery	Response to WSDCC Request Due	Date Signed
<b>San Juan</b>	San Juan County's Responses to Petitioners' First Interrogatories and Requests for Production		02/01/05
<b>San Juan</b>		02/26/05	
<b>Skagit</b>	Skagit County's Responses 1 - 10 to WSDCC's Interrogatories and Requests for Production	02/26/05	NS
<b>Skamania</b>		02/26/05	
<b>Snohomish</b>	Snohomish County and Snohomish County Auditor's Objections, Answers, and Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	03/25/05
<b>Spokane</b>	Spokane County's Responses to Petitioners' First Interrogatories and Requests for Production		NS
<b>Spokane</b>		02/26/05	
<b>Stevens</b>	Stevens County's Responses to Petitioners' First Interrogatories and Requests for Production; Exhibit B to Stipulation Revised Discovery Requests		NS
<b>Stevens</b>	Stevens County's Responses to WSDCC's First Interrogatories and Requests for Production	02/26/05	NS
<b>Thurston</b>		02/26/05	
<b>Wahkiakum</b>	Wahkiakum County's Responses to Petitioners' First Interrogatories and Requests for Production		02/07/05
<b>Wahkiakum</b>		02/26/05	

## Election Discovery Index

County	Discovery	Response to WSDCC Request Due	Date Signed
Walla Walla	Walla Walla County's Responses to Petitioners' First Interrogatories and Requests for Production		NS
Walla Walla	Walla Walla County Auditor's Responses to WSDCC's Interrogatories and Requests for Production	02/26/05	NS
Whatcom	Whatcom County's Answer to WSDCC's Interrogatories	02/26/05	NS
Whitman	Whitman County and its Auditor's Answers to Petitioners' First Interrogatories and Requests for Production		NS
Whitman		02/26/05	
Yakima		02/26/05	