



1 GREETINGS:

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

3 PLACE: Offices of Davis Wright Tremaine LLP  
4 1501 4<sup>th</sup> Avenue, Suite 2600  
5 Seattle, WA 98101

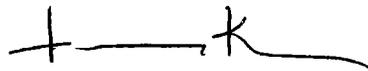
6 DATE: Wednesday, April 20, 2005

7 TIME: 9:00 a.m. PST

8 To produce and permit inspection and copying of the documents or objects in  
9 accordance with attached Attachment A at the place, date, and time specified above, at the  
10 request of the Petitioners in the above-entitled cause. If documents or objects are received  
11 at the above specified location by the specified date and time, or in advance at a mutually  
12 agreed upon time and place, your attendance is waived.

13 DATED this 13<sup>th</sup> day of April, 2005.

14 Davis Wright Tremaine LLP  
15 Attorneys for Petitioners

16 By   
17 Harry J.F. Korrell, WSBA #23173  
18 Robert J. Maguire, WSBA #29909  
19 1501 Fourth Avenue, Suite 2600  
20 Seattle, Washington 98101-1688  
21 Telephone: (206) 622-3150

## ATTACHMENT "A"

### I. DEFINITIONS

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

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

## II. INSTRUCTIONS

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

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

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

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

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

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

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

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

### **III. DOCUMENTS REQUESTED**

Produce copies of:

1. All voter registration records of the individuals whose provisional ballots you identified, in response to the Washington State Democratic Central Committee's Subpoena Duces Tecum dated April 8, 2005, as having been counted in Cowlitz County without first (a) being verified, (b) a determination being made of whether the voter had already voted, or (c) having their signatures checked or verified.