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SUPREME COURT OF THE STATE OF WASHINGTON

DAVID T. MCDONALD, RONALD TARO
SUYEMATSU ET AL.,

Petitioners,

v.

SECRETARY OF STATE SAM REED, ET
AL,

Respondents.

NO. 76321-6

DECLARATION OF JAMIE RENE
MUIR IN SUPPORT OF PETITION FOR
WRIT OF MANDAMUS

Jamie Rene Muir declares as follows:

1. I am over the age of 18, am competent to be a witness herein, and make this declaration based on my own personal knowledge.
2. I have been registered to vote in Lewis County since 1993. I have generally voted while a resident of Lewis County. I re-registered to vote in Lewis County in May 2003, when I moved and updated my driver's license at the Department of Licensing.

DECLARATION OF JAMIE RENE MUIR IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 1

[/MuirDecl][1][1]

Perkins Coie LLP
1201 Third Avenue, Suite 4800
Seattle, Washington 98101-3099
Phone: (206) 359-8000
F 206 359 0000

1 3. Previous to the November 2, 2004 election I had always voted in person at
2
3 my designated polling precinct. However, in late October of this year I read a notice in the
4
5 local newspaper indicating that all voters in my precinct were now required to vote by mail;
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7 the option to vote in person was no longer available. Further, the newspaper notice
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9 indicated that all registered voters in Lewis County should have already received their vote
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11 by mail ballots. I had not received a ballot in the mail, so after reading the notice I
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13 telephoned the Lewis County Auditor's office.

14 4. After speaking with an election worker on the phone, she informed me that a
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16 ballot had already been sent to the address where I was registered. However, during the
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18 course of the discussion it became clear there was clerical error in the numerical portion of
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20 my street number. Rather than having me listed at "1100" I was listed as residing at "1110."
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22 The election worker then informed me it was too late to send out another ballot. Thus, if I
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24 wanted to vote in the November 2, 2004 election, I should come to the Auditor's office and
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26 vote in person. At this time I also gave the worker my correct street address in order to
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28 update their records.
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30 5. On or about November 2, 2004 I went to the Auditor's office to vote in
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32 person. In order to obtain a ballot, I was required to show picture identification. I then cast
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34 a ballot, and filled out and sealed the ballot per the election workers instructions. During the
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36 course of my discussion with the election worker, I learned the address the office had on file
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38 was still incorrect. Thus, I again gave the election workers my correct address.
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40 6. On or about December 3 or 4, 2004 I received a letter from the Lewis County
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42 Auditor's office. The letter indicated that the signature on the ballot I had cast on November
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44 2, 2004, did not match the signature on my voter registration form, thus my ballot had not
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1 yet been counted. The letter stated that in order for my vote to count I needed to sign and
2 mail the letter back to the Auditor's office.
3

4
5 7. I received the letter in early December; however, the letter was dated in mid-
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7 November. Though I had attempted to change my address twice, the Lewis County
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9 Auditor's office had sent the letter to the incorrect address. The Postal Service had realized
10 the Auditor's error and then forwarded the letter to my correct address.
11

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13 8. After receiving this letter, I then called the Auditor's office to investigate
14 why the Auditor had rejected my ballot for signature issues. I eventually spoke to the
15 Auditor, Gary Zandall. I inquired as to whether there was any way to correct my signature,
16 given that the office had sent the letter to the wrong address. Mr. Zandall stated "you people
17 need to get over it," and told me "to let it go." He informed me that my vote was not
18 counted in the original count, nor the recount, thus Lewis County would not count it in the
19 manual count. While speaking with Mr. Zandall, it became clear that my address was still
20 incorrectly entered in the Lewis County Auditor's computer system. I then gave the
21 Auditor's office my correct address for the third time.
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31 9. My signature has changed from when I originally registered to vote in 1993.
32 Since originally registering to vote I have earned three degrees, and I now work in a clinical
33 setting. Because of the work I do, I have specifically altered my signature so that it cannot
34 be forged. However, the signature on my ballot does match the signature I submitted when I
35 re-registered to vote in May of 2003 at the Department of Licensing.
36
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41 10. I want my vote to count in the November 2, 2004 election. Had I timely
42 received notice that there was a problem with my signature I would have made every effort
43 to remedy it within the deadline. I feel that I should not be disenfranchised due to an error
44 on the part of the Auditor's office that I attempted to correct multiple times.
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DECLARATION OF JAMIE RENE MUIR IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 3

[/MuirDecl[1][1]]

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1 11. I am the person who signed the oath on the ballot envelope.

2
3 I declare subject to penalty of perjury under the laws of the State of Washington that
4
5 the foregoing is true and correct.

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7 SIGNED and DATED at Centralia, Washington, this 12th day of December,
8
9 2004 by JAMIE RENE MUIR.

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The signature is a cursive scribble in black ink. Below the signature, the name "Jamie Rene Muir" is printed in a small, sans-serif font, partially obscured by the ink.

DECLARATION OF JAMIE RENE MUIR IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 4

[MuirDecl][1][1]

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