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SUPREME COURT OF THE STATE OF WASHINGTON

DAVID T. MCDONALD, RONALD TARO
SUYEMATSU, et al.

Petitioner-Electors,

v.

SECRETARY OF STATE SAM REED, et
al.,

Respondents.

NO. 76321-6

DECLARATION OF ARTHUR
WARNER IN SUPPORT OF PETITION
FOR WRIT OF MANDAMUS

I, Arthur Warner, declare under penalty of perjury of the laws of the State of
Washington that the following is true and correct:

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 voted regularly and continuously since becoming eligible.

3. I reside and am registered to vote in Whatcom County. However, for

DECLARATION OF ARTHUR WARNER IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 1

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During the telephone conversation in early December, the Skagit County elections worker informed me that my ballot would not be counted in the 2004 election.

7. Additionally, while I am a registered voter in Whatcom County, the County has not received my provisional ballot from Skagit County and my provisional ballot has not been counted by Whatcom County.

8. I do not know why Skagit County failed to forward my ballot to Whatcom County. I followed all poll worker instructions the day of the November 2, 2004 election, and I want my ballot to be counted.

SIGNED and DATED at Newhalem, Washington, this 7th day of December, 2004 by ARTHUR WARNER.



Arthur Warner

DECLARATION OF ARTHUR WARNER IN
SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 3

[Warner SL043410[1].327.DOC]

Exhibit A

ARTHUR WARREN

To: Special Ballot Voter

Date: December 2, 2004

We are in receipt of your special ballot for the recent election. After researching all available records, the Skagit County Canvassing Board made the determination that we were unable to count your ballot for the following reason:

- 1) We have no record of your voter registration in Skagit County. In order to vote in the next election, you must register at least 30 days prior to such election.
- 2) You registered too late for this election. By state law, you must register at least 30 days prior to an election, or 15 days prior only if you appear in person at the Auditor's Office and vote by absentee ballot. Your registration is being processed and you will be mailed your voter registration card.
- 3) Your previous voter registration was cancelled for the following reason:

Please note that if your registration was cancelled due to a felony conviction, your civil rights will need to be restored before you are eligible to re-register to vote.

- 4) Other:

A mail-in voter registration form is enclosed for your convenience. Please complete the form and mail to the following address:

**Skagit County Elections
PO Box 1306
Mount Vernon, WA 98273**

If you have any questions, please contact the Skagit County Elections Department at (360) 336-9305.