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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

DAVID T. MCDONALD and RONALD TARO)
SUYEMATSU; SANFORD SIDELL; BRENT)
CAMPBELL; and HILLARY DENDY, Petitioner-)
Electors, and WASHINGTON STATE)
DEMOCRATIC CENTRAL COMMITTEE)
Petitioners,)
vs.)
SECRETARY OF STATE SAM REED; KING)
COUNTY RECORDS, ELECTIONS AND)
LICENSING SERVICES DIVISION and DEAN)
LOGAN, IT'S DIRECTOR; FRANKLIN COUNTY)
AUDITOR; PEND OREILLE COUNTY AUDITOR;)
and PIERCE COUNTY AUDITOR as)
representatives of WASHINGTON STATE)
COUNTY AUDITORS and COUNTY CANVASSING)
BOARDS,)
Respondents)

AFFIDAVIT OF ZONA LENHART, FRANKLIN
COUNTY AUDITOR

STATE OF WASHINGTON)
) SS.
County of Franklin)

COMES NOW ZONA LENHART, being first duly sworn on oath, deposes and says:

That she is the duly elected Auditor of Franklin County, Washington and makes this affidavit in that
capacity.

1 There is a great deal of discretion at every level of the election process. From the type of ballot
2 tabulating systems chosen by any given county to the methods used in signature comparisons and or
3 verification.

4 Signature Verification. The process that is used in Franklin County starts at the staff level and
5 ends with the canvassing board having final say in regard to dispensation of each ballot that does not
6 compare. The staff identifies, upon return of a ballot, whether or not the ballot compares to the signature
7 on file. If the signature does not compare, a letter is sent to the voter requesting that the voter sign a
8 signature update form with a request to complete and return as soon as possible. If the signature does
9 not compare it is reviewed by other administrative staff. If the determination is made at that level that the
10 signature does not compare, the ballot is placed with other ballots to be reviewed by the canvassing
11 board. No one individual person makes the sole decision whether a ballot is rejected for counting. Those
12 types of decisions are always made by the county canvassing board.

13 Ballot Tabulating. Franklin County is a multi-card punch card system. For this election each
14 voter received 5 total punch cards. If you have a precinct of 100 people and all 100 people returned all 5
15 cards that would mean there would be 500 cards returned. We must select one of the 5 cards to count.
16 In all previous elections we have used the A card as the counter card.

17 For example: Precinct 8 show 217 voters turnout. When you add the votes for the candidates
18 across, the total was 220. There were in fact 217 A cards and 220 C cards, which can be documented by
19 the individual precinct reports. On the surface this gives the impression that there were more votes cast
20 than turnout. This is entirely attributed to the multi card system.

21 The discrepancy in voter totals appeared when the statement of vote ran. (Attachment A). This is
22 a report that gives a precinct by precinct break down. (Attachment B). When we reviewed the total C card
23 turnout number (16521) it did not agree with the statement of vote for votes cast which was 16509, a
24 difference of 12 votes. We then ran a summary report, (Attachment C), which broke out the blank and
25 over votes and found that 12 over votes had not been reported on the statement of vote. The statement
26 of vote includes a legend or key. In the governor's race represented by columns 1 – 5. Column 1
27 identified as blankover failed to include the over votes even though they were tabulated (counted) and

1 appeared in other reports. In speaking with our software vendor, this report has been modified for future
2 elections. After showing this documentation to the canvassing board, the board was confident that all
3 ballots had been tabulated and that no further action was necessary. This was explained to the
4 Democratic Party in detail and to anyone else who was interested.

5 Further, I as duly elected Auditor of Franklin County will comply with any and all Court orders and
6 rule-making authority implemented by the Secretary of State related to this matter.

7
8 _____
9 ZONA LENHART

10 Signed and sworn to before me this 7th day of December, 2004.

11 _____
12 Notary Public in and for
13 the State of Washington,
14 residing at _____
15 My appointment expires:
16 _____

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