

Exhibit “A”

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates, Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
T5750		Pima County Elections					
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
1		MM DD YYYY	MM DD YYYY			MM DD YYYY	MM DD YYYY
* 3 5 3 4 6 9 0 0 2 *		05/16/2006					11/30/2006
Major Description		SPECIAL ELECTIONS				Destruction Eligibility	
Minor Description		EARLY BALLOTS				or ☐ Permanent or ☐ Undefined	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
2		MM DD YYYY	MM DD YYYY			MM DD YYYY	MM DD YYYY
* 3 5 3 4 6 9 0 0 3 *		05/16/2006					11/30/2006
Major Description		SPECIAL ELECTIONS				Destruction Eligibility	
Minor Description		EARLY BALLOTS				or ☐ Permanent or ☐ Undefined	
T5750		Pima County Elections					
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
3		MM DD YYYY	MM DD YYYY			MM DD YYYY	MM DD YYYY
* 3 5 3 4 6 9 0 0 4 *		05/16/2006					11/30/2006
Major Description		SPECIAL ELECTIONS				Destruction Eligibility	
Minor Description		EARLY BALLOTS				or ☐ Permanent or ☐ Undefined	
T5750		Pima County Elections					
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
4		MM DD YYYY	MM DD YYYY			MM DD YYYY	MM DD YYYY
* 3 5 3 4 6 9 0 0 5 *		05/16/2006					11/30/2006
Major Description		SPECIAL ELECTIONS				Destruction Eligibility	
Minor Description		EARLY BALLOTS				or ☐ Permanent or ☐ Undefined	
T5750		Pima County Elections					
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
5		MM DD YYYY	MM DD YYYY			MM DD YYYY	MM DD YYYY
* 3 5 3 4 6 9 0 0 6 *		05/16/2006					11/30/2006
Major Description		SPECIAL ELECTIONS				Destruction Eligibility	
Minor Description		EARLY BALLOTS				or ☐ Permanent or ☐ Undefined	

Pima Treasurer 025

Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

PREPARED BY NAME	DATE	DIVISION ID	DEPARTMENT ID	TELEPHONE NO. AND EXTENSION
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IRON MOUNTAIN[®]

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SEVEN AND SIXTYE

DATE _____

11

RECOMMENDATIONS

TELEPHONE NO. AND EXTENSION

Pima Treasurer 026

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CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
1		Pima County Elections					
		05/16/2006					
		Major Description: SPECIAL BALLOTS					
		Minor Description: EARLY BALLOTS					
		05/16/2006					
		Major Description: SPECIAL BALLOTS					
		Minor Description: EARLY BALLOTS					
		05/16/2006					
2							
		Major Description: SPECIAL BALLOTS					
		Minor Description: EARLY BALLOTS					
3							
		Major Description: SPECIAL BALLOTS					
		Minor Description: EARLY BALLOTS					
4							
		Major Description: SPECIAL BALLOTS					
		Minor Description: EARLY BALLOTS					
5							
		Major Description: SPECIAL BALLOTS					
		Minor Description: EARLY BALLOTS					

Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

PREPARED BY: NAME DATE REVIEWED BY: NAME DATE

Pima Treasurer 027

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CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
1		Major Description SPECIALLY BALLOTS					
2		Minor Description EARLY BALLOTS					
3		Major Description SPECIALLY BALLOTS					
4		Minor Description EARLY BALLOTS					
5		Major Description SPECIALLY BALLOTS					
6		Minor Description EARLY BALLOTS					

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in this gray boxes.

PREPARER'S FULL NAME	DIVISION ID	DATE	DEPARTMENT ID	IRI COMPANY NAME AND EXTENSION	IRI CODE
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Pima Treasurer 028

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

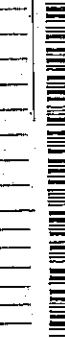
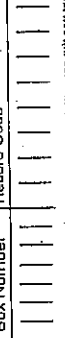
CUSTOMER ID		CUSTOMER NAME		Division ID (up to 12 characters)		Department ID (up to 12 characters)		Hold Code	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
1	* 3 5 3 4 6 9 0 2 2 *	Major Description SPECIAL ELECTIONS				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
2	* 3 5 3 4 6 9 0 2 3 *	Minor Description EARLY BALLOTS				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
3	* 3 5 3 4 6 9 0 2 3 *	Major Description SPECIAL ELECTIONS				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
4	* 3 5 3 4 6 9 0 2 4 *	Minor Description EARLY BALLOTS				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
5	* 3 5 3 4 6 9 0 2 5 *	Major Description SPECIAL ELECTIONS				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
6	* 3 5 3 4 6 9 0 2 6 *	Minor Description EARLY BALLOTS				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

Transmittal Sheet

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Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)			
1		* 3 5 3 4 6 9 0 2 7 *	Customer Box Number Record Code*	Date Range/ FROM Date Range/ TO	Alpha/Numeric Range - FROM Alpha/Numeric Range - TO	Create Date MM DD YYYY	Event Date MM DD YYYY	Destruction Eligibility ☐ Permanent ☐ Undefined	Hold Code
Major Description Special AL ELECTRON									
Minor Description EARLY BALUOTS									
2		* 3 5 3 4 6 9 0 2 8 *	Customer Box Number Record Code*	Date Range/ FROM Date Range/ TO	Alpha/Numeric Range - FROM Alpha/Numeric Range - TO	Create Date MM DD YYYY	Event Date MM DD YYYY	Destruction Eligibility ☐ Permanent ☐ Undefined	Hold Code
Major Description SPECIAL ELECTRON									
Minor Description EARLY AND DUPLICATED BALUOTS									
3		* 3 5 3 4 6 9 0 2 9 *	Customer Box Number Record Code*	Date Range/ FROM Date Range/ TO	Alpha/Numeric Range - FROM Alpha/Numeric Range - TO	Create Date MM DD YYYY	Event Date MM DD YYYY	Destruction Eligibility ☐ Permanent ☐ Undefined	Hold Code
Major Description SPECIAL ELECTRON									
Minor Description EARLY AND DUPLICATED BALUOTS									
4		* 3 5 3 4 6 9 0 3 0 *	Customer Box Number Record Code*	Date Range/ FROM Date Range/ TO	Alpha/Numeric Range - FROM Alpha/Numeric Range - TO	Create Date MM DD YYYY	Event Date MM DD YYYY	Destruction Eligibility ☐ Permanent ☐ Undefined	Hold Code
Major Description SPECIAL ELECTRON									
Minor Description EARLY AND DUPLICATED BALUOTS									
5		* 3 5 3 4 6 9 0 3 1 *	Customer Box Number Record Code*	Date Range/ FROM Date Range/ TO	Alpha/Numeric Range - FROM Alpha/Numeric Range - TO	Create Date MM DD YYYY	Event Date MM DD YYYY	Destruction Eligibility ☐ Permanent ☐ Undefined	Hold Code
Major Description SPECIAL ELECTRON									
Minor Description EARLY AND DUPLICATED BALUOTS									

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

DECODED'S CRI NAME DATE INSTRUCTIONS

Prima Treasurer 030

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
1							
Major Description							
Minor Description							
VIA 0104 0816 0817 0818 0819 0820 0821 0822							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
1							
2							
Major Description							
Minor Description							
VIA 0104 0816 0817 0818 0819 0820 0821 0822							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
1							
3							
Major Description							
Minor Description							
VIA 0104 0816 0817 0818 0819 0820 0821 0822							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
1							
4							
Major Description							
Minor Description							
VIA 0104 0816 0817 0818 0819 0820 0821 0822							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
1							
5							
Major Description							
Minor Description							
VIA 0104 0816 0817 0818 0819 0820 0821 0822							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
1							

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PREPARED BY FULL NAME	DATE	DIVISION ID	DEPARTMENT ID	TELEPHONE NO. AND EXTENSION	FLOOR
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Prima Treasurer 031

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page of

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)		Hold Code	
1		I		VIA 312 333 353 363 374 404 414 424		Event Date MM DD YYYY //		Destruction Eligibility or Permanent or Undefined	
Customer Box Number * 3 5 3 4 6 9 0 3 7 *		Record Code*		Date Range/ FROM Date Range/ TO MM DD YYYY MM DD YYYY		Alpha/Numeric Range - FROM Alpha/Numeric Range - TO		Create Date MM DD YYYY	
I		Major Description		Minor Description		Reference #1		Event Date MM DD YYYY //	
2		I		VIA 312 333 353 363 374 404 414 424		Event Date MM DD YYYY //		Destruction Eligibility or Permanent or Undefined	
Customer Box Number * 3 5 3 4 6 9 0 3 7 *		Record Code*		Date Range/ FROM Date Range/ TO MM DD YYYY MM DD YYYY		Alpha/Numeric Range - FROM Alpha/Numeric Range - TO		Create Date MM DD YYYY	
I		Major Description		Minor Description		Reference #1		Event Date MM DD YYYY //	
3		I		VIA 312 333 353 363 374 404 414 424		Event Date MM DD YYYY //		Destruction Eligibility or Permanent or Undefined	
Customer Box Number * 3 5 3 4 6 9 0 3 7 *		Record Code*		Date Range/ FROM Date Range/ TO MM DD YYYY MM DD YYYY		Alpha/Numeric Range - FROM Alpha/Numeric Range - TO		Create Date MM DD YYYY	
I		Major Description		Minor Description		Reference #1		Event Date MM DD YYYY //	
4		I		VIA 312 333 353 363 374 404 414 424		Event Date MM DD YYYY //		Destruction Eligibility or Permanent or Undefined	
Customer Box Number * 3 5 3 4 6 9 0 3 7 *		Record Code*		Date Range/ FROM Date Range/ TO MM DD YYYY MM DD YYYY		Alpha/Numeric Range - FROM Alpha/Numeric Range - TO		Create Date MM DD YYYY	
I		Major Description		Minor Description		Reference #1		Event Date MM DD YYYY //	
5		I		VIA 312 333 353 363 374 404 414 424		Event Date MM DD YYYY //		Destruction Eligibility or Permanent or Undefined	
Customer Box Number * 3 5 3 4 6 9 0 3 7 *		Record Code*		Date Range/ FROM Date Range/ TO MM DD YYYY MM DD YYYY		Alpha/Numeric Range - FROM Alpha/Numeric Range - TO		Create Date MM DD YYYY	
I		Major Description		Minor Description		Reference #1		Event Date MM DD YYYY //	

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

Customer Name	Customer Box Number	Record Code	Division ID	Department ID	Telephone No. and Extension	Floor
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IRON MOUNTAIN

Prima Treasurer 032

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page _____ of _____

Department ID* (up to 12 characters)

Division ID* (up to 12 characters)

CUSTOMER NAME

CUSTOMER ID

Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
1									
Major Description									
Minor Description									
VIA 1150115211531154115511561157									
Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
Major Description									
Minor Description									
VIA 1142114611471148114911511									
Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
Major Description									
Minor Description									
VIA 113311401141143114411451									
Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
Major Description									
Minor Description									
VIA 11291130113111321133113411351136									
Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
Major Description									
Minor Description									
VIA 1115112011211122112311241									
Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY		
Major Description									
Minor Description									
VIA 1115112011211122112311241									

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

ISSUANCE DATE

DATE

DIVISION IN

DEPARTMENT IN

PERFORMING UNIT EXTENSION

Pima Treasurer 033

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CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
1							
Major Description							
Minor Description							
Customer Box Number * 3 5 3 4 6 9 0 4 7 *							
Record Code*							
Date Range/ FROM Date Range/ TO							
MM DD YYYY MM DD YYYY							
Alpha/Numeric Range - FROM Alpha/Numeric Range - TO							
MM DD YYYY MM DD YYYY							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
Reference #1							
2							
Major Description							
Minor Description							
Customer Box Number * 3 5 3 4 6 9 0 4 8 *							
Record Code*							
Date Range/ FROM Date Range/ TO							
MM DD YYYY MM DD YYYY							
Alpha/Numeric Range - FROM Alpha/Numeric Range - TO							
MM DD YYYY MM DD YYYY							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
Reference #1							
3							
Major Description							
Minor Description							
Customer Box Number * 3 5 3 4 6 9 0 4 9 *							
Record Code*							
Date Range/ FROM Date Range/ TO							
MM DD YYYY MM DD YYYY							
Alpha/Numeric Range - FROM Alpha/Numeric Range - TO							
MM DD YYYY MM DD YYYY							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
Reference #1							
4							
Major Description							
Minor Description							
Customer Box Number * 3 5 3 4 6 9 0 5 0 *							
Record Code*							
Date Range/ FROM Date Range/ TO							
MM DD YYYY MM DD YYYY							
Alpha/Numeric Range - FROM Alpha/Numeric Range - TO							
MM DD YYYY MM DD YYYY							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
Reference #1							
5							
Major Description							
Minor Description							
Customer Box Number * 3 5 3 4 6 9 0 5 1 *							
Record Code*							
Date Range/ FROM Date Range/ TO							
MM DD YYYY MM DD YYYY							
Alpha/Numeric Range - FROM Alpha/Numeric Range - TO							
MM DD YYYY MM DD YYYY							
Create Date							
MM DD YYYY							
Event Date							
MM DD YYYY							
Destruction Eligibility							
or Permanent or Undefined							
Hold Code							
Reference #1							

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PREPARED BY NAME

DATE

DIVISION ID

DEPARTMENT ID

THE COMPANY NAME AND EXTENSION

1-800-800-0000

Pima Treasurer 034

Transmittal Sheet

DATE	DIVISION ID	DEPARTMENT IN	PER CENTAGE IN AND EXTENSION	REMARK

TEST EVALUATION AND EXTENSION

Pima Treasurer 035

Transmittal Sheet

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Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)		Hold Code	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
1		Major Description							
		Minor Description							
		Date Range/ FROM							
		Date Range/ TO							
		Alpha/Numeric Range - FROM							
		Alpha/Numeric Range - TO							
		Create Date							
		Event Date							
		Destruction Eligibility							
		Hold Code							
2		Major Description							
		Minor Description							
		Date Range/ FROM							
		Date Range/ TO							
		Alpha/Numeric Range - FROM							
		Alpha/Numeric Range - TO							
		Create Date							
		Event Date							
		Destruction Eligibility							
		Hold Code							
3		Major Description							
		Minor Description							
		Date Range/ FROM							
		Date Range/ TO							
		Alpha/Numeric Range - FROM							
		Alpha/Numeric Range - TO							
		Create Date							
		Event Date							
		Destruction Eligibility							
		Hold Code							
4		Major Description							
		Minor Description							
		Date Range/ FROM							
		Date Range/ TO							
		Alpha/Numeric Range - FROM							
		Alpha/Numeric Range - TO							
		Create Date							
		Event Date							
		Destruction Eligibility							
		Hold Code							
5		Major Description							
		Minor Description							
		Date Range/ FROM							
		Date Range/ TO							
		Alpha/Numeric Range - FROM							
		Alpha/Numeric Range - TO							
		Create Date							
		Event Date							
		Destruction Eligibility							
		Hold Code							

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY

DISCHARGE BY NAME

DATE

DIVISION IN

DEPARTMENT IN

HYPERMAGNETIC AND EXTENSION

IRON

Pima Treasurer 036

Pima Treasurer 037

Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code are permitted.

PREPARER'S FULL NAME

DATE _____

DIVISION ID

DEPARTMENT ID

TELEPHONE NO. AND EXTENSION

FLOOR

 IRON MOUNTAIN

Page _____ of _____

Pima Treasurer 039

NOTE: The number of characters in the character description (N) are 7-10 for 10-character Description Record Code should place information in the gray boxes.

DATE	INQUIRY IN	REQUISITION IN	PER COMPANY AND EXTENSION	REMARKS
<i>Note: Only customers specifically set up to use a Division may fill in this column.</i>				

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
1		Record Code*		Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO
	* 3 5 3 4 6 5 0 7 7 *			MM DD YYYY	MM DD YYYY		
				Major Description			
				Minor Description			
				Event Date	Event Date	Event Date	Event Date
				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
				Reference #1	Reference #1	Reference #1	Reference #1
2		Record Code*		Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO
	* 3 5 3 4 6 5 0 7 7 *			MM DD YYYY	MM DD YYYY		
				Major Description			
				Minor Description			
				Event Date	Event Date	Event Date	Event Date
				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
				Reference #1	Reference #1	Reference #1	Reference #1
3		Record Code*		Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO
	* 3 5 3 4 6 5 0 7 7 *			MM DD YYYY	MM DD YYYY		
				Major Description			
				Minor Description			
				Event Date	Event Date	Event Date	Event Date
				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
				Reference #1	Reference #1	Reference #1	Reference #1
4		Record Code*		Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO
	* 3 5 3 4 6 5 0 7 7 *			MM DD YYYY	MM DD YYYY		
				Major Description			
				Minor Description			
				Event Date	Event Date	Event Date	Event Date
				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
				Reference #1	Reference #1	Reference #1	Reference #1
5		Record Code*		Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO
	* 3 5 3 4 6 5 0 7 7 *			MM DD YYYY	MM DD YYYY		
				Major Description			
				Minor Description			
				Event Date	Event Date	Event Date	Event Date
				MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
				Reference #1	Reference #1	Reference #1	Reference #1

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Division ID	Department ID	Record Code

Pinna Treasurer 040

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)			
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
1									
Major Description									
Minor Description									
PRIVACY INFORMATION EARLY ENVELOPES									
2									
Major Description									
Minor Description									
PRIVACY INFORMATION EARLY ENVELOPES									
3									
Major Description									
Minor Description									
EARLY BULKY ENVELOPES									
4									
Major Description									
Minor Description									
PRIVACY INFORMATION EARLY ENVELOPES									
5									
Major Description									
Minor Description									
PRIVACY INFORMATION EARLY ENVELOPES									

Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

PREPARED BY FULL NAME	DATE	DIVISION ID	DEPARTMENT ID	TEI CODE AND EXTENSION	GRND
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Prima Treasurer 041

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)			
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	or ☐ Permanent or ☐ Undefined	
1									
I									
									
* 3 5 3 4 6 9 0 8 8 *									
Customer Box Number									
Record Code*									
Date Range/ FROM									
Date Range/ TO									
Alpha/Numeric Range - FROM									
Alpha/Numeric Range - TO									
Create Date									
Event Date									
Destruction Eligibility									
Hold Code									
Reference #1									
2									
I									
									
* 3 5 3 4 6 9 0 8 9 *									
Customer Box Number									
Record Code*									
Date Range/ FROM									
Date Range/ TO									
Alpha/Numeric Range - FROM									
Alpha/Numeric Range - TO									
Create Date									
Event Date									
Destruction Eligibility									
Hold Code									
Reference #1									
3									
I									
									
* 3 5 3 4 6 9 0 9 0 *									
Customer Box Number									
Record Code*									
Date Range/ FROM									
Date Range/ TO									
Alpha/Numeric Range - FROM									
Alpha/Numeric Range - TO									
Create Date									
Event Date									
Destruction Eligibility									
Hold Code									
Reference #1									
4									
I									
									
* 3 5 3 4 6 9 0 9 1 *									
Customer Box Number									
Record Code*									
Date Range/ FROM									
Date Range/ TO									
Alpha/Numeric Range - FROM									
Alpha/Numeric Range - TO									
Create Date									
Event Date									
Destruction Eligibility									
Hold Code									
Reference #1									
5									
I									
									
* 3 5 3 4 6 9 0 8 7 *									
Customer Box Number									
Record Code*									
Date Range/ FROM									
Date Range/ TO									
Alpha/Numeric Range - FROM									
Alpha/Numeric Range - TO									
Create Date									
Event Date									
Destruction Eligibility									
Hold Code									
Reference #1									

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

PREPARED BY NAME	DATE	DIVISION ID	DEPARTMENT ID	FLOOR
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Pima Treasurer 042

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page ____ of ____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)	
1		Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO
	* 3 5 3 4 6 9 0 9 2 *			MM DD YYYY	MM DD YYYY		
		Major Description					
		Minor Description					
		Event Date	Event Date	MM DD YYYY	MM DD YYYY		
		MM DD YYYY	MM DD YYYY				
		Reference #1	Reference #1				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
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		Permanent	Permanent				
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		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
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		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
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		MM DD YYYY	MM DD YYYY				
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		Permanent	Permanent				
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		Undefined	Undefined				
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		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
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		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
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		Undefined	Undefined				
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		Permanent	Permanent				
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		Undefined	Undefined				
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		Permanent	Permanent				
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		Undefined	Undefined				
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		Permanent	Permanent				
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		Permanent	Permanent				
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		MM DD YYYY	MM DD YYYY				
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		Permanent	Permanent				
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		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
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		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				
		Undefined	Undefined				
		MM DD YYYY	MM DD YYYY				
		or	or				
		Permanent	Permanent				
		or	or				

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page _____ of _____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)		Hold Code	
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY	MM DD YYYY
1		Major Description				Reference #1			
		Minor Description				Reference #1			
		EARLY BAILLOT ENVELOPES				Reference #1			
2		Major Description				Reference #1			
		Minor Description				Reference #1			
		EARLY BAILLOT ENVELOPES				Reference #1			
3		Major Description				Reference #1			
		Minor Description				Reference #1			
		EARLY BAILLOT ENVELOPES				Reference #1			
4		Major Description				Reference #1			
		Minor Description				Reference #1			
		EARLY BAILLOT ENVELOPES				Reference #1			
5		Major Description				Reference #1			
		Minor Description				Reference #1			
		EARLY BAILLOT ENVELOPES				Reference #1			

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

ITH EQUIPMENT AND EXTENSION	DEPARTMENT IN	DATE

ITH

EQUIPMENT AND EXTENSION

DEPARTMENT IN

DATE

DATE

DATE

DATE

DATE

DATE

DATE

DATE

Pima Treasurer 044

Transmittal Sheet

** Note: Regarding the use of social security numbers and birth dates. Use of this information constitutes personal data that may be protected by privacy laws. Iron Mountain is happy to include this data, and the furnishing of such data by the Customer constitutes the Customer's consent to its inclusion on Iron Mountain's inventory management systems.

Page ____ of ____

CUSTOMER ID		CUSTOMER NAME		Division ID* (up to 12 characters)		Department ID* (up to 12 characters)			
Customer Box Number	Record Code*	Date Range/ FROM	Date Range/ TO	Alpha/Numeric Range - FROM	Alpha/Numeric Range - TO	Create Date	Event Date	Destruction Eligibility	Hold Code
1									
I		Major Description				Reference #1			
* 3 5 3 4 6 9 1 0 2 *		Minor Description				Reference #1			
I		Major Description				Reference #1			
* 3 5 3 4 6 9 1 0 3 *		Minor Description				Reference #1			
I		Major Description				Reference #1			
* 3 5 3 4 6 9 1 0 4 *		Minor Description				Reference #1			
I		Major Description				Reference #1			
* 3 5 3 4 6 9 1 0 5 *		Minor Description				Reference #1			
I		Major Description				Reference #1			
* 3 5 3 4 6 9 1 0 6 *		Minor Description				Reference #1			

*Note: Only customers specifically set up to use a Division ID, an 11- or 12-character Department ID, or a 7- to 10-character Record Code should place information in the gray boxes.

DEPARTMENT NAME	INVENTORY IN	INVENTORY IN	INVENTORY IN
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Pima Treasurer 045

Exhibit “B”



Downloaded on February 3, 2010

Arizona Secretary of State Election Procedures Manual



October 2007

*Welcome from the Arizona Capitol in Phoenix.
The Secretary of State's Office publishes this booklet as
an instructions and procedures manual for electronic
voting systems in the state of Arizona. Your comments
about any of our publications are appreciated.*

JAN BREWER
Secretary of State

- early votes
- provisional ballots

Upon the completion of the count, the official returns shall be open to the public.

[A.R.S. § 16-622]

Audit

In order to account for each and every ballot cast and to ensure total ballot accountability, the audit shall consist of:

- a comparison of:
 - the precinct ballot reports, with
 - the precinct totals tape for each optical scan and Accessible Voting System unit.

The audit may include:

- poll lists, and
- names on signature rosters.

Storage of Ballots and Reports

After the canvass is complete, the officer in charge of elections shall:

- seal the ballots,
- deliver the ballots to the County Treasurer for secure storage.
- the County Treasurer shall keep the ballots unopened and unaltered for a period of:
 - **24 months** for ballots for federal offices,
 - **six months** all other ballots,
- store the official returns.

[A.R.S. § 16-624]

After **six months**, ballots containing no federal offices shall be destroyed unless:

- an election contest has been filed, or
- a recount was ordered.

If a recount is ordered by the court, ballots may be released to the custody and control of the court.

Exhibit “C”



OFFICIAL BALLOT REPORT AND CERTIFICATE OF PERFORMANCE

VOTING AREA # 235

ELECTION DATE November 2, 2004

Color of Ballots or Color Stripe with Number of Ballots Issued

NONE
800

TOTAL ISSUED
800

***** FILL IN THE FOLLOWING ON ELECTION NIGHT AFTER THE POLLS ARE CLOSED *****

BALLOT TRANSFER BAG SEAL # _____

1. TOTAL NUMBER OF BALLOTS ISSUED (From above TOTAL ISSUED) 900
2. COUNT OF NAMES WRITTEN IN THE POLL LIST(S) 460 460
3. "TOTAL BALLOTS CAST" FROM TOTALS TAPE 415
4. PROVISIONAL BALLOTS 45 25 45
5. COUNT OF SPOILED BALLOTS - VOTER ISSUED A REPLACEMENT 15
6. COUNT OF UNUSED BALLOTS 423

DISCREPANCY STATEMENT: Two provisional ballots were included in "Total Ballots Cast", the envelopes - empty - are included in provisional count.
One spoiled ballot refused to re-vote.

CERTIFICATE OF PERFORMANCE

For the General Election held on the 2nd day of November, 2004

We hereby certify that all voters whose signatures appear upon the Precinct Signature Roster voted in this election, excepting those who, after signing the Signature Roster, failed to vote or were challenged and denied the right to vote as indicated on the Challenge List, and the number of voters who voted in this election in this voting area is as indicated in the statement below.

We further certify that the total number of Official Ballot Cards received, voted, or spoiled as indicated below and this accounting is true and correct in every way.

We further certify that the Challenge List shows a complete list of all persons challenged, together with the action taken on each challenge.

Eleonore Rudd
Inspector

CRudd
Judge

Judge

Special Assistant

WHITE COPY - UNOFFICIAL BAG YELLOW COPY - BALLOT TRANSFER BAG

Kenneth Rudd
Clerk

Melvin P. Smith
Clerk

Mark
Marshal

Special Assistant

PLT# 3110

Exhibit “D”

ELECTION RESULTS REPORT

Pima General 110204
DATE: 11/02/04
TYPE: G
POLL CTR: 235A00

TIME: 11:15:01 11/29/04

** PRECINCT: 235 **

BALLOTS CAST 415

PROPOSITION 101
RACE # 2090

YES 160
NO 212

PROPOSITION 102
RACE # 2100

YES 158
NO 213

PROPOSITION 103
RACE # 2110

YES 165
NO 203

PROPOSITION 104
RACE # 2120

YES 131
NO 240

BALLOTS CAST BY PRECINCT
PRECINCT QUANTITY
235 415

~~TOTAL BALLOTS~~ 415

WE, THE UNDERSIGNED,
DO HEREBY CERTIFY THE
ELECTION WAS CONDUCTED
IN ACCORDANCE WITH THE
LAWS OF THE STATE.

**** SIGNATURES ****

.....
.....
.....
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.....
.....

Exhibit “E”

DECLARATION

I, Michael A. Duniho, declare as follows:

1. **My Background and Technical Expertise:** I am retired from the National Security Agency, having worked professionally as both a cryptanalyst and as a computer scientist. When I retired I was a senior computer scientist engaged in artificial intelligence software research. I also have owned and operated a computer consulting company for nearly thirty years, helping small businesses acquire and manage PCs. In the elections area, I served for a number of years in Maryland as a Chief Election Judge (corresponding to an Inspector in Arizona elections).
2. **My Involvement with Pima County Elections:** In 2006, I got involved with the Pima County Democratic Party's Elections Integrity Committee, and I organized teams of volunteers to observe various aspects of the 2006 Primary and General elections. I participated in the logic and accuracy tests before and after the 2006 Primary and General elections, and served the Pima County Elections Department as a member of the Accuracy Certification Board for those two elections. I currently serve as a member of the Pima County Elections Integrity Commission, appointed by Supervisor Ray Carroll.
3. **Security Improvements in the Conduct of Elections:** In November 2006 I prepared the following list of security improvements made to the conduct of Pima County elections that fall at the insistence of the Pima County Democratic Party:

Physical Changes by County in response to our requests:

- Exposed all computer wiring to public view
- Added monitors for public viewing
- Added security cameras
- Added electronic access control system to central count facility
- Secured power disconnect boxes at central count facility
- Secured metal siding on central count facility to prevent its removal

Procedural Changes by County in response to our requests:

- Scanned central count facility and many polling places for wireless signals
- Checked central count computer software hash totals to guard against changes
- Disconnected central count computer from all external devices and added tamper revealing seal to computer cabinet door at end of scanning sessions
- Added tamper revealing seals to ballot boxes en route from Early Boards to scanning room
- Added more tamper revealing seals to TSx machines
- Added unique box numbers for tracking ballots from Early Boards to scanning room
- Added tamper revealing seal to ballot storage area on 8th floor of Administration building at end of each day

- Added tamper revealing seals to boxes of early ballots selected for hand count
- Added documentation of seals removed and applied by Precinct Boards
- Provided for review of seals on materials returned to central count facility
- Improved procedures for hand count audit
- Agreed to hand count four races in each of the nine randomly selected precincts
- Delayed processing of TSx machines to eliminate confusion about how many precincts had reported on election night
- Provided numbers of requested reports and computer files for Party review

Democratic Party Election Integrity Activities:

- Reviewed Pima Count Election manual, suggested improvements
- Sent observers to central count room whenever ballot scanning was in progress
- Sent observers to review ballot security on 8th floor of Administration building
- Sent observer to Recorder's office to review processing procedures
- Recruited volunteers to participate in hand count audit
- Sent observers to Receiving Boards, who reviewed seals on returned materials
- Sent observers to Duplication Boards, Write-in Boards, Provisional Boards, Audit Board
- Requested numbers of computer files and reports for post-election analysis

Problems:

- Unexplained Vote Totals Summary Reports printed on October 30 and Nov 2.
- Legally required publication of precinct-level vote totals omitted early ballot data.
- Computer seal broken on election morning without observers present or notified.
- Computer keyboard and monitor not disconnected when computer was "sealed".
- Security of audit batches of early ballots not reviewed with hand count auditors.
- Selection of hand count audit batches of early ballots not randomly distributed.
- Elections Director and County Attorney "forgot" County agreement to hand count four races in each of nine precincts.
- List of election boards initially omitted central count board and audit board.
- Central count board included members who were not registered voters.

- Some reports and computer files requests denied with little justification.
 - The fact that County elections activities are spread across multiple locations makes security and transparency more difficult.
4. **Summary Report Lawsuit:** The "Unexplained Vote Totals Summary Reports printed on October 30 and Nov 2" became the basis for a lawsuit filed by Attorney Bill Risner on behalf of the Pima County Democratic Party. We eventually had the opportunity to examine boxes of ballots retrieved from the Treasurer's vault (actually Iron Mountain's commercial storage facility).
 5. **Retrieval and Examination of Election Materials:** When the Pima County Treasurer retrieved boxes of ballots under court order, she relied on the Pima County Election Department to list boxes to be retrieved and she initially produced 87 boxes of ballots which we examined in approximately half a day. We found 17 of 66 Summary Reports that had been printed before Election Day.
 6. **Errors Found:** Although the Treasurer and the Pima County Election Department claimed these were all the boxes of ballot material from the 2006 General Election, it turned out that there were in fact another 57 boxes that were not retrieved. After considerable discussion in which we insisted there had to be more boxes in the vault – because at least 44,000 of 157,000 early ballots were missing – the Election Department finally showed us the transmittal forms for boxes shipped to and retrieved from the Iron Mountain storage facility. We compared the two lists and demonstrated that an error had been made. They admitted the error and retrieved another 52 boxes of material which we examined a week later, again in less than half a day.
 7. **Final Examination Revealed Reports Missing:** We eventually found and copied 64 of 66 Summary Reports that had been printed before Election Day. Two Summary Reports were never found and neither the County Treasurer nor the Pima County Election Director was ever able to explain how such reports could have gone missing while in their care.
 8. **Another Incident Involving Pima County Protection of Election Records:** After the conclusion of a second lawsuit involving election records, this time computer files stored on the County's central election computer, the files having been copied to two new disk drives and stored in the Pima County Court's vault, we received a court order authorizing us to retrieve the Pima County Democratic Party's disk drive, only to find that the Pima County Clerk had turned over a box containing both our disk drive and the County's disk drive to Dr. John Moffatt a week or so earlier. Dr. Moffatt had received a copy of the Judge's order before it was published and delivered to Bill Risner and had immediately retrieved the box. Both he and the clerk insisted that they did not know that the box contained both disk drives, but the label on the box and the wording of the court order clearly stated that there was one box containing two disk drives and that it was to be delivered jointly to the two parties to the lawsuit. As a result of the Pima Clerk's error, a box supposedly under the protection of the Court was not under that protection – and in the hands of one party to the lawsuit – for a brief period of time.
 9. **Concern about the Protection of RTA Poll Tapes and Precinct Reports:** Based on our past experience with both the Pima County Treasurer and the Pima

County Election Department, we feel it necessary that we observe the boxes of ballots and other election material from the time they are retrieved from the Iron Mountain vault at least until we have retrieved, examined, and copied the relevant poll tapes and precinct reports, because we cannot rely on the Treasurer's protection of these documents. We are confident that the 105 boxes can be easily opened and reviewed, and the poll tapes and precinct reports examined and copied, in less than a single day. There is no justification for procedures that would delay the examination and copying of these documents, and there is good reason based on actual experience not to allow the Treasurer or the Election Department to hold these documents outside the observation of the Pima County Democratic Party.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th day of February, 2010.

BY: 
Michael A. Duniho

Exhibit “F”

Beth Ford

From: Brad Nelson

Sent: Wednesday, June 25, 2008 5:34 PM

To: 'Judi White'; 'vince.rabago@gmail.com'; 'sallen2sonn@aol.com'; David Euchner

Cc: Daniel Jurkowitz; Chris Straub; Chuck Huckelberry; Thomas Denker; Mary Martinson; Bill Risner; Beth Ford

Subject: Retrieval of summary Reports for the 2006 primary and general election-- Act 1

Dear Party Chairs— This morning the court ordered search for the summary reports from the 2006 primary and general election began at 8AM. Representatives from the Democratic Party (Mickey Duniho), Republican Party (Benny White) and Libertarian Party (John Brakey) joined Treasurer Beth Ford, Deputy County Attorney Daniel Jurkowitz and Democratic Party Attorney Bill Risner as staff members from the Election Department retrieved and opened boxes in an effort to find Summary Reports.

Sixteen Summary Reports were found and photocopies of the reports were provided to each party representative.

As the day progressed it was discovered that not all of the pertinent boxes had been pulled from the secured storage vendor Iron Mountain. The fault was not that of Iron Mountain, it was my offices. Kudos to Mickey Duniho for discovering the miscue. With Mr. Duniho's great assistance it was discovered that 52 boxes from the 2006 election cycle remained to be pulled from Iron Mountain and brought to the offices of the Pima County Election Department.

Those 52 boxes will be pulled and brought to the Pima County Election Department on July 1. The inspection of the 52 boxes will take place on July 2. Please consider this email as your invitation to send an observer as we open the final boxes on July 2.

Regards,

Brad R. Nelson, Director
Pima County Elections
520.351.6830

Exhibit “G”

RISNER & GRAHAM
ATTORNEYS AT LAW

100 NORTH STONE + SUITE 901
TUCSON, ARIZONA 85701

TELEPHONE (520) 622-7494
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WILLIAM J. RISNER
*Certified Specialist in Personal
Injury and Wrongful Death*

PARALEGALS
SUSAN J. ADLER
RHONDA L. DAVIS
MARCELO C. RUIZ

KENNETH K. GRAHAM
*Certified Specialist in Personal
Injury and Wrongful Death*

FILE
COPY

January 12, 2010

Ronna Fickbohm
3507 North Campbell Avenue, Suite 111
Tucson, Arizona 85719

FAX 320-0717

John C. Richardson
Kristen B. Klotz
DeConcini McDonald Yetwin & Lacy, P.C.
Suite 200
2525 East Broadway Boulevard
Tucson, Arizona 85716

FAX 322-5585

Dear John, Ronna and Kristen:

The Democratic Party proposes the following procedures:

1. All boxes remain at Iron Mountain where they are currently under the control of the Pima County Treasurer.
2. Iron Mountain provides the boxes at a room for that purpose at their facility.
3. Treasury office employees open the boxes and retrieve the poll tapes and yellow sheets.
4. Democratic Party observer (or any other observer) examines the original and photographs the original if desired.
5. Photocopies are made of each document at Iron Mountain for Democratic Party (or anyone else).
6. The documents are replaced in the boxes where found. The boxes are resealed with tape. Employees sign across the tape and box.
7. Stationary video in corner of room records process. DVD's can be made for anyone. We will provide equipment.

We suggest that any political party can have an observer if they choose. The Pima County Election division may have an observer. We suggest that the Pima County Election Integrity Commission should be invited to have an observer.

There should be some 118 boxes in which some of the public records may be found. The number of photocopies should not be large. The total precincts are something like 435. Some yellow sheets may have notes on the back but most will not. The poll tapes should be short. We predict that four or five may fit on one sheet of copy paper. Some will be signed on the front and some will be signed on the back.

The video should neither be a problem nor expensive. Our legislature has determined Arizona public policy to be served by recording by video the election division handling of all ballots. The same purpose would be served by our procedure. DVD's are quite inexpensive and we could make copies for anyone at a minimal charge.

Any observer can easily be located at a table in the same room where the boxes are opened. No one need examine any ballots but if someone "saw" a ballot from the distance it would truly be insignificant and meaningless as there are many tens of thousands of ballots.

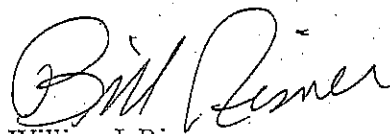
The Democratic Party previously went through a similar process some of which I observed. There were no significant problems. Quite the contrary, our observers were able to determine that not all the boxes had been produced in spite of the Election Division's certain view that they had been produced. Beth Ford was present and she can confirm the lack of problems. This should be a simple process.

We will certainly pay all required expenses which should be the room charge, the box production charges of Iron Mountain, the photocopy charges and the wages of the Treasury Office employees.

Our observers noted in Maricopa County that their election personnel ordered numbered seals in packs of 20 with all 20 having the same number. That circumstance is illustrative of our preference for the process to simply sign across the tape.

Please let me know which items you wish to be decided by the court and we can prepare a pre-trial report that contains your objections.

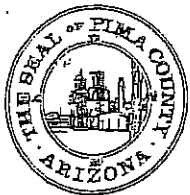
Sincerely,
RISNER & GRAHAM



William J. Risner

WJR/mr

Exhibit “H”



MEMORANDUM

Date: May 18, 2007

To: Brad Nelson
Elections Director

From: C.H. Huckelberry
County Administrator

Re: Allegations of Election Fraud

I was advised via e-mail (attached) last evening that the attorney representing the Democratic Party, Mr. Bill Risner, has made very specific allegations of election fraud against the Division of Elections as it relates to the Regional Transportation Half Cent Sales Tax Election. In essence, Mr. Risner, in a conversation with Deputy County Attorney Karen Friar, indicated that "Bryan Crane flipped the RTA election," simply meaning that Mr. Crane electronically manipulated the vote results of the election. This is a very serious allegation and requires investigation. I have asked the County Attorney to request an outside and independent investigation of this allegation.

In addition, we need to protect, secure and seal any information related to Division of Elections actions regarding not only the November 2006 election, but also the May 2006 RTA election. Even though the ballots/returns for the RTA election are eligible for destruction pursuant to A.R.S. 16-624, please ensure that all ballot and election returns for this election now stored at our contract records management facility are retained, with specific instructions not to destroy these documents. Further, since the allegations are against an official of the Division of Elections, it would be appropriate to ensure that there are very specific instructions approved by the County Attorney to the contract records management firm that Division of Elections personnel, including you as the Director, and myself as your immediate supervisor, are not granted any independent access to said records without independent oversight and supervision. This will ensure that County Administration and the Division of Elections cannot be accused of having independent access to the ballots and altering same.

In addition, there should be appropriate duplicate information obtained from the Elections tabulation computers and other electronic records copied and again placed with an independent third party. We need to take action to ensure that all documentation, ballots, electronic files and other information sources are secured so they cannot be altered, tampered with or destroyed as I am sure an accurate and independent review of this material will verify that the allegations made by Mr. Risner are absolutely untrue.

CHH/jj
Attachment

c: Dr. John Moffatt, Office of Strategic Technology Planning
Christopher Straub, Chief Civil Deputy County Attorney
Karen Friar, Deputy County Attorney, Civil Division

Exhibit “I”

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2 PIMA COUNTY ATTORNEY
3 CIVIL DIVISION
4 By: Christopher Straub
5 Karen S. Iriar
6 Thomas A. Denker
7 Deputy County Attorneys
8 32 North Stone Avenue, Suite 2100
9 Tucson, Arizona 85701
10 Telephone: (520) 740-5750
11 Facsimile (520) 620-6556
12 Pima County Computer Nos. 55572/64953/65047
13 State Bar Nos. 007773/015434/016453
14 Attorney for Defendant Pima County

9 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
10 IN AND FOR THE COUNTY OF PIMA

11 DEMOCRATIC PARTY OF PIMA
12 COUNTY,

13 Plaintiff,

14 vs.

15 PIMA COUNTY BOARD OF
16 SUPERVISORS, a body politic,

17 Defendant.

Case No.: C2007-2073

DEFENDANT'S REPLY IN SUPPORT
OF MOTION FOR STAY OF
PROCEEDINGS

Assigned to:
Hon. Michael Miller

18
19 Defendant Pima County Board of Supervisors ("Pima County"), by and through counsel
20 undersigned, hereby submits its reply to Plaintiff's response¹ to Defendant's Motion for Stay of
21 Proceedings, and respectfully submits that its request for a stay should be granted.

22 The merits of this case concern only whether certain election database files should be
23 released to the Pima County Democratic Party. Although there is a presumption in favor of the
24 disclosure of public records, a government may refuse inspection of records because "the law

25
26 ¹ Plaintiff's "Opposition to Defendant's Motion for Stay of Proceedings" and its "Reply to Defendant's Request for Stay" are referred to collectively herein as "Defendant's response"; when specific reference is made to either of these pleadings, the specific title thereof is used.

1 also recognizes that an unlimited right of inspection might lead to substantial and irreparable
2 private or public harm . . . where the countervailing interests of confidentiality, privacy or the
3 best interests of the state" are present. *Carlson v. Pima County*, 141 Ariz. 487, 491, 687 P.2d
4 1242, 1245 (1984) (citing *Mathews v. Pyle*, 75 Ariz. 76, 251 P.2d 893 (1952)). As Plaintiff
5 correctly notes, and assuming that the requested database files are "public records," Defendant
6 bears the burden of proving that those records should not be released due to privacy,
7 confidentiality, or the best interests of the State. *Cox Arizona Publications, Inc. v. Collins*, 175
8 Ariz. 11, 14, 852 P.2d 1194, 1198 (1993) (citing *Mitchell v. Superior Court*, 142 Ariz. 332, 335,
9 690 P.2d 311, 54 (1984)). Pima County's ability to meet its burden of proof in this regard will be
10 impaired by the ongoing investigation by the Attorney General into related elections records. It
11 is for this reason that Pima County seeks a stay of these proceedings pending the conclusion of
12 the Attorney General's investigation.

13 **I. PIMA COUNTY IS NOT ASSERTING ITS OWN CONSTITUTIONAL RIGHTS.**

14 The straw-man argument presented by Plaintiff in its Reply to Defendant's Request for
15 Stay -- that the Pima County Board of Supervisors is not entitled to assert a privilege against
16 self-incrimination under the Fifth Amendment to the United States Constitution -- is without
17 merit. The only rights Pima County is asserting with respect to its Motion for Stay are: 1) the
18 right to choose its own counsel, and 2) the right to put on its case-in-chief unencumbered by the
19 fact that its primary *witnesses* are or may be under investigation at the instigation of Plaintiff.
20 Furthermore, Pima County is not asserting Fifth-Amendment rights on behalf of its employees;
21 rather, it takes seriously the fact that its employees and representatives have constitutional
22 protections that likely will be impacted if discovery in this case -- whether formal or informal --
23 proceeds, and therefore that Pima County's right to present a defense is hampered.

24 **II. A STAY OF THESE PROCEEDINGS IS APPROPRIATE UNDER *STATE v. OTT*.**

25 The Court of Appeals in *State v. Ott*, 167 Ariz. 420, 808 P.2d 305 (App.1990), considered
26 the question whether the government's civil case against a criminal defendant should proceed at

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1 the same time that the government was pursuing a criminal prosecution against that defendant.
2 Emphasizing that courts possess the discretion to grant a stay, the Court in *Out* set forth the
3 factors that a trial court should consider in determining whether to stay a civil proceeding as
4 follows:

5 If parallel proceedings would substantially prejudice the defendant's rights
6 however, the court should stay the civil proceedings. *Securities and Exchange*
7 *Comm'n v. Dresser Industries*, 628 F.2d 1368, 1374 (D.C.Cir.), cert. denied, 449
8 U.S. 993, 101 S.Ct. 529, 66 L.Ed.2d 289 (1980).

9 In deciding whether to grant a stay, the court should consider a number of factors,
10 including whether the civil and criminal proceedings involve the same matter,
11 whether resolution of the criminal case would "moot, clarify, or otherwise affect
12 various contentions in the civil case," and whether the possibility exists that a
13 party might "exploit civil discovery for the advancement of his criminal case."
14 *United States v. Mellon Bank*, 545 F.2d 869, 873 (3d Cir.1976).

15 *Id.* at 428-29, 808 P.2d at 313-14. Each of these factors supports a stay of the instant
16 proceedings.

17 A. Parallel proceedings will substantially prejudice Pima County's rights.

18 As Pima County has acknowledged, a government entity that seeks to withhold
19 information bears the burden under the public-records laws of proving that the subject records
20 should be withheld. *Cox Arizona Publications, Inc. v. Collins*, 175 Ariz. 11, 14, 852 P.2d 1194,
21 1198 (1993). Accordingly, in this case, Pima County must prove that releasing the elections
22 database files would be detrimental to the best interests of the government, inasmuch as it would
23 jeopardize the integrity and security of future elections. But Pima County's ability to provide
24 such proof, and therefore its right to defend itself in these proceedings, is prejudiced -- if not
25 foreclosed outright -- so long as the Attorney General's investigation is proceeding. Bryan
26 Crane, the Computer/LAN Support Specialist for the Pima County Division of Elections, has
operated the elections computer system used by Pima County for years. Deposition of Bryan
Crane, 2/28/07, p.27:13-24, attached hereto as Exhibit A. No other person in Pima County
possesses Mr. Crane's experience and intimate knowledge of that computer system. Deposition

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1 of Brad Nelson, 2/28/07, p.15:8-11, attached hereto as Exhibit B. For this reason, Mr. Crane is a
2 key witness -- indeed an indispensable witness -- for Pima County. But Plaintiff's counsel
3 named Mr. Crane as a person who might be responsible for some of the acts that Plaintiff asserts
4 were improper. Therefore, it appears that Mr. Crane's actions, and whether or not they were
5 completely proper, are, or may be, a subject of the Attorney General's investigation. Reporter's
6 Transcript, Motion for Stay, 5/30/07², p.30:23-25 and p.31:1-4. Thus, in any conversations that
7 Mr. Crane might engage in with Pima County's counsel or with his supervisors or co-workers, or
8 in any interviews or depositions that he might face, he might very well assert his privilege
9 against self-incrimination under the Fifth Amendment to the United States Constitution,³
10 irrespective of whether he did anything wrong. This would impede, if not totally preclude, the
11 defense in this civil action.

12 Indeed, during the Attorney General's investigation, any attempt by counsel for either
13 side to elicit testimony from anybody involved with Pima County's Division of Elections or the
14 Pima County elections computer system runs a significant risk of impacting that witness's
15 constitutional rights and eliciting an assertion of the Fifth Amendment privilege. In *Afro-Lecon*
16 *v. United States*, cited with approval by the *Ott* court, *supra*, the impact of necessary witnesses
17 invoking Fifth Amendment rights was deemed a critical consideration in the granting of a stay of
18 a civil proceeding. The *Afro-Lecon* court quoted *United States v. Kordel*, 397 U.S. 1 (1970)
19 (also cited by *Ott, supra*) for the proposition that:

20 [w]here no one can answer the interrogatories . . . without subjecting himself to a
21 "real and appreciable" risk of self-incrimination . . . the appropriate remedy would
22 be a protective order under Rule 30(b) [of the Federal Rules of Civil Procedure],
postponing civil discovery until the determination of the criminal action.

23 820 F.2d 1198 at 1206. Therefore, it is clear that a stay is appropriate in this case under the
24 standards cited and promulgated by the Court in *Ott*.

25
26 ² Hereinafter "Reporter's Transcript."

³ Mr. Crane has private counsel to advise him of his rights throughout the Attorney General's investigation.

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1 B. The civil and criminal proceedings involve the same matter.

2 Although this is a public records case, the Attorney General's investigation and the
3 expressed underlying motive for Plaintiff's civil suit concern the implications to be derived from
4 electronic records of past Pima County elections. It appears that Plaintiff seeks the sensitive
5 electronic files in this case in order to bolster its stated belief that representatives of Pima County
6 have committed criminal acts. Reporter's Transcript, p.30:23-25 and p.31:1-4. In his
7 Declaration filed in support of Plaintiff's Opposition to Defendant's Motion for Stay of
8 Proceedings, Jim March indicates that the electronic files are critical to him, inasmuch as he has
9 been commissioned by the Pima County Democratic Party to conduct a "detailed forensic
10 examination post-election" to spot potential vote tampering or other election anomalies.⁴ March
11 Declaration, p.10:20-25. In other words, Mr. March's role in this matter is to provide support to
12 Plaintiff in its efforts to portray Pima County and its Division of Elections as bad actors. (As is
13 clear from page 1, line 13, through page 10, line 28, of his declaration, Mr. March is proceeding
14 from the biased assumption and unfounded presumption that Pima County has engaged in illegal
15 conduct.)

16 Based upon allegations presented to it by Plaintiff's counsel, the Attorney General is
17 looking into these same, and possibly other, allegations of vote tampering and election
18 anomalies. See Plaintiff's Reply to Defendant's Request for Stay, p.7:7-24. Thus, the civil
19 proceedings in this matter and the Attorney General's investigation involve the same overall
20 matter.

21 C. Resolution of the criminal case could substantially affect this civil proceeding.

22 The results of the Attorney General's investigation could, and likely will, impact these
23 civil proceedings. Any finding by the Attorney General of wrongdoing or of other anomalies
24 would provide Pima County with important facts from a neutral investigative body that would
25

26 ⁴ Mr. March's declaration, along with that of Mr. Duniho, is a subject of Defendant's Motion to Strike, filed herewith, and incorporated herein by this reference.

1 allow additional analysis on how security and election integrity might be improved. Such
2 improvements, if found necessary, are, after all, what Plaintiff has asserted as its most important
3 underlying interest in this litigation. Plaintiff's objectives then would have been achieved
4 without jeopardizing the security of the elections process.

5 D. Plaintiff has a propensity to abuse discovery for the advancement of its cause.

6 The court in *Afro-Lecon* recognized that there is a temptation to use the broad scope of
7 civil discovery to reveal weak points in a criminal defense. *Id.* at 1203. Although this case does
8 not, as did *Afro-Lecon*, involve the same parties in both the criminal and civil cases, that court's
9 comments regarding abuse of the discovery process are no less relevant to the instant case.

10 Plaintiff previously has used the civil discovery process for purposes other than the civil
11 litigation at hand, and has given every indication of its intention to do so further in the course of
12 this case. The issue before the Court in Case No. C2007-0516 is access to "summary reports"
13 that are in sealed boxes containing the ballots from the 2006 primary and general elections and
14 stored in the County Treasurer's secure facility. That question of access to those reports is one
15 of law under A.R.S. § 16-624. Plaintiff's counsel rejected a settlement that would have provided
16 exactly the relief being sought in Case No. C2007-0516, opting instead to conduct the extensive
17 discovery. Defendants' Response to Plaintiff's Motion for Summary Judgment, C2007-0516,
18 p.6:7-9, and Exhibit A.

19 Instead of accepting the offer of the relief it sought, Plaintiff took more than twelve hours
20 of depositions in Case No. C2007-0516. Pima County acknowledges that broad latitude is given
21 in civil depositions. *Afro-Lecon*, 820 F.2d at 1203. However, in these particular depositions,
22 very little was asked about the summary reports and whether those reports were in the boxes with
23 the ballots and, if so, why. (Of approximately 379 pages of deposition testimony, fewer than 22
24 pages relate to this topic.)

25

26

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1 III. JUSTICE FAVORS THE GRANTING OF A STAY.

2 Plaintiff does not dispute that this Court has discretion to grant the requested stay. As
3 shown above, such a stay is warranted under the factors set forth in *State v. Ott*. Beyond that,
4 Plaintiff has failed to state any cogent reasons why a stay of this civil proceeding would
5 prejudice its interests. In *Securities and Exchange Comm. v. Dresser Industries, Inc.*, 202 U.S.
6 App. D.C. 345 (1980) (relied upon in *Ott*) the Court noted that deferring a civil case may be
7 justified where there is no serious injury to the public interest. *Id.* at 1376 (citations omitted). In
8 this case, the Court is now in possession of a true copy of the electronic election records
9 requested by Plaintiff.⁵ Thus, the proposed stay would in no way harm Plaintiff's claimed
10 intention of ensuring election integrity.

11 Meanwhile, Pima County may not be able to present its case-in-chief, being impeded
12 from eliciting testimony establishing the fact that releasing the requested electronic files would
13 compromise the security of the entire elections system.

14 Finally, and also as shown above, the Attorney General's independent investigation --
15 whatever it might conclude -- should resolve any concerns relating to these matters that Plaintiff
16 or Pima County might have, without compromising the security of these confidential records.

17 IV. CONCLUSION.

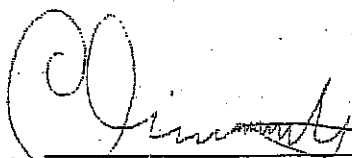
18 For the forgoing reasons, Pima County's Motion for Stay of Proceedings should be
19 granted. In the alternative, the Court should stay discovery pending the outcome of the Attorney
20 General's investigation, while allowing dispositive motions not dependent upon discovery to go
21 forward. Under this latter scenario, the Court could allow this matter to proceed through a ruling
22 on Defendant's Motion to Dismiss without injustice, if and to the extent that discovery would not
23 be necessary to the parties' arguments with respect thereto.

24
25
26 ⁵ Similarly, the summary reports sought by Plaintiff in case number C2007-0516 remain sealed with the ballots
from the 2006 general election in the Treasurer's secure vault.

1 The Court has indicated it might also issue a stay *sua sponte* in Case No. C2007-0516.
2 However, Pima County urges the Court in that case to impose only a stay of discovery, allowing
3 the dispositive motions currently pending to be argued and decided as a matter of law without
4 need of additional testimony.

5 RESPECTFULLY SUBMITTED this 6th day of June, 2007.

6
7 BARBARA LAWALL
PIMA COUNTY ATTORNEY

8
9
10 By: 

11 Christopher Straub
Chief Civil Deputy

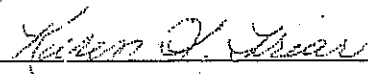
12 Original of the foregoing filed
13 with the Clerk of the Court
14 this 6th day of June, 2007.

15 A copy of the foregoing hand-delivered
this 7th day of June, 2007, to:

16 Hon. Michael Miller
17 Judge of the Superior Court
18 110 West Congress
Tucson, Arizona 85701

19 A copy of the foregoing mailed/delivered/faxed
this 6th day of June, 2007, to:

20 William J. Risner, Esquire
21 Risner & Graham, Attorneys at Law
22 100 N. Stone Avenue, Suite 101
Tucson, AZ 85701-1620

23
24 By: 

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EXHIBIT "A"

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA

DEMOCRATIC PARTY OF PIMA
COUNTY,

Plaintiff,

vs.

No. C2007 0516

PIMA COUNTY BOARD OF
SUPERVISORS, a body politic;
and BETH FORD, PIMA COUNTY
TREASURER, in her official
capacity as Pima County
Treasurer,

Defendants.

(Hon. M. Miller)

VIDEOTAPED DEPOSITION OF BRYAN CRANE
February 27, 2007
12:38 p.m.
Tucson, Arizona

MARY MEYER, R.P.R.
Certified Reporter 50225
MEYER, LUMIA & ASSOCIATES
100 North Stone Avenue, Suite 802
Tucson, Arizona 85701
Ph (520) 623-1100 Fax (520) 623-2067

1 A. Uhm -- I was a -- I'm not exactly sure what my
2 title was. I don't know if it was elections technician
3 or senior elections technician. I don't remember.

4 Q. What did you do?

5 A. I did -- I did a little bit of everything.

6 Q. Well, let me --

7 A. Mostly it was user support on the -- the office
8 personnel were learning to use the Windows 3.1 and Word,
9 and, at the same time, I was creating databases to
10 handle information that was stored on the mainframe, so
11 it could be stored locally. And I was assisting Harry
12 Lewis with getting the election programmed in VoteTech,
13 and I was being taught by a Global employee on GEMS.

14 Q. Okay. So, in summer of '96, the software that
15 was being used, was that the GEMS software?

16 A. Yes.

17 Q. Okay. And that GEMS software was a proprietary
18 product of a company called, what is it Global?

19 A. Global Elections, yes.

20 Q. And who was teaching you from Global Elections
21 how to operate GEMS?

22 A. There was multiple people that helped at various
23 times, but Sophia Lee, I believe, was the one, the main
24 instructor.

25 Q. Do you have a manual from those guys?

EXHIBIT "B"

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA

DEMOCRATIC PARTY OF PIMA COUNTY,

Plaintiff,

vs.

PIMA COUNTY BOARD OF SUPERVISORS,
a body politic, and BETH FORD,
PIMA COUNTY TREASURER, in her
official capacity as Pima County
Treasurer,

Defendants.

No. C20070516

VIDEOTAPED DEPOSITION OF BRAD NELSON
February 28, 2007
Tucson, Arizona

BARBARA BRODRICK, RPR
Certified Reporter 50188
MEYER, LUMIA & ASSOCIATES
100 North Stone Avenue, Suite 802
Tucson, Arizona 85701

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1 Q Do you know how many hours over how many
2 days this took?

3 A I'm going to say it was two half days, so
4 approximately eight hours.

5 Q Have you received any subsequent training
6 on GEMS software?

7 A No.

8 Q Does your department rely on the knowledge
9 and expertise of Brian Crane for understanding and
10 operating the GEMS system?

11 A Yes.

12 Q What is your understanding of what's
13 called a cards cast report?

14 A Again, my understanding is that a cards
15 cast report can be generated that will show an individual
16 the number of ballots that have been processed at a given
17 period of time.

18 Q What's the purpose of a cards cast report?

19 A I suppose there could be multiple, but the
20 name implies to me that, as I mentioned, it tells you how
21 many ballots slash cards have been processed through the
22 election.

23 Q And if one looks at a card cast report, it
24 will tell you how many cards have been processed but will
25 not tell you where those votes went? Who won or lost or