

# Exhibit D

**PRIVILEGED AND CONFIDENTIAL**

**United States District Court  
District of New Jersey**

**Democratic National Committee, et al.,  
Plaintiffs,**

**v.**

**Republican National Committee, et al.,  
Defendants.**

**Civil Action No. 81-3876**

**Judge Dickinson R. Debevoise**

**DECLARATION OF CAROLINE HUNTER**

1. My name is Caroline Hunter. I am Deputy Counsel at the Republican National Committee ("RNC"), 310 First Street, SE, Washington, DC. 20003. I have held this position since February 2002. I had previously served since March 2001 as Associate Counsel. This Declaration is based upon facts within my personal knowledge and ascertained as part of the RNC's ongoing investigation into the issues raised by this legal action.

2. As part of my job duties at the RNC, I work with Chief Counsel Jill Holtzman Vogel to educate RNC officials about the Consent Decree entered by this Court in the above-captioned matter. Ms. Vogel and I also are charged with insuring that the RNC complies fully with both the letter and the spirit of the Consent Decree. Ms. Vogel and I discharge these important duties through the following exemplary activities:

a. we hold regular briefings and educational sessions for all RNC divisions about the Consent Decree, and we held at least one such session per division earlier in 2004, and in March and April 2004 we held a session with Administration, Communications, Political, and the Co-Chair's Office, and also held a smaller, more in-depth session with Communications and Political;

- 2 -

b. we advise state Republican Party committees about the Consent Decree, and we also advise them about the state and federal election laws governing election day activities;

c. we regularly participate in meetings and telephone calls in which the participants discuss voter registration, "get-out-the-vote," poll-watching, and other election day activities, and we provide legal advice, including advice on compliance with the Consent Decree in connection with these activities; and

d. we collectively have advised the leadership of the RNC, including Chairman Ed Gillespie, Deputy Chairman Maria Cino, National Political Director Blaise Hazelwood, and others, that under the Consent Decree the RNC cannot initiate, control, direct, or fund a program of "voter challenges" of the sort being contemplated and undertaken by the Ohio Republican Party.

3. To the best of my knowledge, after due investigation, the RNC is not initiating, controlling, directing, or funding any programs of "voter challenges" as described above, including the effort by the Ohio Republican Party to challenge voter registrations in Ohio as alleged by Intervenors in this matter.

4. Among other documents, the RNC has produced to Intervenors a chain of electronic mail communications (or "email") among representatives of the RNC, the Ohio State Republican Party, and the Bush-Cheney '04 Campaign Committee, designated as RNC 000147-RNC 000171. I have read these emails, which are attached as Exhibit 1 hereto.

- 3 -

5. The emails discuss a list that cross-correlates the universes of newly-registered voters sharing the following characteristics: (a) their post-registration mailings from the Board of Elections of Cuyahoga County, Ohio – not mailings by either the RNC or the Ohio Republican Party -- were returned as “undeliverable”; and (b) their voter registrations were submitted by the organizations Association of Community Organizations for Reform Now (“ACORN”) and America Coming Together (“ACT”). In total, there were 502 returned mailings for ACT and 1068 for ACORN in Cuyahoga County alone. Numerous media reports connect ACORN and ACT to voter registration improprieties.

6. The emails also note the fact that the Board of Elections of Summit County, Ohio, as of October 5, 2004, had received 200 requests for absentee ballots from persons whose post-registration mailings from the county Board of Elections had been returned as undeliverable. One email author concludes that this is “proof that people with questionable registrations are trying to vote absentee” in at least Summit County, Ohio. Another author notes that “A bad registration card can be an accident or fraud. A bad card AND an Absentee Ballot request is a clear case of fraud.” In addition, the emails discuss the desirability of compiling data of this sort in Ohio and in other states, for purposes of ascertaining the questionable and possibly fraudulent voter registration activities of the Democratic Party and its affiliated organizations such as ACORN and ACT. In addition, an email from one representative of the Bush-Cheney '04 Campaign Committee suggests the prospect of initiating “voter challenges” to apparently fraudulent absentee ballots cast by persons whose post-registration mailings from a County Board of Elections have been returned as “undeliverable.”

- 4 -

7. Although representatives of the RNC were involved in the emails discussing the possibility of the challenges described above, the RNC has not initiated any challenges to absence ballots in Ohio or in any other state.

8. Contrary to the Intervenor's claims in this matter, it is the Democratic Party and its allies that are engaging in polling place intimidation in Ohio, not the RNC. For example, the Democratic National Committee has sent letters to Ohio Republican Party poll-watchers threatening them with criminal prosecution under a "strict enforcement of the law." One such letter is attached as Exhibit 2 hereto. The Cuyahoga County prosecutor, Democrat William D. Mason, has also sent a similar threatening letter to Republican poll-watchers, warning of prosecutions "to the fullest extent of the law." This form letter is attached as Exhibit 3 hereto. Even though these letters purport merely to remind poll-watchers that their activities are subject to legal restrictions, letters of this sort plainly are intended to dissuade poll-watchers from performing valuable services intended to deter voter fraud.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: October 30, 2004

  
Caroline Hunter

1

Participants

Chairman Gillespie  
Maria Cino  
Mike Duncan  
Jim Dyke  
Tim Griffin  
Jill Holtzman Vogel  
Caroline Hunter

**Blaise Hazelwood - Political**

---

**From:** cguith@georgewbush.com  
**Sent:** Tuesday, October 05, 2004 6:33 PM  
**To:** Tim Griffin - Research/Communications; Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
**Cc:** Shawn Reinschmidt - Research/Communications; Christopher P. McInerney - Research/Communications  
**Subject:** RE: Cuyahoga Returned List

So how best do we proceed?

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**Sent:** Tuesday, October 05, 2004 6:29 PM  
**To:** Christopher Guith; Cuddy Johnson; Blaise Hazelwood; Terry Nelson  
**Cc:** Shawn Reinschmidt - Research/Communications; Christopher P. McInerney - Research/Communications  
**Subject:** Re: Cuyahoga Returned List

Yes agree

Tim Griffin  
Research Director and  
Deputy Communications Director  
Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003  
w: (202) 863-8815  
f: (202) 863-8744  
tgriffin@rnchq.org

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**To:** Tim Griffin - Research/Communications <tgriffin@rnchq.org>; Cuddy Johnson <cjohnson@georgewbush.com>; Blaise Hazelwood - Political <bhazelwood@rnchq.org>; Terry Nelson <tnelson@georgewbush.com>  
**CC:** Shawn Reinschmidt - Research/Communications <SReinschmidt@rnchq.org>; Christopher P. McInerney - Research/Communications <CMcInerney@rnchq.org>  
**Sent:** Tue Oct 05 18:26:07 2004  
**Subject:** RE: Cuyahoga Returned List

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**To:** Christopher Guith; Cuddy Johnson; Blaise Hazelwood; Terry Nelson  
**Cc:** Shawn Reinschmidt - Research/Communications; Christopher P.

RNC 000147

McInerney - Research/Communications  
Subject: RE: Cuyahoga Returned List

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Sent: Tuesday, October 05, 2004 5:01 PM  
To: Blaise Hazelwood - Political; Terry Nelson; Tim Griffin - Research/Communications  
Cc: cguith@georgewbush.com  
Subject: FW: Cuyahoga Returned List

We should do this in all these states - flag the req returns vs. the AB ballots requested, no?  
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From: Christopher Guith  
Sent: Tuesday, October 05, 2004 4:59 PM  
To: Cuddy Johnson; Robert Paduchik; 'Mike Magan'; Dave DenHerder; Caroline Hunter - Legal  
Subject: RE: Cuyahoga Returned List

We can do this in NV, FL, PA, and NM because we have a list to run against the AB requests, and should.

But to my knowledge, OH is the only state that requires the counties to keep a list of "flagged" registrations from bounce backed mailings.

RNC 000148



-----Original Message-----

From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 3:31 PM  
To: Robert Paduchik; 'Mike Magan'; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

We need to be doing this in other states as well -

Guith - advise -

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Sign up to be a Bush Volunteer! [www.georgewbush.com/volunteer](http://www.georgewbush.com/volunteer)  
=====  
Cuddy Johnson National Field Director,  
Bush-Cheney '04  
work: 703-647-2733  
cell: 202-441-4733  
fax: 703-647-2995  
email: [cjohnson@georgewbush.com](mailto:cjohnson@georgewbush.com)

-----Original Message-----

From: Robert Paduchik  
Sent: Tuesday, October 05, 2004 3:21 PM  
To: 'Mike Magan'; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

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From: Mike Magan [<mailto:Magan@ohiogop.org>]  
Sent: Tuesday, October 05, 2004 3:19 PM  
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Subject: RE: Cuyahoga Returned List

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Mike

Michael Magan  
Ohio Republican Party  
211 South Fifth Street  
Columbus, OH 43215  
Office: (614)228-2481 ext. 148  
Cell: (614)425-6519  
Fax: (614)228-1093  
[magan@ohiogop.org](mailto:magan@ohiogop.org)

-----Original Message-----

From: Robert Paduchik [<mailto:bpaduchik@georgewbush.com>]  
Sent: Tuesday, October 05, 2004 3:16 PM  
To: Cuddy Johnson; Dave DenHerder; Christopher Guith; Mike Magan  
Subject: RE: Cuyahoga Returned List  
Importance: High

I have just learned that Summit County has recvd 200 AB requests from

205

RNC 000149

Confidential Information -  
Subject to Protective Order

"10-U voters" (these are people the BOE mails address confirmation forms to and they're returned as undeliverable). If this is true it is proof that people with questionable registrations are trying to vote absentee.

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From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 3:05 PM  
To: 'SReinschmiadt@rnchq.org'; Dave DenHerder; Robert Paduchik; Christopher Guith; 'Magan@ohiogop.org'; Kevin Madden; 'Mauk@ohiogop.org'  
Cc: 'CMcInerney@rnchq.org'; Tim Griffin; Sean Cairncross  
Subject: Re: Cuyahoga Returned List

This is goldmine

-----Original Message-----

From: Shawn Reinschmiadt - Research/Communications  
<SReinschmiadt@rnchq.org>  
To: Dave DenHerder <ddenherder@georgewbush.com>; Cuddy Johnson <cjohnson@georgewbush.com>; Robert Paduchik <bpaduchik@georgewbush.com>; Christopher Guith <cguith@georgewbush.com>; Mike Magan (E-mail) <Magan@ohiogop.org>; Kevin Madden <kmadden@georgewbush.com>; Mauk@ohiogop.org <Mauk@ohiogop.org>  
CC: Christopher P. McInerney - Research/Communications <CMcInerney@rnchq.org>; Tim Griffin <Tgriffin@rnchq.org>; Sean Cairncross <scairncross@rnchq.org>  
Sent: Tue Oct 05 14:51:50 2004  
Subject: Cuyahoga Returned List

Received Cuyahoga county returned mailing/inactive CD from McInerney. I extracted from the total returned list (of kick backs from the county's own mailing), the ACT and ACORN #s .

> NOTE: This is just a partial list, as the BOE was unable to put onto a CD the entire returned mailings to date. It does, however give a great snapshot.

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> According to the CD, there have been 502 returned registration mailings for ACT, and 1068 for ACORN.

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> > <<Inactive Returned List-ACT.xls>> > > <<Inactive Returned List-ACORN.xls>>

>  
>  
>

RNC 000150

**Blaise Hazelwood - Political**

**From:** Tim Griffin - Research/Communications  
**Sent:** Tuesday, October 05, 2004 8:35 PM  
**To:** cgulth@georgewbush.com; Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
**Cc:** Shawn Reinschmiedt - Research/Communications; Christopher P. McInerney - Research/Communications  
**Subject:** RE: Cuyahoga Returned List

I guess we have to make sure we have bodies. it seems like it always comes down to bodies.

why dont you ask your peeps in each state at issue if they have the resources to do this. then, I might can put some resources in the states that are lacking.

-----Original Message-----

**From:** cgulth@georgewbush.com  
**Sent:** Tuesday, October 05, 2004 6:33 PM  
**To:** Tim Griffin - Research/Communications; Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
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RNC 000151

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Cell: (614)425-6519  
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RNC 000153

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RNC 000154

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RNC 000156



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To: Robert Paduchik; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

We are doing a larger check on this tonight running the Franklin Co return list against the AB requests. We will have to start doing this in our target counties. I am coordinating with Amanda Walker to see how ORP is coming along with uploading AB requests in the system.

Mike

Michael Magan  
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Columbus, OH 43215  
Office: (614)228-2481 ext. 148  
Cell: (614)425-6519  
Fax: (614)228-1093  
magan@ohiogop.org

-----Original Message-----

From: Robert Paduchik [mailto:bpaduchik@georgewbush.com]  
Sent: Tuesday, October 05, 2004 3:16 PM  
To: Cuddy Johnson; Dave DenHerder; Christopher Guith; Mike Magan  
Subject: RE: Cuyahoga Returned List  
Importance: High

I have just learned that Summit County has recvd 200 AB requests from "10-U voters" (these are people the BOE mails address confirmation forms to and they're returned as undeliverable). If this is true it is proof that people with questionable registrations are trying to vote absentee.

-----Original Message-----

From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 3:05 PM  
To: 'SReinschmiedt@rnchq.org'; Dave DenHerder; Robert Paduchik; Christopher Guith; 'Magan@ohiogop.org'; Kevin Madden; 'Mauk@ohiogop.org'  
Cc: 'CmCInerney@rnchq.org'; Tim Griffin; Sean Cairncross  
Subject: Re: Cuyahoga Returned List

This is goldmine

-----Original Message-----

From: Shawn Reinschmiedt - Research/Communications  
<SReinschmiedt@rnchq.org>  
To: Dave DenHerder <ddenherdar@georgewbush.com>; Cuddy Johnson <cjohnson@georgewbush.com>; Robert Paduchik <bpaduchik@georgewbush.com>; Christopher Guith <cguith@georgewbush.com>; Mike Magan (E-mail) <Magan@ohiogop.org>; Kevin Madden <kmadden@georgewbush.com>; Mauk@ohiogop.org <Mauk@ohiogop.org>  
CC: Christopher P. McInerney - Research/Communications

RNC 000157

<CMcInerney@rnchq.org>; Tim Griffin <Tgriffin@rnchq.org>; Sean Cairncross <scairncross@rnchq.org>  
Sent: Tue Oct 05 14:51:50 2004  
Subject: Cuyahoga Returned List

Received Cuyahoga county returned mailing/inactive CD from McInerney. I extracted from the total returned list (of kick backs from the county's own mailing), the ACT and ACORN #s .

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> > <<Inactive Returned List-ACT.xls>> > > <<Inactive Returned List-ACORN.xls>>

**Blaise Hazelwood - Political**

From: cguith@georgewbush.com  
Sent: Tuesday, October 05, 2004 6:26 PM  
To: Tim Griffin - Research/Communications; Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
Cc: Shawn Reinschmiedt - Research/Communications; Christopher P. McInerney - Research/Communications  
Subject: RE: Cuyahoga Returned List

I would think we are less worried about "fingerprints" if we have decent evidence that fraudulent ballots are being cast. I think the intent is to take the list and challenge ABs? At that point, isn't it more important to stop ABs that we have a hi certainty of fraud than avoid the hit?

-----Original Message-----

From: Tim Griffin  
Sent: Tuesday, October 05, 2004 6:01 PM  
To: Christopher Guith; Cuddy Johnson; Blaise Hazelwood; Terry Nelson  
Cc: Shawn Reinschmiedt - Research/Communications; Christopher P. McInerney - Research/Communications  
Subject: RE: Cuyahoga Returned List

chris mc says this:

Jack Christopher and I have already tasked our IT person with creating a match list between the BOE's return mail list and the AB request list. Jack thought this would be a good idea to have - to reference as part of the larger DenHerder press strategy. We should have the result of this match later tonight.

I can't speak to other states, but if they don't have flagged voter rolls, we run the risk of having GOP fingerprints...

-CM

-----Original Message-----

From: cguith@georgewbush.com  
Sent: Tuesday, October 05, 2004 5:45 PM

RNC 000158

To: Tim Griffin - Research/Communications; Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
Cc: Shawn Reinschmidt - Research/Communications  
Subject: RE: Cuyahoga Returned List

Does Chris M know how it worked in OH? Can he reach out to Jack Christopher to get a sense?

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From: Tim Griffin  
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To: Cuddy Johnson; Blaise Hazelwood; Terry Nelson  
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To: Blaise Hazelwood - Political; Terry Nelson; Tim Griffin - Research/Communications  
Cc: cguith@georgewbush.com  
Subject: FW: Cuyahoga Returned List

We should do this in all these states - flag the reg returns vs. the AB ballots requested, no?  
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-----Original Message-----

From: Christopher Guith  
Sent: Tuesday, October 05, 2004 4:59 PM  
To: Cuddy Johnson; Robert Paduchik; 'Mike Magan'; Dave DenHerder; Caroline Hunter - Legal  
Subject: RE: Cuyahoga Returned List

We can do this in NV, FL, PA, and NM because we have a list to run against the AB requests, and should.

But to my knowledge, OH is the only state that requires the counties to keep a list of "flagged" registrations from bounce backed mailings.

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We need to be doing this in other states as well -

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Sign up to be a Bush Volunteer! [www.georgewbush.com/volunteer](http://www.georgewbush.com/volunteer)  
\*\*\*\*\* Cuddy Johnson National Field Director,  
Bush-Cheney '04  
work: 703-647-2733

RNC 000159

cell: 202-441-4733  
fax: 703-647-2995  
email: cjohnson@georgewbush.com

-----Original Message-----

From: Robert Paduchik  
Sent: Tuesday, October 05, 2004 3:21 PM  
To: 'Mike Magan'; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

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Importance: High

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Subject: Re: Cuyahoga Returned List

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-----Original Message-----

From: Shawn Reinschmiedt - Research/Communications  
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To: Dave DenHerder <ddenherder@georgewbush.com>; Cuddy Johnson <cjohnson@georgewbush.com>; Robert Paduchik <bpaduchik@georgewbush.com>; Christopher Guith <cguith@georgewbush.com>; Mike Magan (E-mail)

RNC 000160

<Magan@ohiogop.org>; Kevin Madden <kmadden@georgewbush.com>;  
Mauk@ohiogop.org <Mauk@ohiogop.org>  
CC: Christopher P. McInerney - Research/Communications  
<CMcInerney@rnchq.org>; Tim Griffin <Tgriffin@rnchq.org>; Sean  
Cairncross <scairncross@rnchq.org>  
Sent: Tue Oct 05 14:51:50 2004  
Subject: Cuyahoga Returned List

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**From:** Tim Griffin - Research/Communications  
**Sent:** Tuesday, October 05, 2004 6:01 PM  
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**To:** Tim Griffin - Research/Communications; Cuddy Johnson; Blaise  
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**Cc:** Shawn Reinschmiedt - Research/Communications  
**Subject:** RE: Cuyahoga Returned List

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**To:** Cuddy Johnson; Blaise Hazelwood; Terry Nelson  
**Cc:** Christopher Guith; Shawn Reinschmiedt - Research/Communications

RNC 000161

Subject: RE: Cuyahoga Returned List

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From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 5:01 PM  
To: Blaise Hazelwood - Political; Terry Nelson; Tim Griffin - Research/Communications  
Cc: cguith@georgewbush.com  
Subject: FW: Cuyahoga Returned List

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From: Christopher Guith  
Sent: Tuesday, October 05, 2004 4:59 PM  
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We need to be doing this in other states as well -  
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----- Cuddy Johnson National Field Director,  
Bush-Cheney '04  
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From: Robert Paduchik  
Sent: Tuesday, October 05, 2004 3:21 PM  
To: 'Mike Magan'; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

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RNC 000162

-----Original Message-----

From: Mike Magan [mailto:Magan@ohiogop.org]  
Sent: Tuesday, October 05, 2004 3:19 PM  
To: Robert Paduchik; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

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From: Shawn Reinschmidt - Research/Communications  
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To: Dave DenHerder <ddenherder@georgewbush.com>; Cuddy Johnson <cjohnson@georgewbush.com>; Robert Paduchik <bpaduchik@georgewbush.com>; Christopher Guith <cguith@georgewbush.com>; Mike Magan (E-mail) <Magan@ohiogop.org>; Kevin Madden <kmadden@georgewbush.com>; Mauk@ohiogop.org <Mauk@ohiogop.org>  
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RNC 000163

Confidential Information -  
Subject to Protective Order

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To: cguith@georgewbush.com; Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
Cc: Shawn Reinschmidt - Research/Communications  
Subject: RE: Cuyahoga Returned List

sure

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From: Christopher Guith  
Sent: Tuesday, October 05, 2004 4:59 PM  
To: Cuddy Johnson; Robert Paduchik; 'Mike Magan'; Dave DenHerder; Caroline Hunter - Legal

RNC 000164



Subject: RE: Cuyahoga Returned List

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RNC 000165

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Sent: Tuesday, October 05, 2004 3:16 PM  
To: Cuddy Johnson; Dave DenHerder; Christopher Guith; Mike Magan  
Subject: RE: Cuyahoga Returned List  
Importance: High

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>

RNC 000166

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RNC 000167

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Subject: Re: Cuyahoga Returned List

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RNC 000168

-----Original Message-----

From: Shawn Reinschmiedt - Research/Communications <SReinschmiedt@rnchq.org>  
To: Dave DenHerder <ddenherder@georgewbush.com>; Cuddy Johnson <cjohnson@georgewbush.com>; Robert Paduchik <bpaduchik@georgewbush.com>; Christopher Guith <cguith@georgewbush.com>; Mike Magan (E-mail) <Magan@ohiogop.org>; Kevin Madden <kmadden@georgewbush.com>; Mauk@ohiogop.org <Mauk@ohiogop.org>  
CC: Christopher P. McInerney - Research/Communications <CMcInerney@rnchq.org>; Tim Griffin <Tgriffin@rnchq.org>; Sean Cairncross <scairncross@rnchq.org>  
Sent: Tue Oct 05 14:51:50 2004  
Subject: Cuyahoga Returned List

Received Cuyahoga county returned mailing/inactive CD from McInerney. I extracted from the total returned list (of kick backs from the county's own mailing), the ACT and ACORN #s .

> NOTE: This is just a partial list, as the BOE was unable to put onto a CD the entire returned mailings to date. It does, however give a great snapshot.

> According to the CD, there have been 502 returned registration mailings for ACT, and 1068 for ACORN.

> > <<Inactive Returned List-ACT.xls>> > > <<Inactive Returned List-ACORN.xls>>

>  
>  
>

**Blaise Hazelwood - Political**

From: Tim Griffin - Research/Communications  
Sent: Tuesday, October 05, 2004 5:34 PM  
To: Cuddy Johnson; Blaise Hazelwood - Political; Terry Nelson  
Cc: cguith@georgewbush.com; Shawn Reinschmiedt - Research/Communications  
Subject: RE: Cuyahoga Returned List

if you want to compare our mailings to the absentee ballot requested, that might work. not sure how labor intensive it would be.

-----Original Message-----

From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 5:01 PM  
To: Blaise Hazelwood - Political; Terry Nelson; Tim Griffin - Research/Communications  
Cc: cguith@georgewbush.com  
Subject: FW: Cuyahoga Returned List

We should do this in all these states - flag the reg returns vs. the AB ballots requested, not  
C

-----Original Message-----

From: Christopher Guith  
Sent: Tuesday, October 05, 2004 4:59 PM  
To: Cuddy Johnson; Robert Paduchik; 'Mike Magan'; Dave DenHerder; Caroline Hunter - Legal  
Subject: RE: Cuyahoga Returned List

RNC 000169

We can do this in NV, FL, PA, and NM because we have a list to run against the AB requests, and should.

But to my knowledge, OH is the only state that requires the counties to keep a list of "flagged" registrations from bounce backed mailings.

-----Original Message-----

From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 3:31 PM  
To: Robert Paduchik; 'Mike Magan'; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

We need to be doing this in other states as well -

Guith - advise -

C

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Sign up to be a Bush Volunteer! [www.georgewbush.com/volunteer](http://www.georgewbush.com/volunteer)  
----- Cuddy Johnson National Field Director,  
Bush-Cheney '04  
work: 703-647-2733  
cell: 202-441-4733  
fax: 703-647-2995  
email: [cjohnson@georgewbush.com](mailto:cjohnson@georgewbush.com)

-----Original Message-----

From: Robert Paduchik  
Sent: Tuesday, October 05, 2004 3:21 PM  
To: 'Mike Magan'; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

A bad registration card can be an accident or fraud. A bad card AND an Absentee Ballot request is a clear case of fraud.

-----Original Message-----

From: Mike Magan [<mailto:Magan@ohiogop.org>]  
Sent: Tuesday, October 05, 2004 3:19 PM  
To: Robert Paduchik; Cuddy Johnson; Dave DenHerder; Christopher Guith  
Subject: RE: Cuyahoga Returned List

We are doing a larger check on this tonight running the Franklin Co return list against the AB requests. We will have to start doing this in our target counties. I am coordinating with Amanda Walker to see how ORP is coming along with uploading AB requests in the system.

Mike

Michael Magan  
Ohio Republican Party  
211 South Fifth Street  
Columbus, OH 43215  
Office: (614)228-2481 ext. 148  
Call: (614)425-6519  
Fax: (614)228-1093  
[magan@ohiogop.org](mailto:magan@ohiogop.org)

-----Original Message-----

From: Robert Paduchik [<mailto:bpaduchik@georgewbush.com>]

RNC 000170

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Confidential Information -  
Subject to Protective Order  
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Sent: Tuesday, October 05, 2004 3:16 PM  
To: Cuddy Johnson; Dave DenHerder; Christopher Guith; Mike Magan  
Subject: RE: Cuyahoga Returned List  
Importance: High

I have just learned that Summit County has recvd 200 AB requests from "10-U voters" (these are people the BOE mails address confirmation forms to and they're returned as undeliverable). If this is true it is proof that people with questionable registrations are trying to vote absentee.

-----Original Message-----

From: Cuddy Johnson  
Sent: Tuesday, October 05, 2004 3:05 PM  
To: 'SReinschmiedt@rnchq.org'; Dave DenHerder; Robert Paduchik; Christopher Guith; 'Magan@ohiogop.org'; Kevin Madden; 'Mauk@ohiogop.org'  
Cc: 'CMcInerney@rnchq.org'; Tim Griffin; Sean Cairncross  
Subject: Re: Cuyahoga Returned List

This is goldmine

-----Original Message-----

From: Shawn Reinschmiedt - Research/Communications  
<SReinschmiedt@rnchq.org>  
To: Dave DenHerder <ddenherder@georgewbush.com>; Cuddy Johnson <cjohnson@georgewbush.com>; Robert Paduchik <bpaduchik@georgewbush.com>; Christopher Guith <cguith@georgewbush.com>; Mike Magan (E-mail) <Magan@ohiogop.org>; Kevin Madden <kmadden@georgewbush.com>; Mauk@ohiogop.org <Mauk@ohiogop.org>  
CC: Christopher P. McInerney - Research/Communications <CMcInerney@rnchq.org>; Tim Griffin <Tgriffin@rnchq.org>; Sean Cairncross <scairncross@rnchq.org>  
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RNC 000171

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OCT-30-2004 SAT 01:03 PM

FAX NO.

P. 04/04



DEMOCRATIC NATIONAL COMMITTEE

DATE: October 27, 2004  
TO: Charles Drake  
FROM: Democratic National Committee

Your name has been filed to serve as a witness and/or challenger on Election Day, on behalf of the Republican Party.

The Democratic Party recognizes the legal right of witnesses and challengers, under Ohio election law, to perform their lawful duties.

At the same time, we are concerned that the challenge process not be abused as a means of harassing or intimidating voters, or of obstructing the ability of lawfully qualified and registered citizens to vote safely, efficiently and conveniently. Voting is one of the most sacred rights of all American citizens. We do not believe any qualified citizen should be deprived of that right without good cause.

To that end, you should be aware that Secretary of State J. Kenneth Blackwell has instructed all County Boards of Elections that "Challengers may not interfere with the voting process or unnecessarily delay it" and that "if a challenger challenges so many voters that his or her activities slow down the voting process or intimidate voters," the presiding judge must *expel* that challenger from the polling place. *Indeed it is a crime under Ohio law to be in a polling place "so as to hinder, delay or interfere with the conduct of the...election."* (ORC §3599.249(A)(5)).

Please be advised that that Democratic Party of the United States and the Ohio Democratic Party will insist on strict enforcement of the law.

Thank you for your time and attention to this important matter.

Democratic Party Headquarters • 430 South Capitol Street, SE • Washington, DC, 20003 • (202) 863-8000 • Fax (202) 863-8174  
Paid for by the Democratic National Committee. Contributions to the Democratic National Committee are not tax deductible.  
Visit our website at [www.democrats.org](http://www.democrats.org).

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OCT-30-2004 SAT 01:02 PM

FAX NO.

P. 02/04



**WILLIAM D. MASON**  
**CUYAHOGA COUNTY PROSECUTOR**

Dear Witness/Challenger:

Your name has been provided to the Board of Elections as a challenger to voters for the November 2 election. The constitutional right to vote is probably the most dearly held of our civil rights. And, now, more than ever, this cherished right must be encouraged and protected.

Interference with a voter's exercise of that right or with election officials' conduct of an election can result in criminal penalties. Ohio statutes create a role for challengers in the polling places, but it is the individual challenger's responsibility to be aware of the laws and procedures governing and restricting the activities of challengers at the polling places.

This letter is intended to remind challengers that the election officials and law enforcement officers are required to enforce the Election Laws, including any violations by a challenger. Further, if such violations occur, law enforcement officers will be contacted immediately, and this Office will prosecute the individuals responsible to the fullest extent of the law.

The polling place judges are specially charged by law with the duty to maintain open and unobstructed access to the polling place for voters and to prevent and stop any improper practices or attempts that are likely to obstruct, intimidate, or interfere with any elector voting. The polling place judges have the legal right to eject any challenger from the polling place for any violation of the State Election Laws.

In order to discharge their duties, polling place judges may call upon the sheriff, police officers, or other peace officers to assist them in enforcing the law. The polling place judges may order the arrest of any person violating the State Election Laws. The sheriff, police officers, and other officers of the peace are required to immediately obey and aid in the enforcement of any lawful order made by the precinct election officials in the enforcement of the State Election Laws.  
**R.C. 3501.33**

Challengers must obey the laws and the lawful directions of election officials while at a polling place. Challenges of the qualifications of voters at the polling place are limited by law to the following matters: citizenship; state residency during the 30 days immediately preceding the election; residency of the county or precinct where the voter seeks to vote; and legal voting age (18). **R.C. 3505.20**

**OFFICE OF THE PROSECUTING ATTORNEY**

Justice Center • Courts Tower • 1200 Ontario Street • Cleveland, Ohio 44113  
(216) 443-7800 • FAX: (216) 443-7601 • E-MAIL: MASONCCPO@AOL.COM

OCT-30-2004 SAT 01:02 PM

FAX NO.

P. 03/04

These are some of the criminal violations set out in the State Election Laws:

- No person shall unduly delay or hinder an elector from attempting to vote or voting. A person who violates this prohibition is guilty of a fifth degree felony. *R.C. 3599.26*
- No person shall attempt to intimidate an election officer, or prevent an election official from performing the official's duties. A person who violates this prohibition is guilty of a first degree misdemeanor. *R.C. 3599.24*
- No election official, witness, or challenger, while performing that person's duties related to the casting of votes, shall do either of the following:

(1) Wear any badge, sign, or other insignia or thing indicating that person's preference for any candidate or for any question submitted at an election;

(2) Influence or attempt to influence any voter to cast the voter's ballot for or against any candidate or issue submitted at an election.

Any person who violates either of those prohibitions is guilty of a first degree misdemeanor. *R.C. 3599.38*

- No person shall loiter in or about a polling place during the casting or counting of ballots so as to hinder, delay, or interfere with the conduct of the election. A person who violates this prohibition is guilty of a minor misdemeanor. *R.C. 3599.24*
- A person who is convicted for violating the State Election Laws a second time shall be disqualified from the right of voting, in addition to the applicable criminal penalty for the second conviction. *R.C. 3599.39*

The penalties for a fifth degree felony can include imprisonment for six to twelve months, and a fine of up to \$2500.00. The penalties for a first degree misdemeanor can include imprisonment for up to 180 days and a fine of up to \$1000.00. The penalties for a minor misdemeanor can include a fine of up to \$150.00. *R.C. 2929.14, ~18, ~24, ~28*

Challengers fulfill a legitimate and valuable role in our election process, and their public service should not be marred by the misconduct of a few. Elections in the United States of America are a solemn expression of democracy and a beacon of freedom for the world. Together, we must all work together to ensure a fair election and a positive democratic experience for all of our citizens.

Sincerely,



William D. Mason  
Prosecuting Attorney