

IN THE CIRCUIT COURT FOR THE STATE OF OREGON

FOR THE COUNTY OF MARION

SANDRA KUCERA, an elector of the State of Oregon and candidate for Vice President of the United States,

SARAH THERESE WINDER, PHILLIP SALISBURY, SAMANTHA BERG, KRISTIN ZUBEL, and NATALIE BOLTON, each an elector of the State of Oregon and signor of a petition for nomination of Ralph Nader for President of the United States and Sandra Kucera as Vice-President of the United States,

Plaintiffs,

v.

BILL BRADBURY, Secretary of State,

Defendant.

Case No. \_\_\_\_\_

AFFIDAVIT OF TRAVIS DISKIN IN SUPPORT FOR REQUEST FOR TEMPORARY RESTRAINING ORDER

STATE OF OREGON )  
 ) ss.  
County of Marion )

I, Travis Diskin, being first duly sworn, do hereby depose and say:

1. I am Campaign Coordinator for Ralph Nader in the State of Oregon, I reside at 3925 SW Multnomah Blvd., #9, Portland, OR 97219.

2. As part of my job duties I made frequent visits to the Multnomah County elections office. There I learned that a new directive had been given to the counties requiring them to pull certain signature sheets from the submitted sheets before verifying elector signatures.
3. The Secretary of State requires that all petition sheets be submitted by counties for verification and that they be numbered “sequentially.” The county then verifies and returns the original sheets to the campaign. On or before August 24, 2004 the campaign was required to file the verified original petition sheets with the Secretary of State’s office in Salem.
4. This change of process was of grave concern to me because the county elections officials told me they would not return to us the sheets that they had removed. This meant that when the sheets were returned to us, there would be “gaps” in the numbering sequence.
5. I reported these concerns to Greg Kafoury and he asked that a call be made to the State Elections office to clarify the numbering procedure.
6. Kristin Zubel told me that she had made the call because no one else was available to make it. She asked me to talk to Summer Davis at the Secretary’s office, explaining that she did not feel comfortable handling the matter herself. We then made a second call to Summer Davis on a speaker phone. I identified myself by name and position and the staff person identified herself as Summer Davis.

7. She started off by explaining the procedure for filling gaps for initiative petitions. She said that any gaps must be filled with sheets from the end of the series. I tried to explain that this was not an initiative petition. She said that didn't matter, that the numbered series needed to be filled as it was in the initiative process.
8. I asked how we should account for the gaps created by the counties removing sheets as directed by Mr. Lindback. Ms. Davis said we should submit sheets to the counties unnumbered so that they could later be numbered to fill gaps prior to submitting the originals to the Secretary of State.
9. In reliance on what Ms. Davis told me, we stopped putting Bates numbers on the last several hundred signature sheets submitted to Multnomah, Clackamas, and Washington Counties.
10. Later in the campaign we used unnumbered sheets to fill the gaps. These sheets were accepted as unnumbered and validated by all counties without complaint or comment.
11. This affidavit is based on my personal knowledge.

Dated this \_\_\_\_ day of September, 2004.

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Travis Diskin

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of September, 2004.

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Notary Public for the State of Oregon