




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 attached hereto as Exhibit A.
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. I spoke to Summer Davis on a speaker phone. I identified myself by name and position and the person on the line identified herself as Summer Davis.
7. Ms. Davis started off by explaining the procedure for filling gaps for initiative petitions. She said that any gaps in numbering must be filled with sheets from the highly-numbered 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-in' the same 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. I kept notes of my conversation in a spiral bound note pad. The relevant pages are attached as Exhibit B.
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. Attached hereto as Exhibits C through K are true copies of petition sheets obtained from the Secretary of State or his agents and maintained by me in the campaign offices.
12. This affidavit is based on my personal knowledge.

Dated this 3<sup>rd</sup> day of September, 2004.

Multnomah }  
SS

  
Travis Diskin

SUBSCRIBED AND SWORN to before me this 3<sup>rd</sup> day of September, 2004.

3 - AFFIDAVIT OF TRAVIS DISKIN



Hi Everyone,

Following are procedures we need all counties to follow when verifying the signature sheets for the Nader for President petition.

1. Counties will initially screen for potential problems with circulator signature and dating of signature sheets.
2. Counties will highlight with a highlighter the areas of concern on the signature sheet. **Do not** verify any signatures on the sheets that have any potential problems or issues. Once the Secretary of State's office makes a determination on these sheets, the county will be contacted and advised on whether to verify these signatures or to reject the sheet.
3. The areas to review for concern are:
  - The circulator signature line is blank or the circulator has signed using initials only. (First name initial with the full last name is sufficient)
  - There is no date on the circulator date signed line
  - Circulator date has been crossed out or modified.
  - The circulator signed and dated **before** the dates of some or all of the the signers.
  - Circulator name is a signature stamp.
  - Circulator signature is photocopied or carbon copied
  - White out is used on the circulator name or date area.
  - There are two **different** circulator names on the certification.
  - The original signature of a circulator has been crossed out, and a new circulator's signature is inserted
4. Once the counties have screened for these items the county will fax any sheets of concern to the Secretary of State Elections Division attention Margie Franz at 503-373-7414. John Lindback, Lynn Rosik and Margie Franz will make the final determination on these sheets.
5. Counties will retain and not return any signature sheets to the Nader Campaign that may have any potential problems until the Secretary of State has resolved these issues and notified the county.
6. On signature sheets that have no issues and appear to be sufficient, the counties will verify the signatures and cross through any blank signature lines on the signature sheets with a marker so that no other signers may be added to that sheet **after** the county has verified the sheets.
7. Counties will verify all signatures submitted only on signature sheets that do not have any issues. The county will retain a copy of all signature sheets submitted and return the original sheets with the counties certification to the Nader Campaign.

If you should have any questions or concerns please contact either Margie Franz or John Lindback. Thank you.

JK "A"

7:50 AM Phil. = WORK

10:22 AM SARAH

John Matthew 500 SIB

Aug. 1974

CONVERSATION WITH SAMMY  
AT Sec of STATE  
office.

+ Series numbers must  
be filled before turning  
into S.O.S.

+ we should fill Reser's  
blanks made by  
SOS.

+ We'll submit thousand  
sheets to counties &  
number them before  
submitting to SOS

EX 'B'

I hereby certify that I served the foregoing documents:

1. **MOTION FOR PRELIMINARY INJUNCTION**
2. **MEMORANDUM IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**
- ~~3. **AFFIDAVIT OF TRAVIS DISKIN**~~
4. **AFFIDAVIT OF GREGORY KAFOURY**
5. **AFFIDAVIT OF NORMAN FRINK**
6. **AFFIDAVIT OF JOHN SLEVIN**
7. **AFFIDAVIT OF SANDRA KUCERA**
8. **AFFIDAVIT OF TIMOTHY JOHNSON**
9. **AFFIDAVIT OF RUTH BENDL**

to said person(s) a true copy thereof, addressed to said person(s) at their last known address(es) as follows:

mailing with postage prepaid

hand delivery

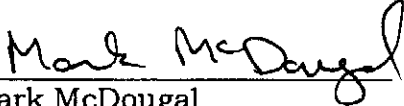
facsimile transmission

overnight delivery

on the defendant on the date indicated below,

STEPHEN BUSHONG  
DEPARTMENT OF JUSTICE  
1162 COURT STREET NE  
SALEM, OREGON 97301

Dated: September 3, 2004

  
Mark McDougal  
OSB No. 89046  
320 SW Stark Street  
Suite 202  
Portland, Oregon 97204

Of Attorneys for Plaintiffs  
KUCERA, WINDER, ZUBEL,  
BOLTON, SALISBURY, BERG,  
AND JOHNSON