

No. 04A242

**IN THE SUPREME COURT
OF THE UNITED STATE OF AMERICA**

**SANDRA KUCERA, SARAH THERESE
WINDER, KRISTIN ZUBEL, NATALIE
BOLTON, PHILLIP SALISBURY SAMANTHA
BERG, TIMOTHY JOHNSON, and GREGORY
KAFOURY,**

Applicants,

v.

BILL BRADBURY, Secretary of State,

Respondent,

and

**DEMOCRATIC PARTY OF OREGON, JOHN
NEEL PENDER, and JAMES EDMUNSON,**

Respondent-Intervenors Below.

**DECLARATION OF
DANIEL W. MEEK**

I, DANIEL W. MEEK, state under penalty of perjury that I am competent and make these statements from my own knowledge of the events in question and make the following statements in support of Reply of Applicants on Application for Stay of Oregon Supreme Court Order, Pending Certiorari Review.

1. I am an attorney in private practice and represent Applicants in this cause.
2. On September 15, 2004, beginning at 4:10 p.m., I participated in a conference call with the following other participants: Keith Garza (an employee of the Oregon Supreme Court), Kaye McDonald (attorney for Secretary of State), John Lindback (director of the elections division of the Office of Secretary of State), and Mark McDougal, my co-counsel in this case.

3. My contemporaneous notes of the conference call indicate that John Lindback made the following statements:
 - A. That 15 that 21 of Oregon's 36 counties use the same printing firm (Rider Printing in Bend, Oregon);
 - B. That the head of that firm had told Mr. Lindback that his last day to begin printing all of these 21 counties would be September 24.
4. As a result of prior litigation, I have learned about the practices of counties in mailing out ballots. It appears to me that the counties strive to mail the ballots at the earliest possible time. Some have them loaded on the docks of U.S. Post Offices on the 19th day before the election, so that they can be mailed just after midnight at the earlier possible moment on the 18th day before the election.

Dated: September 27, 2004, in Portland, Oregon (Multnomah County).

Daniel W. Meek

Daniel W. Meek

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF DANIEL W. MEEK by depositing with the United States Postal Service, first class postage prepaid, a true copy to the attorneys listed below:

Katherine Georges
Assistant Attorney General
400 Justice Building
Salem, OR 97310

Roy Pulvers
Lindsay, Hart, Neil Weigler
1300 S.W. 5th Avenue #3400
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I also certify that I emailed the foregoing document in PDF format to the following email addresses:

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Dated: September 27, 2004

Daniel Meek

Daniel W. Meek