The Special Board Meeting of the District of Columbia Board of Elections convened in Room 280 North, One Judiciary Square, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice, at 10:00 a.m., Deborah K. Nichols, Chairman, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

DEBORAH K. NICHOLS, Chairman

STEPHEN I. DANZANSKY, Member
BOARD OF ELECTIONS STAFF PRESENT:

CLIFFORD D. TATUM, Executive Director
KENNETH MCGHIE, ESQ., General Counsel
KEVIN NEWSOME, Voting Services Assistant
MARGARITA MIKHAYLOVA, Special Projects Advisor
BRITTANY BROWN, Legal Intern

ALSO PRESENT:

WILLIAM SANFORD, ESQ., General Counsel
Office of Campaign Finance
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10:25 a.m.

CHAIRMAN NICHOLS: Good morning.

This is a Special Meeting of the Board of
Elections and we are here this morning to hear
nominating petition challenges. It is
Wednesday, September 3, 2014 and the time is
10:25 a.m. We're at One Judiciary Square,
Room 280 North.

I am Deborah K. Nichols, Chairman
of the Board; accompanying me this morning is
Board Member Stephen Danzansky. Also present
on the dais is Ken McGhie our general counsel.

Our first hearing this morning is
the challenge to the nominating petition of
John Cheeks, candidate for Chairman of the
Council of the District of Columbia.

We will ask the parties to come to
the table. Our challenger is Mr. Robert
Turner, a registered voter in the District of
Columbia.

All right, would everyone at the
table identify themselves for the record.

MR. TURNER: Robert Turner.

MR. CHARLTON: I'm Walter Charlton. I'm attorney for Mr. John Cheeks.

MR. CHEEKS: John Cheeks for the Chairman of the District of Columbia.

MS. MIKHAYLOVA: Margarita Mikhaylova, Special Programs Coordinator.

MR. NEWSOME: Kevin Newsome, Voter Services Assistant representing Ms. Karen Brooks.

CHAIRMAN NICHOLS: All right.

Mr. Newsome, will you read the Registrar's report into the record please.


That petition was posted for public inspection for ten days as required by law and challenged on August 18, 2014 by
Robert Turner, a registered voter in the District of Columbia.

A preliminary review of the challenge indicates that Mr. Cheeks submitted a total of 6,216 signatures; the minimum requirement to obtain ballot access for this office is 3,000 signatures. Challenger Robert Turner filed challenges to a total of 3,595 signatures enumerated by line and page number on individual challenge sheets filed by each petition page.

Petition signatures were challenged pursuant to Title III DCMR Section 1607.1 of the Board's regulations on the following grounds:

The signer is not a duly registered voter; the signer according to the Board's records is not registered to vote at the address listed on the petition at the time the petition was signed provided an address on the petition that is different than the address which appears on the Board's records
shall be deemed valid and that the signer's current address is within boundary from which the candidate seeks nomination and the signer files a change of address form with the Board during the first ten days following the date on which the challenge to the nominating petition is filed. The signature is a duplicate of a ballot signature, the petition does not include the address of the signer.

The circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed. The signature is not made by the person whose signature it purports to be.

Additionally, Mr. Turner requested the Board disqualify and reject all of the signatures collected by the following seven circulators on the grounds that all of the signatures constitute blatant forgeries:

Charles Smith, James Crawley, Jonathan Reed, Mary Thomas, Nikea James, Tina Summers and John Cheeks.
She did not consider the veracity of the affidavits of the circulators listed above as this task lies within the sole province of the Board of Elections. See Brazill v. Anthony Williams 02016 July 30, 2002. Rather, she based her determination concerning this challenge solely on a review of the signatures challenge on a line-to-line basis.

Her review of the challenge indicates a total of 2,278 of the 3,595 challenges are valid. This leaves the candidate's nominating petition with 3,938 signatures, 938 signatures more than the 3,000 signatures required for ballot access.

CHAIRMAN NICHOLS: Thank you, Mr. Newsome. Mr. Turner?

MR. TURNER: Yes ma'am.

CHAIRMAN NICHOLS: Would you like to present your challenge?

MR. TURNER: Yes.

MR. CHARLTON: Pardon me, I do
have a preliminary matter. For purposes of
nicety I want to get onto the record the fact
we have objected to the timeliness of Mr.
Turner's--

CHAIRMAN NICHOLS: No, Mr.

Charlton, no. I'm conducting this hearing so
let me get to you. I want to hear--

MR. CHARLTON: I understand.

CHAIRMAN NICHOLS: --the

challenges that he is proffering today to us.

We'll get to you.

MR. CHARLTON: Yes ma'am. Thank

you.

CHAIRMAN NICHOLS: Please respect

the Board.

MR. CHARLTON: Thank you, ma'am.

CHAIRMAN NICHOLS: I appreciate

it. Proceed, Mr. Turner.

MR. TURNER: Thank you, Madam

Chair. I first want to turn to circulator
Jonathan Reed. I have highlighted several

instances where there are in my opinion
blatant forgeries several of the sheets that he has circulated and that there's a pattern of forgery.

I'm not reporting that he's the one who forged the signatures but signatures are forged because they're in the same handwriting and therefore I would like for these signatures selected to be disqualified.

CHAIRMAN NICHOLS: Proceed.

MR. TURNER: On page 152 of Mr. Cheeks' signatures--

MR. CHARLTON: 152?

MR. TURNER: 152.

CHAIRMAN NICHOLS: Hold on one second. Let me just -- I have them separated by circulators. So this is Mr. Jonathan Reed's. Now let's go back to the first-- please give me a second.

Okay. Jonathan Reed, let's do the first one briefly just so we can get the page--

MR. TURNER: Sure. If you look at
lines 2, 3 and 5 of page 152. And then again
on lines 18, 19 and 20 as well as 15, 16 and
17.

CHAIRMAN NICHOLS: You're saying
the signatures?

MR. TURNER: Yes, I'm looking
just at the signatures.

CHAIRMAN NICHOLS: Okay. Thank
you. I don't need to go see any more.

MR. TURNER: Okay.

CHAIRMAN NICHOLS: But you have
those enumerated?

MR. TURNER: Yes.

CHAIRMAN NICHOLS: All right.

MR. TURNER: We'll move onto the
next one. Nikea James.

BOARD MEMBER DANZANSKY: I'm
sorry, what am I looking at? What is this and
what is this?

MR. TURNER: These are copies of
the petitions.

BOARD MEMBER DANZANSKY: Sorry.
This is a copy of this?

MR. TURNER: No, there are several circulators for each challenge.

BOARD MEMBER DANZANSKY: Oh he's naming the circulators.

MR. TURNER: Yes. And these are the ones that have been circulated by Jonathan Reed. And these are the ones circulated by Cheeks. And this is Nikea James.

BOARD MEMBER DANZANSKY: Oh.

Okay. Thank you. Sorry, Mr. Turner, I just want to stay with you that's all.

MR. TURNER: I appreciate that.

No problem.

BOARD MEMBER DANZANSKY: Are we still on 152?

CHAIRMAN NICHOLS: We're going to Nikea James, the circulator for Nikea James, he's not specified a number, a page number here or line number.

MR. TURNER: Cheeks 212. I would say pretty much the entire sheet.
CHAIRMAN NICHOLS: I see, it's the entire sheet. Now, are you alleging that the signatures, the signature of the petitioners are forged?

MR. TURNER: Yes ma'am.

CHAIRMAN NICHOLS: And what is the basis for that?

MR. TURNER: They look to be in the same handwriting.

CHAIRMAN NICHOLS: Okay. Let's proceed.

MR. TURNER: Same petitioner?

CHAIRMAN NICHOLS: Yes.

MR. TURNER: 213.

CHAIRMAN NICHOLS: Okay.

MR. TURNER: I would say lines 1 through 17.

BOARD MEMBER DANZANSKY: Let me just ask you one question. Are you saying that you believe that these are all in the same handwriting. Did you compare the registration cards for any of these people?
MR. TURNER: No sir.

CHAIRMAN NICHOLS: Okay. Let us see the ones you have compared the registration, the signature on the registration card to the signature here.

MR. TURNER: I have not.

CHAIRMAN NICHOLS: Okay. Well let's move on. What is your next challenge?

MR. TURNER: They're all--

CHAIRMAN NICHOLS: --based on that?

MR. TURNER: Yes.

CHAIRMAN NICHOLS: Have you reviewed the signatures that you think are fraudulent, or forged, with the signatures on the voter registration card?

MR. TURNER: I have not, ma'am.

CHAIRMAN NICHOLS: Okay. Thank you. That is it?

MR. TURNER: Yes.

CHAIRMAN NICHOLS: Mr. Charlton?

MR. CHARLTON: We'll withdraw any
objection as there's a question of time.

CHAIRMAN NICHOLS: Thank you, sir.

MR. CHARLTON: And I apologize for being premature.

CHAIRMAN NICHOLS: Thank you, sir. I appreciate that.

BOARD MEMBER DANZANSKY: Could you speak up, sir, please. Could you speak up a little?

MR. CHARLTON: I say and I apologize for being a little premature.

BOARD MEMBER DANZANSKY: Thank you. Okay.

CHAIRMAN NICHOLS: All right. The Board will take this matter under advisement. Thank you both for appearing. Mr. Charlton, good to see you again. I remember you from the last time I think.

MR. CHARLTON: Good to see you again.

CHAIRMAN NICHOLS: 2012, right?
MR. CHARLTON: Yes. They were long years.

CHAIRMAN NICHOLS: All right.

MR. CHARLTON: I must say we're looking good.

(END CHEEKS PETITION)

CHAIRMAN NICHOLS: Thank you.

Okay. Do you need a recess?

BOARD MEMBER DANZANSKY: If I could just have a minute.

CHAIRMAN NICHOLS: Sure.

(WHEREUPON, A RECESS WAS TAKEN FROM 10:45 A.M. UNTIL 10:48 A.M.)

(PETITION IS READ SILENTLY)

CHAIRMAN NICHOLS: All right.

MR. MCGHIE: Are you getting ready to call the next case?

CHAIRMAN NICHOLS: Yes, I am. Is Mr. Dickens here? Is he here? Putta is not ready yet.

(PETITION READING CONTINUES)

CHAIRMAN NICHOLS: We'll proceed
in just a few minutes.

Okay. Come forth in the case of
Kishan Putta, candidate for At-Large member of
the Council and the challenger, Brian Hart or
his counsel. Do you need another chair? Pull
up a chair.

All right. Again, this is the
challenge to the nominating petition of Kishan
Putta, candidate for At-Large member of the
Council of the District of Columbia.

The time now is 10:48 a.m. It is
Wednesday, September 3, 2014. Will the
parties identify themselves for the record,
starting with you sir.

MR. PUTTA: Good morning. My
name is Kishan Putta.

CHAIRMAN NICHOLS: Okay.

MS. LINDENBAUM: I'm Dara
Lindenbaum, I'm an attorney on behalf--

CHAIRMAN NICHOLS: You'll have
to speak up.

MS. LINDENBAUM: Sure. Dara
Lindenbaum on behalf of Mr. Putta.

MS. HICKS: My name is Samantha Hicks, I'm the campaign manager for Brian Hart.

MR. HART: Brian Hart, the challenger.

CHAIRMAN NICHOLS: All right.

Thanks.

MR. NEWSOME: Kevin Newsome, Voter Services Assistant representing Ms. Karen Brooks.

MS. MIKHALYJOVA: Margarita Mikhaylova, Special Programs Coordinators for the D.C. Board of Elections.

CHAIRMAN NICHOLS: All right. Mr. Newsome, would you read the Registrar's report into the record please.

MR. NEWSOME: Yes. On August 6, 2014, Mr. Kishan Putta submitted a nominating petition to appear on the ballot as a candidate in the November 4, 2014 general election for the Office of At-Large member of
the Council in the District of Columbia.

That petition was posted for public inspection for ten days as required by law and challenged on August 18, 2014 by Mr. Brian Hart, a registered voter in the District of Columbia.

The minimum number of signatures required to obtain ballot access for this office is 3,000 signatures. At the preliminary review of the petition challenge, our office determined that Mr. Putta submitted a total of 5,570 signatures. However, a subsequent review undertaken after the pre-hearing conference, indicated that Mr. Putta actually submitted a total of 5,557 signatures.

Mr. Hart filed challenges to a total of 3,045 signatures, enumerated by line and page number on individual challenge sheets filed by each petition page. Petition signatures were challenged pursuant to Title III DCMR Section 1607.1 of the Board's
regulations on the following grounds:

The signer is not a duly registered voter; the signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed; provided an address on a petition which is different than the address which appears on the Board's records shall be deemed valid if the signer's current address is within the boundary from which the candidate seeks nomination and the signer files a change of address form with the Board during the first ten days following the date on which the challenge to the nominating petition is filed, the signature is a duplicate of a valid signature, the signature is not dated, the petition does not include the address of the signer, the petition does not include the name of the signer where the signature is not sufficiently legible for identification, the circulator of the petition sheet was not qualified a petition circulator
at the time the petition was signed.

The circulator of the petition failed to complete all required information in the circulator's affidavit and the signature is not made by the person whose signature it purports to be.

The preliminary review of the challenge indicated that 2,715 of the challenges were valid; this left the candidate with 2,855 challenges, 145 below the number required for ballot access. This number is based off the initial erroneous calculations of the 5,570 signatures submitted. Actually, Mr. Putta's petition had 2,842 signatures, 158 below the number required for ballot access.

After the pre-hearing conference, Mr. Putta submitted a total of 28 voter registration forms to our office. Of the 28 forms submitted, nine were proper address changes, eight were voters who were not previously registered, 4 were not properly identified by petition page and line, three
had different addresses that were placed on the petition, two were incomplete, one was a duplicate registration and one was inactive.

Mr. Putta also submitted a spreadsheet with a total of 162 signatures that he believes should be credited towards his total. After review of those 162, it was determined that 89 of those challenges were invalid and that Mr. Putta should be credited with those corresponding signatures.

Mr. Hart submitted a spreadsheet with a total of 21 signatures that he believed were erroneously credited to Mr. Putta. After a review of those 21, it was determined that 15 were correctly credited to Mr. Putta and six were valid challenges.

Based on the post pre-hearing conference submissions, it has been determined that 2,623 of the 3,045 challenges are valid. This leaves the candidate's nominating petition with 2,934 signatures, 66 signatures below the number required for ballot access.
BOARD MEMBER DANZANSKY: Madam Chair, was that a disparity of 13 between the time of the preliminary review of the pre-hearing or was that just a miscount?

MR. NEWSOME: It was a miscount during the check of the actual signatures. He was credited with a few blank lines that had no signatures on it. So when we went back to review, we had taken those out.

BOARD MEMBER DANZANSKY: Okay. Is that being contested at all by the parties today?

MS. LINDENBAUM: Yes sir. We've--

BOARD MEMBER DANZANSKY: Okay. I just wanted to know that. Thank you.

CHAIRMAN NICHOLS: All right. Mr. Putta, you're 66 signatures short. Do you have any evidence or anything to submit that would bring you up over that amount?

MS. LINDENBAUM: All right. Yes ma'am, my name is Dara Lindenbaum and I'm representing Mr. Putta.
First, we've gone over the registrar's findings that we just received this morning that are based on the spreadsheet that we had put together. I don't know if you have this information in front of you. And we challenge a few of these findings.

CHAIRMAN NICHOLS: Do you have 66 though?

MS. LINDENBAUM: We believe so once we put together all of the different challenges that we have. So first we have the 13.

CHAIRMAN NICHOLS: There's 13 on the spreadsheet?

MS. LINDENBAUM: No, there's not because this is information we just found out about today.

CHAIRMAN NICHOLS: Okay. What's the spreadsheet?

MS. LINDENBAUM: So the spreadsheet these are the names and voter ID numbers that we submitted on Thursday that
challenge some of the registrar's findings.
And for a number of them, and I can go through
and note which ones we disagree with, and we
think that there may have been some kind of
error -- be it human error -- in entering in
the voter's information from the voter
registration card.

CHAIRMAN NICHOLS: Did you check
the voter registration?

MS. LINDENBAUM: Yes, we have
checked all the voter registrations for them.
So, for example, for the third person on the
list, sheet 3, line 1--

CHAIRMAN NICHOLS: Read the name.

MS. LINDENBAUM: James Hawfield
and we have his voter ID number here. His
resident address on the voter registration
rolls is 403 50th Street, N.E. However, on
the rolls they have him at 31. However, on
his petition it appears that he's written 32.
And we believe that's such a close match that
there was some error in entering him into the
voter registration rolls.

The same goes for the next person which is sheet 6, line 14, Angela Smith. Her residential address on both the petition and the rolls is 4224 4th Street, S.E. However, on the rolls her apartment is 302. However, on the petition it's 301.

For the next person down, sheet 19, row 19--

CHAIRMAN NICHOLS: These are not numbered so we don't have any way of knowing--

MS. LINDENBAUM: All the way on the left. I'm sorry.

CHAIRMAN NICHOLS: Okay. I've got the methodology now. You said all the way down and I thought wait. Okay. 19.

MS. LINDENBAUM: So sheet 19, line 19 for Geraldine Bailey. If you look at all of this here, unfortunately I don't have these cards of each of these but here the Registrar has marked the address as illegible when we think if you look at the petition her
address is quite clearly legible to say 350 50th Street. I can take this out and mark this if you'd like it.

CHAIRMAN NICHOLS: So the ones you have noted with an updated result that is other than okay are the ones that you have problems with?

MS. LINDENBAUM: Um-hmm. Yes ma'am.

MS. HICKS: Will we have an opportunity to refute these?

CHAIRMAN NICHOLS: Yes ma'am.

I'll get to you.

MS. HICKS: Thank you.

CHAIRMAN NICHOLS: Got that process.

MS. LINDENBAUM: Further down the list, sheet 43, line 19, for Devon Allison. On the voter registrations rolls his residential house number is 4645 when on the petition it appears to be 4644, but the rest of his information is correct. It's Benning
Road, S.E., and it has the same apartment number and that's apartment A. So these minor differences we think do show that these are in fact registered voters and we put that on the residence but be it they're handwriting errors or data entry error, these are off by one number which led to the Registrar responding.

And on sheet 53, line 14, Tasha Davis. Her residential address is 2018 Maryland Avenue, N.E. That matches both. However, her apartment number on the petition is 104, where on the rolls it's 105.

The next one is 5419, John E. Screen and his residential house address it appears on the rolls as 5743 when it looks like on the petition he may have written 5743 (sic) and all the rest of the information is the same.

For 87, 9, it's further down the page, Paulette Smith. On the roll she's at 4230 H Street, S.E., and on the petition it appears that she wrote 4232. So that 2 and the
zero may have mixed up in the data entry.

On the next page--

CHAIRMAN NICHOLS: Well, instead

of going through all of these, we'll take

another look at the ones you have noted.

MS. LINDENBAUM: Okay.

MR. HART: Could you turn this --

so the Registrar's already had a chance to

take a look at the spreadsheet?

MR. NEWSOME: Yes. Actually, if

you look at the last column where it says

"updated results," that's where we made the

discrepancies where we were going to give it

to the challenger or--

MR. HART: So it says okay?

MR. NEWSOME: We awarded it to

Mr. Putta. We reviewed it a second time again

and after we'd reviewed it a second time it

was noted as okay we updated it to award it to

Mr. Putta.

MR. HART: Okay. And that didn't

bring him over 66?
MR. NEWSOME: No. That's included in the 89 after we'd reviewed the 162 we had already included in that total.

MR. HART: So then even if you look at all these numbers on your spreadsheet you don't have 66 on the spreadsheet.

MS. LINDENBAUM: No, not on the spreadsheet.

CHAIRMAN NICHOLS: Okay. So if we want to--

MR. NEWSOME: Well, let's them speak to that particular issue.

MS. LINDENBAUM: If the Registrar deemed them to be wrong, I don't believe we need to repeat them at this time.

CHAIRMAN NICHOLS: Okay. Thank you.

MS. LINDENBAUM: So the next issue that we have is the petitions turned in by Kevin Coats. Unfortunately, Mr. Coats is not able to be here today but Mr. Coats is homeless and he had circulated some of the
petition sheets for Mr. Putta. And at times he lived in a shelter and he put the shelter's address; at other times he didn't. And we have submitted an affidavit for him. It is notarized but I don't know if the notary symbol came out in the copies you have.

CHAIRMAN NICHOLS: I don't see it.

MS. LINDENBAUM: And you can see in the affidavit that he says that he is a resident of the District of Columbia but has no permanent address, that he often sleeps at the shelter but not always.

And he was instructed to write the address of the shelter on his forms, and in a few instances he did and a few instances he didn't. And this was due to the changing nature of his situation so even during one day he may have a residence at the shelter but at the end of the day he doesn't have a residence at the shelter.

And if he had put down the shelter
address while he wasn't residing at the
shelter, then he risks incurring a fine and
that's a false statement which is very clearly
laid out in the circulator's affidavit. And
he risks a $1,000 dollar fine or jail time so
he's in that Catch-22 situation.

Now again there are a number of
petition sheets that he did circulate and some
do have that date on it and some do not have
that date. And while the courts have
continually upheld circulator affidavits, the
point of the matter has really kind of
defeated everything that the D.C. courts may
view, as the Board has found, that you err on
the side of the voter and that you err to
expand the franchise rather than to restrict
the franchise.

I mean here these voters who
filled out his petition sheets would have
their signatures not counted which would
disenfranchise them simply because the
circulator is homeless and didn't want to make
the decision between committing a crime or
having his affidavit be complete.

And if you actually look at this
petition pages, they are very much complete.
We found 49 signatures on his pages that were
challenges that are valid registered voters
and in the registrar's first review they all
have voter ID numbers, their signatures are
clear, there was no issues there. This is a
man who worked very hard to procure all of
these signatures, but unfortunately his
circumstances are such that he couldn't make
that decision.

Now there was also no guidance for
him on what to do in that situation. The rules
say that you have to put down your residential
address -- he doesn't have a residential
address. And again, you know, what he's used,
he has a P.O. Box that he uses from time to
time which would not be his residence address.
And that shelter again, at ten in the morning
he may be a resident of that shelter and at
three in the afternoon he may not know if he'll be able to stay in that shelter.

So we really ask that the Board seriously consider this and see that there is no risk there with him not including those affidavits.

CHAIRMAN NICHOLS: So these were the forms--

MS. LINDENBAUM: And the ones that we've put on our spreadsheet is 49 that we're discussing. We didn't challenge multiple pages that had multiple signatures. We only put forward before the Board those that we have.

CHAIRMAN NICHOLS: The 49.

MS. LINDENBAUM: Yes. We only put forward only put forward before the Board those that we found a clear voter ID number for.

So on that spreadsheet all of those are marked H in the third column and then you'll see that the Registrar did not
make a determination all the way at the end of it.

CHAIRMAN NICHOLS: Okay. Mr. Hart, is your counsel--

MR. HART: Yes, we would certainly like to respond.

MS. HICKS: So in Kishan Putta's counsel's letter originally they stated that Mr. Coats did not have a permanent address and therefore when he was instructed by a member of the Kishan Putta campaign, he did not write anything on the sheets because he did not have a permanent address.

Counsel also argues that because circulator Kevin Coats did not have a permanent address he was at risk of making a false statement and being subject to penalties of a $1,000 dollar fine or even 180 days in jail if he completed the form with this address.

However, this is incorrect.

Neither the petition circulation guidelines
nor the affidavits on the circulator sheets state anywhere that the circulator must provide his or her permanent address.

Rather, the affidavit simply asks for the circulator's residing address. Therefore, circulator Coats was not at risk of making a false statement by providing his residing address which could have either been a shelter or the physical place where he actually resided.

So we supported the Board's initial decision to count these as valid challenges.

CHAIRMAN NICHOLS: You would count them as valid?

MS. HICKS: Valid challenges and additionally -- I'm sorry.

MR. HART: I would like to add a couple of points. So in addition to the points that Ms. Hicks makes that, you know, under Regulations 1607.1(h) it is required that the affidavit be filled out by the
circulator for all of the appropriate
information and in this instance the sheet
simply asks for a residing address, not a
permanent address, so therefore he would not
have been subject to these crimes or these
penalties that they're claiming he was.

But the other important point is
that in his own affidavit he admits that he
was instructed by the Kishan for D.C. Campaign
to write his resident address, the homeless
shelter address, on the sheets and he
neglected to do so and then the Kishan for
D.C. Campaign did not check those sheets
before they submitted it to the Board.

And another I think important
point is that for two groups of these sheets
he filled them out on the same date and for
one of the sheets he put the address on the
very same day and for the other sheets on the
very same day he didn't put the address. So
by his own admission he had a residing address
for that day and yet didn't write it down on
the sheets.

So I think it was a valid challenge to say it was an unqualified circulator because the circulator did not put down the residing address which they clearly had and admitted that they had.

MS. LINDENBAUM: May I rebut for one more?

CHAIRMAN NICHOLS: Certainly.

MS. LINDENBAUM: So on the permanent address issue I think they made exactly my point. He does at times have a permanent address, possibly that P.O. box, possibly a family member's address that he uses as a permanent address for possibly voter registration or any other official business. That is exactly the issue here.

Here it doesn't ask for a permanent address, it asks for the residence and it's that residence that changes hourly for Mr. Coats so at 10 a.m. his address, his residential address which is what he was asked
to put down here, residing at, so at 10 a.m.
he may be residing at the shelter but at 2
p.m. he may be residing at a park bench in
Farragut North.

The changing nature of his
circumstances is what made this problematic
and that's why in one day it may have his
signature down and one day it won't.

In his affidavit he did say that
he was asked to put the shelter address. He
was asked to do so. He made the choice not to
risk making a false statement here and didn't
put them down on all of them.

CHAIRMAN NICHOLS: Was he being
paid?

MS. LINDENBAUM: Yes, he was.

CHAIRMAN NICHOLS: All right.

Your next issue?

MS. LINDENBAUM: So on one of
those sheets that again this one we have a
voter here who signed the petition who's
actually an ANC member. We have his voter ID
number and we put it down in our sheet but the Registrar still found it to be illegible so we have him here to testify and he's willing to do so.

CHAIRMAN NICHOLS: What is his name?

MS. LINDENBAUM: His name is Gregory Stewart.

CHAIRMAN NICHOLS: Where is he on the--

MS. LINDENBAUM: He is on page 245, line 1.

CHAIRMAN NICHOLS: Gregory Stewart?

MS. LINDENBAUM: Yes. He had a couple of challenges I think because it was illegible so on the rolls he is marked down at 5314 (sic) Ames. So he's here to testify that that is his address and that is the address he's registered to vote at.

CHAIRMAN NICHOLS: Okay. Well why is 5364 Ames on your sheet?
MS. LINDENBAUM: I'm sorry, 5364 Ames. That's where he lives and if you look and again I'll show you page 245 then you can see that--

CHAIRMAN NICHOLS: What's on his voter registration form.

MS. LINDENBAUM: Yes. It's the same thing, it's 5364 Ames Street.

CHAIRMAN NICHOLS: Mr. Stewart, can you come forward and put on the record. Could you identify yourself for the record?

MR. STEWART: Sure. My name is Gregory Stewart, Chairman of Advisory Neighborhood Commission ANC-7C.

CHAIRMAN NICHOLS: What is your address?


CHAIRMAN NICHOLS: All right. Could you attest to whether or not that is your signature that you made personally on that petition?
MR. STEWART: Yes, I can attest to that. It is my handwriting, my wonderful signature on that date, yes.

CHAIRMAN NICHOLS: All right.

Thank you so much.

MR. PUTTA: Madam Chair?

CHAIRMAN NICHOLS: Yes.

MR. PUTTA: If I could just add, I collected those signatures and it was at a campaign event in my building and I'm an ANC Commissioner and invited Commissioner Stewart who came there. There was another ANC Commissioner on that same page was challenged for date out of order and it just I think shows the over-zealous nature of this challenge.

CHAIRMAN NICHOLS: Do you all have anything to say about Mr. Stewart's signature?

MR. HART: No, I mean we supported the decision but he came here and testified and it makes sense.
CHAIRMAN NICHOLS: All right.

MR. PUTTA: There were so many challenges like this, we couldn't get everyone here to testify and luckily I had known Mr. Stewart as a fellow commissioner but so many other people are not so lucky that we can speak up, we can stand up for them.

CHAIRMAN NICHOLS: That's the nature of this process. It's unfortunate but it is what it is.

COURT REPORTER: You have to speak into the microphone.

CHAIRMAN NICHOLS: Yes. So you need to kind of push the microphone over to him. Really, the coffee and all of that can be removed from the table. Thank you. So we don't mess up anybody's records. Okay. So what is your next?

MS. LINDENBAUM: Next we have Robert Shriver and depending on how you'd like to do this we can put Mr. Putta under oath to -- but I can explain what we'd like to show
you.

CHAIRMAN NICHOLS: Um-hmm.

Explain what--

MS. LINDENBAUM: So Robert Shriver who's not on the petition spreadsheet and Mr. Shriver was marked as inactive but he has submitted a sworn affidavit that states that he did vote in November 2012 and voted absentee ballot in 2008 and has produced a copy of his driver's license and his voter registration card. So I have five copies of this and that is the old one so we have this one affidavit to go with that.

CHAIRMAN NICHOLS: Okay. Sure.

MS. HICKS: I have--

MR. HART: Chair Nichols, we have a clarifying question on this.

CHAIRMAN NICHOLS: Yes?

MS. HICKS: This is being submitted late so that that wasn't part of the--

CHAIRMAN NICHOLS: Yes, you had
to come in during the 10-day period.

MS. LINDENBAUM: Right. And we did so we came in within that registration card, yes. But on that note the challenges the 21 challenges that we got in at about 10:30 last night, that was not submitted on Thursday nor was it even submitted you know in a timely manner on Tuesday.

MS. HICKS: Those were submitted before close of business yesterday.

BOARD MEMBER DANZANSKY: The 21 signatures were submitted earlier in the day.

MS. LINDENBAUM: When we had all agreed that it would be submitted by 4:45 on Thursday so we do not believe that the 21 that they submitted should be considered.

MR. HART: Excuse me. We can pull up the time stamp but they were submitted I believe at 12:30.

MS. LINDENBAUM: On Thursday?

MR. HART: On Wednesday. At the Registrar's request.

Let's get to this gentleman first before we proceed to the other issue. Mr. Newsome, what is the status of Mr. Shriver?

MR. NEWSOME: Mr. Shriver is currently on our voter roll as inactive. He was made inactive in 2013, I'm not sure of the exact date but I have it written on there.

CHAIRMAN NICHOLS: 10/31?

MR. NEWSOME: 10/31/13. He was made inactive on the voter roll. Some mail was returned back as undeliverable to his address.

CHAIRMAN NICHOLS: Is it the same address?

MR. NEWSOME: It's the same address. So when that happens he goes into an inactive status until he updates that with us.

CHAIRMAN NICHOLS: He did not vote after--

MR. NEWSOME: The date on the letter here says in 2012 and 2008 but he was
made inactive after that. The mail went out in 2013.

CHAIRMAN NICHOLS: No, that's not what I'm asking. Did he vote absentee in 2012?

MR. NEWSOME: Yes.

CHAIRMAN NICHOLS: He voted absentee?

MR. NEWSOME: I think he voted absentee in 2008 and he voted at the polls in 2012.

CHAIRMAN NICHOLS: So why is he in a--

MR. NEWSOME: Because in 2013 we did a mailing and the mailing that we sent to his residence was returned back to our office deemed undeliverable by the post office.

CHAIRMAN NICHOLS: That would really put him in a -- Okay. We'll take this matter under advisement and render a decision on him separately.

MR. PUTTA: --a a personal friend
of mine is very shocked and disappointed to hear about this.

CHAIRMAN NICHOLS: All right. Now let's go back to the discussion that was going on while we were trying to read this and catch up.

MS. LINDENBAUM: Prior to that, while we're on the note of inactive we also do challenge any of the decisions that were made because the voter was inactive for this very reason. That because the mailing went out they may have erroneously been counted inactive and the voters have had no time to cure that.

CHAIRMAN NICHOLS: Okay. Mr. Hart, do you and your counsel have anything to say about this particular Mr. Shriver.

MS. HICKS: Are voters made aware of the fact that if mail is returned to the Board of Elections they will be deemed inactive and need to re-register?

CHAIRMAN NICHOLS: There is a process that does apply to inactive that does
occur where we send voters correspondence and it comes back. But there is a procedure that should be followed so we will check into that.

It appears to me that if Mr. Shriver voted -- regardless of how he voted -- in 2008 and 2012, the fact that a mailing went out and it was returned should not in and of itself result in a decision to render him inactive.

So this is probably an anomaly but we'll check into that and see.

MS. HICKS: And we're happy to go through the list of those that were marked inactive--

CHAIRMAN NICHOLS: We can do that. We'll go back through. We know who they were.

MS. HICKS: You guys get a lot of challenges and I don't want to--

CHAIRMAN NICHOLS: Yes, but that is something that we'll go back and look at and make sure that we've made the proper
decisions in those cases in terms of the
rendering of the voter inactive and also not
crediting any candidate who happened to get
their signatures who's challenged as a valid
challenge. Did that make sense? Okay. So
let's move on to the next--

MS. LINDENBAUM: Sure. We
received yesterday, I guess it was maybe
around 4:30, this spreadsheet from the
challenger on the detailed 21 signatures that
the Registrar had marked okay but that they
believe are valid challenges. And then at
some time around--

BOARD MEMBER DANZANSKY: Let me--

CHAIRMAN NICHOLS: Hold on a
second.

CHAIRMAN NICHOLS: These are
signatures that--

BOARD MEMBER DANZANSKY: Let me
just--

CHAIRMAN NICHOLS: Hold on a
second.
BOARD MEMBER DANZANSKY: These are signatures that--

CHAIRMAN NICHOLS: Mr. Hart that you all are continuing to--

BOARD MEMBER DANZANSKY: And this is a subsequent challenge to that validation. Is that correct?

MS. LINDENBAUM: Yes, that the challenger has made.

BOARD MEMBER DANZANSKY: Okay. Thank you. I just wanted to be sure.

CHAIRMAN NICHOLS: Okay. We'll let Mr. Hart's--

BOARD MEMBER DANZANSKY: You said this was a subsequent challenge? This was not the original challenge?

CHAIRMAN NICHOLS: This is new?

MS. LINDENBAUM: We reserve the right to make--

CHAIRMAN NICHOLS: No, you don't reserve the right to challenge any further after the pre-hearing. Is this new? Did this
come in? Wait. Wait. Wait. Let me ask the question. Hold on. Just want to be clear. Did this come in after the issues were set in the pre-hearing conference?

MR. HART: No.

CHAIRMAN NICHOLS: When did it come in?

MR. HART: So we originally challenged these 21 and then the Board went and issued its preliminary determination, or excuse me the Registrar found that these were okay signatures and credited them to Mr. Putta.

We reserved the right at the pre-hearing conference to review these 21 signatures and respond back. And that's what we did. And then the Board went back and found that six of these were valid. So we're talking about six signatures.

CHAIRMAN NICHOLS: Okay.

MR. HART: Six of the 21 were valid.
CHAIRMAN NICHOLS: And you're continuing?

MR. HART: We're continuing to say were valid challenges, as we originally stated. And we have a separate spreadsheet that we submitted. It was titled "Revised Spreadsheet." Do you have a copy of that, Mr. Newsome?

MR. NEWSOME: I have a copy of that.

MR. HART: Okay.

CHAIRMAN NICHOLS: You have a copy of that?

MR. NEWSOME: I have a copy of that. When they submitted it I just made--

CHAIRMAN NICHOLS: Is this the same?

MR. NEWSOME: Yes. This is what they submitted, they challenged BLE code at the top. That's what the original preliminary count was that we gave it to Mr. Putta. They had their reasons for reviewing the challenge
decision and the last updated review that's when we went back and we checked it and we decided that it was still going to be a valid challenge from Mr. Putta who needed to overturn it and make it a valid challenge.

MR. HART: And also to be clear we checked with the Board of Elections staff and said that we weren't sure that these were valid challenges but because of changes of address and changes of inactive voters we just asked them to double check that these 21 were right. But we weren't positive that they were correct.

And then they went back and found that six of them in fact were valid challenges.

CHAIRMAN NICHOLS: So which six are they? Can you note them on this spreadsheet?

MR. HART: Yes. I have them in the letter that I provided to you.

CHAIRMAN NICHOLS: Okay. Well
then we'll look at that. We'll look at that in conjunction with the letter you provided.

BOARD MEMBER DANZANSKY: So for those that were valid you're reinstating your original objection?

CHAIRMAN NICHOLS: Objection.

Right. All right.

MS. HICKS: And this is reinstating their original challenge. During a pre-hearing we were told, and we all agreed, that any challenges to the Registrar's initial decision would be filed before 4:45 on Thursday, August 28th which is exactly what we did.

We had all of the information. We had all the Registrar's findings and that's when we submitted our spreadsheet that had the 162 signatures that we challenged based on the Registrar's findings. So we would argue that this is most definitely untimely as we never had any chance to review it since it came--

BOARD MEMBER DANZANSKY: And the
Registrar agreed to that?

MS. HICKS:  Yes. Yes. We said that we would like the opportunity to review and we were told okay, please submit on a spreadsheet by 4:45, which is close of business, on August 28th so that we can review those prior to a hearing. And as I said we do not believe that any of these 21 should be considered or included in that list.

CHAIRMAN NICHOLS: Is that correct, Registrar?

MR. NEWSOME: I can't speak to that. I wasn't--

CHAIRMAN NICHOLS: Okay. We'll take that under consideration when we deliberate on this matter.

MS. HICKS: We don't have a timeliness issue with what they challenged based on the spreadsheet we sent in fully understanding that they had time to provide it. But just like they had time to provide our spreadsheet, we haven't had the time to
rebut theirs and that was the whole purpose of that 4:45 on Thursday, August 28th deadline.

CHAIRMAN NICHOLS: And this came in when?

MS. HICKS: The spreadsheet itself came in about 4:30 and then the memo accompanying it came in at like 10:30.

CHAIRMAN NICHOLS: And when did this come in?

MS. LINDENBAUM: About 3:59 p.m. yesterday.

CHAIRMAN NICHOLS: Okay. And when was the deadline to submit any of this?

MS. LINDENBAUM: 4:45 on the 28th.

CHAIRMAN NICHOLS: 4:45 on the 28th. Okay. All right.

MR. HART: I would just mention that we did come down in person to talk to the Board, the Board staff, and to clarify this issue.

CHAIRMAN NICHOLS: Who did you
talk to?

MR. HART: Mr. Newsome and actually Brenda as well.

CHAIRMAN NICHOLS: Brenda who?

MR. HART: Okay. We spoke to Mr. Newsome and I think it was less that we were challenging again rather than this was just brought to their attention and they asked for the information to check. So it's a different posture--

CHAIRMAN NICHOLS: You weren't challenging?

MR. HART: No. We were just providing the information.

CHAIRMAN NICHOLS: And so did this result in any change in the count?

MR. NEWSOME: Yes.

CHAIRMAN NICHOLS: But this was not a formal challenge?

MR. NEWSOME: We were going to have them to submit and we'd review it and then we would have -- I spoke with the general
counsel at the time.

BOARD MEMBER DANZANSKY: How did it change the count?

MR. NEWSOME: It took six away from Mr. Putta. Yes, six signatures away from Mr. Putta.

CHAIRMAN NICHOLS: But this is coming in after the pre-hearing, after the time to challenge the signatures.

MR. HART: The Board was still reviewing their challenges that they had submitted from the 28th.

CHAIRMAN NICHOLS: This is new.

This is new?

MR. HART: We originally had challenged that.

CHAIRMAN NICHOLS: We'll consider this. Thank you so much.

MR. HART: Thank you.

CHAIRMAN NICHOLS: All right.

Are there any more--

MS. LINDENBAUM: Well, in the
period after the pre-hearing and before this
hearing, the Registrar has amended their
findings to find that the date out of orders
that were originally at issue to validate many
of those that were invalid.

CHAIRMAN NICHOLS: To invalidate?

To invalidate many of those because of the out
of order date they invalidate?

MS. LINDENBAUM: Yes. Originally
they were valid challenges so they then come
to Mr. Putta and then based on I guess what we
submitted and then based on the memo that
accompanied that we were credited with many of
those signatures.

And I don't want to waste the
Board's time if that is going to be a done
deal and if they're not challenging those.

But if they are challenging date out of
orders, in case this goes further up the
ladder, I want to make sure that we're
preserving that and we have witnesses here
that are willing to testify they are the ones
who circulated the petitions in questions and can speak to why the dates were out of order. So again I don't want to--

CHAIRMAN NICHOLS: Who do you have here for that issue?

MS. LINDENBAUM: We have Maria Aragon.

CHAIRMAN NICHOLS: All right. Can you come forward and identify yourself for the record. Do you have a copy of her petition?

MS. LINDENBAUM: Yes, I do. There are two sheets in question for her here so here are--

CHAIRMAN NICHOLS: What do we do in terms of the date out of order issue? What was the decision?

MS. LINDENBAUM: At the pre-hearing it was decided that those were not going to count for Mr. Putta.

CHAIRMAN NICHOLS: But it was reversed?

MS. LINDENBAUM: Exactly.
CHAIRMAN NICHOLS: But you can go on and explain for the record but really that doesn't have any bearing -- the order of the date really has no bearing on the validity of the signatures and when they were collected. I mean a sheet can be -- but you can go on. You've come this far you should be a part of the --

MS. LINDENBAUM: Let me grab a couple of these. Here are three more copies, I'm sorry I don't have more. And we're looking at sheet 208, just sheet 208 in general. Do you need to swear her in?

MR. NEWSOME: Yes, would you raise your right hand. Do you swear or affirm that the testimony that you will give will be the truth? Please say I do.

THE WITNESS: Yes, I do.

CHAIRMAN NICHOLS: Go right ahead.

MS. LINDENBAUM: Ms. Aragon, can you state your name and address for the
record?


MS. LINDENBAUM: And Ms. Aragon, are you married?

THE WITNESS: Yes.

MS. LINDENBAUM: And your husband's name?

THE WITNESS: He is Horace [inaudible].

MS. LINDENBAUM: And is he involved in Mr. Putta's campaign?

THE WITNESS: Yes, as a volunteer because we live in the same building.

CHAIRMAN NICHOLS: Hold on. Let me just go on and proceed. Ms. Aragon, can you explain why the dates are out of order? That's all we wanted to--

THE WITNESS: Yes. I am a teacher and I have to apologize but the day I
was organizing the petitions and instead of
doing it the correct way I started like this
and when I realized it was halfway down so I
said okay. I didn't want to ask people when
they were signing that I made my mistake so I
just finished the day. And the following day
I did it like that. But I have like ten
petitions and one accidentally was botched.

CHAIRMAN NICHOLS: That's the
word.

THE WITNESS: Yes. That was it.

MS. LINDENBAUM: And this was the
same on petition 212? I'm sorry, the reason
I was asking her if she was married is because
her husband circulated a number of petitions
but unfortunately he's in the hospital today
and has been for the last few days so we were
going to try to get there, that's why he
couldn't testify.

CHAIRMAN NICHOLS: All right.

Thank you so much, Ms. Aragon, for coming
down. We appreciate your satisfying that
issue. Any more?

(WITNESS EXCUSED)

Well, we don't need any more because date out of order really has no bearing on the legitimacy of the petition. I mean there could be a number of reasons why a date is out of order.

Do you have something to say with regard to that?

MR. HART: Yes, we would just like to preserve our right to the date out of order issue in case this is elevated to--

CHAIRMAN NICHOLS: That's fine. Whatever you want then that's fine.

MR. HART: And we also describe in the letter that some of those signatures were challenged on other grounds other than date out of order.

CHAIRMAN NICHOLS: Absolutely.

Anything else?

MS. LINDENBAUM: So in what we've submitted we do have more details on specific
signatures that you know we underlined when we first began but we want to be as helpful as possible for you in making these determinations. I meant to point out there's many minor errors.

For example, there is someone named Eric Lomax who on the voter registration roll is Erie Lomax, same address. Most definitely the same person. And because there was that discrepancy we initially challenged that to the Board and then the Registrar in her amended filing still found that he isn't registered and it's a wrong name. So we believe those are errors--

CHAIRMAN NICHOLS: Are they in the spreadsheet?

MS. LINDENBAUM: They are in the spreadsheet. So would you like us to submit another that goes line by line on why we think that these second determinations are wrong?

We'd be happy to do so.

CHAIRMAN NICHOLS: No, what you
need is 66 signatures.

MS. LINDENBAUM: Yes, right. And we believe when you add all of these things together that we will come to 66. So to recap--

CHAIRMAN NICHOLS: We'll go back to the evidence you've submitted and reevaluate the evidence that we have, the Board records and the law, and come to a determination. But I want to go to Mr. Hart. Yes sir, Mr. Putta?

MR. PUTTA: I would say just two things. I wanted to reiterate your colleague had mentioned that the deadline was last Thursday at 4:45. We offered it and then they [inaudible] but secondly I want to just say that we could have scrutinized our petitions better and I wish we had and then I wouldn't be here to burden the Board with this.

But we worked very hard and I hope that we'll able to keep these on the ballot.

Thank you.
CHAIRMAN NICHOLS: Thank you.

Mr. Hart. Your representative?

MS. HICKS: Thank you. We would just like to raise one more issue of three sheets that are potentially fraudulent by circulator Abu Talil Fayeed. It seems that every single circulator on each of those sheets is not registered, not found in the voter roll, and appear to be in the same hand. So regardless those are--

CHAIRMAN NICHOLS: Were they determined to be valid?

MR. HART: They were already valid challenges because all of the voters on those sheets were not registered.

CHAIRMAN NICHOLS: Okay. So what is the point?

MR. HART: We're just raising the issue of fraud here. I think it's--

CHAIRMAN NICHOLS: But how is that going to--

MR. HART: According to the law,
the Board has the ability sua sponte to
investigate issues of fraud that go to the
heart of the election process and we think
that this issue goes to the heart of the
election process.

BOARD MEMBER DANZANSKY: Are
you asking us to investigate fraud?

MR. HART: Yes, we are.

BOARD MEMBER DANZANSKY: On what
evidence?

CHAIRMAN NICHOLS: Yes, on what
evidence do you have?

MR. HART: The evidence that we
have is basically a prime facie review of the
sheets so for one thing the entire sheets were
not registered voters, which is a very rare
thing.

On top of that, all the names and
addresses on the sheet were in the same
handwriting and all the signatures are in the
same writing. And in a previous case--

CHAIRMAN NICHOLS: Are you a
handwriting expert?

MR. HART: No, but in a previous case, I would just say Dorothy Brazill vs. Anthony Williams in which the same issue came up with the Bishop family and they were alleged to have signed sheets in the same handwriting. The Board took that under advisement, investigated it and found in fact that those sheets were fraudulent and invalid. So I'm just raising the issue.

CHAIRMAN NICHOLS: We'll take them under advisement and certainly make the appropriate referral if need be.

But our point here today is to determine whether or not to grant ballot access to Mr. Putta. And we will look at that issue because it is indeed a very important issue. But do you have anything else that would go to the heart of ballot access for Mr. Putta?

MR. HART: No.

MS. HICKS: We thank you very
much for your time and we do stand by the
Board's determination.

CHAIRMAN NICHOLS: Thank you so
much. Are there any questions? All right.
We will take all the evidence that has been
submitted to us today and evaluate it in its
proper light and issue an order as soon as we
can. Thank you so much for coming this
morning.

MS. HICKS: Thank you.

MR. HART: Thank you.

(END OF KISHAN PUTTA PETITION)

CHAIRMAN NICHOLS: All right.
We'll move to -- is Dickens, Maurice Dickens
here?

MR. NEWSOME: Anthony Muhammad
vs. Maurice Dickens. Mrs. Maurice Dickens
just called and said that he would not be
coming in.

CHAIRMAN NICHOLS: He just
stepped out.

MR. NEWSOME: I guess he's going
to be here then.

CHAIRMAN NICHOLS: Okay. So he's here. Where is he? Okay. Mr. Dickens, have a seat.

MR. DICKENS: Thank you.

CHAIRMAN NICHOLS: Are you all right?

MR. DICKENS: Oh yes, just checking my sugar levels.

CHAIRMAN NICHOLS: Oh okay. I thought you'd cut yourself or something. All right. We're here now to hear the challenge to the nominating petition of Maurice T. Dickens, candidate for Advisory Neighborhood Commissioner single member district 8EO2. The time is 11:44 a.m. and it's September 3, 2014. Will the parties and staff identify themselves for the record.

MR. MUHAMMAD: Anthony Muhammad, Commissioner ADO2.

MR. DICKENS: Maurice Dickens, candidate for Advisory Neighborhood Commission
8EO2.

CHAIRMAN NICHOLS: Okay.

MR. NEWSOME: Kevin Newsome, Voter Services Assistant representing Ms. Karen Brooks.

MS. BROWN: Brittany Brown, legal intern D.C. Board of Elections.

CHAIRMAN NICHOLS: Thank you. All right. Mr. Newsome, could you read into the record the Registrar's report.


That petition was posted for public inspection for ten days as required by law and challenged on August 18, 2014 by Anthony Muhammad, a registered voter in the District of Columbia.
Her preliminary review of the petition challenge indicates that Mr. Dickens submitted a total of 56 signatures. The minimum required for this office is 25 signatures of District voters who are duly registered in the same SMD as the candidate.

Challenger Anthony Muhammad filed challenges to a total of 40 signatures, enumerated by line and page number on individual challenge sheets filed for each petition page. Petition signatures were challenged pursuant to Title III DCMR Section 1607.1 of the Board's regulations on the following grounds:

The signer's voter registration was designated as inactive on the voter roll at the time the petition was signed. The signer is not a duly registered voter. The signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed, provided an address on the petition
which is different than the address which it appears on the Board's record shall be deemed valid if the signer's current address is within the boundaries from which the candidate seeks nomination and the signer files a change of address form with the Board during the first ten days following the date on which the challenge to the nominating petition is filed, the petition does not include the name of the signer where the signature is not sufficiently legible for identification, the signature is not made by the person whose signature it purports to be and the signer is not a registered voter in the ward or single member district from which the candidate seeks nominating petition at the time the petition was signed.

Her review of the challenge indicates that 29 of the 40 challenges are valid. This leaves the candidate's nominating petitions with 27 signatures, two signatures over the number required for ballot access.
CHAIRMAN NICHOLS: All right.
The challenger, Mr. Muhammad, you appealed
this process and we'd like to hear your case.

MR. MUHAMMAD: Some of the
signatures that were validated and the address
were incorrect. He was asked to bring in ten
change of addresses, which was not done, and
also I challenged some of the signatures that
also were validated by the Board, by the
Registrar.

CHAIRMAN NICHOLS: Eight
signatures during the pre-hearing were taken
issue with and they are Ladonda Tion,
Celestine Hardy, Michelle Elliott, Janelle
Patterson, Lisa Jones, Ann Corker, Karen
Williams, Leon Hamilton. You had issues with-
-
MR. MUHAMMAD: The signatures
didn't match what was on the signature of the
voter registration.

CHAIRMAN NICHOLS: Okay.

BOARD MEMBER DANZANSKY: Did not
match?

MR. MUHAMMAD: Did not match.

CHAIRMAN NICHOLS: All right.

Did you have any change of addresses that you submitted?

MR. MUHAMMAD: No, I don't.

CHAIRMAN NICHOLS: Okay. We will take this case under advisement, render a decision and issue an order. We'll look at these signatures, the signatures of the individuals that you have raised issues with and make a judgment. Thank you, Mr. Muhammad.

MR. MUHAMMAD: Thank you.

BOARD MEMBER DANZANSKY: So that's it? These eight?

CHAIRMAN NICHOLS: Yes, that's the only issue that's preserved for--

BOARD MEMBER DANZANSKY: These are the eight signatures that you want us to take a look at?

CHAIRMAN NICHOLS: What about the ten signatures with an address that is
different?

MR. MUHAMMAD: And the ten addresses that were--

CHAIRMAN NICHOLS: Okay. And do we know what they are?

MR. NEWSOME: They were listed on these sheets. They were valid challenges and Mr. Dickens didn't bring any address changes by the deadline. Those are not included in the 27.

CHAIRMAN NICHOLS: All right. So those are pretty much-- But what remains is the signatures?

MR. MUHAMMAD: Correct.

CHAIRMAN NICHOLS: Okay. We'll take those under review. Anything else that was raised in this pre-hearing?

MR. MUHAMMAD: That was it.

CHAIRMAN NICHOLS: That was it?

Thank you, Mr. Muhammad.

MR. MUHAMMAD: Thank you.

CHAIRMAN NICHOLS: All right.
(END OF MAURICE DICKENS PETITION)

CHAIRMAN NICHOLS: Okay. We will now call the parties to the table for the challenge to the nominating petition of Marvin Lee, candidate for Advisory Neighborhood Commission single member district 8EO-1. Mr. Lee is not present nor is the challenger.

MR. MCGHIE: Joseph Johnson.

Okay. Can anybody for the record indicate what notice they were given?

MR. NEWSOME: Kevin Newsome, Voter Services Assistant representing the Registrar of Voters. Both Mr. Lee and Mr. Johnson were notified by email and a phone call was given to Mr. Johnson.

MR. MCGHIE: Okay. Then I recommend that the Board will just proceed ex parte with this matter.

CHAIRMAN NICHOLS: Do we need a motion to do that?

MR. MCGHIE: Yes, a motion that the Board proceed ex parte pursuant to its
regulations on the matter of Joseph Johnson vs. Marvin Lee.

CHAIRMAN NICHOLS: I'll entertain a motion to that effect.

BOARD MEMBER DANZANSKY: One question before we get to that motion.

CHAIRMAN NICHOLS: Yes.

BOARD MEMBER DANZANSKY: Had that proven to be a valid email address, had we corresponded with him before?

CHAIRMAN NICHOLS: Yes.

BOARD MEMBER DANZANSKY: We have? Okay. And that was a working email address?

CHAIRMAN NICHOLS: Yes, it was.

BOARD MEMBER DANZANSKY: Thank you. I so move with a motion that we proceed ex parte.

CHAIRMAN NICHOLS: All right.

All in favor? All opposed? Motion carries.

We will now hear the challenge to the nominating petition of--

MR. MCGHIE: Marvin Lee.
CHAIRMAN NICHOLS: Okay. For Marvin Lee can you read the Registrar's report?


That petition was posted for public inspection for ten days as required by law and challenged on August 18, 2014 by Joseph Johnson, a registered voter in the District of Columbia.

A preliminary review of the petition challenge indicates that Mr. Lee submitted a total of 54 signatures. The minimum required for this office is 25 signatures of the District voters who are duly registered in the same SMD as the candidate.

Challenger Joseph Johnson filed
challenges to a total of 46 signatures
enumerated by line and page number of
individual challenge sheets filed for each
petition page.

Petition signatures were
challenged pursuant to Title III DCMR Section
1607.1 of the Board's regulations on the
following grounds:

The signature is not made by the
person whose signature it purports to be and
the signer is not a registered voter in the
ward or single member district from which the
candidate seeks nomination at the time the
petition was signed.

A review of the challenges
indicate a total of 24 of the 64 challenges
are valid. This leaves the candidate's
nominating petitions with 30 signatures, five
signatures over the number required for ballot
access.

MR. MCGHIE: I believe at this
time we need a motion to accept the Registrar
of Voters report granting Mr. Marvin Lee ballot access.

CHAIRMAN NICHOLS: Yes. I move that we accept the Registrar's report in this ex parte hearing with a recommendation that we grant Mr. Lee access to the ballot.

CHAIRMAN NICHOLS: All in favor say aye, all opposed--

[VOTE TAKEN]

The motion carries.

(END OF MARVIN LEE PETITION)

CHAIRMAN NICHOLS: Good morning, how are you this morning? Ms. Carpenter?

MS. CARPENTER: Ms. Carpenter.

CHAIRMAN NICHOLS: I'm sorry, we've changed your name. Okay. Is the challenger--

MS. CARPENTER: He just sent an email saying that he was sick.

CHAIRMAN NICHOLS: All right.

Well we will proceed. It is 12:01 p.m. It is Wednesday, September 3, 2014, a
continuation of the Special Board Meeting to hear nominating petitions challenges. We will now hear the challenge to the nominating petition of Allyson Carpenter, candidate for Advisory Neighborhood Commissioner single member district 1B10.

Will the parties at the table please identify themselves for the record and we'll start with you, Ms. Carpenter.

MS. CARPENTER: My name is Allyson Carpenter.

MR. NEWSOME: Kevin Newsome, Voter Services Assistant representing Ms. Karen Brooks.

MS. BROWN: Brittany Brown, legal intern.

CHAIRMAN NICHOLS: All right. And Mr. Newsome, would you read the Registrar's report into the record please.

MR. NEWSOME: On August 6, 2014, Allyson Ann Carpenter submitted a nominating petition to appear on the ballot as a
candidate in the November 4, 2014 general
election for the Office of Advisory
Neighborhood Commissioner single member
district 1B10.

That petition was posted for
public inspection for ten days as required by
law and challenged on August 18 by Paul
Glicksman a registered voter in the District
of Columbia.

A preliminary review of the
petition challenge indicates that Ms.
Carpenter submitted a total of 25 signatures.
The minimum required for this office is 25
signatures of District voters who are duly
registered in the same SMD as the candidate.

Challenger Paul Glicksman filed a
challenge to a total of seven signatures,
enumerated by line and page number on
individual challenge sheets filed for each
petition page.

Petition signatures were
challenged pursuant to Title III DCMR Section
1607.1 of the Board's regulations on the following grounds:

The signer according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed, provided an address on the petition which is different than the address which appears on the Board's record shall be deemed valid if the signer's current address is within the boundary from which the candidate seeks nomination and the signer files a change of address form with the Board during the first ten days following the date on which the challenge to the nominating petition is filed.

The signature is not dated. The petition does not include the name of the signer where the signature is not sufficiently legible for identification, the signer is not a registered voter in the war or single member district from which the candidate seeks nomination at the time the petition was
A review of the challenge indicates that a total of two of the seven challenges are valid. That leaves the candidate's nominating petitions with 23 signatures, two signatures below the number required for ballot access.

CHAIRMAN NICHOLS: All right.

Ms. Carpenter, do you have any change of address or any other evidence that would help you get two of those signatures that you need?

MS. CARPENTER: Yes ma'am. When I spoke with Ms. Brooks she assured me that there was only one signature that there was a problem with, and that was Ms. Morgan Owens. I wasn't notified of two.

MR. NEWSOME: She has a note here in her records that she stated that page 1, line 15 which was initially determined to be invalid and she gave credit back to the candidate so that--

CHAIRMAN NICHOLS: She's short
MR. NEWSOME: She's short one.

CHAIRMAN NICHOLS: Okay.

MS. CARPENTER: Well, if that is the case I do have testimony from Ms. Morgan Owens who is the signature that is contested about the date of the signature. I'm not sure if this is--

CHAIRMAN NICHOLS: Is it a sworn or notarized statement?

MS. CARPENTER: It's not notarized. However, Morgan Owens she signed it. She signed it.

CHAIRMAN NICHOLS: Oh, it's not legal.

MS. CARPENTER: That was the issue, that's right.

CHAIRMAN NICHOLS: Okay. All right. We will take this under continuation. You don't have change of address--

MS. CARPENTER: I don't believe that was necessary.
MR. NEWSOME: No.

CHAIRMAN NICHOLS: Okay. You came in right at the line. Okay.

MR. NEWSOME: Yes, next time, I don't even have to tell you. You need 25 signatures and you submit 25 signatures so I don't need to say anything else.

MS. CARPENTER: I understand. When I learned that the petitions were being released I was actually in China for a three-week trip so when I got back I literally had a very small window and I completely -- I apologize for not recognizing the error.

CHAIRMAN NICHOLS: All right. We will take this matter under submission and render an order with a decision as soon as possible. Thank you, Ms. Carpenter for coming down.

MS. CARPENTER: Thank you.

(END OF ALLYSON CARPENTER PETITION)

CHAIRMAN NICHOLS: All right.
This hearing is concluded at 12:06 p.m. on Wednesday, September 3, 2014. We will recess now and reconvene at 12:30 p.m.

(WHEREUPON, A RECESS WAS TAKEN FROM 12:06 P.M. UNTIL 12:30 P.M.)

CHAIRMAN NICHOLS: All right. It is 12:33 p.m., Wednesday, September 3rd. We're calling back to order the Special Board Meeting of the Board of Elections to hear nominating petition challenges.

We now will hear the challenge to the nominating petition of Mark Renneberger, candidate for Advisory Neighborhood Commissioner single member district 1A02.

MR. NEWSOME: 1A04.

CHAIRMAN NICHOLS: I'm reading what's on the agenda. What is the correct number?

MR. NEWSOME: 1A04.

CHAIRMAN NICHOLS: 1A04. That is a correction. All right. Will the parties
please identify themselves for the record that
are at the table starting with the challenger.

MR. GOLDSMITH: I'm Matthew
Goldsmith, I'm a challenger.

CHAIRMAN NICHOLS: Okay. Mr.
Goldsmith.

MR. NEWSOME: Kevin Newsome,
Voter Service Assistant representing Ms. Karen
Brooks.

MS. BROWN: Brittany Brown,
legal intern.

CHAIRMAN NICHOLS: All right.

Mr. Renneberger is not present but we will
proceed with the reading of the Registrar's
report on this challenge. Mr. Newsome?

MR. NEWSOME: On August 4, 2014,
Mark Renneberger submitted a nominating
petition to appear on the ballot as a
candidate in the November 4, 2014 general
election for the Office of Advisory
Neighborhood Commissioner single member
district 1A04.
That petition was posted for public inspection for ten days as required by law and challenged on August 18, 2014 by Matthew Goldsmith, a registered voter in the District of Columbia.

A preliminary review of the petition's challenge indicates that Mr. Renneberger submitted a total of 27 signatures. The minimum required for this office is 25 signatures of District voters who are duly registered in same SMD as the candidate.

Challenger Matthew Goldsmith filed challenges to a total of 7 signatures, enumerated by line and page number on individual challenge sheets filed for each petition page.

Petition signatures were challenged pursuant to Title III DCMR Section 1607.1 of the Board's regulations on the following grounds:

The signer, according to the
Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed. Provided that an address on the petition which is different than the address which appears on the Board's records shall be deemed valid if the signer's current address is within the boundary from which the candidate seeks nomination and the signer files a change of address form with the Board during the first ten days following the date on which the challenge to the nominating petition is filed, the signature is not made by the person whose signature it purports to be, the signer is not a registered voter in the ward or single member district from which the candidate seeks nomination at the time the petition was signed.

A review of the challenge indicates that a total of four of the seven challenges are valid. This leaves the candidate's nominating petition with 23 signatures, two signatures below the number
required for ballot access.

MR. MCGHIE: Okay. And I believe at this time we need a motion to accept the Registrar's determination and to deny the candidate ballot access based on that report.

CHAIRMAN NICHOLS: I'll entertain a motion to that effect.

BOARD MEMBER DANZANSKY: So moved Madam Chair.

CHAIRMAN NICHOLS: All in favor. Aye? All opposed?

(VOTE TAKEN)

Hearing none, the motion passes.

Thank you, Mr. Goldsmith.

MR. GOLDSMITH: Thank you and have a great afternoon.

(END OF GOLDSMITH PETITION)

CHAIRMAN NICHOLS: You do the same. All right. We will take a recess. The time is 12:37 p.m., Wednesday, September 3rd.

Okay.

(WHEREUPON, A RECESS WAS TAKEN)
FROM 12:37 P.M. UNTIL 1:31 P.M.)

CHAIRMAN NICHOLS: All right.

We're going back into session of the Special Board Meeting to hear nominating petition challenges. It is Wednesday, September 3, 2014. The time is 1:33 p.m.

Next case is the challenge to the nominating petition of Marjorie D. Thomas-Barnes, candidate for Advisory Neighborhood Commissioner Single Member District 5D05.

Will the parties come to the table please. And would you all identify yourselves for the record, starting with you Ms. Henderson.

MS. HENDERSON: Yes. Good afternoon. Kathy Henderson, do I need to state my address?

CHAIRMAN NICHOLS: No.

MR. NEWSOME: Kevin Newsome, Voter Service Assistant representing Mrs. Karen Brooks.

MS. BROWN: Brittany Brown, legal
CHAIRMAN NICHOLS: And for the record, Ms. Henderson is the challenger. The candidate is not present but we will proceed anyway. All right. Mr. Newsome, would you please read into the record the Registrar Voters report.


That petition was posted for public inspection for ten days as required by law and challenged on August 18, 2014 by Kathy Henderson, a registered voter in the District of Columbia.

A preliminary review of the petition's challenge indicates that Ms. Thomas-Barnes submitted a total of 95
signatures. The minimum required for this office is 25 signatures of District voters who are duly registered in the same SMD as the candidate.

Challenger Kathy Henderson filed challenges to a total of 74 signatures, enumerated by line and page number on individual challenge sheets filed for each petition page.

Petition signatures were challenged pursuant to Title III DCMR Section 1607.1 of the Board's regulations on the following grounds:

The signer's voter registration was designated as inactive on the voter roll at the time the petition was signed. The signer, according to the Board's records, is registered to vote at the address listed on the petition at the time the petition was signed provided that an address on the petition which is different than the address which appears on the Board's records shall be
deemed valid if the signer's current address is within boundary from which the candidate seeks nomination and the signer files a change of address form with the Board during the first ten days following the date on which the challenge to the nominating petition is filed, the signature is not dated, the petition does not include the address of the signer, the petition does not include the name of the signer where the signature is sufficiently legible for identification, the signature is not made by the person whose signature it purports to be and the signer is not a registered in the ward or single member district from which the candidate seeks nomination at the time the petition was signed.

A review of the challenge indicates that 68 of the 74 challenges are valid. This leaves the candidate's nominating petition with 27 signatures, two signatures over the number required for ballot access.
CHAIRMAN NICHOLS: Thank you, Mr. Newsome. All right. Ms. Henderson, I think you have challenged one signature, that of Marilyn Teresa Hill. You also raise the question of why didn't the candidate follow the master index and the guidance given to her by the Board. Is that the only issue that you have to raise is with that one signature?

MS. HENDERSON: No, and I will raise--

CHAIRMAN NICHOLS: But you cannot raise anything that you did not raise in the pre-hearing.

MS. HENDERSON: Right. I'm reasserting an issue that I raised.

CHAIRMAN NICHOLS: And what is that?

MS. HENDERSON: The issue -- well first of all good afternoon to the Board and it is a pleasure to be here even under these adversarial circumstances and I appreciate the administrative process that is in place to
allow citizens to civilly address issues because if you keep up with current events certainly you know it's not going on in the rest of the world.

So as I get older I certainly appreciate my American citizenship and the processes in place.

The issue that I raised at the preliminary hearing is lack of due diligence, carelessness and failure to comport with minimum standards. And I raised the issue about the master index because the Board of Elections provides a master index of certainly not every person that’s registered to vote but a minimum of the people that are registered to vote that reside within the same single member district that the candidate is seeking to be elected in.

Certainly at a minimum, if you follow that master index, you can rest assured that those persons that are registered to vote won't have any issue. When you go outside of
that, there needs to be some level of care and I think integrity in the process.

Ms. Barnes did make an attempt to -- she did scrutinize her petitions before she submitted them and that's evidenced by her discounting some of her own signatures before they were even challenged. And I think one could make the argument that the signatures that she chose to submit, you know, she's submitting as valid when she had no evidence that they were valid. The persons are not the fact that you all sustained 68 of those challenges and I actually missed a challenge because signature No. 10 is clearly on its face -- but I can't raise that here but it's not valid either. So that brings her down to 26.

She also provided a signature of someone who lives on Channing Street. By no stretch of the imagination, I raised that at the pre-hearing, at the preliminary hearing, let's see, what page is that on?
CHAIRMAN NICHOLS: But Ms. Henderson, what I think we want to do--

MS. HENDERSON: I'm looking.

CHAIRMAN NICHOLS: Okay. Go ahead.

MS. HENDERSON: I just wanted to point that out and I'll look for that one. But there's a signature on Channing Street, certainly by no stretch of the imagination can that signature be construed as a mistake. Channing Street is nowhere near 5D in any shape or form.

Further, this Board, not necessarily these members, but the Board when Mayor Anthony A. Williams sought reelection as mayor for the District of Columbia, he turned in nominating petitions that did not contain signatures that were legitimate. And the Board ruled that because of the flagrant disregard for, and I don't have the exact wording of that ruling but you all can look up the old ruling, that you threw out the entire
petition because it was fraudulent and part of that is because the candidate failed to exercise due diligence and to provide that there was integrity of the process.

And the reason I wanted to go forward with this challenge is because I think there's a basis here to make a similar claim. I mean we're not talking about a few signatures, we're talking about 68 and 68 of those signatures. Ms. Barnes the candidate or the proposed candidate, she submitted those on their face expecting this Board to accept those without any verification, using your master index, using the registration of voters. You all provide a CD, you can come in and use the computers, so there was no reason for her to believe that those signatures were in fact of persons that are registered to vote.

So I think that based on the precedent that's already there with the Williams case and in this matter, that she
should not be allowed access on the ballot.

And I don't undertake this process recklessly, carelessly. I think that there should be a process in place that actually maintains standards on the ballot. And I think in this case there's a flagrant disregard for minimum standards and that you all should rule against her. And that's essentially it. And certainly I'm open to any questions that you may have. And again thank you for the opportunity to be heard.

CHAIRMAN NICHOLS: Do you have any questions, Mr. Danzansky?

BOARD MEMBER DANZANSKY: No.

Certainly we sympathize with that. We've recently submitted some regulation changes to help clean this up.

MR. MCGHIE: Yes, I was thinking about the same thing. We have regulations in place now where no one can submit more than double the required signatures so that's going to do away with people just throwing 95
signatures at us and saying you find 25 good
signatures.

CHAIRMAN NICHOLS: Really if it
weren't for challengers like you because you
know the Board does some work with nominating
petition challenges, the bulk of our scrutiny
is devoted to initiative. So it has to be
citizens who come forward and scrutinize these
nominating petitions for any kind of issues.

But once they're brought to the
Board's attention then we will focus on them.
We have certainly sought to -- and I know I've
given this speech at least a couple of times
about how candidates need to really do their
due diligence and make sure that they review
their petition signatures and that they are
qualified candidates long before the date to
turn them in.

Now whether that's being done,
probably in some case I would say it is. And
in many it's not. But go ahead.

MS. HENDERSON: And certainly
again I reiterate my appreciation to have an opportunity to address this matter in a very civil proceeding and again it's a pleasure.

And again just one final thing, I think since this particular candidate worked for a previous council member who was found wanting on some many levels, I think that you know and in a preliminary hearing she asserted that he's an honorable man.

CHAIRMAN NICHOLS: Oh really?

MS. HENDERSON: Yes. That's what we all say. And I think that maintaining integrity in our electoral process at every level allows citizens not to have to go through any down the road issues. Certainly our system provides for layers of discovery, layers of recourse, but why put citizens through that process?

And as an ANC Commissioner, I know not only have I fought to protect my community from a public safety standpoint, I've also fought to make sure that my community is
educated and engaged. Too often people stay home and they're like why should I bother? They're going to do what they want to do. It's fraud. They're stealing. You know, you hear it all the time and it's like we don't get paid for doing this.

And then you have to tell citizens no, we need you to go vote. We need you to stand up for people who want to maintain integrity in the process. And that's why I think it's not simply, and for the record I don't have a problem with standing up against any challenger. I'm proud of my record and I don't have any problems with going door to door, sharing that record with the voters.

And I can assure you that if I was the only person on the ballot, I'm going to share my record with every voter.

But the issue here is maintaining integrity in the process, and I don't think that the minimum standards or any type of integrity was maintained.
This is just something that was thrown together, put forth and had it not been for my challenge you would not have even been able to ascertain that 68 signatures, and technically 69 because No. 10, I missed that one, but it should have been challenged. That 69 signatures are not, they're not good signatures. So with that I rest.

CHAIRMAN NICHOLS: But let me ask you this.

MS. HENDERSON: Yes ma'am.

CHAIRMAN NICHOLS: So 69 but she still has 25, 26 valid signatures. So the law does not you know -- anyway, thank you so much.

MS. HENDERSON: One final rebuttal point. Mr. Williams had signatures--

CHAIRMAN NICHOLS: Yes, we got that.

MS. HENDERSON: --that were valid. I am a registered voter. I have voted in every election since I've been able to
vote. Mine was one of those signatures and
I'm a legitimate voter and so are thousands of
people in this city. And the Board dismissed
all of our signatures because you found that
the process was so compromised that you
forced him to take his -- and I think it
probably helped him in some regards, but you
found that that process was so flawed that you
discounted those registered voters.

CHAIRMAN NICHOLS: All right. I'm
hearing you loud and clear on that.

We'll take the matter under
consideration and we will issue an order.

MS. HENDERSON: Thank you. I
appreciate that.

CHAIRMAN NICHOLS: Thank you so
much for coming down.

MS. HENDERSON: The pleasure was
mine.

CHAIRMAN NICHOLS: And thank you
for your service.

BOARD MEMBER DANZANSKY: Yes.
CHAIRMAN NICHOLS: We do appreciate your service also.

MS. HENDERSON: Thank you.

CHAIRMAN NICHOLS: There being no further matters before us, this meeting is adjourned. The time is 1:46 p.m., September 3rd. It is Wednesday.

(Whereupon, the hearing of the Board of Elections Special Board Meeting having been concluded, went off the record at 1:46 p.m.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Special Board Meeting

Before: Board of Elections

Date: 09-03-2014

Place: Washington, D.C.

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

______________________________
Neal R. Gross
Court Reporter