

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON STATE REPUBLICAN
PARTY, et al.,

Plaintiffs,

WASHINGTON DEMOCRATIC
CENTRAL COMMITTEE, et al.,

Plaintiff Intervenors,

LIBERTARIAN PARTY OF
WASHINGTON STATE, et al.,

Plaintiff Intervenors,

v.

STATE OF WASHINGTON, et al.,

Defendant Intervenors,

WASHINGTON STATE GRANGE,

Defendant Intervenors.

NO. CV05-0927-JCC

DECLARATION OF JOHN J. WHITE, JR. IN
OPPOSITION TO STATE AND GRANGE
MOTIONS FOR SUMMARY JUDGMENT

I, John J. White, Jr., hereby declare under penalty of perjury as follows:

I am one of the attorneys of record for the Washington State Republican Party ("the
Party") in this matter. I am over the age of eighteen, have personal knowledge of the

DECLARATION OF JOHN J. WHITE, JR.
IN OPPOSITION TO STATE AND GRANGE
MOTIONS FOR SUMMARY JUDGMENT - 1
CV05-0927 JCC

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1 matters set forth herein, and am competent to testify thereto. I submit this declaration in
2 opposition to the State and Grange Motions for Summary Judgment. Attached hereto are
3 true and correct copies of the following exhibits.

- 4 1. "Primary Ballot Count Leaning Toward Republican Candidates," published by the
5 Kitsap Sun on August 25, 2008.
- 6 2. August 19, 2008 Top 2 Primary, list of Insurance Commissioner's party
7 preferences, retrieved on August 25, 2008.
- 8 3. PDC Summary Report of Insurance Commissioner Candidates retrieved on
9 August 25, 2008.
- 10 4. "Counties Still Tabulating Ballots from Primary," published by the Tri-City
11 Herald on August 24, 2008.
- 12 5. "Top Two Outcome Gives Second Chance," published by the Tri-City Herald on
13 August 25, 2008.
- 14 6. "Top Two Primary Format Delivers Surprise," published by the Tri-City Herald
15 on August 24, 2008.
- 16 7. "Voters the Real Winners in Top Two Primary," published by the Daily News
17 Online on August 22, 2008.
- 18 8. "Attack of the Winnows, and Other Wordsmithing Fun," published by the Tri-
19 City Herald on August 22, 2008.
- 20 9. "In Our View: Top Two Primary Is a Huge Success," published by the Columbian
21 on August 24, 2008.
- 22 10. "Political Beat: Dunn Finally Tosses in the Towel, Throws Support to James,"
23 published by the Columbian on August 24, 2008.
- 24 11. "Top-two Triumph," published by the Columbia Basin Herald Online and
25 retrieved on August 25, 2008.

12. "Latest Unofficial Primary Election Results," published by Mason County Daily News on August 23, 2008.
13. "Gregoire, Rossi Race Tightens Up," published by the Wenatchee World Online on August 23, 2008.
14. "In Our View: Adios, Jim Dunn," published by the Columbian on August 21, 2008.
15. "Editorial: Voters Won in State's First 'Top Two,'" published by the Kitsap Sun and retrieved on August 22, 2008.
16. "'Top Two' may have been Tuesday's Big Winner," published by the News Tribune.com on August 22, 2008.
17. "'Top Two' Was More Fun Before Votes Were Cast," published by the News Tribune.com on August 22, 2008.
18. "Washington Primary Produces One-Party Showdowns," published by the Associated Press on August 21, 2008.
19. "It's Just the Primary, But...", published by the Wenatchee World Online on August 21, 2008.
20. "Kittitas County Elections: Huber, Jewell Advance," published by the Daily Record on August 20, 2008.
21. "Contest in 35th District Grows Tighter," published by the Olympian on August 22, 2008.
22. "Political Buzz – News Tidbits for Political Junkies," published by the News Tribune.com on August 21, 2008.
23. "Top Two Limits Choices for Mason County Commissioner," published by the Olympian on August 21, 2008.
24. 2008 Washington Primary Media Kit produced by the Secretary of State.

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- 1 25. "Commission Election Numbers Hold Up," published by the Chronicle Online on
2 August 22, 2008.
- 3 26. "Sec. of State Sam Reed Answers Same-Party Ballot Concerns," published by
4 KNDO KNDU on August 22, 2008.
- 5 27. "Political Parties say Top-Two Primary May not Count," published by the Seattle
6 Times on July 8, 2008.
- 7 28. "Top Two Primary Best Reflects People's Choice," published by PNW Local
8 News.com on June 21, 2008.
- 9 29. "Top Two System Muddies State's Politics," published by PNW Local News.com
10 on June 21, 2008.
- 11 30. "Primary Turnout Far Lower than Expected," published by the News Tribune.com
12 on and retrieved on August 19, 2008.
- 13 31. "Rule Change Adds Spice to Pacific County Primary Vote," published by the
14 Daily Astorian on August 18, 2008.
- 15 32. Editorial published by the Yakima Herald Republic online on August 19, 2008.
- 16 33. "Ballots due for Top-Two Primary," published by the Bellingham Herald on
17 August 17, 2008.
- 18 34. "Meet the Candidates: Congressional Primaries in Washington and Wyoming
19 Tuesday," published by Center for Media and Democracy on August 18, 2008.
- 20 35. "Mark that Ballot," published by the Seattle Post Intelligencer on August 18,
21 2008.
- 22 36. "Hot Races Create Buzz as Primary Nears," published by the Bellingham Herald
23 on August 18, 2008.
- 24
- 25

- 1 37. "Lights out for Parties? Tuesday's Top Two Primary Could Signal a New
2 Political Era for Washington State," published by the Columbian on August 17,
3 2008.
- 4 38. "Wash. Voters Try Our 'Top Two' Primary," published by the Seattle Times on
5 August 17, 2008.
- 6 39. "A Blanket Primary Substitute, If Voters Can Keep it," published by the News
7 Tribune.com on August 18, 2008.
- 8 40. "Wash. Voters Send in Ballots While 'Top Two' Primary's Fate still Uncertain,"
9 published by KVEW on August 18, 2008.
- 10 41. "Primary to Winnow the Field of Candidates," published by the Seattle Times on
11 August 17, 2008.
- 12 42. "Election Day in Washington Tuesday," published by NWCN.com on August 18,
13 2008.
- 14 43. "Voters Sent in Ballots While Top Two Primary's Fate Still Uncertain," published
15 by Mason County Daily News.com on August 18, 2008.
- 16 44. "Primary Election at a Glance," published by the Seattle Post Intelligencer on
17 August 11, 2008.
- 18 45. "Adding to the Discussion," published by PNW Local News.com on August 8,
19 2008.
- 20 46. "18th District Race Catches Parties' Attention," published by the Columbian on
21 August 7, 2008.
- 22 47. "Prentice, Martinez in Legislative District 11," published by the Seattle Post
23 Intelligencer on August 14, 2008.
- 24 48. "Voters will cast Ballots in Unloved 'Top 2' Primary," published by the Seattle
25 Post Intelligencer on August 14, 2008.

- 1 49. "McDermott Faces 5 Challengers but no Re-Election Challenge," published by
2 the Seattle Times on August 14, 2008.
- 3 50. "Editorial - Top Two Primary Provides You with Freedom of Choice," published
4 by Gateline.com on August 13, 2008.
- 5 51. "Campaigns Going Down to the Wire," published by the Yakima Herald on
6 August 15, 2008.
- 7 52. "What You Need to Know about Washington's Top-Two Primary," published by
8 the Seattle Times on August 13, 2008.
- 9 53. "Top 2 Cuts the Clutter," published by PNW Local News.com on August 13,
10 2008.
- 11 54. "Simpson Faces Two Foes in Primary," published by the News Tribune.com on
12 August 13, 2008.
- 13 55. "First Run at Top-Two Primary Expected to Draw More Voters," published by
14 the Kitsap Sun on August 11, 2008.
- 15 56. "The Voters Fought for it and Top-Two Is here," published by the Olympian on
16 August 10, 2008.
- 17 57. "Voters Swarm Top-Two Primary," published by the Olympian on August 10,
18 2008.
- 19 58. "New Primary Calms Voters' Tempers," published by the Heraldnet on August
20 11, 2008.
- 21 59. Top 2 Primary & Party Preference published by the Washington State Senate
22 Democratic Caucus and retrieved on July 16, 2008.
- 23 60. "Small Parties Decry Top-Two Primary Vote," published by the Olympian on
24 April 8, 2008.
- 25

61. "Jenkins Primary Vote Likely Will Predict Next Governor," published by the News Tribune.net and retrieved on July 14, 2008.
62. "Issues Solidify in District 20 Senate Race," published by the Chronicle online on July 15, 2008.
63. "A Short Cut to Voters' Choice; Party Affiliation Remains Critical (OPED)," published by the Washington Times and retrieved on July 10, 2008.
64. "Can the D Hold on in Race for Swecker's Seat?," published by the Olympian on July 7, 2008.
65. "4 Candidates Vie for District 20," published by the Olympian on July 6, 2008.
66. "Top-Two Primary Shakes up Commish Race," published by the Whidbey Examiner on July 4, 2008.
67. Rule-Making Order produced by the Secretary of State in June 2004.
68. Washington State Declaration of Candidacy: Filing for Office (2008).
69. "Elections Officials Gear up for New 'Top Two' Primary," published by the News Tribune online on and retrieved on May 19, 2008.
70. "Secretary of State Strikes Back at Top Two Primary Protest," published by KNDO KNDU on May 14, 2008.
71. "Democrats Try to Name own Candidates," published by the Bellingham Herald on May 18, 2008.
72. "Rebel Yell from Island County Democrat," published by Heraldnet on May 16, 2008.
73. "Ticket fillers are no longer required," published by Heraldnet on May 18, 2008.
74. "House Candidate Vows to Skip Convention," published by PNW Local News.com on May 16, 2008.

- 1 75. "Washington State Republicans Ditch Party Labels to Compete," published by
2 Fox News on June 24, 2008.
- 3 76. "Kirby Chides Swecker in Campaign Kickoff," published by the Chronicle online
4 on June 20, 2008.
- 5 77. "Reed: Top Two Will Give Voters More Choices," published by the Kitsap Sun
6 on June 19, 2008.
- 7 78. "Two Challengers Giving 'Top Two' a bit of a Workout," published by the News
8 Tribune.com on June 20, 2008.
- 9 79. "Candidates File for 5th Legislative District," published by SnoValley Star.com on
10 June 12, 2008.
- 11 80. "'Top Two'? It might not be so radical at all," published by the News
12 Tribune.com on June 13, 2008.
- 13 81. "It's the Top Two, without the two," published by the Wenatchee World online
14 on June 12, 2008.
- 15 82. "Justice Stephens' Opponent Drops Out; More Drop Out in other Races,"
16 published by the Olympian on June 12, 2008.
- 17 83. "Local Election Take Shape," published by Sammamish Review.com on June 11,
18 2008.
- 19 84. "Democrats don't limit their Candidates," published by the Bellingham Herald on
20 June 11, 2008.
- 21 85. "Election: Voters Will Test 'Top Two' Primary System for the First Time,"
22 published by PNW Local News.com on June 10, 2008.
- 23 86. "Primary Ballot Allows Candidates to Re-Brand," published by the Seattle Times
24 on June 10, 2008.
- 25

- 1 87. "Dude. Pross takes fourth shot at Rep. Hastings," published by the Tri-Cities
2 Herald on June 9, 2008.
- 3 88. "Field Gets Busier for Sullivan's County Commissioner Seat," published by
4 Peninsula Daily News on June 8, 2008.
- 5 89. "Dems hold Endorsement Meetings," published by the Bellingham Herald on
6 June 8, 2008.
- 7 90. "Dunn Faces Challenges from Within, Outside Party," published by the
8 Columbian on June 8, 2008.
- 9 91. "Many of November's Legislative Races will be Single-Party," published by the
10 Seattle Times on June 7, 2008.
- 11 92. "Final Filing Day Who's running in Local Races," published by the Olympian on
12 June 7, 2008.
- 13 93. "Election Filing Roundup," published by the Yakima Herald on June 7, 2008.
- 14 94. "Democrats Endorse Mahan by a Hair," published by PNW Local News.com on
15 May 19, 2008.
- 16 95. "Campaign Trail," published by the Olympian on May 4, 2008.
- 17 96. Article, "GOP Senate Field Still Wide," by Jim Camden, The Spokesman-
18 Review, published on May 27, 2010, retrieved on September 9, 2010, from
19 <http://www.spokesman.com>.
- 20 97. "Deeper Thoughts on the Top Two Primary," published by the Tri-City Herald on
21 June 8, 2008.
- 22 98. "Spokane County GOP Chairman Files for Office ... as 'No Party Preference,'"
23 published by Spokesmanreview.com on June 6, 2008.
- 24 99. "Washington State Primary Has No Function in 3/4^{ths} of Legislative Races,"
25 published by Ballot Access News on June 8, 2008.

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- 1 100. "Knue Jumps into House Race in District 10," published by PNW Local
2 News.com on June 5, 2008.
- 3 101. "Washington's 'Top-Two' Primary System Takes Effect," published by Oregon
4 Public Broadcasting on June 2, 2008.
- 5 102. "Herrera Files to Retain 18th District Seat," published by the News Tribune.com
6 on and retrieved on June 6, 2008.
- 7 103. "Candidate Deadline is Friday, June 6," published by the Whidbey Examiner on
8 June 6, 2008.
- 9 104. "Deep Thoughts on Filing Week and the Top Two Primary," published by the Tri-
10 City Herald on June 2, 2008.
- 11 105. "State's Top-Two Primary Debated," published by the Bellingham Herald on
12 May 29, 2008.
- 13 106. "The Race has Begun!: Competition for PUD, BOCC," published by Port
14 Townsend & Jefferson County Leader on June 4, 2008.
- 15 107. E-mail string between Patty Murphy and Peter Lichtenheld dated April 28, 2008
16 through April 30, 2008.
- 17 108. E-mail from Dolores Gilmore to Libby Nieland re: Kitsap County comments on
18 PCO dated April 29, 2008.
- 19 109. E-mail string from Sheryl Moss re: Precinct Committee Officer Elections dated
20 April 29, 2008.
- 21 110. E-mail from Sheryl Moss dated April 28, 2008 attaching Top Two Primary
22 Training Questions & Answers
- 23 111. E-mail from Samantha Duncan dated April 25, 2008.
- 24 112. E-mail from Miriam Campbell re: Elections Cert & Training dated April 25,
25 2008.

- 1 113. E-mail from Katie Blinn to County Auditors re: Washington's New Primary
2 System dated April 24, 2008.
- 3 114. E-mail string from Libby Nieland and Katie Blinn re: Candidate Filing Form
4 dated October 9, 2007 through October 22, 2007.
- 5 115. E-mail dated October 22, 2007, from Libby Nieland attaching "Tens of thousands
6 of ballots junked," published by the Associated Press on September 20, 2006.
- 7 116. E-mail from Katie Blinn re: Declarations of Candidacy dated March 17, 2008.
- 8 117. E-mail from Katie Bilnn re: Draft Rules on Top Two Primary dated April 16,
9 2008.
- 10 118. "Update – Sheryl Cox Files for County Commission," published by Union
11 Bulletin on May 8, 2008.
- 12 119. "Let's Hear it for the Party Animals," published by the Seattle Times on May 8,
13 2008.
- 14 120. "Editorial – Prepping for the Top-Two Primary," issued on April 25, 2008 and
15 retrieved from the Washington Secretary of State's website on April 30, 2008.
- 16 121. "Primary Voting Rights Restored," published by the Whidbey News-Times on
17 April 23, 2008.
- 18 122. "With 'Top Two' Beware 16 Letters of Goofiness," published by the News
19 Tribune.com on April 21, 2008.
- 20 123. "Brokaw Winning Fundraising Race Among Commissioner Candidates,"
21 published by the Columbian on April 20, 2008.
- 22 124. "Time for Party Officials to Say 'Uncle,'" published by the Seattle Times on
23 April 15, 2008.
- 24 125. "State Ballot Allows Creativity With Party Preferences," published by the
25 Olympian on April 17, 2008.

126. “‘Top Two’ Primary: New Ballots, New Headaches?,” published by the Heraldnet.com on April 17, 2008.
127. “WA Proposes ‘Top Two’ Primary Ballot Design,” published by the Seattle Post-Intelligencer on April 16, 2008.
128. E-mail from Katie Blinn re: Draft Rules to Implement the Top Two Primary dated April 17, 2008.
129. E-mail from David Cunningham re: Draft Rules to Implement the Top Two primary dated April 16, 2008.
130. “Democrats Try to Make Best of ‘Top Two’ Primary,” published by the Heraldnet.com on April 13, 2008.
131. “Top-Two Primary Could Advance 2 Democrats in Commission Race,” published by the Olympian on April 14, 2008.
132. “New Voting System Gives Primary More Importance,” published by the Bellingham Herald on March 23, 2008.
133. “Sam Reed: Washington Victory in Supreme Court Ruling on Primary,” published by Seattle Post-Intelligencer on March 18, 2008.
134. “New Primary Model: Coming in August,” published by the Seattle Post-Intelligencer on March 18, 2008.
135. “Expect Hot Legislative Races This Year,” published by the Seattle Post-Intelligencer on March 24, 2008.
136. “Top Two Primary Needs a Party-Friendlier Ballot,” published by the Newstribune.com on March 25, 2008.
137. “State Ballot Could Pit Two from Same Party,” published by the Seattle Times on March 19, 2008.

1 138. "State Explains How Top Two Primary Will Work," published by the Daily News
2 and retrieved on March 25, 2008.

3 139. "State's Voters Get Huge Win as High Court Upholds Top-Two Primary,"
4 published by the Union Bulletin.com on March 19, 2008.

5 140. "Primary Ruling Was a Victory for Voters," published by the Olympian on March
6 23, 2008.

7 141. E-mail string of Shane Hamlin, Joanie Deutsch, Trova Heffernan and Katie Blinn
8 re: Is a Focus Group Possible?, dated March 21, 2008.

9 142. E-mail from Katie Blinn re: Question from Benton County dated March 20, 2008.

10 143. "Victory for Voters," published by the Seattle Times on March 19, 2008.

11 144. E-mail string of Sheryl Moss, Shane Hamilton and Keith Buchhloz re: Top Two,
12 dated January 21, 2008 through January 29, 2008

13 145. Political Advertising Pamphlet produced by the Washington State Public
14 Disclosure Commission dated July 2008.

15 146. Memo from Vicki Rippie to Members of the Washington State Public Disclosure
16 Commission re: Initiative 872 (Top Two Primary) and its impact on
17 implementation of campaign finance law provisions in 2008 dated May 14, 2008.

18 147. Memo from Vicki Rippie to Public Disclosure Commission Members re:
19 Initiative

20 872 (Top Two Primary) and its impact on implementation of campaign finance law
21 provisions in 2008 – continued, dated June 17, 2008 with the following attachments:

22 "Possible Emergency Rulemaking to Implement I-872's Impact on Campaign
23 Finance Provisions in 2008," dated June 2008. Table of 2008 Washington Declared

24 Candidates Party Preference dated July 17, 2008, prepared by PDC staff. Letter from

25 Senator Darlene Fairley to Bill Brumsickle re: I-872 dated June 12, 2008. Letter from

Richard L. Pope, Jr. to Vickie Rippie re: PDC Proposal to Suspend Enforcement of
RCW 42.17.510(1) dated May 27, 2008.

148. "New Primary Election Rules Make Voting Better," published by the Tri-City
Herald on July 30, 2008.

149. "Top Two Primary Frequently Asked Questions," published by the Washington
Secretary of State on April 1, 2008.

150. "Statewide Races Off Voters' Radar for Now," published by the Wenatchee
World online on July 31, 2008.

151. "In Our View: It's 'Top Two' Time," published by the Columbian on July 31,
2008.

152. Washington State Registrar WSR 08-14-109 Emergency Rules adopted June 26,
2008.

153. E-mail from Jeff Even re: Referencing the New Primary dated June 3, 2008.

154. "Voters decisive on Council Race, Tax," published by the Spokesman-Review on
August 19, 2009.

155. "Grant Leads 16th District Race," published by the Tri-City Herald on August 19,
2009.

156. "Ailing Coroner Will Campaign for Office," published by the Yakima
Herald.com and retrieved on August 25, 2009.

157. "15th District Candidate is Out of State, But Not Out of Race," published by the
Yakima Herald.com and retrieved on August 25, 2009.

158. "Voters Advance Candidates in Statehouse Races," published by the Seattle Post-
Intelligencer.com on August 18, 2009.

159. "Fagan Leads in Primaries," published by the Daily Evergreen on August 24,
2009.

- 1 160. "16th District House Pos. 2: Democrat Aims to Hold 16th District Seat," published
2 by the Tri-City Herald on August 7, 2009.
- 3 161. "Take the Time to Cast Your Primary Ballot," published by the Union-Bulletin on
4 August 4, 2009.
- 5 162. "At Issue," issued by Public Policy Institute of California in February 2010.
- 6 163. Article, "Candidates Must file for Office by End of Week," by Jim Camden, The
7 Spokesman-Review, published on June 6, 2010, retrieved on September 9, 2010,
8 from <http://www.spokesman.com>.
- 9
- 10 164. "Three Clallam County Commissioner Candidates Face Off in Their Final
11 Campaign Forum," published by the Peninsula Daily News on August 12, 2008.
- 12 165. "Congressman Larsen Gets Two Challenges from Within Party," published by
13 PNW Local News.com on February 23, 2010.
- 14 166. "Democrat Announces Run for Clallam Prosecutor," published by KONP.com on
15 March 10, 2010.
- 16 167. "Port Angeles Lawyer Eyes County Prosecuting Attorney Post," published by the
17 Peninsula Daily News on March 10, 2010.
- 18 168. "Fired Up Lakewood Cop Running for Seat in Legislature," published by the
19 Seattle Post-Intelligencer on February 14, 2010.
- 20 169. "Pick-a-Party Primary Refresher," published by the Certification and Training
21 Program, Elections Division, Office of the Secretary of State on May 31, 2006.
- 22 170. E-mail from Wendy Mauch re: Inserts for the Top Two Primary Ballot dated June
23 23, 2009.
- 24 171. Washington's Top 2 Primary / Voter Outreach Campaign Messaging for Paid
25 Media Effort, prepared by the Office of the Secretary of State.

- 1 172. "Top 2 Primary – Advisory 04: Reporting Election Results," published by the
2 Certification and Training Program, Elections Division, Office of the Secretary of
3 State on June 24, 2008.
- 4 173. "16th District, House: Vote for Laura Grant," published by the Tri-City Herald on
5 October 15, 2009.
- 6 174. "GOP Beats Only Statehouse Dem in Rural E. Washington," published by the
7 Seattle Post-Intelligencer on November 3, 2009.
- 8 175. "ELEX: Pullman's Fagan Apparent Winner in 9th District," published by the Tri-
9 City Herald on November 3, 2009.
- 10 176. "9th District: Fagan, Hailey Face Off for 9th District Representative," published by
11 the Tri-City Herald on October 9, 2009.
- 12 177. "Ninth District Candidates Differences Tough to Find," published by Cheney Free
13 Press.com on October 22, 2009.
- 14 178. "9th District, House: Vote for Pat Hailey," published by the Tri-City Herald on
15 October 16, 2009.
- 16 179. "Strange Bedfellows," published by the Seattle Post-Intelligencer blog on
17 November 3, 2009.
- 18 180. "Wash. Election Features 3 Statehouse Contests," published by the Seattle Times
19 on November 3, 2009.
- 20 181. Washington State Public Disclosure Commission Amended Candidate
21 Registration C1 of Christine Gregoire, dated February 9, 2008.
- 22 182. "Top-Two System Producing More Party-of-One Races," published by the Seattle
23 Times on May 27, 2008.
- 24
- 25

- 1 183. Memo from Vicki Rippie to the Members of the Washington State Public
2 Disclosure Commission re: Initiative 872 (Top Two Primary) and its impact on
3 implementation of campaign finance laws provisions in 2009 dated May 20, 2009.
- 4 184. "WA Voters: Next Election Could Sneak Up on Ya," published by Public News
5 Service.org on July 6, 2009.
- 6 185. "Fact Sheet: Top-Two Primary," published by the Thurston County Auditor's
7 Office, Elections Division.
- 8 186. "Prefers a Better Primary System," published by the Seattle Times on June 23,
9 2009.
- 10 187. "Election Change Focus of Secretary of State's Talk to Port Angeles Chamber,"
11 published by the Peninsula Daily News on March 10, 2009.
- 12 188. "The Centrist North-West," published by the Economist on June 6, 2009.
- 13 189. "Keane to Face Competition in Bid for Fourth Term," published by the
14 Wenatchee World online on June 7, 2008.
- 15 190. "McCarthy's Name Didn't Belong on Survey," published by the News
16 Tribune.com on June 10, 2009.
- 17 191. "Selection of County Commissioner Begins," published by the Olympian on
18 January 22, 2009.
- 19 192. "Top 2 Primary System Complicates Replacement of State Lawmakers,"
20 published by the Tri-City Herald on January 9, 2009.
- 21 193. "Hope Hoping to Make It Official," published by the Heraldnet.com on December
22 17, 2008.
- 23 194. "Alexander, Swecker Maintain Top Positions in Legislature," published by the
24 Chronicle on December 20, 2008.
- 25

- 1 195. "Pay Raises, Public Aid, Schools Face Cuts in Next State Budget," published by
2 the Olympian on December 19, 2008.
- 3 196. E-mail from Andrew Garber re: One-Party Primaries in One-Party Districts dated
4 August 11, 2008.
- 5 197. Client Advice Memorandum from Jeffrey T. Even to Nick Handy re: Election of
6 Precinct Committee Officers dated November 25, 2008.
- 7 198. "Pierce County Auditor Post at Center of Fight," published by the News
8 Tribune.com on December 10, 2008.
- 9 199. E-mail string of Katie Blinn, Russel Kasselmann and Paul Miller re: Party
10 Preference Designations for the August 19 Primary dated March 19, 2008.
- 11 200. E-mail from Megan Ridout re: PPP Ballot Rules Letter dated April 9, 2007.
- 12 201. Spokane County Washington PCO Winners for August 19, 2008 Election.
- 13 202. "Swing Voters Will Decide State Attorney General Race," published by the News
14 Tribune.com on October 23, 2008.
- 15 203. 2008 Washington General Election Media Kit produced by the Secretary of State.
- 16 204. "Race for 35th District Tops List of Most Costly for 2008," published by the
17 Olympian on September 7, 2008.
- 18 205. "Rep. Dicks to Face Republican Fore Cloud for Third Straight Time," published
19 by the Peninsula Daily News on August 20, 2008.
- 20 206. "Gamache Ousted in Commissioner's Race," published by the Yakima Herald on
21 August 20, 2008.
- 22 207. "Grange Launched 'People's Choice' Initiative Campaign in Response to
23 Governor's Veto," published by Blanket Primary.org on April 1, 2004.
- 24 208. "Herrera Faces First Election Challenge," published by the Columbian and
25 retrieved on October 10, 2008.

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- 1 209. "It's Time for State's Political Parties to Embrace the Top-Two Primary,"
2 published by the Seattle Times on September 17, 2008.
- 3 210. E-mail from Hal Spencer Re: Second Choice on a Ballot dated August 19, 2008.
- 4 211. "Editorial: 'Top Two' Primary is Fairest of Them All," published by the Corvallis
5 Gazette Times on August 19, 2008.
- 6 212. E-mail from Joanie Deustch re: Candidate Filing Party Preferences other than
7 Democratic Party or Republican Party with attachment dated August 18, 2008.
- 8 213. E-mail from Joanie Deutsch re: Places Where Two Candidates from the Same
9 Party Move to November dated August 18, 2008.
- 10 214. August 2008 Top Two Primary Election Evaluation, Washington State Elections
11 Division prepared by Elway Research, Inc.
- 12 215. E-mail from Katie Blinn re: Sam Reed's Letter to Voters in Voters' Pamphlet
13 dated August 13, 2008.
- 14 216. E-mail from Carolyn Berger re: Top 2 Impact on Minor Parties with attachments
15 dated August 7, 2008.
- 16 217. E-mail from Dave Ammons re: Reader Feedback: New Post for "Questions about
17 the New Top-Two Primary?" dated August 4, 2008.
- 18 218. E-mail string from Dave Ammons enclosing various articles pertaining to the
19 Top-Two Primary dated August 1, 2008.
- 20 219. E-mail from Joanie Deutsch re: Primary attaching Top 2 Key Messages and
21 Sam's NASS Presentation dated July 17, 2008.
- 22 220. E-mail from Sam Reed re: WA Top 2 Primary vs. Oregon Initiative dated July 23,
23 2008.
- 24 221. E-mail string of Sam Reed and Phil Keisling re: Top Two Primary dated June 23,
25 2008.

- 1 222. E-mail string of Nick Handy and Dave Ammons re: Primary Results dated August
2 25, 2008.
- 3 223. E-mail from Peter Callaghan re: Top 2 Primary blog item dated August 22, 2008.
- 4 224. "14th District Winners Look Ahead," published by KIMAtv.com on September
5 15, 2008.
- 6 225. Battleground? GOP Hopes to Pick Up a Few State Legislative Seats," published
7 by the Olympian on September 12, 2008.
- 8 226. "It's Official" Short vs. Madsen in November," published by Deer Park Tribune
9 on September 11, 2008.
- 10 227. "Moser, Klippert in Lead for 8th District Seat," published by the Tri-City Herald
11 on August 21, 2008.
- 12 228. "Holm Faces Party Scrutiny," published by the Olympian on June 12, 2008.
- 13 229. "Update: Island County Commissioner's Race a Battle Between Bakke and
14 Gordon for Second Spot on Ticket," published by PNW Local News.com on
15 August 19, 2008.
- 16 230. "Democrats Tops in Two Seattle Districts," published by the Seattle Post-
17 Intelligencer on August 20, 2008.
- 18 231. "Republican Candidate Opposes War in Iraq," published by the Daily World on
19 August 15, 2008.
- 20 232. "Editorial: Top Two Primary Provides You With Freedom of Choice," published
21 by the Peninsula Gateway on August 12, 2008.
- 22 233. "When is a GOP Member a Republican," published by the Seattle Times on June
23 11, 2008.
- 24 234. Blog, "Rossi Makes Senate Bid for Murray Seat," by Bernie Becker, The Caucus,
25 The Politics and Government Blog of The New York Times, published on May

26, 2010, retrieved on August 22, 2010 from

<http://thecaucus.blogs.nytimes.com/2010/05/26>.

235. Article, "Rossi: Repeal Health-Care Law & Return to 'Limited' Govt.," by Jim Brunner, The Seattle Times, published on May 26, 2010 retrieved on August 22, 2010 from <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>

236. "Politics," published by Examiner.com on August 22, 2008.

237. Article, "'Party Preference' Line Offers Candidates a Creative Outlet," by Jim Camden, The Spokesman-Review, published on June 13, 2010 retrieved on August 6, 2010 from <http://www.spokesman.com/stories/2010/jun/13>.

238. "Handful of Wash. Races to be One-Party Showdowns," published by the Seattle Times on August 20, 2008.

239. "House Republican See Good News in the Numbers," published by Politicker WA on September 8, 2008.

240. "Primary Election Results Narrow the Playing Field," published by Stateman Examiner.com on August 27, 2008.

241. "Why Have Primary Elections?," published by the West Seattle Herald on August 27, 2008.

242. "Strange Bedfellows," published by the Seattle Post-Intelligencer on August 26, 2008.

243. Article, "Big-Party Fatigue Shows in Quirky Candidate Labels," by Curt Woodward, Associated Press Writer, boston.com, published June 19, 2010, retrieved on August 2, 2010 from <http://www.boston.com/news/nation/articles/2010/06/19>.

244. "Bakke's Grip on Second Place Drops by One Vote," published by PNW Local News.com on August 31, 2008.

- 1 245. "Love That Top-Two," published by the Seattle Times on September 4, 2008.
- 2 246. "Washington State Primary Turnout Worse in 2008 than in 2004," published by
- 3 Ballot Access News on September 4, 2008.
- 4 247. "Few Votes Invalidated in First Top-Two Primary," published by the Bellingham
- 5 Herald on September 3, 2008.
- 6 248. "Lewis County Certifies Primary Results," published by the Chronicle on
- 7 September 4, 2008.
- 8 249. "New Elway Poll: Voters Like Top 2 Primary," published by the Secretary of
- 9 State and issued on August 28, 2008.
- 10 250. SOS Elections Division "Primary Election Evaluation: Draft Data," created by
- 11 Elway Research, Inc. on August 28, 2008.
- 12 251. "Updated Tally Shows High Primary Turnout," published by the Yakima Herald
- 13 on August 28, 2008.
- 14 252. "Top-Two Primary is a Success for Restoring Choice," published by the Yakima
- 15 Herald on August 28, 2008.
- 16 253. "Property Tax Tale: PT Says 'Yes,' Brinnon Says 'No,' it's Sullivan vs.
- 17 Hershelman," published by the Port Townsend & Jefferson County Leader on
- 18 August 27, 2008.
- 19 254. "Republicans Make Strong Showing in Pierce," published by the Peninsula
- 20 Gateway on August 27, 2008.
- 21 255. "Vote Typical of 2008 Elections," published by the Peninsula Gateway on August
- 22 27, 2008.
- 23 256. "Delavar Plans Self-Directed Trip to Iraq," posted by the Chronicle on August 27,
- 24 2008, retrieved on August 28, 2010.
- 25

- 1 257. "Clallam Election Turnout Nearly 53 Percent," published by the Peninsula Daily
2 News on August 27, 2008.
- 3 258. WAC 390-05-275 – Definition – Party Organization.
- 4 259. WAC 390-05-196 – Bona Fide Political Party – Application of Term.
- 5 260. WAC 390-05-274 – Party Affiliation – Party Preference.
- 6 261. Article, "Challengers Prepare for a Fight," by Curt Woodward, The Associated
7 Press, The Olympian, published on August 16, 2010, retrieved on September 9,
8 2010 from <http://www.theolympian.com/2010/08/16/v-print/1337290/challenger-prepare-for-a-fight.html>.
- 9
- 10 262. Article, "Election Results Same after Final Vote Tally," by Brad Shannon, The
11 Olympian, published on September 2, 2010, retrieved on September 9, 2010 from
12 <http://www.theolympian.com/2010/09/02/v-print/1355642/election-results-same-after-final.html>.
- 13
- 14 263. Article, "GOP Licks Chops after Primary," by Brad Shannon, The Olympian,
15 published on August 19, 2010, retrieved on September 9, 2010 from
16 <http://www.theolympian.com/2010/08/19/v-print/1340620/gop-lick-chops-after-primary.html>
- 17
- 18 264. Article, "WA House Preview: All Eyes on a Single District," by Tim Sahd,
19 Hotline On Call, National Journal Group, published on September 9, 2010,
20 retrieved on September 9, 2010, from
21 <http://hotlineoncall.nationaljournal.com>.
- 22 265. E-mail from Katie Blinn re: Top Two Primary dated March 18, 2008.
- 23 266. PDC News Memo to PDC Commission dated May 22, 2008.
- 24 267. Article, "Voters Select Finalists for Legislature," by Herald Staff, HeraldNet,
25 published August 18, 2010, retrieved on September 9, 2010, from

1 <http://www.enterprisene newspapers.com/apps/bpcs.d11/articles?>

2 268. Editorial, "Washington's Top-Two Primary gets Voters the Better Choice," The
3 Seattle Times, published on August 19, 2010, retrieved on September 9, 2010,
4 from <http://seattletimes.nwsourc e.com/cgi-bin/PrintStory.pl?>

5 269. E-mail from Katie Blinn re: 12 Grange's Reply Brief dated March, 18, 2008.

6 270. Article, "Pivotal Senate Primary in Washington Decided," by Curt Woodward,
7 Associated Press, The Seattle Times, published on August 18, 2010, retrieved on
8 September 9, 2010, from <http://seattletimes.nwsourc e.com/cig-bin/PrintStor.pl?>

9 271. "One-Party Wash. Legislative Races at a Glance," published by the Seattle Post-
10 Intelligencer dated August 20, 2008.

11 272. State of Washington Public Disclosure Commission Minutes Regular Meeting,
12 dated May 22, 2008.

13 273. Article, "Primary Results in 3rd Show Early GOP Advantage," by Rachel LaCorte,
14 The Settle Times, published on August 18, 2010, retrieved on September 9, 2010
15 from <http://seattletimes.nwsourc e.com/cin-bin/PrintStory.pl?>

16 274. "Voters Advance Candidates in Statehouse Races," published by the Seattle Post-
17 Intelligencer on August 18, 2009.

18 275. "Editorial: Rossi Not Exactly on Ballot as Republican/In New Primary,
19 Candidates Can Pick Party Name," by Gregory Roberts, P-I- Reporter, published
20 by The Seattle Post-Intelligencer on June 6, 2008.

21 276. Article, "Republican Challengers Say Dicks is Vulnerable," by Susan Gilmore,
22 The Seattle Times, published on August 11, 2010, retrieved on September 9,
23 2010, from <http://seattletimes.nwsourc e.com/cgi-bin/PrintStory.pl?>

- 1 277. Article, "Election Results Offer Up Valuable Lessons," by Jim Camden, The
2 Spokesman-Review, published on August 18, 2010, retrieved on September
3 9,2010, from [http://www.spokesman.com/stories/2010/aug/18/election-results-](http://www.spokesman.com/stories/2010/aug/18/election-results-offer-valuable-lessons/)
4 [offer-valuable-lessons/](http://www.spokesman.com/stories/2010/aug/18/election-results-offer-valuable-lessons/)
5 278. Article, "5 Candidates Running for 30th District Seat," by Nancy Bartley, The
6 Seattle Times, published on August 9, 2010, retrieved on September 9, 2010,
7 from <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>
8 279. E-mail from Joanie Deutsch to Counties re: General Election Ad Campaign –
9 Update dated September 15, 2008.
10 280. Letter from Dan Speigle, Deputy Secretary of State, State of Washington, Office
11 of the Secretary of State, Elections Division to H. Stuart Elway, Elway Research,
12 Inc., re: OSOS Letter of Agreement for Personal Services, No. P-3858, dated
13 April 3, 2008.
14 281. E-mail from Bill Fieber to Joanie Deutsch re: Elway Research and OFM, dated
15 April 11, 2008.
16 282. E-mail from Erica Winter to Bill Fieber re: Emergency Filing, dated April 9, 2008.
17 283. Article, "Politics 2010: Washington Elections Chief Hopes National Spotlight
18 Sparks Voter Turnout," by Nicole Debevec, United Press International, UPI.com,
19 published August 15, 2010, retrieved on September 9, 2010 from
20 [http://www.upi.com/Top_News/US/2010/08/15/Politics-2010-Washington-](http://www.upi.com/Top_News/US/2010/08/15/Politics-2010-Washington-elections-chief-hopes-national-s)
21 [elections-chief-hopes-national-s](http://www.upi.com/Top_News/US/2010/08/15/Politics-2010-Washington-elections-chief-hopes-national-s)
22
23
24
25

- 1 284. Article, "Murray, Rossi Advance in Senate Race," by Jim Brunner, The Seattle
2 Times, published, August 18, 2010, retrieved on September 9, 2010, from
3 <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>
- 4 285. Article, "Top Two Primary System May Force Stronger Competition Among
5 Same Party Candidates," by Curt Woodward. Associated Press, D-1_08237 dated
6 August 6, 2008, produced by the State of Washington.
- 7 286. Article, "California Weighs Change in Primary Voting," The Wall Street Journal,
8 WSJ.com, published on June 1, 2010, retrieved on September 9, 2010, from
9 <http://onlin.wsj.com>.
- 10 287. Article, Established Candidate Beats the Establishment's Candidate in 5th District
11 Primary," by Dan Catchpole, SnoValley Star.com, published on August 24, 2010,
12 retrieved on September 9, 2010 from
13 [http://snovalleystar.com/2010/08/24established-candidate-beats-the-](http://snovalleystar.com/2010/08/24established-candidate-beats-the-establishment%E2%80%99s-candidat)
14 [establishment%E2%80%99s-candidat](http://snovalleystar.com/2010/08/24established-candidate-beats-the-establishment%E2%80%99s-candidat).
- 15 288. "Editorial: Washington Election '08: Get Ready for the Main Event," by Craig
16 Groshart, published by the Bellevue Reporter on August 30, 2008.
- 17 289. "Editorial: Benton County Commissioner Race Difficult to Predict," by Franny
18 White, published by Mid-Columbia News/Tri-City Herald on September 1, 2008.
- 19 290. "Editorial: GOP Strives to Make Numbers Work in Its Favor for 18th District
20 Seat," by Kathie Durbin, published by The Columbian on May 6, 2010.
- 21 291. Article, "Conservative Tide Swamps Primary," by Courtney J. Jones, The
22 Whidbey Examiner, published on August 24, 2010, retrieved on September 5,
23 2010, from <http://www.whidbeyexaminer.com/main.asp?>
24
25

- 1 292. Article, "Election Returns Beat Primary Expectations," by Brad Shannon, The
2 Olympian, published on August 15, 2010, retrieved on September 9, 2010, from
3 [http://www.theolympian.com/2010/08/15/v-print/1336546/election-returns-beat-
5 primary.html](http://www.theolympian.com/2010/08/15/v-print/1336546/election-returns-beat-
4 primary.html)
6
7 293. "Blog, "Rep. Linville Losing, Experiencing Closest Primary in a Decade," from
8 Bellingham Herald Blog, published August 19, 2010, retrieved on September 9,
9 2010 from <http://blogs.bellinghamherald.com>.
10
11 294. "Roberts, Kerly Should Advance in 21st District," published by The Seattle Times
12 on August 14, 2008.
13
14 294. Article, "Bloviating Aside, the Election will be Decided By Who Votes," by H.
15 Stuart Elway, The Seattle Times published on June 22, 2010, retrieved on August
16 2, 2010, from <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>
17
18 296. Article, "Didier, Rossi Primary Captures National Attention," The News Tribune,
19 published on June 27, 2010, retrieved on July 28, 2010 from
20 <http://www.thenewstribune.com/2010/06/27>.
21
22 297. E-mail from Dave Ammons to John White dated August 21, 2008, re: Top 2
23 Primary Leftovers with attached News Release from OSOS, "Top 2 Primary
24 Leftovers/Washington's Top 2 Primary bits & pieces . . ."
25
298. Kittitas County, Washington, 2010 Primary sample ballot for August 17, 2010,
retrieved from [http://www.co.kittitas.wa.us/auditor/elections/20100817-sample-
ballot.pdf](http://www.co.kittitas.wa.us/auditor/elections/20100817-sample-
ballot.pdf).
299. Article, "Three Doctors Pursuing Seats in The State Legislature," by Carol M.
Ostrom, The Seattle Times, published on July 21, 2010, retrieved on July 23,
2010, from <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>

- 1 300. Top 2 Primary, Advisory 09: County Questions (write-in Votes), from OSOS,
2 dated August 25, 2008.
- 3 301. PDC Web page, "Political Party," retrieved on July 6, 2010 from
4 www.pdc.wa.gov/ORCA_Help/Creating_Committees/Campaign_Setup_Wizard/C
5 [1_Candidate_Regi.](http://www.pdc.wa.gov/ORCA_Help/Creating_Committees/Campaign_Setup_Wizard/C)
- 6 302. PDC brochure, "Political Advertising," dated April 2010.
- 7 303. Article, "Mayor Baker, two others running for senate seat," published in Kenmore
8 Reporter on July 7, 2010.
- 9 304. Editorial, "2010 Elections No tea Party for the GOP." By Lance Dickie, The
10 Seattle Times, published March 4, 2010, retrieved on September 12, 2010, from
11 <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>
12
- 13 305. Kitsap County Auditor Elections – form for Candidate Statement Information for
14 the Local Voters' Pamphlet and Online Guide, to be submitted by candidates by
15 4:00 pm, June 21, 2010.
- 16 306. Article, "Rep. Smith, Seeking 8th Term, Faces Three Rivals In Primary," by Susan
17 Gilmore, The Seattle Times, published on July 28, 2010, retrieved on July 28,
18 2010, from <http://seattletimes.nwsources.com/cgi-bin/PrintStory.pl?>
19
- 20 307. "Editorial: Candidates Becoming Party Poopers/Primary: Many Tweak Existing
21 Party Name," by Jordan Schrader, Staff Writer, published by The News Tribune,
22 retrieved on 07/13/10 from <http://www.thenewstribune.com/2010/06/09-v-printer>
23 [friendly/1218732/candidates-becoming-party-poope...](http://www.thenewstribune.com/2010/06/09-v-printer)
24
25

- 1 308. "Editorial: Palin's Clout Narrows as Primaries Wind Down," by David M.
2 Drucker, CQ –Roll Call, published by Yahoo! News on July 12, 2010, retrieved
3 on 07/13/10 from <http://news.yahoo.com/s/cq/politics3699376/print>.
4
5 309. Article, "Can Republicans' Resurgence Begin On Eastside?" by Dan Catchpole,
6 seattlepi.com, published on July 28, 2010, retrieved on July 29, 2010, from
7 <http://www.seattlepi.com/printer2/index.asp?>
8
9 310. Editorial, "Baker, Ryu and Kagi Endorsed in the 32nd District Legislative Races,"
10 The Seattle Times, published on July 29, 2010, retrieved August 2, 2010, from
11 <http://seattletimes.nwsourc.com/cgi-bin/PrintStory.pl?>
12
13 311. Politics1 – "Online Guide to Washington State Politics" – (directory of
14 Washington State Candidates, filing deadline June 2010 for primary August
15 2010), retrieved on July 14, 2010 from <http://www.politics1.com/wa.htm>.
16
17 312. New Release, "Secretary Reed Forecasts 38 Percent Primary Turnout," from
18 Secretary of State website, issued on July 30, 2010, retrieved on August 20, 2010,
19 from http://www.sos.wa.gov/office/osos_news.aspx?i
20
21 313. Article, "Ballots in the Mail for Aug. 17 Primary Election," by Dean Radford,
22 Renton Reporter Editor, PNWLocalNews.com, published July 30, 2010, retrieved on
23 August 11, 2010, from
24 http://www.pnwlocalnews.com/south_king/ren/news/99640829.html.
25
314. "Editorial: Troubled Times Ahead for State Rep. Geoff Simpson," by Dennis Box,
Covington Reporter, published by the Seattle PI on July 16, 2010, retrieved on
07/19/10 from <http://www.seattlepi.com/printer2/index.asp?>

- 1 315. Examiner Article, "Congressional Races in Pierce County," by Kelly Haughton,
2 Tacoma Political Buzz Examiner, published on July 18, 2010 in examiner.com,
3 retrieved on 07/19/10 from <http://www.examiner.com/blog>.
- 4 316. Article, "U.S. Senate," published in Spokesman.com (The Spokesman-Review),
5 on July 18, 2010, retrieved on July 19, 2010 from
6 <http://www.spokesman.com/stories/2010/jul18/us-senate>.
- 7 317. Article, "Open Sets in House, Senate Give Voters Plenty of Choices," by Carly
8 Flandro, The Seattle Times, published on August 2, 2010, retrieved on August 2,
9 2010, from
10 <http://community.seattletimes.nwsources.com/mobile/?type=story&id=2012509507&>
- 11 318. Editorial: "Like It or Not, the 'Top Two' Primary is Working as Intended," by
12 Peter Callaghan, Staff Writer, published by The News Tribune, retrieved on July
13 20, 2010 from <http://www.thenewstribune.com/2010/07/20>.
- 14 319. News Release, "Voter Registration Deadline for Primary Approaching," Secretary
15 of State website, issued August 2, 2010, retrieved on August 10, 2010 from
16 http://www.sos.wa.gov/prin/office/oso_news.aspx?i.
- 17 320. Editorial, "You Really Should Vote In this Month's Primary Election," The
18 Bellingham Herald Editorial Board, The Bellingham Herald, published August 7,
19 2010, retrieved on September 12, 2010 from
20 [http://www.bellinghamherald.com/2010/08/06v-print/1560155/you-really-should-](http://www.bellinghamherald.com/2010/08/06v-print/1560155/you-really-should-vote-in-t..)
21 [vote-in-t..](http://www.bellinghamherald.com/2010/08/06v-print/1560155/you-really-should-vote-in-t..)
- 22 321. Editorial, "Plenty of Choices, Aug. 17 Ballots are Crowded, and Our State's Top
23 Two Primary is Showing its Value," The Columbian, published August 8, 2010,
24 retrieved on August 8, 2010, from <http://www.columbian.com/news/2010/aug/08>.
- 25

- 1 322. Article, "Williams' Seat Draws a Crowd," by Brad Shannon, The Olympian,
2 published August 8, 2010, retrieved on August 11, 2010, from
3 [http://www.theolympian.com/2010/08/08/v-print/1329588/williams-seat-draws-a-](http://www.theolympian.com/2010/08/08/v-print/1329588/williams-seat-draws-a-crowd.html)
4 [crowd.html](http://www.theolympian.com/2010/08/08/v-print/1329588/williams-seat-draws-a-crowd.html).
- 5 323. Article, "Spirited Fight for 'Top Two' in Primary," by Jordan Schrader, The News
6 Tribune, published on August 9, 2010, retrieved on August 9, 2010, from
7 [http://www.thenewstribune.com/2010/08/09v-printerfriendly/1294595/spirited-](http://www.thenewstribune.com/2010/08/09v-printerfriendly/1294595/spirited-fight-for-top-two.html)
8 [fight-for-top-two.html](http://www.thenewstribune.com/2010/08/09v-printerfriendly/1294595/spirited-fight-for-top-two.html)
- 9 324. Article, "Six Candidates Vie for Washington's Wide-Open House Seat," by
10 Amelia Templeton, Oregon Public Broadcasting, published on August 9, 2010,
11 retrieved on August 9, 2010 from [http://news.opb.org/article/10689-six-](http://news.opb.org/article/10689-six-candidates-vie-washington-wide-open-house-seat/)
12 [candidates-vie-washington-wide-open-house-seat/](http://news.opb.org/article/10689-six-candidates-vie-washington-wide-open-house-seat/)
- 13 325. Blog article, "The 2010 Washington State U.S. Senate Primary Race Offers Party
14 Diversity and Then Some," by Sherry Erickson, Snohomish County Elections
15 2010 Examiner, retrieved on August 10, 2010, from
16 [http://www.examiner.com/blog/pintexaminerarticles.cfm?section=examiners,exam-](http://www.examiner.com/blog/pintexaminerarticles.cfm?section=examiners,examiner&blogtyp=exam)
17 [iner&blogtyp=exam](http://www.examiner.com/blog/pintexaminerarticles.cfm?section=examiners,examiner&blogtyp=exam).
- 18 326. Editorial, "Can the Right Wing Woo the Middle?," The Daily Astorian, published
19 on August 10, 2010, retrieved on August 10, 2010, from
20 <http://www.dailyastorian.info/print.asp?>
- 21 327. Blog, "Strange Bedfellows," posted by Joel Connelly, Wash. State Senate: The
22 Eastside Front, on August 18, 2010, retrieved on August 19, 2010 from
23 <http://blog.seattlepi.com/seattlepolitica/archive/218610.asp>.
- 24 328. Blog, "Washington's 'Top Two' Primary Favors Murray, Rossi in Senate Race,"
25 by Ken Rudin, Political Junkie with Ken Rudin, published on August 17, 2010,

retrieved on August 27, 2010, from

<http://www.npr.org/blogs/politicaljunkie/2010/10/08/17129252491>.

329. Article, "Murray Re-nominated, but Under 50%," Hot Political News, published August 18, 2010, retrieved on August 22, 2010, from

http://www.ptpac.org/be_informed/news_and_issues/ptpac_news.

330. Excerpts from Deposition of Catherine Blinn taken on August 16, 2010.

331. Blog, "WA Senate Race Friday Update," Spin Control, The Spokesman-Review, published on August 20, 2010, retrieved on August 22, 2010, from

<http://www.spokesman.com/blogs/spincontrol/2010/aug//20/wa-senate-race-friday-update/>

332. Article, "Didier Wants Commitments From Rossi," Staff and Wire Reports, The Spokesman-Review, published on August 21, 2010, retrieved on August 22, 2010 from <http://www.spokesman.com/stories/2010/aug/21/didier-wants-commitments-from-rossi/>

333. Article, "Newman to Join Lytton in 40th House General Election Race," by Sam Taylor, The Bellingham Herald, published August 23, 2010, retrieved on September 12, 2010 from <http://www.bellinghamherald.com/2010/08/24/v-print/1584850/newmqn-to-join-lyton-in->

334. "Voter Evaluation of Primary Ballot Interactive Polling Workshop," dated April 10, 2008, introduced as Exhibit 1 to the deposition of Catherine Blinn from the Office of the Secretary of State, Elections Division.

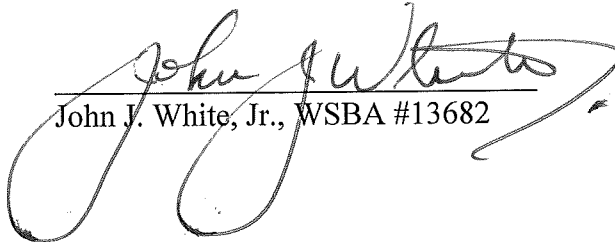
335. Official Primary Election Ballot for King County, Washington, for August 17, 2010, Primary Election.

336. "Contribution Limits," effective June 10, 2010, from Public Disclosure

Commission

- 1 337. Memo, "Background – Initiative 872 (Top Two Primary) and its Impact on
2 Implementation of Campaign Finance Law Provisions in 2010 and 2011" by
3 Nancy Krier, General Counsel for State of Washington Public Disclosure
4 Commission, dated April 14, 2010
- 5 338. Report on Factual Political Knowledge and Voter Confusion by Todd Donovan,
6 Ph.D., dated August 2010, Exhibit 3 from deposition of Todd Donovan.
- 7 339. Report on Factual Political Knowledge and Voter Confusion by Todd Donovan,
8 Ph.D., August 2010, "(sic)" actually, "Report on Paper by Mathew Manweller,"
9 per p. 2 of exhibit, Exhibit 4 from deposition of Todd Donovan.
- 10 340. Blog, "Tea Party 'Grandma' Takes on maverick Sen. Sheldon," The Politics Blog
11 – The Olympian, published June 7, 2010, retrieved on September 12, 2010 from
12 [http://www.theolympian.com/2010/06/07/1263813/tea-party-grandma-takes-on-](http://www.theolympian.com/2010/06/07/1263813/tea-party-grandma-takes-on-maverick.html#storylink=mirelated)
13 [maverick.html#storylink=mirelated](http://www.theolympian.com/2010/06/07/1263813/tea-party-grandma-takes-on-maverick.html#storylink=mirelated)
- 14 340. Article, "Filing Week has Few Surprises, by Brad Shannon, TheNews
15 Tribune.com Section: Northwest Partners, retrieved on September 12, 2010, from
16 [http://www.thenewstribune.com/2010/06/12/v-lite/1223853/filing-week-has-few-](http://www.thenewstribune.com/2010/06/12/v-lite/1223853/filing-week-has-few-surprises.html)
17 [surprises.html](http://www.thenewstribune.com/2010/06/12/v-lite/1223853/filing-week-has-few-surprises.html)
- 18 342. Article, "Farmer Challenges Incumbent for Franklin Co. Treasurer," by Kristi Pihl,
19 Tri-City Herald, published June 26, 2010, retrieved on September 12, 2010, from
20 [http://www.edborey.com/uncategorized/it%E2%80%99s-official-ed-borey-files-as-](http://www.edborey.com/uncategorized/it%E2%80%99s-official-ed-borey-files-as-republican-candidate-for-state-representative/)
21 [republican-candidate-for-state-representative/](http://www.edborey.com/uncategorized/it%E2%80%99s-official-ed-borey-files-as-republican-candidate-for-state-representative/)
- 22 343. Article "Richland's Spencer has BBQ to Announce Run for Assessor," by John
23 Trumbo, Tri-City Herald, Mid-Columbia News, published on June 4, 2010,
24 retrieved on September 12, 2010, from
25 <http://uselectionatlas.org/FORUM/index.php?topic=76921.1935>

- 1 344. Article, "Pelletier Among Announced Candidates Who Failed to File," by Kathie
2 Durbin, The Columbian, published on June 15, 2010, retrieved on September 12,
3 2010 from [http://www.columbian.com/news/2010/jun/15/pelletier-among-announced-
5 candidates-who-failed-to/](http://www.columbian.com/news/2010/jun/15/pelletier-among-announced-
4 candidates-who-failed-to/)
6
7 345. Excerpts, from the Deposition of Donovan, taken on August 30, 2010.
8 Dated at Kirkland, Washington on September 13, 2010.
9
10 346. Expert Agreement with Dr. Todd Donovan and the State of Washington signed
11 February 5, 2010.
12
13 347. E-mail to Katie Blinn dated April 22, 2008, re: Draft Top 2, Independent
14 Candidate.
15
16 DATED at Kirkland, Washington on September 13, 2010.

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