

BEFORE THE FRANKLIN COUNTY BOARD OF ELECTIONS

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In Re:                               :  
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Regular Meeting.                    :

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PROCEEDINGS

before Chairman Douglas J. Preisse, Director Edward Leonard, Deputy Director David Payne, and Board Members Bradley K. Sinnott, Kimberly E. Marinello, and Michael Sexton, at the Franklin County Board of Elections, 1700 Morse Road, Columbus, Ohio, on Monday, September 9, 2019, beginning at approximately 2:40 p.m., and concluding at approximately 4:45 p.m.

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## 1 APPEARANCES:

2 FRANKLIN COUNTY PROSECUTOR'S OFFICE  
3 By Timothy A. Lecklider, Esq.  
4 Assistant Prosecuting Attorney  
5 373 South High Street, 13th Floor  
6 Columbus, Ohio 43215  
7 (614) 525-3520,

8 On behalf of the Board.

9 MARK R. BROWN, Esquire  
10 303 East Broad Street  
11 Columbus, Ohio 43215  
12 Email: mbrown@law.capital.edu  
13 (614) 236-6590,

14 On behalf of Brandon McCorkle.

15

16 Also present:

17 Suzanne Brown, Executive Assistant to the  
18 Board, Director, and Deputy Director  
19 Shane W. Ewald  
20 Vashitta Johnson  
21 Matt Krueger  
22 Jeffrey Mackey, Petitions & Campaign Finance  
23 Brandan McCorkle  
24 Aaron Sellers

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BOARD EXHIBITS/DOCUMENTS ATTACHED

Reconsideration of Certification of Vashitta Johnson (Documents 1, 2a, 2b)

Reconsideration of Certification of Matt Krueger (Document 3)

Declarations of Intent to be Write-In Candidates (Document 4)

Filing by Attorney Mark Brown re Brandon McCorkle (Document 5)

Protest of Write-In Candidacy of McCorkle (Document 6)

Monday Afternoon Session  
September 9, 2019  
2:40 p.m.

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DEPUTY DIRECTOR PAYNE: I'll go ahead and take roll. It looks like we have a quorum, but I'll do the roll anyway.

Kim Marinello.

MEMBER MARINELLO: Here.

DEPUTY DIRECTOR PAYNE: Mike Sexton.

MEMBER SEXTON: Here.

DEPUTY DIRECTOR PAYNE: Doug Preisse.

CHAIRMAN PREISSE: Here.

DEPUTY DIRECTOR PAYNE: And Brad Sinnott.

MEMBER SINNOTT: Here.

We do indeed have a quorum.

The first item on the agenda is the approval of the August 16, 2019, minutes of the Franklin County Board of Elections.

Are there any questions? If not, I would entertain a motion to accept those minutes.

MEMBER SEXTON: Mr. Chariman, I move that the Board approve the minutes of the August 16th, 2019, meeting of the Franklin County Board of

1 Elections.

2 DEPUTY DIRECTOR PAYNE: Is there a  
3 second?

4 MEMBER SINNOTT: There is.

5 DEPUTY DIRECTOR PAYNE: All those in  
6 favor of the motion signify by saying aye.

7 (Vote taken.)

8 DEPUTY DIRECTOR PAYNE: All opposed,  
9 same sign.

10 (No response.)

11 DEPUTY DIRECTOR PAYNE: The motion  
12 carries.

13 The next item on the agenda is the  
14 certification of write-in candidates for the  
15 November 5th, 2019, general election. I will call  
16 on Jeff Mackey to give a report.

17 MR. MACKEY: You have before you  
18 Exhibit A, which lists eight candidates who filed  
19 valid timely declarations of intent to be a  
20 write-in candidate following our last -- after our  
21 last meeting where we certified candidates. So  
22 staff reviewed their declarations and found them to  
23 be sufficient.

24 MEMBER KIMBERLY MARINELLO: In that  
25 case, I move that the Board certify the eight

1 candidates listed on Exhibit A as valid write-in  
2 candidates for the offices they are seeking on the  
3 November 5th, 2019, general election ballot.

4 DEPUTY DIRECTOR PAYNE: Is there a  
5 second?

6 MEMBER SINNOTT: There is.

7 DEPUTY DIRECTOR PAYNE: All those in  
8 favor of the motion signify by saying aye.

9 (Vote taken.)

10 DEPUTY DIRECTOR PAYNE: All opposed,  
11 same sign.

12 (No response.)

13 DEPUTY DIRECTOR PAYNE: Motion  
14 carries.

15 We did -- Jeff, and you can -- we  
16 just certified eight candidates, including Brian  
17 McCorkle and John Billman's write-in candidacies  
18 for Gahanna Mayor; but there was a protest that I  
19 think the Board would like to hear.

20 DIRECTOR LEONARD: We were aware at  
21 the last board meeting that the protest had been  
22 filed and felt that the best course of action was  
23 to certify it and then it's subject to protest. So  
24 that was just from a procedural standpoint.

25 MR. MACKEY: We have received two

1 protests against the write-in candidacies for the  
2 Mayor of Gahanna of John Christian Billman and  
3 Brandon McCorkle.

4 CHAIRMAN PREISSE: Okay. We've sort  
5 of established a precedent for letting interested  
6 parties address the Board in these matters and, if  
7 it's not in disagreement from the colleagues on the  
8 Board, we've also established the working  
9 convention that one of us is more experienced than  
10 the other three at court proceedings and keeping  
11 things moving fairly and efficiently. So I'm going  
12 to turn to Member Sinnott and ask him if he'd be  
13 willing to play that role.

14 MEMBER SINNOTT: Okay. Well, we  
15 have the protest of Brian McCorkle's candidacy that  
16 has been submitted by Shane Ewald who identifies  
17 himself as an elector in the City of Gahanna and  
18 the City Attorney for Gahanna.

19 We generally have allowed there to  
20 be brief oral presentations associated with  
21 protests.

22 Is there anybody who would like to  
23 speak to Mr. Ewald's protest? I don't recognize --

24 MR. BROWN: Yes. Mark Brown.

25 Just a point of order, it's Brandon



1 McCorkle.

2 Mark Brown, attorney representing  
3 Mr. McCorkle.

4 MEMBER SINNOTT: So you're  
5 Mr. McCorkle's counsel?

6 MR. BROWN: Yes.

7 MR. SINNOTT: Okay. Thank you for  
8 correcting us.

9 Is there anybody who -- I know  
10 Mr. Ewald. I don't see him in the room. Oh, there  
11 he is.

12 Counselor, would you sit down,  
13 please, for a moment? Thank you.

14 Mr. Ewald, do you wish to be heard?

15 MR. EWALD: I do. Thank you for  
16 taking the time today.

17 Do you want me to come up there?

18 MEMBER SINNOTT: Actually, if you  
19 could go to the podium.

20 And if you will start by identifying  
21 yourself for the record, that would be helpful.

22 MR. EWALD: How much time do I have?

23 MEMBER SINNOTT: Mr. Ewald, we  
24 generally do not cut people off at a particular  
25 moment in time, but it would seem as though given

1 the nature of the protest that you could probably  
2 acquaint us with your premise in the space of  
3 several minutes.

4 MR. EWALD: Thank you. Appreciate  
5 it.

6 Go ahead and start?

7 MEMBER SINNOTT: Please.

8 MR. EWALD: This is my first protest  
9 in an election of this nature. I appreciate you  
10 guys taking the time. I appreciate the candidates  
11 are here.

12 My main concern is from our charter  
13 standpoint.

14 MEMBER SINNOTT: Mr. Ewald, did you  
15 identify yourself?

16 MR. EWALD: I'm sorry.

17 Shane W. Ewald. I'm an elector  
18 within the City of Gahanna. I reside there. I'm  
19 also the City Attorney on behalf of the City of  
20 Gahanna.

21 I know that Mr. Brown has entered an  
22 appearance today. I just received his filing.

23 I appreciate you getting that to me  
24 this morning -- well, a few minutes ago.

25 DIRECTOR LEONARD: Wait.

1 MR. EWALD: There are two things  
2 that we have to understand about the election --

3 DIRECTOR LEONARD: Is there a  
4 filing? I'm not --

5 MEMBER SINNOTT: Well, I'm sure  
6 Mr. Brown will explain this to us in a moment. Why  
7 don't we go ahead and have Mr. Ewald make his  
8 presentation as the protestor and then we'll hear  
9 from Mr. Brown.

10 MR. EWALD: Thank you.

11 Can you hear me from up here?

12 MEMBER SINNOTT: Yes, clearly.

13 MR. EWALD: There are two things  
14 that you have to understand. One, Gahanna has a  
15 strong mayoral form of government; and by that,  
16 they have set that a mandatory primary occur every  
17 four years in the municipal election year.

18 That primary requires -- and  
19 literally the only position -- that mayor run in  
20 the primary. You can have a write-in candidate.  
21 You can have on-the-ballot candidates. You can  
22 have as many as candidates as you want; but the  
23 charter is very clear that the two top vote getters  
24 regardless of how -- whether they're on the ballot  
25 or they are a write-in, those are the only two

1 candidates for the general election.

2 This code has been in place for  
3 decades. It was recently updated, I think within  
4 the last five years, for residency requirements,  
5 which also runs from the primary back. It does not  
6 anticipate someone running in the general other  
7 than the two candidates who win the top two  
8 votes -- or voting spots by the electors in the  
9 city of Gahanna.

10 So the primary thing I want to make  
11 sure I impress upon everyone is, without citing a  
12 bunch of case law, that the voters of Gahanna  
13 through home rule authority through the  
14 Constitution of Ohio have reserved their place to  
15 be able to pick their mayor. And in a strong mayor  
16 form of government, they don't want that vote being  
17 split across five or ten candidates, they want the  
18 top two people so that that mayor coming in has a  
19 mandate to represent the people of Gahanna. You  
20 can have 20 people run for city attorney, you can  
21 have 40 run for city council in the general; but  
22 the mayor is specifically identified and called out  
23 to only have two top candidates coming through.  
24 And that's to preserve the ability that the mayor  
25 in a strong mayoral form of government has to

1 mandate.

2 So I think you have my filing. I  
3 don't want to get into minutia. I'm more than  
4 happy to answer questions.

5 I have quickly read the brief of  
6 Mr. Brown, and I don't think it has merit. And I  
7 am available for questions. That was the second  
8 part of his filing with me today.

9 MEMBER SINNOTT: Okay. Mr. Ewald,  
10 thank you for your writing.

11 MR. EWALD: Thank you.

12 MEMBER SINNOTT: Mr. Brown, I  
13 believe you are here as counsel for Mr. McCorkle?

14 MR. BROWN: Yes.

15 MEMBER SINNOTT: The same  
16 opportunity, sir.

17 MR. BROWN: Thank you. May it  
18 please the Board, for the first point, the city has  
19 to be dismissed right out of the gate because the  
20 city doesn't have any standing to bring a protest.  
21 The statute is very clear on that. 3513.041  
22 says only an eligible voter --

23 MEMBER SINNOTT: Mr. Brown, let me  
24 interrupt you for a moment.

25 Mr. Ewald mentioned a writing that

1 you gave to him. Did you --

2 MR. BROWN: Yeah. I delivered  
3 multiple copies and they were supposed to be  
4 delivered. I think they're sitting right there.

5 DEPUTY DIRECTOR PAYNE: Yeah. They  
6 were delivered today. Right?

7 MR. BROWN: They were emailed to you  
8 this morning and hand-delivered to you an hour ago.

9 MEMBER SINNOTT: Thank you. We are  
10 receiving these now.

11 Why don't you make your oral  
12 presentation. Pardon the interruption.

13 MR. BROWN: Thank you.

14 As I was saying, the city obviously  
15 has no standing and should be dismissed as a  
16 protestor, and that leaves only Mr. Ewald.  
17 Mr. Ewald claims to be an eligible protestor, and  
18 so I call Mr. Ewald to testify.

19 MEMBER SINNOTT: This is an instance  
20 where Mr. Ewald is here both as counsel for the  
21 city and also as the protestor. And as to things  
22 related to his standing to protest, I would -- if  
23 Mr. Ewald will consent to questioning, I think the  
24 Board will allow that.

25 MR. EWALD: Absolutely. Sure.

1 MEMBER SINNOTT: So we've previously  
2 seen Mr. Ewald identified. So he's going to give  
3 testimony now as to the subject of his standing as  
4 a protestor.

5 Mr. Brown.

6 MR. BROWN: Thank you.

7 MEMBER SINNOTT: You may want to  
8 swear in the witness.

9 Do you want Mr. Ewald to step  
10 forward or --

11 MR. EWALD: You want me to stand?

12 MEMBER SINNOTT: Why don't we do it  
13 like that. We're in a small room. And you have --  
14 I don't know why you would, Mr. Brown -- you have  
15 no objection to Mr. Ewald just standing there as  
16 you question him? I think that will be fine. Why  
17 don't we swear the witness, though, as --

18 THE REPORTER: I'd rather he be  
19 closer to me, Brad.

20 MEMBER SINNOTT: If that would be  
21 helpful to you, that's fine.

22 - - -

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25

1 SHANE EWALD,

2 being subsequently sworn, testifies as follows:

3 EXAMINATION

4 BY MR. BROWN:

5 Q. Good afternoon.

6 A. Good afternoon.

7 Q. You've already identified yourself  
8 with the Board.

9 What's your occupation, Mr. Ewald?

10 A. I'm an attorney.

11 Q. And who do you work for?

12 A. I work for the City of Gahanna.

13 Q. And you are an interested party, one  
14 might say it?

15 MEMBER SINNOTT: Mr. Brown, I think  
16 that we missed the swearing of the witness in the  
17 positioning within the room. So why don't we tend  
18 to that.

19 MR. BROWN: Oh, I'm sorry.

20 (Witness sworn by reporter.)

21 MEMBER SINNOTT: Mr. Brown, I  
22 presume there's been nothing in your examination  
23 thus far that would keep you from continuing from  
24 this point?

25 MR. BROWN: Well, thank you. Let me



1 just repeat the question.

2 BY MR. BROWN:

3 Q. Your occupation, Mr. Ewald?

4 A. I'm an attorney.

5 Q. And your employer is?

6 A. City of Gahanna.

7 Q. And how long have you been the city  
8 attorney for the City of Gahanna.

9 A. Just over seven years.

10 Q. Seven years.

11 Have you had conversations with  
12 Mr. McCorkle about his declaration of write-in  
13 candidacy?

14 A. I did.

15 Q. Did you explain to him why you would  
16 not accept -- or why you would protest?

17 A. I did.

18 Q. And what was that explanation?

19 A. It's exactly what I filed with the  
20 Board, which is that our charter does not allow for  
21 write-in candidates for the general election.

22 Q. Did you tell him that your interest  
23 was making sure that the winner received a majority  
24 of the vote?

25 A. Yes.

1           Q.       So your interest in not including  
2 write-ins is making sure that the winner has a  
3 majority?

4           A.       Well, it's not my interest. That's  
5 the charter's interest.

6           Q.       Does the charter say that?

7           A.       It actually does because it  
8 identifies that only two candidates can run for the  
9 general election.

10          Q.       Does it say anything else?

11          A.       It says that the top two vote  
12 getters will be selected to run in the general  
13 race.

14          Q.       Does it say that the winner has to  
15 have a majority of the vote?

16          A.       I mean, that's -- it's nonsensical.  
17 It says -- You can have a tie.

18          Q.       It's very sensical. A majority  
19 might not be achieved if there is a write-in  
20 candidate.

21                   MEMBER SINNOTT: Mr. Brown, is there  
22 a question there?

23                   MR. BROWN: Yes.

24                   MEMBER SINNOTT: What is the  
25 question?

1 Q. It is very sensical that a majority  
2 would not be achieved if there was a write-in  
3 candidate. It could happen?

4 A. Well, the charter doesn't allow for  
5 it. We've never allowed for it.

6 Q. If you really wanted to exclude a  
7 third candidate, wouldn't you have said that we  
8 need a majority of the vote?

9 A. No. You just identify the total  
10 amount of people who are actually the candidates,  
11 which is two.

12 Q. Does the charter say that?

13 A. It does say that.

14 Q. Where does it say that?

15 A. I actually have a copy of it with  
16 me. It's one of the things I can see every day. I  
17 get to look at it.

18 Q. Thank you.

19 A. It's loads of fun looking at  
20 five-decade-old code.

21 The second paragraph -- First of  
22 all, it's a non-partisan primary. So it says the  
23 non-partisan primary election for mayor shall be  
24 held prior to the above-mentioned municipal  
25 election and the two persons receiving the most

1 number of votes in the primary election shall be  
2 the candidates for the municipal election.

3 Q. That's true.

4 Does it say and no one else shall be  
5 a candidate in the municipal election?

6 A. It doesn't have to because everybody  
7 is supposed to run in the primary.

8 Q. Answer the question. Does it say  
9 that?

10 A. Yes, it does, because it --  
11 Actually, explicitly, no.

12 Q. Thank you.

13 Are you familiar with Ohio election  
14 law?

15 A. I am.

16 Q. Is it your understanding that Ohio  
17 election law generally restricts ballots?

18 A. Yes.

19 Q. But does Ohio election law generally  
20 restrict ballots, the printed names on ballots, to  
21 a certain number of people?

22 A. It generally restricts the format.

23 Q. How about the number?

24 A. It does not generally restrict the  
25 number of candidates who run. It actually defers

1 to local elections for local offices.

2 Q. Will a write-in candidate, let's  
3 say, for governor have his or her name printed on  
4 the ballot?

5 A. If they met all the requirements,  
6 yes.

7 Q. It would be printed on the ballot,  
8 the name?

9 A. If a candidate meets all the  
10 requirements their name will be printed on the  
11 ballot.

12 Q. What are the requirements?

13 A. Without having it in front of me, I  
14 couldn't tell you. I'm not working for the State  
15 of Ohio.

16 Q. Isn't it true that that's not the  
17 case, all a write-in candidate gets is the write-in  
18 space and then if his name is written in it's  
19 counted?

20 A. Again, I'm professing to know  
21 Gahanna law and not state law.

22 MEMBER SINNOTT: Mr. Brown, you may  
23 recall that we said we would permit questioning --

24 MR. BROWN: I'm sorry. I cannot  
25 hear you.

1                   MEMBER SINNOTT: I said that we told  
2 you that we would permit the questioning of  
3 Mr. Ewald as a protestor as to his standing to  
4 protest. It seems as though this is becoming a  
5 colloquy between the two of you about your  
6 understanding of Ohio election law principles. So  
7 that sort of discussion would be more appropriate  
8 for your argument than your questioning of  
9 Mr. Ewald. If you have any questions related to  
10 his standing to be a protestor, please ask.

11                   MR. BROWN: Well, he is the city  
12 attorney and he has expressed expertise.

13                   MEMBER SINNOTT: He's not testifying  
14 as the city attorney, of course. He's testifying  
15 as the individual citizen protestor.

16                   Do you have any questions --

17                   MR. BROWN: He is the city attorney  
18 and I have a right to ask him --

19                   MEMBER SINNOTT: Mr. Brown, please  
20 don't argue with me.

21                   Do you have any questions that  
22 relate to Mr. Ewald's standing as a protestor?

23                   MR. BROWN: Am I being prohibited  
24 from asking him relevant questions?

25                   MEMBER SINNOTT: You are being given

1 the opportunity to ask him questions relative to  
2 his standing as a protestor. Do you have any such  
3 questions?

4 MR. BROWN: You will not let me ask  
5 any other questions beyond his standing as a  
6 protestor. Is that correct?

7 MEMBER SINNOTT: Mr. Ewald, you are  
8 dismissed now as a witness.

9 MR. EWALD: Thank you.

10 MR. SINNOTT: Thank you.

11 MR. BROWN: I object to the Board's  
12 limiting my questioning of Mr. Ewald.

13 MEMBER SINNOTT: Okay. Well, you've  
14 stated your objection and --

15 MR. BROWN: Will you put that on the  
16 record?

17 MEMBER SINNOTT: Of course.

18 Everything is on the record.

19 Please continue.

20 MR. BROWN: Mr. Ewald's protest  
21 lacks merit, as he by himself has admitted Gahanna  
22 law does not prohibit any candidates from reaching  
23 the ballot. It simply says the top two shall be on  
24 the ballot. It does not prohibit write-in space.  
25 There's no language in the city charter that says

1 that.

2 Under Ohio law in order for the City  
3 of Gahanna to strip a write-in space from the  
4 ballot it must clearly do so. The City of Gahanna  
5 has not clearly done so. The only case that's been  
6 cited, the only case that I can find that deals  
7 with stripping write-in space from ballots, is the  
8 Horstman case which was relied on by Mr. Ewald and  
9 is also cited in my filing. And in the Horseman  
10 case the court pointed to a sample ballot that was  
11 made part of the city charter, and the sample  
12 ballot excluded a write-in space. It was clear.  
13 And the court said in that instance because the law  
14 is clear and they have excluded write-in space in  
15 this instance we will let the city exclude the  
16 write-in space from the ballot. There's nothing  
17 like that in this particular case. Therefore, the  
18 City of Gahanna has not chosen to exclude write-in  
19 space on the ballot. And if I had been allowed to  
20 ask Mr. Ewald more questions, I would have  
21 demonstrated to the Board that write-in candidates  
22 have been common in Gahanna.

23 Does the Board have any questions?

24 MEMBER SINNOTT: Yes, Mr. Brown.

25 There's an interesting aspect to



1 this that I find. Perhaps you can help. Are you  
2 aware of any legal authority that instills in  
3 Mr. McCorkle a personal constitutional right to be  
4 a write-in candidate?

5 MR. BROWN: Not under the federal  
6 constitution, sir.

7 MEMBER SINNOTT: Under the state  
8 constitution?

9 MR. BROWN: Under the state  
10 constitution, I do not have the answer. I know  
11 there is a statutory right which has been made  
12 implicit and a constitutional right in Ohio. For  
13 several years now Ohio, the legislature, has said  
14 that a write-in space is necessary to further the  
15 right to vote. That's the Ohio legislature's  
16 judgment. I believe that judgment should be  
17 respected by this Board and by the Gahanna city  
18 commission. If they want to override that, they  
19 should state so clearly, but they should not be  
20 able to trot it out when they want simply to ensure  
21 that the winning candidate gets the majority of the  
22 votes. The city charter does not say that at all.  
23 That's an invention.

24 MEMBER SINNOTT: Okay. Very good.  
25 Thank you, Mr. Brown.

1                   MR. BROWN: Are there any further  
2 questions?

3                   For the record, I'd like to object.  
4 I was not able to make my evidentiary record before  
5 this Board, notwithstanding the fact the Ohio  
6 Supreme Court has said this is supposed to be a  
7 judicial hearing. And I'd just like to make sure  
8 that's on the record.

9                   MEMBER SINNOTT: Very good. Thank  
10 you, Mr. Brown.

11                   We have a writing of a few pages  
12 that Mr. Brown submitted to the Board today. It's  
13 about four full pages. He signs it at the end.  
14 I'd appreciate an opportunity to read through the  
15 writing before we consider the matter further. It  
16 shouldn't take more than several minutes for us to  
17 do that. Why don't we just pause at this point and  
18 read what Mr. Brown submitted.

19                   CHAIRMAN PREISSE: Makes sense.

20                   (Brief pause in proceedings.)

21                   MEMBER SINNOTT: Have all the Board  
22 members had an opportunity to read Mr. Brown's  
23 submission today?

24                   Well, during that pause in the  
25 proceeding all four board members availed

1 themselves the opportunity to read the writing  
2 submitted on behalf of Mr. McCorkle by his lawyer,  
3 Mr. Brown. That submission was made today. The  
4 matter is now ripe for discussion. Would anybody  
5 like to offer observations?

6 CHAIRMAN PREISSE: Well, I'm  
7 unpersuaded by Mr. Brown's writings. It seems to  
8 me the heart of it, to quote from his --

9 What is this document, a protest?

10 MEMBER SINNOTT: The protest is what  
11 Mr. Ewald submitted.

12 CHAIRMAN PREISSE: So Mr. Brown's  
13 writing clarity requires more than simply stating  
14 that only two candidates' names will be printed on  
15 the ballot. It strikes me that the city's charter  
16 is quite clear indeed that the two names that will  
17 appear on the ballot for the general election are  
18 those names which garnered the two top votes in the  
19 primary under the charter's rules and provisions  
20 which are clear and unambiguous in my reading of  
21 both the protest and the defense.

22 MEMBER SEXTON: I would agree the  
23 charter is, you know, pretty clear. It says two  
24 candidates. You know, in the primary -- three  
25 candidates ran in the primary, two of them have

1 been selected. And I don't see that there's  
2 anything in here that would allow for a write-in  
3 candidate to go forward in the general when it's  
4 already specifically stated in the charter that  
5 it's especially two persons, which is Laurie Jadwin  
6 and Ryan Jolley.

7 MEMBER MARINELLO: Mr. McCorkle and  
8 Mr. Billman did not participate in the primary. Is  
9 that right? Is there any reason for that, in  
10 particular?

11 MEMBER SINNOTT: I don't think we  
12 don't know the reason, but we do know that they  
13 were not primary candidates.

14 Well, in my view, the City of  
15 Gahanna is a home rule jurisdiction. It has  
16 adopted a city charter that in Section 3.01 says  
17 that the two candidates in the mayoral general  
18 election shall be the two persons receiving the  
19 most number of votes in the primary election.  
20 Unless Mr. McCorkle can claim a constitutional  
21 right to be a write-in candidate, then in light of  
22 provisions in the city charter I think we're  
23 sustaining the protest. I think it's properly  
24 made.

25 And I will move that the Board grant

1 the protest against the Brandon McCorkle candidacy  
2 as a valid write-in for the office of Gahanna mayor  
3 on the November 5th, 2018, primary election ballot.

4 MEMBER SEXTON: And I'll second.

5 MEMBER SINNOTT: Let's do a roll  
6 call.

7 DEPUTY DIRECTOR PAYNE: Kim  
8 Marinello.

9 MEMBER MARINELLO: Yes.

10 DEPUTY DIRECTOR PAYNE: Michael  
11 Sexton.

12 MEMBER SEXTON: Yes.

13 DEPUTY DIRECTOR PAYNE: Doug  
14 Preisse.

15 CHAIRMAN PREISSE: Yes.

16 DEPUTY DIRECTOR PAYNE: And Brad  
17 Sinnott.

18 MEMBER SINNOTT: Yes.

19 DEPUTY DIRECTOR PAYNE: Motion  
20 passes.

21 MEMBER SINNOTT: So the protest is  
22 sustained.

23 And then we have the matter of the  
24 write-in candidacy of John Billman.

25 DIRECTOR LEONARD: In reference to

1 the 2019 general election, it's the 2019 general  
2 election rather than the 2018 primary election. I  
3 want to make sure that the resolution was correctly  
4 as stated.

5 MEMBER SINNOTT: Well, you make a  
6 very good point.

7 DIRECTOR LEONARD: It was brought to  
8 my attention.

9 MEMBER SINNOTT: All right. Let's  
10 do this again for the sake of clarity.

11 I move that the Board grant the  
12 protest against Brian McCorkle's candidacy as --

13 MR. MACKEY: It's Brandon, again.

14 MEMBER SINNOTT: -- Brandon  
15 McCorkle's candidacy as a valid write-in candidate  
16 for the office of Gahanna Mayor on the November 5,  
17 2019 general election ballot.

18 DEPUTY DIRECTOR PAYNE: Is there a  
19 second?

20 MEMBER SEXTON: Second.

21 DEPUTY DIRECTOR PAYNE: Kim  
22 Marinello.

23 MEMBER MARINELLO: Yes.

24 DEPUTY DIRECTOR PAYNE: Michael  
25 Sexton.

1 MEMBER SEXTON: Yes.

2 DEPUTY DIRECTOR PAYNE: Doug  
3 Preisse.

4 CHAIRMAN PREISSE: Yes.

5 DEPUTY DIRECTOR PAYNE: And Brad  
6 Sinnott.

7 MEMBER SINNOTT: Yes.

8 DEPUTY DIRECTOR PAYNE: The motion  
9 carries.

10 MEMBER SINNOTT: I think we have a  
11 clear record as to the Board's resolution of that  
12 protest. Thank you.

13 DIRECTOR LEONARD: Thank you.

14 MEMBER SINNOTT: All right. We now  
15 have the matter of the protest of John Billman's  
16 write-in candidacy. And I believe Mr. Ewald was  
17 the protestor in that one as well.

18 Mr. Ewald, would you like --

19 DIRECTOR LEONARD: Just to make  
20 clear, Jeff, if you could state for the record the  
21 notice that was provided for the parties involved.

22 MR. MACKEY: Yes.

23 All parties were noticed that the  
24 hearing would be held today by letter and email.

25 DIRECTOR LEONARD: Thank you.

1                   MEMBER SINNOTT: Very good. And I  
2 believe you make the notice a part of the record of  
3 the Board's proceedings, do you not?

4                   MR. MACKEY: I can do that  
5 certainly.

6                   MEMBER SINNOTT: You should going  
7 forward. That ought to be a part of our standard  
8 practice.

9                   Mr. Ewald. And again, the same  
10 format, please.

11                   MR. EWALD: Thank you.

12                   And just for the record, I'd like to  
13 state that I actually mailed two letters, one  
14 certified and one regular, to Mr. Billman as well  
15 as Mr. McCorkle. So they should have notice from  
16 me and from the Board of Elections with a copy of  
17 my protest.

18                   I will reiterate what I said on the  
19 last case. I know we have to do this for the  
20 record. But the City of Gahanna has a strong  
21 mayoral form of government and that government has  
22 a primary system and a general election that is set  
23 up. This is a municipal year. It's every four  
24 years that that occurs. In the primary election,  
25 regardless of candidates, regardless of whether



1 it's write-in or on the ballot or by petition, they  
2 pick the top two candidates. Those candidates go  
3 on to the general election and run for mayor. It's  
4 set up that way. It's been like that for decades.  
5 And the purpose behind that is so that we have a  
6 mandate for the person who's been elected as Mayor  
7 of Gahanna. It does -- The way the charter is set  
8 up now, it literally limits it to two candidates.  
9 And because it limits it to two candidates, you  
10 can't have a certified third candidate regardless  
11 of party affiliation or anything else. The way  
12 that the residents set this up is that you will  
13 have two candidates to pick from in the general  
14 election for mayor. You can have as many city  
15 council members, you can have as many candidates  
16 that want to run for city attorney. We have  
17 actually in the past -- I think I heard earlier  
18 that we have allowed write-ins. That's correct.  
19 That was for a city council race. I think it was a  
20 few years ago. The candidate did not win, but that  
21 is an option. You can write in for the city  
22 attorney position and you can write in for a  
23 council position, but you cannot do that for the  
24 mayor's position. So if there's any additional  
25 questions.

1                   CHAIRMAN PREISSE: Why can you write  
2 in for city attorney and council?

3                   MR. EWALD: It's not limited by the  
4 number of candidates and they also don't require a  
5 primary. So your council members run in the  
6 general election, your city attorney candidates run  
7 for general election.

8                   CHAIRMAN PREISSE: So there's a  
9 clear differentiation in the charter of the process  
10 by which -- with this current issue -- council are  
11 elected and that of mayor?

12                  MR. EWALD: They use the primary  
13 process to whittle it down to two candidates so  
14 that you have that mandate coming out of the  
15 general election.

16                  MEMBER SINNOTT: Thank you,  
17 Mr. Ewald.

18                  MR. EWALD: Thank you.

19                  MEMBER SINNOTT: Is there anybody --  
20 Is Mr. Billman present, first of  
21 all? Is there anybody who is representing  
22 Mr. Billman?

23                  Okay. Well, then, the matter is  
24 ripe for discussion by the Board. Does anybody  
25 have comments for the Board's consideration?

1 CHAIRMAN PREISSE: I'm merely  
2 further convinced based on Mr. Ewald's answer to my  
3 lone question as to the advisability of our former  
4 and likely future vote.

5 MEMBER SINNOTT: Anyone else?

6 It seems to me as though the Billman  
7 matter presents the same substantive issues as the  
8 McCorkle matter.

9 I move that the Board grant the  
10 protest against John C. Billman's candidacy as a  
11 valid write-in candidate --

12 I'm sorry. Let me do this over  
13 again.

14 I move that the Board grant the  
15 protest against John C. Billman as a valid write-in  
16 candidate for the office of Gahanna Mayor on the  
17 November 5, 2019, general election ballot.

18 DEPUTY DIRECTOR PAYNE: Is there a  
19 second?

20 MEMBER MARINELLO: Second.

21 DEPUTY DIRECTOR PAYNE: It's been  
22 properly moved and seconded. I'll take roll.

23 Kim Marinello.

24 MEMBER MARINELLO: Yes.

25 DEPUTY DIRECTOR PAYNE: Michael

1 Sexton.

2 MEMBER SEXTON: Yes.

3 DEPUTY DIRECTOR PAYNE: Doug

4 Preisse.

5 CHAIRMAN PREISSE: Yes.

6 DEPUTY DIRECTOR PAYNE: And Brad

7 Sinnott.

8 MEMBER SINNOTT: Yes.

9 DEPUTY DIRECTOR PAYNE: The motion  
10 carries.

11 The next item on the agenda is the  
12 reconsideration of certification for Matt Krueger.

13 Jeff, I'll turn it over to you for  
14 that.

15 MR. MACKEY: Start by saying that  
16 Mr. Krueger is here. Mr. Krueger did file a timely  
17 petition with the Board of elections. After  
18 staff's review of the petition, we found that the  
19 petition was insufficient because it lacks the  
20 required number of valid signatures.

21 Mr. Krueger has since requested that  
22 the Board reconsider that decision and has  
23 presented to you two affidavits of individuals who  
24 signed the petition -- purported to sign the  
25 petition whose signatures we invalidated I believe

1 because we counted them as non-genuine because they  
2 did not match the signatures on file with our  
3 registration records for either individual.

4 MEMBER SINNOTT: So to give us some  
5 structure, Jeff, the Board received 37 signatures,  
6 25 are required. The bipartisan staff believed 24  
7 of the signatures were valid, and Mr. Krueger's  
8 protest identifies two signatures beyond the 24  
9 that he thinks should be counted. And then we have  
10 an affidavit from a Chris Reher and an affidavit  
11 from a Jacqueline Troutman.

12 And I take it that those are two of  
13 the purported signatories whose signatures are in  
14 question. Right?

15 MR. MACKEY: Correct.

16 MEMBER SINNOTT: Well, is  
17 Mr. Krueger here?

18 MR. KRUEGER: Yes.

19 MEMBER SINNOTT: Mr. Krueger, it is  
20 your request for reconsideration. If you would  
21 like to come to the lectern and present your  
22 request, we'll be pleased to hear it.

23 MR. KRUEGER: Yes.

24 MEMBER SINNOTT: Would you identify  
25 yourself.

1 MR. KRUEGER: I'm Matt Krueger.

2 Do you need my address?

3 MEMBER SINNOTT: No. We have your  
4 address.

5 MR. KRUEGER: Okay. As it shows, I  
6 was one signature short of being a valid petition.  
7 Those two folks that were not identified through  
8 the signature process, I went and received  
9 affidavits from them showing their intent to sign  
10 my petition. So if one or two of those folks would  
11 be approved by yourselves it would give me the 25  
12 approved signatures to move forward with -- for me  
13 to be on the ballot in November.

14 So I'm asking the Board to approve  
15 those two signatures as stated and submitted to  
16 allow me to run for my third term on the School  
17 Board of Canal Winchester.

18 MEMBER SINNOTT: Thank you,  
19 Mr. Krueger. I think we got it.

20 MR. KRUEGER: Thank you.

21 MEMBER SINNOTT: Well, does anybody  
22 want to begin?

23 MEMBER SEXTON: What are -- These  
24 two signatures, Jeff, what are we comparing these  
25 to? These are on our --

1 MR. MACKEY: Yeah. I --

2 MEMBER SEXTON: We have a Chris  
3 Reher and a --

4 MR. MACKEY: We deemed them not  
5 genuine because they were printed signatures. We  
6 have cursive signatures on file in our system.

7 CHAIRMAN PREISSE: We don't have it  
8 here with us today?

9 MR. MACKEY: I did not bring those.  
10 They have also signed their affidavits, if you want  
11 to see what the cursive signatures of those  
12 individuals look like.

13 MEMBER MARINELLO: Was a cursive  
14 signature available earlier on? Do you know?

15 MR. MACKEY: So prior to the  
16 decision in the Scott case, I believe that the  
17 Board generally did not allow printed signatures  
18 because they did not match the signature on file at  
19 the Board of Elections; but post-Scott case the  
20 Supreme Court in my un-legal educated opinion  
21 indicated that that would be the case unless you  
22 are presented with testimony from the person who  
23 signed the petition and/or are presented with an  
24 affidavit from the person who signed the petition  
25 indicating that that was their mark and that they

1 intended to recommend that candidate for  
2 nomination.

3 MEMBER SINNOTT: And Kim, I think  
4 that that's what I recall, too, from the Scott  
5 case. Three of us were on the board at the time,  
6 and what happened in the Scott case was that we  
7 noticed that there was a printed signature  
8 appearing in place of the --

9 MR. MACKEY: Actually, it wasn't a  
10 printed signature. It was just a signature that  
11 did not match the one that we had on file.

12 MEMBER SINNOTT: And we noted that  
13 it was not a match and we heard testimony that the  
14 person who purportedly signed came in and said,  
15 yeah, I put this signature on the petition even  
16 though it's not the way I'm registered at the  
17 Board. And we didn't think that was sufficient  
18 under Ohio statute, but the Court said it was. So  
19 I think that consistent with the Scott precedent if  
20 evidence is presented to us indicating that someone  
21 has signed the petition, even if it's not the  
22 signature that matches what is on the Board's  
23 records, that's good enough.

24 DIRECTOR LEONARD: Seems like in  
25 this type of proceeding the Board cannot ignore the



1 evidence that it has before it.

2 MR. SEXTON: Well, I'm looking at  
3 the affidavit of Jacqueline -- Jackie Troutman,  
4 which is printed on the signature page; but when  
5 she signed her name and when she printed her name  
6 it doesn't match. She goes by Jacqueline. So --

7 MR. MACKEY: There is direction from  
8 the Secretary of State on derivatives of your first  
9 name generally being permitted, if that's useful.

10 MEMBER MARINELLO: These are  
11 certified affidavits, notarized.

12 MR. MACKEY: I apologize.  
13 Mr. Krueger here's a copy of the petition if you  
14 wanted to see their signature.

15 CHAIRMAN PREISSE: I don't know that  
16 there's more to say, based on the recitation or  
17 reference to the Brown case.

18 DIRECTOR LEONARD: And the  
19 affirmative statements in paragraph two of each  
20 affidavit where the individual states I signed the  
21 nominating petition.

22 MEMBER MARINELLO: Right.

23 CHAIRMAN PREISSE: I move we reverse  
24 the previous decision of the Board and we accept  
25 and certify Chris Reher's -- it's been handily

1 written up -- I move that the Board affirm -- no --  
2 reverse the original decision and grant  
3 certification to Matt Krueger for the office of  
4 Canal Winchester School Board.

5 MEMBER SEXTON: Second.

6 DEPUTY DIRECTOR PAYNE: I'll take  
7 roll.

8 Kim Marinello.

9 MEMBER MARINELLO: Yes.

10 DEPUTY DIRECTOR PAYNE: Michael  
11 Sexton.

12 MEMBER SEXTON: Yes.

13 DEPUTY DIRECTOR PAYNE: Doug  
14 Preisse.

15 CHAIRMAN PREISSE: Yes.

16 DEPUTY DIRECTOR PAYNE: And Brad  
17 Sinnott.

18 MEMBER SINNOTT: Yes.

19 DEPUTY DIRECTOR PAYNE: Motion  
20 carries.

21 The next item on the agenda is  
22 reconsideration of certification for Vashitta  
23 Johnson for the office of Westerville School Board.

24 Jeff, I'll turn that over to you.

25 MR. MACKEY: Miss Johnson did submit

1 a timely petition for Westerville City Schools  
2 Board of Education. The staff reviewed the  
3 petition and found it to be insufficient due to the  
4 fact that it contained only 140 valid signatures of  
5 the 150 required. She initially submitted 216  
6 signatures. There was a problem with two of her  
7 part petitions. Threw out about 16 valid  
8 signatures, one because the candidate did not sign  
9 the declaration of candidacy on the front and one  
10 because the statement of the circulator was  
11 incomplete. So that left her ten signatures shy.  
12 She has presented you with a request for  
13 reconsideration that includes six affidavits from  
14 individuals who we excluded because their signature  
15 was not genuine based on comparing it to our  
16 records here at the Board of Elections. Those six  
17 are on that first page there. I did the same thing  
18 that I did with Mr. Krueger's and just included  
19 those lines of the petition there and attached the  
20 affidavits from those six individuals. After those  
21 six, I have included six additional signatures that  
22 she has indicated we incorrectly invalidated. You  
23 can review those and see if you concur with her  
24 assessment. I do want to note that as we get into  
25 those, I have a couple of additional comments.

1                   MEMBER SINNOTT: Well, now would be  
2 a good time for them.

3                   So the 216 signatures were  
4 presented, 150 are required, two part petitions  
5 were found to be invalid. Why is that?

6                   MR. MACKEY: Well, in one part  
7 petition the declaration of candidacy was not  
8 signed by the candidate and then the second the  
9 statement of the circulator was incomplete.

10                  MEMBER SINNOTT: And it looks as  
11 though that is not in controversy?

12                  MR. MACKEY: Correct. Those are not  
13 recoverable generally.

14                  MEMBER SINNOTT: And then the  
15 remaining 12 part petitions, there were 140  
16 signatures that staff deemed to be valid.

17                  I think we understand what brings us  
18 here. And then there was a request for  
19 reconsideration.

20                  Is Miss Johnson here? How are you.

21                  MS. JOHNSON: Good.

22                  MEMBER SINNOTT: Would you like to  
23 step to the lectern and explain your request for  
24 reconsideration?

25                  MS. JOHNSON: Sure. So good

1 afternoon. I want to say thank you to the Board  
2 for allowing me to be here today and I want to ask  
3 you guys humbly to consider -- reconsider my  
4 petition for the Westerville School Board.

5 MEMBER SINNOTT: Miss Johnson, would  
6 you recite your name for the record.

7 MS. JOHNSON: Yes. Vashitta  
8 Johnson, V-a-s-h-i-t-t-a.

9 DIRECTOR LEONARD: Do we swear  
10 the -- just in case she gives information that  
11 would be considered evidence as opposed to simply  
12 an argument or a statement of her position?

13 MEMBER SINNOTT: I'm fine with that.  
14 Miss Johnson, would you be sworn by  
15 the court reporter?

16 MS. JOHNSON: Sure.

17 (Miss Johnson was sworn by  
18 reporter.)

19 MEMBER SINNOTT: Pardon the  
20 interruption.

21 MS. JOHNSON: No problem.

22 So Mr. Mackey is correct, I did  
23 submit 12 signatures I thought were actually indeed  
24 valid. Six of them I was able to obtain affidavits  
25 that were notarized that were marked not genuine.

1 And there were six others that I felt were marked  
2 maybe -- I think three of them were not registered,  
3 but I actually did find that they were registered.  
4 It was just some common mistakes within, like, the  
5 street name and things of that manner. And then  
6 there are three more who I felt were also  
7 registered, and I can't remember the exact markings  
8 of those; but they were also found to be valid when  
9 I checked them against the system.

10 MEMBER SINNOTT: Okay.

11 Miss Johnson, there are 12 signatures that are the  
12 basis for your request for reconsideration. Right?

13 MS. JOHNSON: Yes, sir.

14 MEMBER SINNOTT: And in six of those  
15 instances you have collected affidavits from people  
16 you say signed your petition?

17 MS. JOHNSON: Correct.

18 MEMBER SINNOTT: But then there is  
19 another universe of six signatures that you think  
20 should be counted. Is there a place where you  
21 identify those in your written request?

22 MS. JOHNSON: Yes.

23 MEMBER SINNOTT: So there is a  
24 second page?

25 MS. JOHNSON: Yes. So the -- Yes, a

1 second page. You'll see those and in each column  
2 you'll see why I felt like that signature should be  
3 counted as valid. I think there were also some  
4 spelling errors because the names may have been  
5 foreign and it's hard to read.

6 MEMBER SINNOTT: Well, as I review  
7 your written request, I believe that there are  
8 seven individuals you're describing as  
9 being disqualified as valid signatures because of a  
10 problem with registration. No. I'm sorry. Six.  
11 There are six.

12 MS. JOHNSON: Yes.

13 MEMBER SINNOTT: One would be  
14 Boozer?

15 MS. JOHNSON: Correct.

16 MEMBER SINNOTT: One would be  
17 Miller, one is Harrington, --

18 MS. JOHNSON: Correct.

19 MEMBER SINNOTT: -- one is Naraghi?

20 MS. JOHNSON: Uh-huh.

21 MEMBER SINNOTT: There is one  
22 Acheampong?

23 MS. JOHNSON: Yes.

24 MEMBER SINNOTT: And one is Opuni?

25 MS. JOHNSON: Yes.

1                   DIRECTOR LEONARD: It appears that  
2 the affidavits relate to the first four bulleted  
3 voters and the very last bulleted voter.

4                   MEMBER SINNOTT: What's the word  
5 you're using?

6                   DIRECTOR LEONARD: Bulleted, bullet  
7 points.

8                   MS. JOHNSON: Yes, that's correct.

9                   DIRECTOR LEONARD: The very last  
10 bullet point. And then, finally, Kathleen May  
11 Ventling is also addressed by affidavit.

12                   MEMBER SINNOTT: You have affidavits  
13 from Bryant, Jacobs, Cihla, Habegger, Ventling, and  
14 Sandhu.

15                   MS. JOHNSON: Yes. I actually went  
16 in order of the sheets. So I'm sorry about them  
17 being spread out.

18                   CHAIRMAN PREISSE: If we follow our  
19 recent precedent and we think these affidavits are  
20 in order --

21                   MEMBER SINNOTT: That would get us  
22 to 146.

23                   MEMBER MARINELLO: What is the  
24 registration issue?

25                   MR. MACKEY: I think she's basically



1 guessing why we invalidated it. We marked them  
2 different ways, not registered if we couldn't find  
3 a match. So I think I've done a fairly decent job  
4 in my documentation of walking you through what I  
5 have found and what she found. So we can look  
6 through that if you want to after we -- if you  
7 would like.

8 MEMBER SINNOTT: Jeff, help me. It  
9 sounds as though you're saying that you reviewed  
10 the work that Ms. Johnson did in preparing her  
11 request for reconsideration. I'm not seeing the  
12 product of that review, though.

13 MR. MACKEY: Okay. My document is  
14 the one that starts with the bold at the top,  
15 Request for Reconsideration by Vashitta Johnson  
16 stapled together. And the first six there on the  
17 first page are the six that were -- that we have  
18 the affidavits for.

19 MEMBER SINNOTT: Okay.

20 MR. MACKEY: The next six pages are  
21 the six remaining signatures in question. And I  
22 presented the -- as I have in the past I presented  
23 a copy of the --

24 MEMBER SINNOTT: Fundamentally, I  
25 believe Miss Johnson is saying that she thinks that

1 these six signatures were excluded because we  
2 perceived those six voters as being not registered  
3 to vote.

4 MR. MACKEY: Yeah.

5 MEMBER SINNOTT: Miss Johnson, did I  
6 say that correctly?

7 MS. JOHNSON: Yes.

8 CHAIRMAN PREISSE: The second set of  
9 six?

10 MS. JOHNSON: Yes.

11 MEMBER SINNOTT: And Jeff, you are  
12 saying that --

13 MR. MACKEY: They were all marked as  
14 not registered, which I believe is where she's  
15 gathering that information.

16 MEMBER MARINELLO: Were they or  
17 weren't they?

18 MR. MACKEY: She has identified  
19 people who she thinks those signatures belong to.  
20 We can go through the documentation that we have  
21 here and see if you concur with her assessment.

22 CHAIRMAN PREISSE: Let's take  
23 this first one in the registration consideration,  
24 Jovante Markel Pinkey Boozer. Referring back to  
25 this document --

1 MR. MACKEY: Identified --

2 CHAIRMAN PREISSE: -- the second  
3 page of your document which replicates on line 10,  
4 part petition 1401, a signature which looks to my  
5 eyes like Kate or Katie Boozer, and then there are  
6 two entries. Will you describe what follows where  
7 it says signature on file in your document?

8 MR. MACKEY: Certainly.

9 Miss Johnson did find a person  
10 registered at 4574 Glenhaven, Jovante Markel Pinkey  
11 Boozer. I have included a copy of his signature  
12 there. It also included a copy of a voter who we  
13 do have on file -- on record in our system who is  
14 not in an active voting status so that record has  
15 been purged, Katie Boozer.

16 CHAIRMAN PREISSE: So at a different  
17 address than the one that is signed on line ten of  
18 1401?

19 MR. MACKEY: Correct.

20 CHAIRMAN PREISSE: Describe for us  
21 the status here highlighted purge of Katie Boozer.

22 MR. MACKEY: She's in a non-voting  
23 status. That record has been purged due to  
24 maintenance of some sort along the way.

25 CHAIRMAN PREISSE: Practically

1 speaking, that means she hasn't voted?

2 MR. MACKEY: I didn't research it  
3 far enough back to see why exactly that is.

4 CHAIRMAN PREISSE: Is Ms. Johnson  
5 contending that the signature on line ten of part  
6 partition 1401 is that of Jovante Markel Pinkey  
7 Boozer?

8 MR. MACKEY: You can ask her.

9 MS. JOHNSON: So I actually was I  
10 guess contesting that the person wasn't registered,  
11 but when I entered Glenhaven it did come up. So I  
12 wasn't, per se, looking at the signature; but just  
13 what they marked it as, if that makes sense.

14 CHAIRMAN PREISSE: So you were  
15 saying the somebody was registered at  
16 4574 Glenhaven?

17 MS. JOHNSON: Correct. Yeah. It  
18 wasn't a matter of the signature with that one.

19 CHAIRMAN PREISSE: In the status of  
20 purged would Katie Boozer be qualified to sign a  
21 petition?

22 MR. MACKEY: No.

23 MEMBER MARINELLO: Because she's not  
24 at that address.

25 MR. MACKEY: There's a couple of

1     flaws with that.  As long as you don't think that  
2     that is the signature of Jovante Markel Pinkey  
3     Boozer, then I don't think we can count this  
4     signature.

5                     CHAIRMAN PREISSE:  Should we do the  
6     first six affidavits and then --

7                     MEMBER SINNOTT:  I think this is the  
8     heart of it.

9                     CHAIRMAN PREISSE:  We are assuming  
10    that.

11                    MEMBER SINNOTT:  I think so.

12                    Miss Johnson, so that I understand,  
13    are you saying that Katie Boozer or Jovante Markel  
14    Pinkey Boozer is the person who signed your  
15    petition?

16                    MS. JOHNSON:  So what I was saying  
17    is that basically when I sign things -- and I sign  
18    a lot, I have two little children, so it's  
19    constantly signing forms -- my signature does not  
20    always look the same.  So I was not contesting the  
21    signature at that point.  It was just the fact that  
22    it was marked not registered.

23                    MEMBER SINNOTT:  But who is --

24                    MS. JOHNSON:  That's the name that  
25    came up when I -- you know, on my petition form.

1 MR. MACKEY: I'm not sure she has  
2 the benefit of seeing the Katie Boozer record that  
3 I found when she's using the public access system.

4 MEMBER MARINELLO: But she wouldn't  
5 be qualified for this particular petition anyway.  
6 I don't see anything wrong with the signature, but  
7 she's not qualified for that petition.

8 MS. JOHNSON: Okay. I understand.

9 MEMBER SINNOTT: Then I think it  
10 looks as though Katie Boozer signed the petition,  
11 but there is no Katie Boozer registered to vote at  
12 that address who has a valid registration anywhere  
13 in the county. Instead, the registered voter at  
14 that address is Jovante Markel Pinkey Boozer, but  
15 clearly that's not the person who signed the  
16 petition.

17 CHAIRMAN PREISSE: I agree with  
18 that.

19 MS. JOHNSON: I understand.

20 MEMBER SINNOTT: Okay. Well, help  
21 us understand the others, too, Miss Johnson.

22 MS. JOHNSON: Okay. So for some of  
23 the others, this is a neighborhood that I lived in  
24 actually, and a lot of the street names, you know,  
25 are -- Buxley and Drindel, are very I would say

1 uncommon street names. So for Buxley there is one  
2 that it doesn't look like Buxley, it looks like  
3 Bunday, B-u-n-d-e-y.

4 MEMBER MARINELLO: Where are we on  
5 this?

6 MS. JOHNSON: I'm sorry. We're on  
7 form 1405, line 13.

8 MEMBER SINNOTT: Would you speak to  
9 Miss Miller first?

10 MS. JOHNSON: Sure.

11 MEMBER SINNOTT: Thank you.

12 MS. JOHNSON: So we're at form 1405,  
13 line 13.

14 MEMBER SINNOTT: No. Miss Miller on  
15 1401.

16 MS. JOHNSON: Okay. I'm sorry.

17 So yes. 1401, line 18. Miss Miller  
18 was marked as not registered, but I added "Drive"  
19 when I put the street name in and it came up that  
20 she was registered and her signature matched the  
21 one on my petition.

22 MR. MACKEY: Again, Ms. Johnson  
23 doesn't have the experience that we have when we're  
24 looking at these things, so I'm not sure that was  
25 exactly the case. I'm sure that we probably found

1 her at that address and recognized that her record  
2 had also been purged. So she is no longer in an  
3 active voting status and was not eligible to sign  
4 the petition.

5 MEMBER SINNOTT: Okay. I believe  
6 Ms. Johnson is saying that when she enters Trisha  
7 Miller of 3479 Saigon Drive she saw a screen that  
8 indicated that Miss Miller was registered and at  
9 that address.

10 MS. JOHNSON: That's what I seen.

11 MR. MACKEY: She does appear on the  
12 screen. Just her status would have been purged on  
13 the screen, but she may not have noticed that.

14 CHAIRMAN PREISSE: Her status might  
15 have been notated as purged on the screen?

16 MR. MACKEY: Right. But everything  
17 else would have been there. Her record would have  
18 popped up, her signature would have been there.

19 MEMBER SEXTON: So what Miss Johnson  
20 was seeing is the signature, not the status of  
21 the --

22 MR. MACKEY: Well, the status would  
23 have been there too. I don't know if she even  
24 noticed that.

25 CHAIRMAN PREISSE: Just to be clear,



1 the public can access the Franklin County voter  
2 file?

3 MR. MACKEY: Right.

4 CHAIRMAN PREISSE: And view active  
5 voters and view inactive voters?

6 MR. MACKEY: And I'm pretty sure any  
7 voter that's in our system regardless of status.

8 CHAIRMAN PREISSE: Records in our  
9 system regardless of their eligibility status?

10 MR. MACKEY: Right.

11 MEMBER SINNOTT: You know what I  
12 would find interesting at this point is for  
13 somebody to go print something that proves that  
14 Ms. Miller is not a registered voter at 3479 Saigon  
15 Drive right now. I don't think it would take more  
16 than a minute or so to do that.

17 MS. BROWN: I'll do it.

18 MEMBER SINNOTT: Thank you.

19 I think we've captured the essence  
20 of the issue on that one.

21 CHAIRMAN PREISSE: And that leaves  
22 two of them.

23 MEMBER SINNOTT: And then on the  
24 voter Megan Harrington.

25 MS. JOHNSON: Yes. So I think it

1 was the same kind of error. When I typed in  
2 Westerville Crossing as opposed to just Westerville  
3 her name came up. And it said that it was a  
4 registered voter and her signature matched the one  
5 that was on my petition. Again, I don't have all  
6 the information Mr. Mackey has so I don't know  
7 which ones he may have marked as still invalid, but  
8 that's the information I came up with.

9 MEMBER SINNOTT: Okay.

10 MR. MACKEY: Since we do have a  
11 Megan Harrington registered at that address, I  
12 included all of the versions of signature that I  
13 could find on her record for your comparison.

14 MEMBER SINNOTT: So there is a Megan  
15 Harrington who's at 5456 Westerville Crossing  
16 registered to vote. Correct?

17 MR. MACKEY: Correct.

18 MEMBER SINNOTT: And the staff is  
19 saying the problem here is with the signature  
20 match?

21 MR. MACKEY: I think probably we  
22 could not find anyone with a signature that looked  
23 like that. So we did not know that was Megan  
24 Harrington necessarily in our opinion, but --

25 MS. JOHNSON: When I typed it in

1 there was two signatures, there were two different  
2 Megan Harringtons. And the second one I clicked on  
3 was a perfect match to the one on my petition.

4 MEMBER SINNOTT: We're looking at a  
5 bunch of different Megan Harrington signatures and  
6 there's none that's even close to a perfect match.

7 CHAIRMAN PREISSE: You're saying you  
8 found two names registered at 5456?

9 MS. JOHNSON: One I can't remember  
10 the exact address.

11 CHAIRMAN PREISSE: Okay.

12 MS. JOHNSON: Yeah. But I remember  
13 seeing two. The first one did not match when I  
14 clicked on it and the second one it did. So yeah.  
15 I can't recall the address, but I know that one of  
16 them definitely was 5456 Westerville Crossing.

17 MEMBER MARINELLO: The one you saw  
18 matched what's on this petition?

19 MS. JOHNSON: Correct.

20 CHAIRMAN PREISSE: It would be nice  
21 to see that. I have a feeling that may be where  
22 Jeff just ran off unannounced to.

23 MEMBER SINNOTT: I take it,  
24 Ms. Johnson, you didn't save a screen shot of  
25 the signature that you felt matched?

1 MS. JOHNSON: I didn't know if I was  
2 allowed to do that. I wanted to, but I wanted to  
3 be on the safe side.

4 MEMBER SINNOTT: Okay.

5 CHAIRMAN PREISSE: Let's talk about  
6 the next one.

7 MEMBER SINNOTT: Don't we need Jeff  
8 for that?

9 CHAIRMAN PREISSE: Yeah, I think we  
10 do.

11 MR. MACKEY: I've provided some  
12 signatures of Mr. Naraghi.

13 MEMBER SINNOTT: Just a moment,  
14 Jeff.

15 So on the subject of Miss Miller,  
16 Suzanne Brown from the Board staff has given to  
17 Ms. Johnson and --

18 MS. JOHNSON: I didn't receive one,  
19 actually.

20 MEMBER SINNOTT: I'm sorry,  
21 Ms. Johnson.

22 MS. JOHNSON: Thank you.

23 MEMBER SINNOTT: Okay.

24 We're returning to the subject of Miss Miller  
25 because we now have a two-page document that will

1 be a part of the record given to us by Suzanne  
2 Brown of the Board's staff.

3 Jeff, what do you believe this  
4 reveals to us in relevance to the matter at hand?

5 MR. MACKEY: The voting status here  
6 is the same as I provided on the reference document  
7 there, that this record has been purged. It  
8 appears it has been eligible since -- I don't  
9 know -- probably around 2011.

10 MEMBER SINNOTT: Okay.

11 CHAIRMAN PREISSE: Will you describe  
12 to us what's the difference between no history and  
13 not eligible?

14 MS. BROWN: No history means she  
15 didn't vote.

16 MR. MACKEY: Yeah. No history would  
17 be an indication that there was no vote cast for a  
18 race where she was eligible. And several of those  
19 special elections must not have been in the  
20 jurisdiction where she lived, so they have "not  
21 eligible" there. Then where it starts to indicate  
22 not eligible in primaries and general elections  
23 where everyone would have been eligible indicates  
24 to me that she had been purged by that point.

25 MEMBER SINNOTT: Is there a name for

1 this document or this screen?

2 MS. BROWN: This is the document we  
3 give to the public when they ask for someone's  
4 voting history.

5 MEMBER MARINELLO: What's it take to  
6 get purged? How many --

7 DIRECTOR LEONARD: Essentially, it's  
8 you got the two statuses. You have that they've  
9 been notified through the national change of  
10 address process, and the voter was sent a notice  
11 and hadn't responded to that; or that they haven't  
12 voted in a federal election. Then they are sent a  
13 confirmation, they don't respond to the  
14 confirmation, and then they fail to vote in the  
15 next -- for the next four years.

16 MEMBER MARINELLO: And they would  
17 just re-register if they found this out?

18 DIRECTOR LEONARD: Correct. Or if  
19 they responded to one of the notifications.

20 MEMBER SINNOTT: Ms. Johnson, you  
21 now have the voting history printout.

22 MS. JOHNSON: So this purge happened  
23 in 2011? Is that --

24 MR. MACKEY: To the best of my  
25 estimation that would be right around then, yes.

1 MS. JOHNSON: So yes. I didn't have  
2 this information when I was looking up the  
3 signatures.

4 MEMBER SINNOTT: I understand.

5 So this is a document you have not  
6 previously seen?

7 MS. JOHNSON: Correct.

8 MEMBER SINNOTT: Okay.

9 CHAIRMAN PREISSE: This is not  
10 visible on the screen when a member of the public  
11 accesses the voter history?

12 MR. MACKEY: The voter status would  
13 have been, but it's one of 20 lines of information  
14 that appears on the voter screen.

15 CHAIRMAN PREISSE: The voter status  
16 would have been, but the voting history not so?

17 MR. MACKEY: Not so.

18 CHAIRMAN PREISSE: And this document  
19 which is the voter history of Trisha Miller  
20 indicates to us that the last time she voted was in  
21 the general election of 2004.

22 MEMBER SINNOTT: Okay. I think we  
23 were discussing Ms. Harrington when you left the  
24 room, Jeff.

25 MR. MACKEY: I did find a second

1 Megan Harrington record of a voter who's also been  
2 purged, and there's of copy of the signature that's  
3 on file there.

4 MEMBER SINNOTT: Please make sure  
5 Ms. Johnson gets a copy of what --

6 MEMBER MARINELLO: This is not the  
7 one on the original --

8 MR. MACKEY: That's correct. This  
9 person is not registered at this address, so I  
10 think that's probably why I didn't get them.

11 MEMBER MARINELLO: Okay.

12 MEMBER SINNOTT: Well, we seem to  
13 have two reports in front of us now -- and those  
14 will be a part of the record -- that shows a Megan  
15 Harrington at 5456 Westerville Crossing and a Megan  
16 Harrington at Rinker Avenue.

17 CHAIRMAN PREISSE: May I ask a  
18 question? I thought that -- that, Ms. Johnson,  
19 you -- I thought you said that you found a second  
20 signature at 5456 --

21 MS. JOHNSON: Correct. That's  
22 correct.

23 CHAIRMAN PREISSE: -- Westerville  
24 Crossing that you say matched perfectly the one we  
25 see before us in line 17.



1 MS. JOHNSON: Yes. That's correct.

2 CHAIRMAN PREISSE: So finding  
3 another Megan Harrington at a different address  
4 doesn't seem to have gotten us to the question as  
5 to whether there is anybody else registered with a  
6 signature on file here at 5456 Westerville  
7 Crossing.

8 MR. MACKEY: I don't know.

9 CHAIRMAN PREISSE: That I think was  
10 the pertinent question on that.

11 MR. MACKEY: I can go look for that.

12 MEMBER SINNOTT: Yeah. That was my  
13 understanding too. Ms. Johnson said that when she  
14 pulled up Megan Harrington at Westerville  
15 Crossing --

16 CHAIRMAN PREISSE: We're not looking  
17 for another Megan Harrington. We're looking for  
18 anyone else --

19 MEMBER SINNOTT: Jeff, is it more  
20 time efficient for you to do it or for you to  
21 instruct somebody else to do it? Because when you  
22 leave here we're stuck.

23 CHAIRMAN PREISSE: There goes the  
24 Deputy Director.

25 MEMBER SINNOTT: Okay. I want to

1 make sure that we're understanding your point,  
2 Ms. Johnson. It sounds as though you pulled up  
3 Megan Harrington at 5456 Westerville Crossing and  
4 you saw on your screen a signature that you thought  
5 matched perfectly to the one on your petition?

6 MS. JOHNSON: Correct. Yes.

7 MEMBER SINNOTT: All right.

8 DIRECTOR LEONARD: I was going to  
9 ask if she had the name of that individual.

10 MEMBER SINNOTT: Well, it's Megan  
11 Harrington.

12 CHAIRMAN PREISSE: Well, no. I  
13 think she's saying that it matched this signature.

14 MS. JOHNSON: The one that's on my  
15 petition.

16 MEMBER SINNOTT: Yes. And I thought  
17 that the contention was that this was Megan  
18 Harrington who signed.

19 CHAIRMAN PREISSE: I think  
20 originally our staff could not tell what that was,  
21 and when they probably found Megan Harrington there  
22 they said it doesn't match. So this --

23 MEMBER SINNOTT: Well, there has  
24 been a Megan Harrington registered at  
25 5456 Westerville Crossing in the past.

1                   CHAIRMAN PREISSE: Right. And I may  
2 be wrong, but I think the staff was contending that  
3 that's not the signature of Megan Harrington and  
4 since there's nothing like that on record that  
5 signature whatsoever maybe is not registered.  
6 That's what I thought.

7                   MEMBER SINNOTT: And I agree. And I  
8 think Ms. Johnson is saying that she has seen  
9 signed in her estimation and that Megan Harrington  
10 has provided a signature to the Board in the past  
11 which perfectly matches what appears on the  
12 petition.

13                   MEMBER MARINELLO: I think -- Did  
14 you see the address or did you see the name Megan  
15 Harrington that matched this -- another signature,  
16 this scribbled --

17                   MS. JOHNSON: It was the signature.  
18 And I would definitely say I probably checked the  
19 address as well just to be certain, but I  
20 definitely remember clicking on that second Megan  
21 Harrington and seeing that the signature matched.

22                   CHAIRMAN PREISSE: But I just -- it  
23 strikes me that's so different that it's not a  
24 match and that might be Mike, Nick, or Mark  
25 Harrington. So there may be a second person

1 registered at that address and I think and hope  
2 that the Deputy Director is checking the address  
3 and not the name to see if something similar to  
4 this pops up.

5 MEMBER SINNOTT: I believe we're  
6 receiving an uncontested report from the staff that  
7 a Megan Harrington has been registered at this  
8 address and indeed is an active voter today.  
9 That's not in dispute. This really becomes a  
10 signature question.

11 MS. JOHNSON: Okay. So they had the  
12 person marked as not registered on that particular  
13 one.

14 CHAIRMAN PREISSE: Let's see what  
15 David comes back with, if anything.

16 MR. MACKEY: When you are using the  
17 public access system you can only see one signature  
18 per record. So that may give credence to the fact  
19 that she might have moved to another record and  
20 found a signature that matched.

21 CHAIRMAN PREISSE: That could be.  
22 See what he comes back with.

23 MS. JOHNSON: Do you know when the  
24 people were added after the purged signatures or  
25 the list?

1 MR. MACKEY: What was that?

2 MS. JOHNSON: There were people  
3 added after the purge?

4 MR. MACKEY: Well, we're constantly  
5 registering new people. Is that what you mean?

6 MS. JOHNSON: I'm not a hundred  
7 percent sure.

8 MR. MACKEY: She is still showing  
9 as -- that other record was still showing as purged  
10 currently. So I think that we adjusted since then.  
11 It's currently showing registered.

12 MEMBER SINNOTT: Well, relative to  
13 Megan Harrington, I don't understand there's been  
14 any dispute about her active registration.  
15 Correct?

16 MR. MACKEY: Correct.

17 MEMBER SINNOTT: Did we make the  
18 notation that this signature was not counted  
19 because Megan Harrington of 5456 Westerville  
20 Crossing was not registered?

21 MR. MACKEY: No. We made that  
22 indication because we couldn't match that signature  
23 to anyone registered at that address.

24 CHAIRMAN PREISSE: Not that it  
25 didn't match Megan Harrington's, but it didn't

1 match anything we found in the first purview. The  
2 second one going on now by David is to confirm  
3 there may or may not be somebody else at the same  
4 address.

5 MS. JOHNSON: So Mr. Mackey, are you  
6 saying that the signature was an issue and not the  
7 registration?

8 MR. MACKEY: I'm saying when we  
9 looked up that signature we found the address with  
10 all those people registered at it or at least Megan  
11 Harrington registered at it. I'm not sure if  
12 there's other people registered there. And we  
13 didn't think the signature matched, so we said that  
14 whoever signed the petition was not registered.

15 MS. JOHNSON: Okay.

16 MR. MACKEY: But the Board has been  
17 known to disagree with our assessment on occasion.

18 MEMBER SINNOTT: So why don't we  
19 move on to Mr. --

20 MS. JOHNSON: Actually, he's -- I  
21 see him now.

22 MEMBER SINNOTT: Thank you,  
23 Ms. Johnson.

24 DEPUTY DIRECTOR PAYNE: She's making  
25 copies. There are three other individuals that are

1 registered there. Suzanne is making copies of this  
2 for the Board. We did go through all the Megan  
3 signatures again, but there's nothing that looks  
4 sufficiently different than the signature we have  
5 on file. So it would be the other -- there's a  
6 total of four individuals that live at that address  
7 including Megan.

8 MEMBER SINNOTT: That are  
9 registered?

10 DEPUTY DIRECTOR PAYNE: I'm sorry.  
11 Yes, that are registered.

12 MEMBER SINNOTT: That are not purged  
13 or anything, the other people?

14 DEPUTY DIRECTOR PAYNE: Correct.

15 MR. MACKEY: I do have her petition  
16 here if you want to see the actual signature  
17 instead of a scanned image.

18 MEMBER SINNOTT: Well, it appears as  
19 though, Miss Johnson, the staff has identified  
20 three other Harringtons at 5456 Westerville  
21 Crossing.

22 And are we in agreement that they  
23 are all registered to vote properly now? Any  
24 controversy about that?

25 MEMBER MARINELLO: I'm sorry. What?

1                   MEMBER SINNOTT: I'm asking the  
2 staff is there --

3                   DEPUTY DIRECTOR PAYNE: There's no  
4 controversy as to whether they're registered to  
5 vote. That is correct, there is no controversy.

6                   MEMBER SINNOTT: So we have four  
7 Harringtons at that address. So now it does seem  
8 to be a signature match question, do we agree?

9                   CHAIRMAN PREISSE: Uh-huh.

10                  MS. JOHNSON: So to me it seems -- I  
11 was pretty confident that the signature matched or  
12 otherwise I wouldn't have written it in here, but  
13 it seems to me that she just did not write her  
14 middle name on my petition -- which these lines are  
15 much smaller -- like she did on the voter  
16 registration form.

17                  MEMBER MARINELLO: Which one do you  
18 think matched?

19                  MS. JOHNSON: Well, the one that I  
20 thought I seen was probably not what I'm looking at  
21 now. And I could be mistaken. I looked at a lot  
22 of signatures that day. But I was going say that  
23 like the question of whether that person was  
24 registered or not, she does seem to be registered  
25 and they marked her as not registered.



1                   MEMBER MARINELLO: I'm trying to  
2 figure out of which name. Which one did you think  
3 matched perfectly?

4                   MS. JOHNSON: I don't have that  
5 signature in front of me, but I thought I seen one  
6 that matched the one that she had on my petition.  
7 Again, I could have been mistaken. There were a  
8 lot of signatures that I looked at that day, but I  
9 thought for certain I seen one that matched  
10 perfectly.

11                   CHAIRMAN PREISSE: I believe that  
12 the Shane Harrington and the Tammy Harrington voter  
13 registration cards we've just been provided copies  
14 of clearly do not match the signature in question.  
15 The question of the signature on the Keith  
16 Harrington voter registration card I think merits  
17 close study.

18                   MEMBER MARINELLO: I wouldn't mind  
19 seeing the original petition.

20                   MS. JOHNSON: So it's possible that  
21 I could have wrote the wrong name thinking it was  
22 Megan and in fact it was not.

23                   MEMBER SINNOTT: Let's move on to I  
24 believe it's Mr. Naraghi.

25                   MS. JOHNSON: Correct. So the same

1 thing, Mr. Naraghi was marked as not registered at  
2 this address. And I pulled up that the address is  
3 registered and that the voter is a registered  
4 voter.

5 MEMBER SINNOTT: Jeff, help us  
6 understand.

7 MR. MACKEY: I'm sure I looked at a  
8 variety of addresses there, including 3479, 3979,  
9 3974, 3474 to try to find a signature match. I was  
10 not able to find one that I felt sufficient,  
11 but she's indicated that she thinks it's the  
12 signature of this individual.

13 MEMBER SINNOTT: Okay. So there is  
14 at 3479 Drindel Drive a Shahrzad Naraghi?

15 MR. MACKEY: Uh-huh. And I don't  
16 know if you have personal knowledge of him.

17 MS. JOHNSON: So they actually all  
18 just live in the same community complex that I live  
19 in.

20 MEMBER SINNOTT: So this really is a  
21 signature match question, it seems, because we do  
22 have an address that matches to a registered voter  
23 named Naraghi.

24 CHAIRMAN PREISSE: Uh-huh. I think  
25 it's actually the same guy.

1                   MEMBER SINNOTT: Mr. Acheampong or  
2 perhaps it's Mrs. Acheampong. I can't tell.

3                   MS. JOHNSON: Also marked as not  
4 registered. And I felt that their signature  
5 matched the one that's on my petition form and the  
6 voter was registered when I looked up the name.

7                   MEMBER SINNOTT: Who is registered  
8 at 3451 Drindel Drive, Jeff?

9                   MR. MACKEY: That person that I've  
10 indicated there.

11                   MEMBER SINNOTT: Acheampong?

12                   MR. MACKEY: Yes.

13                   MEMBER SINNOTT: So this becomes  
14 strictly a signature match question.

15                   Ms. Johnson, you would see that the  
16 same. Correct?

17                   MS. JOHNSON: Yes. And I would like  
18 to add that a lot of these names are, again,  
19 foreign names so their signature does -- may be  
20 hard to read just because of that. And that's,  
21 again, my belief.

22                   MEMBER SINNOTT: Then there would be  
23 a Mr. Opuni?

24                   MS. JOHNSON: Correct.

25                   So when I look at the form, my

1 petition form, it looks like he wrote Bunday; but,  
2 in fact, it is Buxley. Because this is -- again, I  
3 live in a community where there are many streets,  
4 Westerville Crossing. So he lives there and he --  
5 it should read Buxley, but it does look like  
6 Bunday. So I can understand if they thought it was  
7 Bunday and couldn't pull up the voter because of  
8 that. But when I put in Buxley, then, yes, he came  
9 up as a registered voter.

10 MEMBER SINNOTT: Jeff?

11 MR. MACKEY: This is another issue  
12 where I don't know if I looked up the wrong street  
13 or not, but I did not find a signature match on  
14 that.

15 CHAIRMAN PREISSE: Just so we can be  
16 clear, can somebody go look this one up so we know  
17 that it's not a question of incorrect or  
18 misinterpretation of the address rather than a  
19 signature match?

20 MS. BROWN: 5477 Buxley?

21 MEMBER SINNOTT: No, no. It would  
22 be 5477 Bunday I think you're asking about. Right?

23 MS. JOHNSON: No. Buxley.

24 MEMBER SINNOTT: But we know for a  
25 fact at 5477 Buxley there's a Mr. Opuni who is

1 registered to vote. Right?

2 MR. MACKEY: Yes.

3 CHAIRMAN PREISSE: I guess by the  
4 Board record here we do. Right. Okay. I withdraw  
5 my request because I think the evidence here is  
6 sufficient.

7 MEMBER MARINELLO: Pretty  
8 consistent.

9 CHAIRMAN PREISSE: So the question  
10 is the misinterpretation potentially of the street  
11 name.

12 MEMBER SEXTON: This is the  
13 signature issue. Right?

14 MEMBER SINNOTT: It looks like it.  
15 Yes, I think so, Mike.

16 MEMBER MARINELLO: Was there anybody  
17 else living on Buxley?

18 MR. MACKEY: I don't know. I'm sure  
19 if there was I also looked at their signatures,  
20 but --

21 MEMBER MARINELLO: This was the  
22 closest.

23 MEMBER SINNOTT: Ms. Johnson,  
24 anything else you'd like to have us consider before  
25 we decide the matter?

1 MS. JOHNSON: No. I think that was  
2 it. Thank you.

3 MEMBER SINNOTT: Thank you very much  
4 for all your help today.

5 MEMBER SEXTON: Thank you.

6 MEMBER MARINELLO: We're definitely  
7 at 146 so far.

8 MEMBER SINNOTT: My belief is that  
9 on the basis of the affidavit evidence and in light  
10 of the Scott decision that we should accept and  
11 count the signatures of Noelle Bryant, Jordan  
12 Jacobs, Janet Cihla, Kathleen Ventling, Hamid  
13 Sandhu, and Thomas Habegger.

14 CHAIRMAN PREISSE: Second.

15 DEPUTY DIRECTOR PAYNE: I'll take  
16 roll on that.

17 Kim Marinello.

18 MEMBER MARINELLO: Yes.

19 DEPUTY DIRECTOR PAYNE: Mike Sexton.

20 MEMBER SEXTON: Yes.

21 DEPUTY DIRECTOR PAYNE: Doug  
22 Preisse.

23 CHAIRMAN PREISSE: Yes.

24 DEPUTY DIRECTOR PAYNE: And Brad  
25 Sinnott.

1                   MEMBER SINNOTT:   Yes.

2                   DEPUTY DIRECTOR PAYNE:   Motion  
3 carries on those six signatures.

4                   MEMBER SINNOTT:   And the others are  
5 going to have to be individually considered, I  
6 think, because of the peculiar issues related to  
7 each one.

8                   Somebody want to offer a motion as  
9 to the Boozer matter?

10                  CHAIRMAN PREISSE:   Yes.   And I  
11 think we can do together the question of the  
12 signatures of Katie Boozer on line 10 of 1401 and  
13 Trisha Miller on line 18 of 1401.   The question is  
14 the current status of both of those voters which  
15 Board records indicate are purged and ineligible to  
16 sign nominating petitions.   And, as such, I would  
17 agree that those signatures should not be counted.

18                  MEMBER MARINELLO:   Second.

19                  CHAIRMAN PREISSE:   I so move.

20                  MEMBER SINNOTT:   The motion is to  
21 not count the Boozer and Miller signatures?

22                  CHAIRMAN PREISSE:   Yes.

23                  DEPUTY DIRECTOR PAYNE:   Is there a  
24 second?

25                  MEMBER MARINELLO:   Second.

1 DEPUTY DIRECTOR PAYNE: Kim  
2 Marinello.  
3 MEMBER MARINELLO: Yes.  
4 DEPUTY DIRECTOR PAYNE: Mike Sexton.  
5 MEMBER SEXTON: Yes.  
6 DEPUTY DIRECTOR PAYNE: Doug  
7 Preisse.  
8 CHAIRMAN PREISSE: Yes.  
9 DEPUTY DIRECTOR PAYNE: And Brad  
10 Sinnott.  
11 MEMBER SINNOTT: Yes.  
12 DEPUTY DIRECTOR PAYNE: The motion  
13 carries.  
14 MEMBER SINNOTT: And now there is  
15 the Harrington matter.  
16 Kim, what is your impression there?  
17 MEMBER MARINELLO: Well, I'm having  
18 a hard time getting a hookup here. I looked and  
19 looked.  
20 I would move to not count the Megan  
21 Harrington signature which was on part 1402, line  
22 17.  
23 MEMBER SINNOTT: It seems to be an  
24 instance where we really would be deciding that we  
25 should not count whatever signature appears on part



1 1402, line 17, regardless of the name of the  
2 signatory. Does that sound right?

3 MEMBER MARINELLO: Yes.

4 MEMBER SEXTON: I think the closest  
5 one would be this Keith Harrington, but it's  
6 definitely not any of the others. And I'm not --  
7 not sure that that's --

8 CHAIRMAN PREISSE: Agreed.

9 MEMBER SEXTON: -- the signature of  
10 Keith Harrington.

11 CHAIRMAN PREISSE: So should we have  
12 a motion restated?

13 MEMBER SINNOTT: There's one thing  
14 for us to consider. And this is not the signature,  
15 but perhaps if this appeals to our common sense we  
16 should probably take a look at the manner in which  
17 the numbers of the address have been written.

18 CHAIRMAN PREISSE: I did that for my  
19 own edification.

20 MEMBER SINNOTT: Does that inform  
21 our judgment in any respect?

22 CHAIRMAN PREISSE: It sort of did  
23 inform my judgment that it goes against a  
24 confirmation, maybe not so much in the numbers as  
25 in the letters. Westerville is spelled out in the

1 Keith Harrington registration form, which to my  
2 mind doesn't match the Westerville on the petition.

3 MEMBER MARINELLO: I agree. I'll  
4 restate the motion.

5 I move that the no signature on part  
6 1402, line 17 be accepted.

7 DEPUTY DIRECTOR PAYNE: Is there a  
8 second?

9 CHAIRMAN PREISSE: Second.

10 DEPUTY DIRECTOR PAYNE: I'll take  
11 roll on that.

12 Kim Marinello.

13 MEMBER MARINELLO: Yes.

14 DEPUTY DIRECTOR PAYNE: Mike Sexton.

15 MEMBER SEXTON: Yes.

16 DEPUTY DIRECTOR PAYNE: Doug  
17 Preisse.

18 CHAIRMAN PREISSE: Yes.

19 DEPUTY DIRECTOR PAYNE: And Brad  
20 Sinnott.

21 MEMBER SINNOTT: Yes.

22 DEPUTY DIRECTOR PAYNE: Motion  
23 carries.

24 MEMBER SINNOTT: That takes us to  
25 the Acheampong matter.

1 CHAIRMAN PREISSE: Did we  
2 do Naraghi?

3 MEMBER SINNOTT: We'll go back to  
4 Naraghi.

5 MEMBER SEXTON: Which one we on now?

6 MEMBER SINNOTT: Acheampong,  
7 3451 Drindel Drive.

8 CHAIRMAN PREISSE: I think there's  
9 substantial match in the signatures on the petition  
10 with the Board records, particularly considering  
11 the narrow vertical space of the petition.

12 I would move that we count and  
13 accept the signature on line 5 of the petition  
14 1405.

15 MEMBER SEXTON: I would agree and  
16 second the motion.

17 DEPUTY DIRECTOR PAYNE: I'll take  
18 roll.

19 Kim Marinello.

20 MEMBER MARINELLO: Yes.

21 DEPUTY DIRECTOR PAYNE: Mike Sexton.

22 MEMBER SEXTON: Yes.

23 DEPUTY DIRECTOR PAYNE: Doug  
24 Preisse.

25 CHAIRMAN PREISSE: Yes.

1 DEPUTY DIRECTOR PAYNE: And Brad  
2 Sinnott.

3 MEMBER SINNOTT: Yes.

4 DEPUTY DIRECTOR PAYNE: The motion  
5 carries.

6 MEMBER SINNOTT: Let's consider now  
7 Mr. Naraghi. Do we think that's Mr. Naraghi's  
8 signature?

9 MEMBER SEXTON: I would move that we  
10 count the signature of Shahrzad Naraghi on 1405,  
11 line 3.

12 DEPUTY DIRECTOR PAYNE: Is there a  
13 second?

14 MEMBER MARINELLO: Second.

15 DEPUTY DIRECTOR PAYNE: I'll take  
16 roll.

17 Kim Marinello.

18 MEMBER MARINELLO: Yes.

19 DEPUTY DIRECTOR PAYNE: Mike Sexton.

20 MEMBER SEXTON: Yes.

21 DEPUTY DIRECTOR PAYNE: Doug  
22 Preisse.

23 CHAIRMAN PREISSE: Yes.

24 DEPUTY DIRECTOR PAYNE: And Brad  
25 Sinnott.

1 MEMBER SINNOTT: Yes.

2 DEPUTY DIRECTOR PAYNE: Motion  
3 carries.

4 MEMBER SINNOTT: I think we have  
5 only one left and that would be Mr. Opuni.  
6 Mr. Opuni appears on the back page of Jeff's  
7 exhibit.

8 MEMBER SEXTON: I think it's good.  
9 I would move that we count the  
10 signature of Ernest Mensah Opuni listed on part  
11 1405, line 13.

12 DEPUTY DIRECTOR PAYNE: Is there a  
13 second?

14 CHAIRMAN PREISSE: Second.

15 DEPUTY DIRECTOR PAYNE: I will take  
16 roll.

17 Kim Marinello.

18 MEMBER MARINELLO: Yes.

19 DEPUTY DIRECTOR PAYNE: Mike Sexton.

20 MEMBER SEXTON: Yes.

21 DEPUTY DIRECTOR PAYNE: Doug  
22 Preisse.

23 CHAIRMAN PREISSE: Yes.

24 DEPUTY DIRECTOR PAYNE: And Brad  
25 Sinnott.

1 MEMBER SINNOTT: Yes.

2 DEPUTY DIRECTOR PAYNE: Motion  
3 carries.

4 MEMBER SINNOTT: And is that every  
5 basis for reconsideration? We did the six having  
6 to do with the affidavits, and then we have Boozer  
7 and Miller and those were the signatures not  
8 counted. And then on form 1402, line 17, we didn't  
9 count that one; but we did count the Naraghi,  
10 Acheampong, and the Opuni signatures. Did I say  
11 all that correctly?

12 CHAIRMAN PREISSE: To my knowledge.

13 MEMBER SINNOTT: So where does that  
14 take us, then, in terms of valid signatures?

15 DEPUTY DIRECTOR PAYNE: 146 plus 3.  
16 We started at 140 and we approved nine.

17 MEMBER SINNOTT: And the standard is  
18 150.

19 Well, does someone have a motion.

20 MEMBER MARINELLO: I move that the  
21 Board affirm the original decision and deny  
22 certification to Vashitta Johnson for the office of  
23 Westerville school board.

24 DEPUTY DIRECTOR PAYNE: Is there a  
25 second?

1 CHAIRMAN PREISSE: Second.

2 DEPUTY DIRECTOR PAYNE: I'll take  
3 roll.

4 Kim Marinello.

5 MEMBER MARINELLO: Yes.

6 DEPUTY DIRECTOR PAYNE: Mike Sexton.

7 MEMBER SEXTON: Yes.

8 DEPUTY DIRECTOR PAYNE: Doug  
9 Preisse.

10 CHAIRMAN PREISSE: Yes.

11 DEPUTY DIRECTOR PAYNE: And Brad  
12 Sinnott.

13 MEMBER SINNOTT: Yes.

14 DEPUTY DIRECTOR PAYNE: Motion  
15 carries.

16 The next item on the agenda is the  
17 addition of 13 data cables and 26 phone lines. And  
18 I'll ask Aaron Sellers to come up and present that.

19 MR. SELLERS: Aaron Sellers, public  
20 information officer. Good afternoon, board  
21 members. In the interest of time I'll be brief.  
22 I've been asked by the Director and Deputy Director  
23 to speak on a request submitted to -- in the amount  
24 of \$9,245 to add 13 new data cables to our  
25 independence room. This room houses our election

1 day war room. That's kind of our terminology.  
2 This includes trainers that handle our  
3 troubleshooting line day drivers, our warehouse  
4 team, and operations staff. This past May, in  
5 2019, we incorporated a new system of placing  
6 everyone together under one room to try to  
7 efficiently and effectively handle issues that come  
8 up at our polling locations. A lot of these things  
9 happen in the mornings between 5:30 and 9. Our  
10 goal it to increase capacity of the calls that we  
11 handle. We would like to double the number of  
12 staff of the phones in the war room. The  
13 additional 13 lines would roughly double our  
14 current capacity.

15 Just one example of why we are  
16 asking for this. This past May election we had 11  
17 employees on the troubleshooting line between the  
18 hours of 6:00 a.m. and 8:00 a.m., and during that  
19 time period there were 600 calls that were dropped.  
20 And to handle those additional call volumes, those  
21 11 people would have to take 54 more calls in that  
22 two-hour period. As you know, May was an off-year  
23 election, next year is a presidential. We'd like  
24 to have this in place for November so that we can  
25 do this before the presidential primary.



1 Obviously, coupled with the roll-out of the new  
2 equipment, it has increased the number of calls  
3 that we got. And by the way, Knight Electric is  
4 the company, it is a Columbus company, and this is  
5 a state term contract. So I entertain any  
6 questions that the Board may have.

7 MEMBER SINNOTT: So we need to  
8 install these lines so we can double the number of  
9 people answering the phones here on election day?

10 MR. SELLERS: Correct. And  
11 unfortunately, they have to drop the lines.

12 MEMBER SINNOTT: What does it mean  
13 to drop a line?

14 MR. SELLERS: Meaning that like  
15 there's -- I think we have 12 jacks in the room  
16 that have two ports in each one. They'll have to  
17 drop in new lines to the existing ones. So they'll  
18 have to be up in the ceilings. Most of that cost  
19 is labor.

20 MEMBER SINNOTT: There has to be  
21 some rewiring of the room with telephone cables in  
22 order to accomplish that --

23 MR. SELLERS: Correct.

24 MEMBER SINNOTT: -- and doubling of  
25 the number of people answering the phone. Okay.

1 MR. SELLERS: Correct.

2 DEPUTY DIRECTOR PAYNE: It should be  
3 noted, I think, that these are calls from our poll  
4 workers, not the general public.

5 MR. SELLERS: Correct.

6 MEMBER SEXTON: Okay. Mr. Chairman,  
7 I move the Board authorize the Director and Deputy  
8 Director to enter into a contract with Knight  
9 Electric in the amount of \$9,245 for the addition  
10 of 13 additional data lines, 26 phone lines for  
11 increased support on election day hot line in  
12 calendar year 2019.

13 CHAIRMAN PREISSE: Second.

14 DEPUTY DIRECTOR PAYNE: All those in  
15 favor of the motion signify by saying aye.

16 (Vote taken.)

17 DEPUTY DIRECTOR PAYNE: All opposed,  
18 same sign.

19 (No response.)

20 DEPUTY DIRECTOR PAYNE: Motion  
21 carries.

22 The next item on the addenda is the  
23 hiring of David Todd as a voter services clerk. I  
24 put the resumes in your packet. David started  
25 August 26th of 2019 at a rate of 15.50 per hour.

1 He comes to us from the Ohio Industrial Commission.  
2 He has a great resume. And the reason he's not in  
3 here today -- I could go get him if you'd like --  
4 is we got a bunch of registrations. He said I can  
5 be in the room or I can actually be back there  
6 working. That's the kind of employee he is. So I  
7 know the two Republican board members know him.  
8 I'm happy to go back to the mail room and get him  
9 if you'd like to meet him.

10 CHAIRMAN PREISSE: He's been here  
11 how many days?

12 DEPUTY DIRECTOR PAYNE: Well, since  
13 August 26th and it's September 9th.

14 CHAIRMAN PREISSE: I've heard good  
15 reports. You can confirm that?

16 DEPUTY DIRECTOR PAYNE: Yeah. He's  
17 fantastic.

18 MEMBER SINNOTT: I move that the  
19 Franklin County Board of Elections hire David Todd  
20 as a clerk in voter services, a full-time position,  
21 beginning Monday, August 26th, 2019, at a rate of  
22 \$15.50 per hour.

23 DEPUTY DIRECTOR PAYNE: Is there a  
24 second?

25 MEMBER SEXTON: Second.

1 DEPUTY DIRECTOR PAYNE: All those in  
2 favor of the motion signify by saying aye.

3 (Vote taken.)

4 DEPUTY DIRECTOR PAYNE: All opposed,  
5 same sign.

6 (No response.)

7 DEPUTY DIRECTOR PAYNE: The motion  
8 carries.

9 The next item on the agenda is the  
10 hiring of Adam Slane as a PEO clerk. Adam would  
11 come to us from Congressman Stivers, Steve Stivers'  
12 office. He's worked previously in the Ohio Senate  
13 and the House of Representatives. He is a  
14 fantastic -- would be a fantastic hire. And it's  
15 entirely my fault that he's not here. I didn't ask  
16 him to be here today. So that's entirely my fault.  
17 I overlooked that.

18 MEMBER SINNOTT: It's probably worth  
19 mentioning that Adam did constituent service work  
20 for Congressman Stivers for years, which seems to  
21 be an especially good background for this position.

22 I move that the Franklin County  
23 Board of Elections hire Adam Slane as clerk in  
24 voter services, a full-time position, beginning  
25 Monday, September 13, 2019, at a rate of \$24.04 per

1 hour.

2 MEMBER SEXTON: Second.

3 DEPUTY DIRECTOR PAYNE: All those in  
4 favor of the motion signify by saying aye.

5 (Vote taken.)

6 DEPUTY DIRECTOR PAYNE: All opposed,  
7 same sign.

8 (No response.)

9 DEPUTY DIRECTOR PAYNE: The motion  
10 carries.

11 The next item on the agenda is the  
12 hiring of Antone White as executive assistant. And  
13 I'll let Director Leonard address that.

14 DIRECTOR LEONARD: As Board members  
15 are aware, Suzanne Brown will be leaving us. So we  
16 have a vacancy in the position of executive  
17 assistant. Antone comes to us from the -- he was  
18 previously employed at the Clerk of Court's office  
19 where he was director of operations, legal  
20 operations for the Clerk of Court's office.  
21 Actually, many years ago was actually executive  
22 assistant to the director of the department of  
23 public safety of the City of Columbus. So he has  
24 that direct experience. But, again, over the last  
25 approximately nine years he's been in the Clerk of

1 Court's office and again in charge of a substantial  
2 amount of work that the Clerk of Court's office  
3 does in their legal divisions, really involved in  
4 project management activity, evaluation and process  
5 analysis to approve the processes there at the  
6 Clerk's office, and during that time earned his  
7 MBA. And so, again, I think he would be a  
8 tremendous addition to the office and he has sat  
9 through this proceeding and is here.

10 MEMBER SINNOTT: And he has a very  
11 good resume for the position.

12 MEMBER SEXTON: With that, I move  
13 that the Franklin County Board of Elections hire  
14 Antone White as executive assistant, a full-time  
15 position, beginning Tuesday, September 10th, 2019,  
16 at a rate of \$33.41 per hour.

17 DEPUTY DIRECTOR PAYNE: Is there a  
18 second?

19 CHAIRMAN PREISSE: I'll second it.

20 DEPUTY DIRECTOR PAYNE: All those in  
21 favor signify by saying aye.

22 (Vote taken.)

23 DEPUTY DIRECTOR PAYNE: All opposed,  
24 same sign.

25 (No response.)

1                   DEPUTY DIRECTOR PAYNE: The motion  
2 carries.

3                   The next item on the agenda would be  
4 the hiring of early vote center managers for the  
5 November election. We would start these early vote  
6 center managers starting October 1st and they would  
7 go through November 8th. Typically we pay those  
8 individuals \$10,000 for the entire period, which  
9 equates to a \$312.50 per hour -- or it's a daily  
10 rate. I'm sorry. That would be a heck of an  
11 hourly.

12                   MEMBER SINNOTT: I don't know about  
13 that, David.

14                   DIRECTOR LEONARD: And we've  
15 structured the resolution the way it is so that  
16 once we determine exactly who those individuals  
17 will be we can go ahead and move forward with the  
18 hiring.

19                   MEMBER MARINELLO: I move that the  
20 Board authorize the Director and Deputy Director to  
21 hire a Republican manager and a Democrat manager to  
22 manage the early vote center located at 1700 Morse  
23 Road at a daily rate of \$312.50, an amount not to  
24 the exceed 10,500, the date of hire will be  
25 October 1st, 2019, and the end date will be

1 November 8th, 2019.

2 DEPUTY DIRECTOR PAYNE: Is there a  
3 second?

4 CHAIRMAN PREISSE: Second.

5 DEPUTY DIRECTOR PAYNE: All those in  
6 favor of the motion signify by saying aye.

7 (Vote taken.)

8 DEPUTY DIRECTOR PAYNE: All opposed,  
9 same sign.

10 (No response.)

11 DEPUTY DIRECTOR PAYNE: The motion  
12 carries.

13 The next item on the agenda is to do  
14 the two percent cost of living raise for the staff  
15 here at Board of Elections, again, because we're  
16 constrained by month-to-month budgeting.

17 MEMBER SINNOTT: I move that the  
18 Board approve a two percent cost of living pay  
19 increase to all full-time BOE staff retroactive to  
20 August 19th and that this increase stands as a  
21 one-time increase specific to the upcoming pay  
22 periods of September 13th and September 27, as we  
23 are presently constrained by month-to-month  
24 budgeting.

25 CHAIRMAN PREISSE: Second.



1                   DEPUTY DIRECTOR PAYNE: All those in  
2 favor of the motion signify by saying aye.

3                   (Vote taken.)

4                   DEPUTY DIRECTOR PAYNE: All opposed,  
5 same sign.

6                   (No response.)

7                   DEPUTY DIRECTOR PAYNE: The motion  
8 carries.

9                   I would just like to say that the  
10 reason we had three positions able to hire is that  
11 Chris Bidwell will be leaving. He's in voter  
12 services and has done a fantastic job. Brian  
13 Metzbauer is in the PEO department and again has  
14 done a fantastic job for us. And as the Director  
15 mentioned, Suzanne Brown will be leaving us. And  
16 she's obviously done a great job for us. So I'd  
17 just like it to be on record as thanking all three  
18 of those individuals.

19                   DIRECTOR LEONARD: And let me add to  
20 that.

21                   Again, particularly, Suzanne, she's  
22 been here for over 14 years. She joined us in 2005  
23 and has seen a lot and been a critical part of a  
24 lot of the activity of the office; and, in fact,  
25 was instrumental in the actual move from Memorial

1 Hall to this facility. So, again, she's done a lot  
2 for this organization and has really committed  
3 herself. On election night, the drive-through  
4 process, when all of that equipment comes back and  
5 all those materials come back, she does it. Her  
6 service here has been remarkable.

7 MEMBER SINNOTT: It has been.

8 CHAIRMAN PREISSE: It really has  
9 been.

10 DIRECTOR LEONARD: We wish her all  
11 the best in her new position.

12 MEMBER MARINELLO: Absolutely.

13 DIRECTOR LEONARD: Give the Board  
14 opportunity to ask questions. Some of our staff  
15 members have sat through this regard to the  
16 telephone. Just making sure if they had questions  
17 they could ask if they wanted to. We can make  
18 information available to you as you might need it  
19 with regard to the acquisition of the phones.

20 MEMBER SINNOTT: I believe we've  
21 taken care of all the business. I move we adjourn.

22 MEMBER MARINELLO: Second.

23 DEPUTY DIRECTOR PAYNE: All those in  
24 favor of the motion signify by saying aye.

25 (Vote taken.)

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DEPUTY DIRECTOR PAYNE: All opposed,  
same sign.

(No response.)

DEPUTY DIRECTOR PAYNE: Motion  
carries.

- - -

Thereupon, the proceedings were  
adjourned at approximately 4:45 p.m.

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C E R T I F I C A T E

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THE STATE OF OHIO:

SS:

COUNTY OF FRANKLIN:

I, Carla D. Castle, a Professional Reporter and Notary Public in and for the State of Ohio, do hereby certify that the foregoing is a true, correct, and complete written transcript of the proceedings in this matter;

That the foregoing was taken by me stenographically and transcribed by me with computer-aided transcription;

That the foregoing occurred at the aforementioned time and place;

That I am not an attorney for or relative of any of the parties and have no interest whatsoever in the event of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of office at Columbus, Ohio, this 28th day of October, 2019.

/s/Carla D. Castle  
Notary Public, State of Ohio

My Commission Expires: September 29, 2021.

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