

DEC 22 2008

FILED

No. A08-2206

State of Minnesota  
In Supreme Court

*Norm Coleman,*

Petitioner,

vs.

*The Minnesota State Canvassing Board, and Michelle DesJardin, Hennepin County Elections Manager, Cynthia Reichert, Minneapolis Elections Director, and Hennepin County Canvassing Board, individually and on behalf of all County and Local Election Officers and County Canvassing Boards,*

Respondents,

**AFFIDAVIT OF PATRICIA BROOKS**

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Patricia Brooks, being duly sworn upon oath, deposes and says:

1. On Friday, December 5, 2008, I was a representative of the Recount team for Al Franken for Senate at the counting location in Wright County.
2. In the precinct Buffalo Township in Wright County there was a discrepancy between Original and Duplicate ballots. Sixty-four ballots labeled "Duplicate" were found in the sorting process. As per the Office of the Secretary of State's instructions, the Duplicate Ballot Envelope (containing originals) was opened. Sixty-five ballots were found in this envelope.

3. The Coleman challenger and Coleman team leader requested the Election Judge to count the Original Ballots.
4. I requested the Election Judge to count the Duplicate Ballots because of the discrepancy in number between the Original and Duplicate ballots.
5. Gary Poser directed the Election Judge to count the Original Ballots, not the Duplicates. This resulted in a 1 vote gain for Other compared to the election day results.

Further your Affiant sayeth naught.

Patricia Brooks      12/20/2008

Subscribed and sworn to before me  
this 20<sup>th</sup> day of December, 2008.

Kathleen Donnelly Kostohryz  
Notary Public

