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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:08-21243-CIV-ALTONAGA

LEAGUE OF WOMEN VOTERS OF FLORIDA, FLORIDA
AFL-CIO, and MARILYN WILLIS,
Plaintiffs,
vs.

KURT S. BROWNING, in his official capacity as
Secretary of State of Florida, and DONALD L.
PALMER in his official capacity as Director of
Division of Elections within the Department of
State for the State of Florida,
Defendants.

DEPOSITION OF: ION SANCHO
TAKEN AT THE INSTANCE OF: The DEFENDANTS
DATE: June 16, 2008
TIME: Commenced at
Concluded at
LOCATION: 315 South Calhoun Street
Tallahassee, FL
REPORTED BY: JUDY CHIN
RPR, CRR

ACCURATE STENOGRAPHY REPORTERS, INC
2894 REMINGTON GREEN LANE
TALLAHASSEE, FL 32308 (850)878-2221

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REPRESENTING PLAINTIFFS:

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REPRESENTING DEFENDANTS:

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1 STIPULATIONS

2 The following deposition of ION
3 SANCHO was taken on oral examination, pursuant to
4 notice, for purposes of discovery, and for use as
5 evidence, and for other uses and purposes as may
6 be permitted by the applicable and governing
7 rules. Reading and signing is not waived.

8 * * *

9 Thereupon,

10 ION SANCHO

11 was called as a witness, having been first duly
12 sworn, was examined and testified as follows:

13 DIRECT EXAMINATION

14 BY MR. WINSOR

15 Q Good morning, Mr. Sancho.

16 A Good morning.

17 Q My name is Allen Winsor, and I represent
18 the defendants in this case.

19 I appreciate your time this morning,
20 particularly on short notice.

21 I want to ask you some questions about
22 your participation in cases other than the case
23 that we are here talking about today.

24 Do you recall executing a declaration in
25 the Diaz case in 2004?

1 A Yes.

2 Q And do you recall that your declaration
3 was in opposition --

4 Actually, let me grab it here.

5 Do you recall that your declaration in
6 2004 in the Diaz case was taking a position
7 adverse to the Secretary of State?

8 A Yes.

9 Q Do you recall testifying at trial in
10 that same case?

11 A Yes.

12 Q And you were called by the plaintiffs?

13 A Yes.

14 Q Do you recall giving a deposition in the
15 case called SAFE, which I believe stands for
16 Sarasota Alliance For Fair Elections versus the
17 Secretary of State?

18 A Yes.

19 Q And do you recall taking the position in
20 that case that was adverse to the Secretary of
21 State?

22 A Yes.

23 MS. RODRIGUEZ-TASEFF: Objection. Calls
24 for a legal conclusion.

25 BY MR. WINSOR

6/16/2008 Sancho, Ion

1 Q In the SAFE case, were you testifying on
2 behalf of SAFE?

3 A I was testifying on behalf of SAFE.

4 Q Okay. And did you attend the Supreme
5 Court oral argument in that case with the
6 plaintiffs?

7 A Yes.

8 Q In the Wexler --

9 There were two Wexler cases. Do you
10 recall there being two Wexler cases dealing with
11 touch-screen machines?

12 A Vaguely. I know that there were -- I
13 went to court once, and I gave a video affidavit I
14 think in one.

15 Q Okay. And do you recall that one was --
16 of the two cases, one was in federal court and one
17 was in state court?

18 A Probably.

19 Q Okay. And tell me about the -- your
20 participation in the federal court Wexler
21 versus -- the Wexler case.

22 MS. RODRIGUEZ-TASEFF: Object to the
23 form.

24 BY MR. WINSOR

25 Q You can go ahead.

1 A The Wexler case was a constitutional
2 case, which I tried to talk him out of bringing.

3 Q Tried to talk --

4 A I didn't think it was a constitutional
5 case.

6 What I was doing in the Wexler case, and
7 I would like to say I was not a proponent of his
8 case, but I could give testimony relative to the
9 error rates of different kinds of voting systems.
10 And since the State of Florida had experience with
11 the use of optical scan versus touch-screen voting
12 systems in the 2002 election cycle, I was aware of
13 that data and I was presenting the data. I
14 thought the data was compelling, but I don't
15 actually consider myself a proponent of his
16 lawsuit.

17 Q Okay.

18 A But since he brought the lawsuit, it was
19 a forum to provide this explanation to everyone in
20 the state as to what the difference between the
21 voting technologies and its impact on voters, and
22 so I provided my testimony on that basis.

23 Q Okay. And you were designated an expert
24 by the plaintiffs in that case?

25 A By the court.

1 Q And by the plaintiffs?

2 A Yes.

3 Q And then in the related Wexler case that
4 took place in state court, you were designated an
5 expert by the plaintiffs in that case as well?

6 A Yes.

7 MR. WINSOR: That's all I have.

8 I thank you very much for your time.

9 MS. RODRIGUEZ-TASEFF: I have no
10 questions. We will read.

11 (Thereupon, the deposition was concluded
12 at 10:20 a.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF LEON)

I, the undersigned authority, certify
that said designated witness personally appeared
before me and was duly sworn.

WITNESS my hand and official seal this
16th day of June, 2008.

JUDY CHIN, RPR, CRR
1-800-934-9090
850-878-2221

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, JUDY CHIN, Registered Professional Reporter, certify that the foregoing proceedings were taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 8 are a true and correct record of the aforesaid proceedings.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 16th day of June, 2008.

JUDY CHIN, RPR, CRR
Notary Public
1-800-934-9090
850-878-2221

1 I have read the transcript of my deposition, pages
2 1 through 8, and hereby subscribe to same,
3 including any corrections and/or amendments listed
4 below.

5 _____

6 Date:

7 ION SANCHO

8

9 Page/Line	Correction/Amendment	Reason for Change
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24 Date of Deposition: June 16, 2008

25 Reporter: Judy Chin, RPR, CRR

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ACCURATE STENOTYPE REPORTERS, INC.
2894 Remington Green Lane
Tallahassee, Florida 32308
(850) 878-2221

June 16, 2008

Ion Sancho
Office of the Supervisor of Elections
315 South Calhoun Street
Tallahassee, Florida 32301

Re: League of Women voters v Browning

Dear Mr. Sancho:

As you did not waive reading and signing of your deposition transcript, please make the necessary arrangements to read your transcript within the next 30 days at Accurate Stenotype Reporters, 2894 Remington Green Lane, Tallahassee, Florida.

Sincerely,

Judy Chin, RPR, CRR

Enclosures (Errata Sheet and transcript.)

cc: Counsel of Record