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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 MARILYNN WILLS,

Plaintiffs,

Document 61-3

VS.

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

Defendants.

DECLARATION OF BUDDY JOHNSON

- I, Buddy Johnson, declare as follows:
- 1. I am over the age of eighteen and competent to make this Declaration.
- 2. I am currently Supervisor of Elections for Hillsborough County.
- 3. In February, 2008, I testified in the trial of *Diaz, AFL-CIO, et al., v. Browning*. I was called to testify by the Plaintiffs.
- 4. I have reviewed the attached transcript excerpts, which accurately recount a portion of my trial testimony. All of my testimony in that case was accurate and truthful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated June 10, 2008.

Buddy Johnson

1.	UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA		
2	MIAMI DIVISION		
3			
4	AMERICAN FEDERATION OF CONGRESS OF INDUSTRIAL	LABOR AND	nic •
5	AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES; AFL-CIO FLORIDA PUBLIC EMPLOYEES COUNCIL 79, AFSCME; AFL-CIO SERVICE EMPLOYEES INTERNATIONAL UNION,		
7			
8	Plai	ntiffs.	Case No. 04-22572-CIV-KING
9	vs.		
10			Miami, Florida
11			February 5, 2008 9:00 a.m.
12 13	KURT S. BROWNING, SECRETARY OF THE STATE OF FLORIDA,		
14		endant.	
15	TOANC	COTOT OF D	DOCEENTINGS
16	TRANSCRIPT OF PROCEEDINGS NON-JURY TRIAL PEROPE THE MONORARI E JAMES A AMBERICE KING		
17	BEFORE THE HONORABLE JAMES LAWRENCE KING UNITED STATES DISTRICT JUDGE THIS BEING AN EXCERPT THEREOF		
18	IHIS BE	ING AN EXC	ERPT THEREUE
19			
20	REPORTED BY:	DAWN M. W	HITMARSH, RPR
21	• • • • •	Official Court Reporter United States District Court	
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Plaintiffs call Buddy Johnson.

- $_{\mbox{\scriptsize DO}}$ you currently serve as supervisor of elections for 23 Q.
- 24 Hillsborough County?
- I do. 25 A.

- BY MR. ABT:
- Mr. Johnson, if you know, do you know how many were
- submitted in the period just before the close of books. 8
- I know we got one delivery of 27,000, but there were 9
- more. Are you asking for incompletes or for applications 10
- submitted? 11
- I'm asking for incompletes. 12 Q.
- That's not the correct answer to that question. I 13
- misunderstood your question. No. I don't know the answer to 14
- how many we had that were incomplete and it surely would not 15
- have been 27,000. 16

- Directing your attention to the 27,000 voter 22 Q.
- 23 registration applications that were delivered to your office
- in 2004, towards the end of book closing, can you tell the 24
- 25 court when those applications were dropped off?

- 1 A. The Tast day.
- 2 Q. During the prior 10 days prior to book closing, how many
- 3 additional applications were dropped off at your office?
- 4 A. I don't have that number.
- 5 Q. Were those 27,000 applications dropped off by
- 6 individuals or were they dropped off by groups?
- 7 A. They were in one bundle. By groups.

- 15 THE COURT: Okay. Court has a question. Do you know
- 16 the group or groups that dropped off the one bundle of 27,000
- 17 applications on the last day before the book closing took
- 18 place? Do you know the name of the group or groups.
- 19 THE WITNESS: Judge, it's one of two groups. I don't
- 20 know which one it was.
- THE COURT: Well, which of the two groups' names that
- 22 you do know?
- THE WITNESS: ACORN was one and the other group is -- I
- 24 forget their name.
- THE COURT: ACORN. Okay. Thank you, sir. Thank you