GOVERNMENT OF THE
DISTRICT OF COLUMBIA

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BOARD OF ELECTIONS AND ETHICS
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SPECIAL BOARD MEETING
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MONDAY
JANUARY 27, 2014

The Board met in Suite 280 North,
One Judiciary Square, 441 4th Street, N.W.,
Washington, D.C., at 2:00 p.m., Deborah K.
Nichols, Chairman, presiding.

BOARD MEMBERS PRESENT:

DEBORAH K. NICHOLS, Chairman

ALSO PRESENT:

KENNETH J. MCIGHIE, ESQ., General Counsel
RUDOLPH M.D. MCGANN, JR., ESQ., Staff
Attorney, Office of the Attorney General
KAREN BROOKS, Registrar of Voters
## Agenda Items:

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Challenge to the nominating petition of Slate One DC</td>
<td>6</td>
</tr>
<tr>
<td>Lenwood Johnson Slate One DC</td>
<td>10</td>
</tr>
<tr>
<td>Challenge to the nominating petition of Jacqueline Manning, candidate for Ward 5 Member of the Council</td>
<td>28</td>
</tr>
<tr>
<td>Karen Brooks Registrar of Voters</td>
<td>29</td>
</tr>
<tr>
<td>Steven Motley re his challenge to Nominating Petition of Ms. Manning</td>
<td>33</td>
</tr>
<tr>
<td>Adjournment</td>
<td>77</td>
</tr>
</tbody>
</table>
Chairperson Nichols: Good afternoon. I'm Deborah K. Nichols, chairman of the Board of Elections. I'm calling to order a Special Meeting of the Board, a Special Board meeting to hear challenges to nominating petitions.

Today is Monday, January 27th, 2014. The time is 2:06 p.m. We are at One Judiciary Square, Room 280 North.

Our agenda for today is to hear a challenge to the nominating petition of the Slate One DC, Villareal Johnson, Lenwood Johnson, Alicia Swanson-Canty, and Damian Bascom, candidates for the Office of At-Large Member of the D.C. Democratic State Committee.

And a challenge to the nominating petition of Jacqueline Manning, candidate for Ward 5 Member of the Council.

At this time I'm going to defer to Mr. Kenneth McGhie, our general counsel, to
set forth the procedures and the relevant information pertaining to these challenges.

MR. MCGHIE: As the Chair indicated, these are challenges to the nominating petitions. These challenges are brought pursuant to D.C. Code Section 1-1001/08, and procedurally what will happen is that I'll call both the parties up to the table, and the registrar of voters has done the preliminary report on the validity of the challenges, and she will give her report, and then the parties will have an opportunity to say whether or not they accept or take exception to her report, and if they take any exceptions to her report, to say, you know, what they're challenging on her report.

And the challenger of course has the burden of proof to substantiate the challenge, and so they will carry that burden of proof pursuant to the D.C. Administrative Procedures Act.

So the first challenge is the
challenge to the nominating petition of Slate One DC.

Is there a representative for that slate? And can you please take a seat at the front.

And the challenger for that is a Mr. LaGue?

MR. LAGUE: LaGue.

MR. MCGHIE: And registrar of voters, would you please -- beginning with the candidate, would you please state your full name and address for the record.

MR. JOHNSON: My name is Lenwood Johnson, 626 Irving Street, N.W., Washington, D.C. 20010.

MR. MCGHIE: And the challenger?

MR. LAGUE: Henry LaGue, 3121 Water Street, N.W. 20010.

MR. MCGHIE: And the registrar of voters is Karen Brooks. And Ms. Brooks, did you prepare a -- or did you review this challenge, and prepare a preliminary report?
MS. BROOKS: Yes. I did.

MR. MCGHIE: Would you please state your report for the record, for the board.

COURT REPORTER: Ma'am, you have to speak up, please.

MS. BROOKS: Okay.

COURT REPORTER: Thank you.

MS. BROOKS: Yes. I did. Okay. On January 2nd, 2014, Slate One DC submitted a nominating petition to appear on the ballot as a candidate in the April 1, 2014 primary election for the office of At-Large Member of the D.C. Democratic State Committee.

That petition was posted for public inspection, for ten days, as required by law.

The petition was challenged on January 13, 2014, by Henry LaGue, a registered voter in the District of Columbia. My preliminary review of the petition challenge indicates that One DC candidate submitted a total of 528 signatures. The minimum
requirements to obtain ballot access for this office is 500 signatures.

Challenger, Henry LaGue, filed challenges to a total of 153 signatures, enumerated by line and page number on an individual challenge he filed for each petition page.

Petitioner's signatures were challenged pursuant to Title 3, DCMR, Section 1607.1, of the board's regulations, on the following grounds.

The signer's not a duly-registered voter. The signer, according to the board's records, is not registered to vote at the address listed on the petition. At the time the petition was signed, providing an address on the petition that's different than the address which appears in the board's records shall be deemed valid if the signer's current address is within the boundaries in which the candidate seeks nomination, and the signer filed a change of address form with the board.
during the first ten days following the date
on which the challenge to the nominating
petition is filed.

Petition does not include the
address of the signer. The petition does not
include the name of signer with a signature
that's sufficiently legible for
identification. The circulator petition
failed to complete all the required
information on the circulator's affidavit.

The signature's not made by the
person whose signature it purports to be. The
signer's not a registered voter in the ward or
same member district, or from which the
candidate seeks nomination at the time the
petition was signed, and/or petition did
nominate the candidate in the primary
election, the signer is not registered to vote
in the same party as the candidate at the time
the petition was signed.

My review of the petitioner
challenge indicates that a total of 143 of the
153 signatures are valid. This leaves the
candidate's nominating petition with 385
signatures, 115 signatures below the number
required for ballot access.

MR. MCGHIE: Okay. At this point
the registrar of voters is making a
preliminary finding that the nominating
petition for the Slate One DC does not meet
the requirements for ballot access, having
filed not a sufficient number of signatures in
order to gain that access.

She's indicating that they are 115
signatures short.

Mr. LaGue?

MR. LAGUE: LaGue; yes.

MR. MCGHIE: Do you accept the
report of the recorder of deeds?

MR. LAGUE: Yes.

MR. MCGHIE: Recorder of --
registrar of voters?

MR. LAGUE: Yes.

MR. MCGHIE: And Mr. Johnson, do
you take exception to that?

MR. JOHNSON: Yes. I do not accept, in full, the report of the registrar of voters.

MR. MCGHIE: And so at this point, if you could please state what you're taking exception to.

MR. JOHNSON: Okay.

MR. MCGHIE: And the reason why.

MR. JOHNSON: Gladly. On the Friday before last, I forget the date, but we met -- Mr. LaGue and I, and Ms. Brooks, and others, met for a, I guess, preliminary review and discussion of the report.

And we found some errors in the report, and I pointed them out to Ms. Brooks, and I thought, at that point, that she would address them and maybe correct them.

One such error was Ms. Brooks disallowed a full page of signatures, claiming that the circulator was invalid. I am the circulator for that particular page. It's page
three of my petition. She disallowed that page, and after I explained to her three of 28 --

CHAIRPERSON NICHOLS: Hold on.

MR. JOHNSON: Yes. Page three of 28, of the petition.

CHAIRPERSON NICHOLS: Three of 28.

Hold on.

(Pause)

MR. MCGHIE: Yes. Okay. And you wanted this --

MR. JOHNSON: If you'll look at the circulator affidavit, on the back of the page --

MR. MCGHIE: Yes.

MR. JOHNSON: Okay. I signed the affidavit. Damian and I were petitioning together, and in putting together the petition to submit it, to file it with the board, he inadvertently took a page that I had circulated, and he started filling out the affidavit.
When I discovered that it was my page, not his page, that's why I struck through his printed name and address, and put my printed name and my address, and signed the petition. That's why he did not sign it. Had he signed the petition, I would have just left it like it was. But he had not signed it, so -- and I was the one who actually, you know, submitted the petition.

So at the hearing, a couple a weeks ago, Ms. Brooks did indicate -- I can't remember if she said yes, she would, or no, she would not. But I took it as an indication that she would allow that, that she would take back that --

CHAIRPERSON NICHOLS: So then if we accept that, you're still 95 signatures short.

MR. JOHNSON: Okay.

MR. MCGHIE: Well, did you strike the whole page?

MS. BROOKS: Yes, because, you
know, as a circulator, there's only supposed
to be one person signs a petition page. That's
why I rejected it. And even if we were to give
any credit, it would only be for 14
signatures.

MR. MCGHIE: Fourteen?

MS. BROOKS: Yes.

MR. MCGHIE: Okay.

MS. BROOKS: Cause we do also
challenge --

MR. MCGHIE: Okay.

MS. BROOKS: -- the signatures on
that page, which I indicated in prehearing,
that those six were valid. So you still will
be one --

(Simultaneous speaking)


Sure. So you're still 101 short. Shall we
proceed.

MR. JOHNSON: Yes. Now throughout
Mr. LaGue's challenge, I counted 105 instances
of where he incorrectly claimed that the
signer was not a resident of D.C. And I think that that should be -- of course that was false, I think, in 105 instances, that the registrar -- that the signer was not a resident of D.C., or more specifically, according to the list of reasons, he put by 105 entries from the petition, that he put Section 1707.1 parentheses, M, end parentheses.

"The signer is not a registered voter in the ward from which the candidate seeks nomination at the time the petition was signed."

And because this is an at-large petition, any voter in the District of Columbia -- any Democratic voter is eligible to sign the petition. So he made that -- I don't know why he made that charge, but it's a false charge, and according to the history of this board, the history -- the board does not allow challengers to make false charges against -- on the petition.
CHAIRPERSON NICHOLS: Now state that again. What is the charge that he's making that's false? I want to be clear on --

MR. JOHNSON: He said that a 105 of my signatures, or my entries on the petition - the signer -- he said the signer is not a registered voter in the ward from which the candidate seeks nomination at the time the petition was signed.

MR. MCGHIE: So let me make sure I've got this right. Because they were not registered?

MS. BROOKS: Okay. What Mr. Johnson said, he cited Code M of 1607.1. But that's why I created this spreadsheet, to show Mr. Johnson that there were no -- we did not find any signatures in that category. But as part of our responsibility is, when we go through the challenges, that we're supposed to check everything.

So even if they were registered in the right ward, which did not apply for this
particular seat, we are to address whatever
issues that are valid challenges, which is
what we did.

So on that spreadsheet, you will
see everything that was challenged by Mr.
LaGue and our findings, and it's by each
category.

MR. JOHNSON: But I'm confused,
Madam Chair, because I don't know why that
point was brought up, and apparently it meant
a lot to Mr. LaGue, because he cited 105
times, that the signer was not a registered
voter in the ward.

CHAIRPERSON NICHOLS: Well, if
they're not a registered voter, at all, it
doesn't matter, whether it's in the ward or in
the city, is not a registered voter, and we
cannot give you credit, to my thinking, for
that. If they're not a registered voter, how
are we supposed to credit that?

This is not going to be done. Let
me -- I can tell you. I'm not sure what the
history of this board has been in the past.

But on a technicality, I would never give you credit.

MR. MCGHIE: Well, I could you tell you the history -

CHAIRPERSON NICHOLS: Let me finish.

I would never give you credit on a technicality for the way a person raised a challenge, especially if that person is not a registered voter at all. So that ain't going to work. That ain't going to work with me. It's not a technicality. They're not registered voters. You can't do anything with that.

MR. JOHNSON: Okay.

CHAIRPERSON NICHOLS: Okay. So are you done? Do you have -- let me ask you this. Instead of arguing the negative, can you come up with a 101?

MR. JOHNSON: I didn't try, because I, again, based on the history of this board -
- I know that the composition of the board has changed. But I have decisions of this board, that shows that they dismiss challenges on technicalities. But -

(Simultaneous speaking)

CHAIRPERSON NICHOLS: I'm not like that. To that degree.

MR. JOHNSON: Well, I kept -

(Simultaneous speaking)

CHAIRPERSON NICHOLS: You have a copy of a decision -- let me finish -- I don't know if. Just let me -- do you have copies of a decision with this board, if I'm following you correctly, on a technicality, gave a person seeking access to the ballot, credit for individuals who were -- who signed a petition but were not registered voters in the District of Columbia?

MR. JOHNSON: I have a decision in which this board -

CHAIRPERSON NICHOLS: No. Another board. Not this board.
MR. JOHNSON: But I have a copy in which this -- and in which this board gave -- disallowed some challenges because the challenger inadvertently wrote the challenge on the wrong line. He meant, for example, to write on line 19, but instead, he wrote on line 20.

CHAIRPERSON NICHOLS: And they disallowed that.

MR. JOHNSON: And the board disallowed it.

CHAIRPERSON NICHOLS: Yes.

MR. JOHNSON: And I have copies of --

CHAIRPERSON NICHOLS: Yes. But you're not answering my question. My question was: On a technicality, have -- do you have a decision where this board, or any prior board, gave credit to signatures of individuals who were not registered voters, that were challenged on a technicality, said that they were not registered to vote in a ward, when,
in fact, in a ward, in a city, but that they
got -- that they got credit for that because
they said they weren't registered to vote. And
just in a ward instead of just registered to
vote.

Do you have an opinion, an order?

MR. JOHNSON: No. I don't.

CHAIRPERSON NICHOLS: Okay. I
didn't think so. So, really, that is what I'm
asking you to tell me, whether on a
technicality -- and I don't think you can
produce that. I don't -- I have a great faith
in individuals who have sat on this board,
that they would not credit a candidate with
anyone who signed a petition that was not a
registered voter in this jurisdiction, simply
because the challenger did not use perfect
termination to make the challenge.

The fact of the matter is, at

bottom, they are not a registered voter in the
District of Columbia, and because they aren't,
then you cannot get credit for that. There is
nothing, at this point, to cure that. If the
address was wrong, then you would certainly
have a chance to cure that. If they had given
you an address that was different from what is
in our records, then you have ten days to go
back to them and get them to do a correction.

MR. JOHNSON: Change.

CHAIRPERSON NICHOLS: Change of
address. But once -- if they're not
registered, we have to wait, now, until the
rolls are opened up, because the voter rolls
are closed to new registration for this
election. And you would have to wait -- well,
okay --

MR. JOHNSON: To change the
records.

CHAIRPERSON NICHOLS: To change
your address. Yes. I mean, you could still
register to vote, but to change your address -
- that process is closed now. So you would
have to wait until after the primary to go
back to that.
So there is nothing that -- so you're, at this point, if I give you credit for the twenty --

MR. JOHNSON: Fourteen.

CHAIRPERSON NICHOLS: I mean the fourteen -- you're still 101 short. I'm trying to -- you know, we can just take your argument, but the argument for the 105 is not working.

MR. JOHNSON: May I make --

CHAIRPERSON NICHOLS: Certainly.

MR. JOHNSON: -- one more statement? And one question?

CHAIRPERSON NICHOLS: Yes, sir.

MR. JOHNSON: The one more statement is I see a double standard here, and the question is: Does this affect my candidacy for Ward 1 committeeman for the Democratic State Committee?

MS. BROOKS: No; it does not.

CHAIRPERSON NICHOLS: But the at-large piece. What is the -- Ward 1 is two?
MS. BROOKS: Ward 1 is -- they vote for two members of the ward.

CHAIRPERSON NICHOLS: Okay. So you don't have to do a nominating petition.

MS. BROOKS: Well, he did nomination -

(Simultaneous speaking)

CHAIRPERSON NICHOLS: He made that.

MS. BROOKS: And he made that.

CHAIRPERSON NICHOLS: Yes. But for the at-large -

MS. BROOKS: That doesn't affect that at all.

CHAIRPERSON NICHOLS: Mr. LaGue, do you have any questions?

MR. LAGUE: I do not.

CHAIRPERSON NICHOLS: All right. Thank you, Mr. Johnson. Are there any other questions that you had? You said you had two. You had a double standard. What's the double standard?
MR. JOHNSON: Well -

CHAIRPERSON NICHOLS: And an
observation, I think.

MR. JOHNSON: So -- but what does the board do now?

CHAIRPERSON NICHOLS: The board will issue an order, but you will not -

MR. JOHNSON: When will that be issued?

CHAIRPERSON NICHOLS: I'm not sure, but within the next five days. But I think now you have -- for the at-large race, you have fallen short 101 signatures of the number required, by law, which is 500. You are -- 500. And you are at three eighty -

MS. BROOKS: Eighty-five.

CHAIRPERSON NICHOLS: 385. We gave you credit for fourteen. That brings you to 599.

MR. JOHNSON: 399.

CHAIRPERSON NICHOLS: 399. I'm sorry.
Wouldn't it be great to have that kind a math. You are 101 short. And so you -- for your slate, will not gain access to the ballot for at-large committeeman.

MR. JOHNSON: Well, the reason I ask that is that I understand, from -- Ms. Brooks said two weeks ago, that in order to take this matter to the D.C. Court of Appeals, that it has to be filed by the 6th of February.

CHAIRPERSON NICHOLS: Yes. We'll have the order out long before then. It'll probably be out, probably by, if not the end of the day, certainly tomorrow. You can run --

MR. JOHNSON: Okay.

CHAIRPERSON NICHOLS: Yes. We'll give you plenty of time to go to Superior Court to file any challenges that you --

MR. JOHNSON: Not the Superior Court. D.C. --

CHAIRPERSON NICHOLS: Court of
Appeals. Whatever court is, you know, the proper -- has the proper jurisdiction. We'll give you plenty of time to go there and file your appeal. Okay?

MR. JOHNSON: Okay.

CHAIRPERSON NICHOLS: Thank you so much. Thank you, Mr. LaGue.

MR. LAGUE: May I add --

CHAIRPERSON NICHOLS: Yes, sir?

MR. LAGUE: This may -- I don't know if I can only ask questions of the board, or if I can also address a question --

CHAIRPERSON NICHOLS: Through the Chair.

MR. LAGUE: Through the Chair.

Whether there is an intention to seek an appeal.

CHAIRPERSON NICHOLS: Is there an intention to seek an appeal?

MR. JOHNSON: I will let the appropriate people know when I make any decisions.
CHAIRPERSON NICHOLS: All right.

All right. This particular hearing is adjourned. Thank you both.

(Whereupon, at 2:31 p.m., the hearing was adjourned)
CHAIRPERSON NICHOLS: All right.

Our next is a challenge to the nominating petition of Jacqueline Manning, candidate for 5, Member of the Council.

Ms. Manning, where is your challenger?

Okay. All right. Mr. McGhie, can you give us the details of this.

MR. MCGHIE: Again, this is a challenge brought pursuant to D.C. Code Section 1-1001.08.

It's a challenge to the petition submitted by Jacqueline Manning, a candidate for the office of Ward 5, Member of the Council. The challenge was brought by Mr. Steven Motley.

Beginning with the candidate, would you please state your full name and address for the record.

MR. MCGHIE: And Mr. Motley, would you state your full name and address for the record.

MR. MOTLEY: Yes. My name -- good afternoon.

CHAIRPERSON NICHOLS: Good afternoon.

MR. MOTLEY: My name is Steven C. Motley, Sr., and my address is 1104 23rd Street, N.E., Apartment 109.

MR. MCGHIE: And Ms. Brooks, have you prepared a preliminary determination on this challenge?

MS. BROOKS: Yes. I have.

MR. MCGHIE: And could you please state your report for the board.


That petition was posted for
public inspection for ten days, as required by law. The petition was challenged on January 13th, 2014, by Steven Motley, a registered voter in the District of Columbia.

My preliminary review of the petition challenge indicates that Ms. Manning submitted a total of 385 signatures. The minimum requirement to obtain ballot access for this office is 250 signatures.

Challenger Steven Motley filed a challenge with a total of 188 signatures, enumerated by line and page number on individual challenge sheets filed for each petition page.

Petition signatures were challenged pursuant to Title III DCMR, Section 1607.1, of the board's regulations under the following grounds.

The signer's not a duly-registered voter. The signer, according to the board's records, is not registered to vote at the address listed on the petition at the time the
petition was signed. Provided that a address
on a petition was different from the address
which appears on the board's record shall be
seemed valid if the signer's current address
is within the boundaries from which the
candidate seeks nomination. And the signer
filed a change of address form with the board
during the first ten days following the date
on which the challenge to the nominating
petition is filed.

The signature's a duplicate of a
valid signature. The signature's not dated.
The signer's voter registration was designated
as inactive on the voter roll at the time the
petition was signed.

The petition does not include the
name of the signer, where the signature's not
sufficiently legible for identification. The
signature's not made by the person whose
signature it purports to be. The signer is not
a registered voter in the ward or same member
district from which the candidate seeks
nomination at the time the petition was signed on a nominating petition to nominate a challenge in a primary election. The signer's not registered to vote in the same party as the candidate at the time the petition is signed.

My review of the petition challenge indicates that a total of 56 of the 188 signatures are valid. This leaves the candidate's nominating petition with 329 signatures, 79 signatures over the number required for ballot access.

Also Ms. Manning filed two change of addresses form with the board on the date of the hearing, which would give her 81 signatures over the number required for ballot access.

MR. MCGHIE: And at this point the registrar of voters is recommending that Ms. Manning be given ballot access as a candidate for Ward 5 member of the Council, having collected 81 signatures over the required 250
signatures needed for ballot access.

Ms. Manning, do you accept the
report of the registrar of voters?

MS. MANNING: Yes. I do.

MR. MCGHIE: And Mr. Motley, are
you taking exception to that report?

MR. MOTLEY: Yes; yes. I definitely
take an exception to that.

MR. MCGHIE: And would you please
state your basis for taking exception, and
what it is.

MR. MOTLEY: Yes; yes. Number one,
I take an exception to that. It was one
voter, in particular. It was page seven, line
19. There's a note -- and I realize that the -
- that the voter is a registered voter.
However, there was no proof that that was
actually her signature, because I had found
information that this actual voter doesn't
even live in the District. She's been living
in North Carolina.

But I had no -- and page seven,
MR. MCGHIE: Hold on. Page seven, line 19?

CHAIRPERSON NICHOLS: Hold on. We're trying to follow you.

MR. MCGHIE: Page seven, line 19.

CHAIRPERSON NICHOLS: Okay; okay. Let's read this name. Willodeen Quattlebaum.

MR. MOTLEY: Correct.

CHAIRPERSON NICHOLS: And was that challenged?

MR. MCGHIE: Yes; it was challenged.


MR. MOTLEY: She's, in fact, is a registered voter. However, that is not her signature. Not only that. I have nothing to compare it to, because on this from the Board of Elections, I have nothing to compare it to.
It's -- it's been blacked out. I have nothing, you know, a record -

              CHAIRPERSON NICHOLS: That's a copy.

              MR. MOTLEY: Right; right.

              CHAIRPERSON NICHOLS: I can't speak to -

              MR. MOTLEY: And there's no record for me to -

              CHAIRPERSON NICHOLS: We can see it here.

              MR. MOTLEY: -- to compare signatures.

              CHAIRPERSON NICHOLS: Well, we can see it. We can see it in this copy, that we have, and -

              MR. MOTLEY: She's in North Carolina.

              CHAIRPERSON NICHOLS: She is in North Carolina?

              MR. MOTLEY: Yes.

              CHAIRPERSON NICHOLS: So okay.
We'll give you that one. We'll give you that one.

MS. MANNING: How are you giving it?

MR. MCGHIE: I said if -

CHAIRPERSON NICHOLS: If we -

MS. MANNING: Oh. I didn't hear the "if."

(Simultaneous speaking)

CHAIRPERSON NICHOLS: Actually -

MS. MANNING: You understand how he's making a statement saying that she is in North Carolina.

(Simultaneous speaking)

CHAIRPERSON NICHOLS: Well, I could -- if you look at the signature, his suggestion that this signature is not the same, it does have merit, simply because of the way she does her q's. I mean, we wouldn't conduct a further investigation into this.

MR. MOTLEY: Okay. Again, I reemphasize that's not her signature. She's in
North Carolina.

CHAIRPERSON NICHOLS: Okay. Moving right along.

MS. MANNING: She's in North Carolina, her signature changed.

MR. MOTLEY: You want to speak up.

CHAIRPERSON NICHOLS: Well, she can. She has -

(Simultaneous speaking)

MR. MOTLEY: Okay. Sure; sure. That's what I'm saying.

MS. MANNING: So you've got to prove that she -

CHAIRPERSON NICHOLS: Let me say this. I'm dictating that you don't talk to her, except through me. You don't talk to him, and you don't tell me what the procedure is. Understand this. I'm not having any, you know, quibbling going on here with each other. I'm not having it.

She's got, how many? 81, 80 signatures more than she needs. You are the
one that has the burden of proof to go here.  
And I'm not going to sit here and go through  
signature by signature. That should really  
have been done in the prehearing.  

I should be here, at this point,  
hearing some very persuasive arguments. I'm  
not going to sit here and go through signature  
by signature.  

You understand that? That is not  
my role.  

MR. MOTLEY: Okay.  

CHAIRPERSON NICHOLS: So if you've  
got problems, you need to go on and put them  
in categories, cause I'm not going to go  
through a line by line with you at this point.  
That should have been done with Mr. McGhie and  
his attorneys at the prehearing. And here we  
should be dealing only with issues at a very  
summary level.  

MR. MOTLEY: Okay.  

CHAIRPERSON NICHOLS: Okay. Now  
what are you going through now?
MR. MOTLEY: Okay. Now I just
heard you said I should be dealing with issues
on a very summary level.

CHAIRPERSON NICHOLS: Summary
level. So if you've got categories --

MR. MOTLEY: Okay. So -- okay.

Now let's get to categories. How's that?

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: Okay. Now when the
petitions were handed over to me for
challenging, it's on record, that it was 15
petitions that were handed over to me for
challenge. Now that's what was handed over to
me. Fifteen petitions.

MS. BROOKS: Okay.

MR. MOTLEY: Okay. Fifteen
petitions, if my math is correct, is 300
signatures.

CHAIRPERSON NICHOLS: Fifteen
petitions. I'm not --

MR. MOTLEY: That -- that was not
my error.
MS. BROOKS: Ms. Manning submitted seven supplemental petition pages.

CHAIRPERSON NICHOLS: Seven supplemental?

MS. BROOKS: Yes.

MR. MOTLEY: Okay. I'm getting to that. First, I just want to deal with the fifteen.

CHAIRPERSON NICHOLS: Plus supplemental.

MS. BROOKS: Yes.

MR. MOTLEY: That equals that. Okay. You say go through you; right?

CHAIRPERSON NICHOLS: Yes.

MR. MOTLEY: Okay. So now I'm going to keep my attention towards you.

CHAIRPERSON NICHOLS: That's right.

MR. MOTLEY: So that's the instructions that you gave me.

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: Okay. So therefore, 15
petitions equal 300 signatures. That's what was given me to examine. Now Ms. Brooks just verified that 56 of those challenges were in fact upheld.

Now 56 from 300 leaves a total of 244 signatures, which means Ms. Manning does not qualify for ballot access. Okay. Can I continue?

CHAIRPERSON NICHOLS: Yes. You can.

MR. MOTLEY: Now I believe someone just stated that there was seven petitions, somewhere out there. Now the big problem that I have with that is I was not given any kind a opportunity to examine, or, you know, to object, challenge, any of those 85 signatures. Now I do realize that you just stated, very clearly, that you are in charge, and this is your -- you know -- your board and your hearing.

However, at this time, this is just my suggestion as a remedy. That I ask
the Board of Elections and Ethics to either

give me an opportunity to examine those other
seven petitions, and their signatures, or B,
eliminate and dismiss all 85 of 'em since they
were not -- I did not have any kind a
opportunity to examine 'em. I didn't even know
they existed.

CHAIRPERSON NICHOLS: Ms. Manning.

MS. MANNING: I disagree with
that, cause he had the opportunity, with all
that was sent in the day -- when everything
was turned in, on January 2nd, was the last
day. So he had ample opportunity to look over
all those signatures. When I came down and got
my disk, everybody's signatures, whoever was
out there, you can get those.

So he only selected what he
wanted. From my understanding, when you
request for signatures, Board of Elections
only give you what request for. So he did not
ask for that.
Even that day in the hearing,

which he -- that's not the first time he's

hearing what she said. He has a copy of that

statement.

CHAIRPERSON NICHOLS: Okay.

MS. MANNING: He had the

opportunity, then, to make that, and he did

not say anything at that prehearing.

CHAIRPERSON NICHOLS: When did you

request the petition?

MR. MOTLEY: Oh. On the 13th of --
on the 13th, the day that I did the initial --
on the day that --

CHAIRPERSON NICHOLS: No, no, no,

no. The petitions had to be filed on January

2nd.

MS. MANNING: 2nd. Was the last
day.

CHAIRPERSON NICHOLS: On January

2nd.

MR. MCGHIE: And he challenged on

the 13th.
CHAIRPERSON NICHOLS: And you --

so you challenged on the 13th.

MR. MOTLEY: Right. And I had no

knowledge whatsoever --

CHAIRPERSON NICHOLS: And did you

--

MR. MOTLEY: -- that there was --

that there was seven additional pages of

petitions out there.

CHAIRPERSON NICHOLS: But you

would have gotten everything.

MR. MOTLEY: No. I've only

received, and it should be a matter of record.

Now this shouldn't be anything that just

floating around. This is a matter of record,

that I only in fact received 15 --

MR. MCGHIE: Petitions.

MR. MOTLEY: -- petitions. That -

- that is a matter of record.

MR. MCGHIE: Well, all of her

petitions should have been posted for a 10 day

challenge. So -
CHAIRPERSON NICHOLS: All of them.

MS. BROOKS: All of them.

CHAIRPERSON NICHOLS: That is standard practice. All of them. Nothing is not posted. It is incumbent upon you to pick the signatures to review. Everything is posted. Everything. Everything. We don't get involved with deciding which -- you know -- or how many, or what. All of this is posted online. I will look at it further Mr. Motley.

MR. MOTLEY: Again, I could only review what I had -

CHAIRPERSON NICHOLS: But we don't pull those sheets down, do we?

MS. BROOKS: No. They come in to the office and they request a copy of petitions to review. We give them everything we have on file.

CHAIRPERSON NICHOLS: Right.

MS. BROOKS: And Mr. Motley -

MR. MOTLEY: Exactly.
MS. BROOKS: Excuse me. Mr. Motley may have, did not missing any of this in the prehearing.

CHAIRPERSON NICHOLS: And so I'm not going to take it up now. I'm not going to take it up now. This is not a hearing of new issues. You have to process these through our prehearing process, and then when you're not satisfied with that, then you come to the board. You know, I'm a one-person hearing. Then you go to the full board, if you're not satisfied. But -

MR. MCGHIE: Perhaps for the record, the registrar of voters should state what the process is -

CHAIRPERSON NICHOLS: Yes.

MR. MCGHIE: -- of posting nominating petitions, which should include the initial filing and any supplemental filings. So -

(Simultaneous speaking)

CHAIRPERSON NICHOLS: And, really,
the -- let me, let me-let me just -- just say this. And then you can -- you can say. Any initial filing would have occurred prior to January 6th, and every final filing had to have occurred on January 2nd. Nothing else would come in, that we would recognize after January 2nd. And those petitions had to be published for public review. All of them, supplemental and everything. So I will look in to this. But you should have gotten everything --

         MR. MOTLEY: And again, I did indeed ask for all -- all Jacqueline Manning petitions, and I was given --

         (Simultaneous speaking)

         CHAIRPERSON NICHOLS: And this was on January 13th, you came in to challenge the --

         MR. MOTLEY: Correct.

         CHAIRPERSON NICHOLS: And when was the last day.

         MS. BROOKS: That was the last
day.

CHAIRPERSON NICHOLS: That was the last day.

MS. BROOKS: That was the last day.

CHAIRPERSON NICHOLS: I really wish you had come in earlier. That would have helped.

MR. MOTLEY: I do want to be fair about --

(Simultaneous speaking)

CHAIRPERSON NICHOLS: But -- well, we are trying to be fair. Yes, sir. We are trying to be fair.

MR. MOTLEY: And I want to be fair about this.

CHAIRPERSON NICHOLS: Yes.

MR. MOTLEY: Now can I go to my final point?

CHAIRPERSON NICHOLS: Yes, sir.

MR. MOTLEY: But I really wish you would -
(Simultaneous speaking)

CHAIRPERSON NICHOLS: We will look in to that. Yes.

MR. MOTLEY: I just want to be fair about the ballot, so -- and last but not least, I find it somewhat curious that -- what Ms. Brooks was saying -- oh, yes, and I've been trying to get those seven, because I just have a question to ask. I had called Mr. McGann. I had called Mr. McGann --

CHAIRPERSON NICHOLS: Yes, sir.

MR. MOTLEY: -- on the phone. And I had asked Mr. McGann his -- the camera's working over in the election office. I really did ask him that. You know, I made a special call. And he -- because I made some "observations," would be the correct term.

Okay.

And going back to those observations, back on the day of the prehearing, I observed something that, you know, kind a -- that someone, I'll say, just
got my attention. Ms. Manning and Ms. Brooks were being rather, you know, "chummy-chum."

When I'm saying chummy-chum, way over the ordinarily -- you know -- like shaking hands, and giving the "thumbs up." Okay. I can accept that. you know, I have no problem with that.

But as they dismissing like, you know, giving hugs, you know -- that, collectively, gives the wrong aura. It sends the wrong message. It makes me feel --

CHAIRPERSON NICHOLS: It does, Mr. Motley.

MR. MOTLEY: -- that I -- the appearance, that I was not being fair in this overall process, just as you just stated --

CHAIRPERSON NICHOLS: I wouldn't say it conveyed that --

(Simultaneous speaking)

CHAIRPERSON NICHOLS: -- but it is improper -

MR. MOTLEY: -- face that. So, you
know, that's where I really wish you would
look very closely at that other matter.

CHAIRPERSON NICHOLS: I will.

MR. MOTLEY: With this observation,
cause I find it very curious, why those
camera, all of a sudden, disappeared. Now --
so you could review the camera yourself, to
see this -

CHAIRPERSON NICHOLS: Yes.

MR. MOTLEY: All of sudden they
disappeared.

CHAIRPERSON NICHOLS: I'm going to
check into -

(Simultaneous speaking)

MR. MOTLEY: So that whole package
-- in consideration.

CHAIRPERSON NICHOLS: I'm going to
check in to all that, Mr. Motley.

MR. MOTLEY: Thank you very much.

CHAIRPERSON NICHOLS: And I do
agree that we have to maintain proper decorum.

And that is something we're going to work with
staff to improve. I've seen it at the board level, as well as with staff, that we don't, sometimes, maintain proper decorum with regard to our discussions with folks we might know.

MR. MOTLEY: So -- so --

CHAIRPERSON NICHOLS: Yes, sir?

MR. MOTLEY: So finally, I just wanted to very closely recap. 85 of them, I didn't know existed. And last, but not least, that was very inappropriate and sent out the wrong message, with that whole package we believe.

CHAIRPERSON NICHOLS: Now let me ask you something. How am I going to know that you did not get all of the pages, and somehow only stuck with, you know, the one through fifteen? How am I -- what evidence -- your burden. What evidence do you have, that you did not get?

MR. MOTLEY: Okay. The evidence that I have, the Office of Board of Elections, they filled out a paper where I signed on --
CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: -- the exact number

of pages -

CHAIRPERSON NICHOLS: Number of

pages that you got?

MR. MOTLEY: -- that I received.

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: You have my signature,

and on some paper.

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: The gentleman -- he's

not here.

CHAIRPERSON NICHOLS: All right.

I'll check with them. Ms. Manning, and then

Ms. Brooks, I want you to put on the record

what the standard procedure is for making

available petition challenges.

Yes, ma'am.

MS. MANNING: I'm working my way

back up from what he says.

CHAIRPERSON NICHOLS: Yes.

MS. MANNING: That day of the
13th, I -- yes, I did shake Ms. Brooks' hand; but I did not hug her. I do understand the code of ethics, and professionally in the environment where people are standing around. This gentleman kept following me around the -- the entire building, down to my car as we walked out.

(Simultaneous speaking)

CHAIRPERSON NICHOLS: Okay. Were you doing -

MS. MANNING: Yes. He walked down E Street. So he -

CHAIRPERSON NICHOLS: Were you following her?

MS. MANNING: Yes. He stood there and sat -

(Simultaneous speaking)

CHAIRPERSON NICHOLS: Was you following her?

MS. MANNING: He sat -

MR. MOTLEY: Of course not. The -
(Simultaneous speaking)

MS. MANNING: Now sir, it's -- ma'am. I'm sorry. He has to wait. I'm sorry.

MR. MOTLEY: Okay. I'm waiting.

CHAIRPERSON NICHOLS: Let her finish.

MR. MOTLEY: I'm waiting.

MS. MANNING: I'm sorry. He waited the whole time cause I stood there getting information based on the other cards that I turn in for the voter registration. So whatever he appears, that he thinks he saw, that's not what happened. I understand that, working in any other place. As far as those signatures, he under -- all that stuff was available. Based on the prehearing, and what happened, that -- that information that he's trying to bring forth now was not presented there.

CHAIRPERSON NICHOLS: Okay. I'm not going to take it up now.

MS. MANNING: And for me, and the
understanding of how the hearing went, if he
did not discuss it then, it should not be up
and this should not be tabled at this time.
As far as that signature, we know that people
handwriting change as they age. We all age and
different things happen. However, I just feel
that Mr. Motley is reaching, and wasting good
government time on the basis of what he's
making, is unnecessary, especially when he's
accusing an employee of something that she did
not do. And that's just--that's my--that's--
that's all I have to say.

MR. MOTLEY: Okay. Can I--

CHAIRPERSON NICHOLS: Yes, sir.

MR. MOTLEY: It's my turn. Okay. I
really wasn't going to go here with this, but
since--after what she just said, at least I'm
asking you to do this. At the very least,
before you make your decisions on them 85
signatures, I would like you, personally, to
take a very close look at those 85 signatures,
because I want going to be frank with you, and
I'm looking you in the eye.

If you look very closely, you will see that they were all signed by the same person, and they should be dismissed, and I wouldn't go--

[Simultaneous conversation]

CHAIRPERSON NICHOLS: Well, I can't hear that. That's not--no. I'm not going to do that, because--

MR. MOTLEY: Okay. Well, that's why I'm saying--

CHAIRPERSON NICHOLS: You should have raised that in the--

MR. MOTLEY: I didn't--

MR. MCGHIE: Mr. Motley. Mr. Motley.

MR. MOTLEY: I have nothing to go by. That was--

[Simultaneous conversation]

CHAIRPERSON NICHOLS: But how could you challenge them now?

MR. MOTLEY: Because the same
information--

CHAIRPERSON NICHOLS: Mr. Motley.

No, no, no, no, no, no. Mr. Motley, how could you challenge them now, if you've never seen them?

MR. MOTLEY: I don't have--I have--believe me--

CHAIRPERSON NICHOLS: No, no, no, no. Listen to me, please. How could you make a--an allegation like that, if you have not seen them? That is a serious--serious charge.

MR. MOTLEY: Right.

CHAIRPERSON NICHOLS: And my--

MR. MOTLEY: And I wasn't going to go there--

CHAIRPERSON NICHOLS: No, no, no, no, no. No, no, no, no, no. No.

How can you make that allegation, if you have not seen those petitions?

MR. MOTLEY: Answer?

CHAIRPERSON NICHOLS: Yes.

MR. MOTLEY: Cause one a the members in the community has--had come forward
and pointed out, and stated, yes--

[Simultaneous conversation]

CHAIRPERSON NICHOLS: That's some hearsay.

MR. MOTLEY: Okay. I'm just saying--

CHAIRPERSON NICHOLS: That's hearsay.

MR. MOTLEY: That's why I asked you to look for yourself.

CHAIRPERSON NICHOLS: That's hearsay.

MR. MOTLEY: That's why--so it won't become hearsay.

CHAIRPERSON NICHOLS: Did you see--well, we're not listening to that. Okay.

[Simultaneous conversation]

CHAIRPERSON NICHOLS: Thank you, Mr. Motley. Thank you so much.

MR. MOTLEY: And as far as--we did catch the elevator together. It just happened. But we happened to catch the elevator today.
And there's one exit, I went out. I live up by Carver Terrace.

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: So I went to my right, and I walked all the way to Union Station. You know.

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: That—that's what I did. But I never once--

[Simultaneous conversation]

CHAIRPERSON NICHOLS: Well, that's beyond the bounds of this--

MR. MOTLEY: I never opened my mouth to her--

CHAIRPERSON NICHOLS: --the jurisdiction of this board.

MR. MOTLEY: Okay. Okay. A accusation was made about--

[Simultaneous conversation]

CHAIRPERSON NICHOLS: Yes, and I let you respond. Yes, sir. I want you to have due process. At least you have--are entitled
to respond to that accusation. Now Ms.
Brooks, would you please put on the record the
process for challenging petitions, and for
making those petitions available for
challenge, and how that works.

MS. BROOKS: Okay. On or about
January 2nd, all petitions became available
for doing the challenge group, beginning on
Saturday, January 4th, through Monday, January
13th. At that time we make all petitions
available on hard copy, and we make make--scan
them for CD. Any registered voter can come in
and review the petitions, and the sign-in
sheet, and tell us which petitions they're
reviewing, and take them to the computer, and
just look at them. Or they purchase them. So
Mr. Motley had the same opportunity, as any
other registered voter, to come in and review
Ms. Manning's petition, or any other candidate
that's running for those elections.

CHAIRPERSON NICHOLS: So Mr.
Motley came in--I don't--I'm still not--
MS. BROOKS: We'd have to pull the sign-in sheet for you.

CHAIRPERSON NICHOLS: Yes, please.

MS. BROOKS: Okay.

CHAIRPERSON NICHOLS: And then he can either purchase a copy of those petitions, or he can look at them on our computer. Did you purchase a copy?

MR. MOTLEY: No; no.

CHAIRPERSON NICHOLS: So you looked at them on our computer?

MR. MOTLEY: No. I--

[Simultaneous conversation]

CHAIRPERSON NICHOLS: How did you get--

MR. MOTLEY: I didn't say that I looked at them. I said that I did, in fact-- and you have my signature on that. I signed. I did ask for everything, and, you know, from the, you know, desk, and I was given 15 petitions, and told me that--that that's--

CHAIRPERSON NICHOLS: Do we hand--
oh, yes, you said we give out a hard copy.

MR. MOTLEY: You should have that information.

MS. BROOKS: Well, unfortunately, on the form, it does not indicate how many petition pages each candidate is given at the time they ask for them. We just have you sign your name, and state whose candidate petitions you're reviewing.

MR. MOTLEY: No. They told me -- he had one of fifteen. Yeah. Where I signed my-- there was a form that stated I received 15 petitions.

MS. BROOKS: I have to--

[Simultaneous conversation]

MR. MOTLEY: That I signed--

MS. BROOKS: -- that, cause I'm almost sure--

MR. MOTLEY: Yeah. There was a form.

MS. BROOKS: That's not-- on that sign-in sheet, it indicates the date that you
review them, the candidate's name--the person
that's reviewing the petition, and the
candidate's name, the time you take them out,
and the time you return them.

MR. MOTLEY: No--

MS. BROOKS: We do not indicate
how many petition pages each can--you're
taking out when you're reviewing them.

MR. MOTLEY: No. This--

MS. BROOKS: We give you ev--

excuse me, Mr. Motley. We give you everything
that's on file.

CHAIRPERSON NICHOLS: Mr. Motley,
please. Please.

MS. BROOKS: And if you did not
receive all of Ms. Manning's petitions, I was
not aware of that, and you--again, you did not
point it out at the prehearing.

CHAIRPERSON NICHOLS: So, you
know, Mr. Motley--and I'm just--Ms. Manning
only needed 250 signatures; right?

MS. BROOKS: Yes.
CHAIRPERSON NICHOLS: Even if you didn't see the supplemental, the additional sheets--

MR. MOTLEY: Which--which--which number are you talking about? Eighty-five?

CHAIRPERSON NICHOLS: Uh-hmm.

MR. MOTLEY: Uh-hmm.

CHAIRPERSON NICHOLS: The 85.

MR. MOTLEY: Right.

CHAIRPERSON NICHOLS: There's no basis for us to throw out that--

MR. MOTLEY: Yeah, because that means there were 244--

CHAIRPERSON NICHOLS: No. No, no, no, no. That doesn't--that's not--

MR. MOTLEY: How does it not? She upheld 56 of them.

CHAIRPERSON NICHOLS: No. You're not following.

MR. MOTLEY: I'm figuring the math.

CHAIRPERSON NICHOLS: You're not following what--
MR. MOTLEY: I'm making out the math.

CHAIRPERSON NICHOLS: You're not following what I'm saying. Okay? I'm not doing math at this point. I'm trying to get you through. You say you did one to fifteen, and that there are seven additional petitions out, with approximately--

MR. MCGHIE: The total number of signatures comes out to 385.

CHAIRPERSON NICHOLS: Yes. But--

MR. MCGHIE: She said 56.

CHAIRPERSON NICHOLS: And that leaves her with--

MR. MCGHIE: 329.

CHAIRPERSON NICHOLS: 329. But he's saying that there are--

MR. MCGHIE: 85--

CHAIRPERSON NICHOLS: --85 on the so-called, you know, "mystery petitions" he did not get a chance to review. And you're assuming that every one of those signatures is
invalid, which is most impossible. I would think it is— that there have to be at least five valid, or six valid signatures on-- within that eighty-five. Let’s just hypothetically— let me finish. Don’t say-- don’t say nothing now, cause you’re trying to confuse me. I know.

So if we follow your logic, that if you back out the 85, and that leaves her with 244, all she needs is six from that— really, you cannot— because there’s no basis to deny her the entire eighty-five. There’s no basis. You’ve given us no basis. There is no basis. So even if we just went through those, and tried to find invalid signatures, she’d still have 250.

What is the basis for us throwing those out? Cause you didn’t see them?

MR. MOTLEY: No.

CHAIRPERSON NICHOLS: What’s the basis, though? See, we’ve got to have a basis for throwing them out.
MR. MOTLEY: I understand, clearly.

Not only do I understand clearly, I understand crystal clearly. I--I don't know what word to use. I don't think beg would be that understandable or correct. But implore you, or something, that you take a look at these 85 signatures, and look at them very closely.

And I'm more than sure that, and closely examine the whole batch--

CHAIRPERSON NICHOLS: The whole batch. Okay. All right.

MS. BROOKS: We have the supplementals here.

CHAIRPERSON NICHOLS: Okay. Yes.

Let's look at them right now. And please go find that--


CHAIRPERSON NICHOLS: Yes, please.

MR. MCGHIE: Oh, the sign-in sheet?

I think this is the 15 pages.

CHAIRPERSON NICHOLS: Oh. Page--15
MR. MCGHIE: That he challenged.

CHAIRPERSON NICHOLS: Oh.

CHAIRPERSON NICHOLS: This is not--
-Mr.--and let me say--yes. Thank you. The
sign-in sheet. You misread, apparently, "a
challenge containing 15 pages." So you're
saying from this we have to read in that there
were seven pages you didn't get?

MR. MOTLEY: And I'm not--not only
at that point.

CHAIRPERSON NICHOLS: "I
acknowledge receipt of the following items--

[Simultaneous conversation]

MR. MOTLEY: When I came down--when
I came down and actually found, you know, the
challenge for--

CHAIRPERSON NICHOLS: Yes.

MR. MOTLEY: --the prehearing, at
that point I also asked is there anything
else, and I signed a document saying that was
it, and there was 15 pages. There was a
letter. I signed that. I'm not only referring to the sign-in sheet.

CHAIRPERSON NICHOLS: Okay.

MR. MOTLEY: When I actually filed, you know, the--the legal filing. At that point, I also request. And I signed--signed a paper, and it was on that document that--that said I was given one of 15 petitions.

CHAIRPERSON NICHOLS: But this is the only thing that you signed in our office.

MR. MOTLEY: Can--can--is it okay if I see that? Because there was another document at the time I filed for it. Is that just a sign-in sheet? Because--

CHAIRPERSON NICHOLS: Challenge.

Yes. I see. And this is--you're right.

MR. MOTLEY: Okay; okay.

[Simultaneous conversation]

CHAIRPERSON NICHOLS: Yes. You signed two documents.

MR. MOTLEY: Okay; okay. So now you see it. Now you can see.
CHAIRPERSON NICHOLS: Yes.

MR. MOTLEY: Is that--

CHAIRPERSON NICHOLS: Well, the--

MR. MOTLEY: Will that be put on record?

CHAIRPERSON NICHOLS: One is the challenge receipt. Really, this is--

MR. MCGHIE: Just saying you submitted.

CHAIRPERSON NICHOLS: Just saying that you submitted 15 pages. It doesn't say how many pages you got. It doesn't say how many pages you got. It just says how many pages you submitted for challenge.

MR. MOTLEY: Okay. And I--

CHAIRPERSON NICHOLS: See, in other words--

MR. MOTLEY: That I had--

CHAIRPERSON NICHOLS: But--but--

MR. MOTLEY: You know--

CHAIRPERSON NICHOLS: Well--but
you have no evidence. I can't say that you
didn't get everything. I can't say that. I
can't make that leap from here. You see what
I'm saying? I will look at it--

MR. MOTLEY: Okay. So--

CHAIRPERSON NICHOLS: --but I
can't make that leap.

MR. MOTLEY: Okay.

CHAIRPERSON NICHOLS: Yes, ma'am,

Ms. Manning?

MS. MANNING: I object to the
reviewing of those signatures because--

MR. MOTLEY: I bet you do.

CHAIRPERSON NICHOLS: Mr. Motley.

Let's maintain proper decorum. See--no, no,
no, no. See, you're talking about somebody
else's decorum. You have to maintain your--

MR. MOTLEY: My apology--

CHAIRPERSON NICHOLS: You cannot--

MR. MOTLEY: --to the board.

CHAIRPERSON NICHOLS: Yes. You
cannot--
MR. MOTLEY: My apology to the board.


MS. MANNING: I object.

CHAIRPERSON NICHOLS: And then we're going to call this to an end, because I think we have--

MS. MANNING: Yes, cause I object to that--

CHAIRPERSON NICHOLS: Yes.

MS. MANNING: --because he's--his--whatever he's trying to accomplish is not working, and to go over those signatures, which he was supposed--again, the prehearing--and we're here, and his--

CHAIRPERSON NICHOLS: Right. We cannot raise this now--

MS. MANNING: But he has no evidence to say--

CHAIRPERSON NICHOLS: Exactly.

MS. MANNING: --that the other
signatures, of what he submitted,—

               CHAIRPERSON NICHOLS: Exactly.

               MS. MANNING: --what he wanted, is
               not for the board to tell him what to get. He
               wrote--he put down what he wanted--the one
               through fifteen. So that's what he submitted.

               CHAIRPERSON NICHOLS: Uh-huh.

               MS. MANNING: And he had to also--
in his past statement, he just said he--he
knows, he saw those other doc -- other sig --
one through seven. So I totally object to
what's going on right here, because there's
not--there's no grounds for it.

               CHAIRPERSON NICHOLS: You have no
               ev--you do not have any--the one thing you
               have evidence of is Willodeen Quattlebaum. But
               you have no evidence of anything else.

               MR. MOTLEY: I never seen those
               signatures.

               CHAIRPERSON NICHOLS: But that--
               we'll look at that--

               [Simultaneous conversation]
MR. MOTLEY: I never seen those. So since you--

CHAIRPERSON NICHOLS: Okay. Well, that was not raised--that was not raised in the--

MR. MOTLEY: --it can be seen that they had been signed by the same person. Now you have it in your hand, so you can see that it's signed by the same person.

MR. MCGHIE: I just wanted to make--

MR. MOTLEY: Okay.

MR. MCGHIE: One thing I would like Rudy, Mr. McGann to do, is to put on the record what exactly was challenged at the prehearing and what was not challenged at the prehearing. And the only reason I suggested that we look at the petitions is because you said on the face of these petitions, you can tell that there's forgery. So we--the board should be able to look at the face of this, and see whether or not there appears to be
forgeries without looking at it.

MR. MOTLEY: Okay. That sounds fine. Okay; okay.

MR. MCGANN: Rudolph McGann, staff attorney with the Board of Elections. At the prehearing conference held last week, the issue of page seven, line 19, was not raised. The issue regarding the 85 petitions, or the seven petition sheets, rather, was not raised. The one thing that was raised, after-- subsequent to the prehearing, and the only reason why it was raised subsequent to the prehearing is because the conduct that was complained of happened after the prehearing conference, was the fact that Mr. Motley complained about the hug that he perceived in the offices after the prehearing. But none of these matters that have been raised today were raised at the prehearing.

MR. MOTLEY: Can I say something, please?
CHAIRPERSON NICHOLS: No, sir.

We're done. We're done. Thank you both. We will issue an order, promptly, on this matter. Having no other business before us, it is 3:09. This meeting is hereby adjourned.

[Whereupon, at 3:09 p.m., the Special Board Meeting was adjourned]
| 23rd | 29:9 |
| 244 | 1:6 65:13 |
| 67:10 |
| 250 | 30:9 32:22 |
| 64:21 67:16 |
| 27 | 1:9 |
| 27th | 3:9 |
| 28 | 2:12 11:2,6,7 |
| 280 | 1:10 3:11 |
| 29 | 2:15 |
| 2nd | 6:9 42:13 43:16 |
| 43:17,20 47:5,7 |
| 61:7 |
| 3 | 7:9 |
| 3:09 | 77:5,6 |
| 300 | 39:17 41:1,5 |
| 312 | 1:5,17 |
| 31st | 29:17 |
| 329 | 32:10 66:15,16 |
| 33 | 2:18 |
| 385 | 9:2 24:17 30:7 |
| 66:10 |
| 399 | 24:20,21 |
| 4 | 441 | 1:11 |
| 4th | 1:11 61:9 |
| 5 | 5:2:11 3:20 28:4,14 |
| 29:21 32:21 |
| 500 | 7:2 24:14,15 |
| 528 | 6:22 |
| 56 | 32:8 41:3,5 |
| 65:17 66:12 |
| 599 | 24:19 |
| 6 | 6:2 |
| 626 | 5:14 |
| 6th | 25:9 47:4 |
| 7 | 77 | 2:20 |
| 79 | 32:11 |
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Special Board Meeting

Before: BOE

Date: 01-27-2014

Place: Washington, D.C.

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

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Court Reporter