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January 11, 2008

Mr. William J. Risner
RISNER & GRAHAM
100 N. Stone Avenue, Suite 907
Tucson, Arizona 85701

Re: *Democratic Party of Pima County v. Pima County Board of Supervisors*
Pima County Superior Court Cause No. C20072073

Dear Bill:

I write in response to your letter of January 10, 2008, which I received after the close of business. Per your request, I have forwarded the same to Dr. Moffatt for his review. This letter sets forth his response.

We agree to the release of the files listed in your letter and believe they were already included on Exhibit A. If they are not, we will modify Exhibit A to reflect such files. With regard to the procedure your client proposes, Dr. Moffatt has concerns about the inadvertent downloading of the wrong files, and, in any event, would like the opportunity to run the HASH totals to ensure that there is absolutely no question that what we give the Democratic Party is exactly what we have with respect to the referenced files. We do concur with your concern about the size of the files, and for that reason will be using portable USB drives rather than CD-ROMs.

We have confirmed with Judy White that the Republican Party will have its representative available beginning at 2:00 p.m. Please expedite the filing of the stipulation so that we can get the transfer underway at that time. If, by noon today, you have not executed the stipulation, we will procure the download files from our election computers and also make a motion on our own to have the sequestered drives released to the County on the same terms as those proposed in our stipulation.

Thank you for your anticipated cooperation in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Straub", written over the word "Sincerely,".

Christopher L. Straub
Chief Civil Deputy County Attorney

CLS/vly

Cc: Richard Elias, Chairman of the Pima County Board of Supervisors
C.H. Huckelberry, Pima County Administrator
Dr. John Moffatt, Office of Strategic Technology Development