

**IN THE CIRCUIT COURT  
FOR ANNE ARUNDEL COUNTY**

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LINDA SCHADE, ANDREW HARRIS, JUDITH BURNS,  
MARK ELRICH, KWAME ABAYOMI, TERRENCE  
FITZGERALD, SHARON BEARD, and PAUL SUH,

Plaintiffs,

vs.

MARYLAND STATE BOARD OF ELECTIONS,  
LINDA H. LAMONE (as Administrator of Maryland's State  
Board of Elections),

Defendants.

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CASE NO. C0497297

**NOTICE OF DEPOSITION**

PLEASE TAKE NOTICE that Plaintiffs will take the deposition of the Maryland State Board of Elections ("SBE") through a SBE representative or representatives with knowledge on the topics listed below, pursuant to Maryland Rules of Civil Procedure 2-412. The oral examination will take place on May 18, 2004, from 9:00 am until conclusion, at the offices of the Maryland State Board of Elections, 151 West Street, Suite 200, Annapolis, MD 21401.

The SBE shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf on the following matters:

1. The SBE's existing voting system infrastructure.
2. The SBE's ability to implement an alternative voting system before the November 2004 general election if the Diebold electronic voting system is decertified, including without limitation:
  - (a) The SBE's ability to deploy optical scan voting machines throughout the state before the November 2004 general election.

- (b) The SBE's ability to offer a paper ballot alternative in the November 2004 general election.
- 3. The SBE's ability to remedy the security and reliability flaws in the Diebold electronic voting system before the November 2004 general election, including without limitation:
  - (a) The SBE's ability to add a voter verified paper audit trail to the Diebold electronic voting system before the November 2004 general election.
  - (b) The SBE's ability to implement each of the recommendations and risk mitigation measures outlined in the SAIC and RABA reports before the November 2004 general election.
  - (c) The SBE's ability to implement each of the conditions that Secretary of State Kevin Shelley placed on the use of electronic voting systems in California before the November 2004 general election.

The deposition will be recorded by stenographic and videographic means. The witness is instructed to bring all books, papers, and other things in his or her possession or under its control relevant to this lawsuit (and not previously produced in discovery) to the examination.

Dated: May 6, 2004

Respectfully Submitted,



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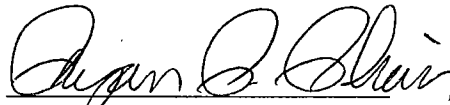
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*Counsel for Plaintiffs Schade, Harris, Burns,  
Elrich, Abayomi, Fitzgerald, Beard, and Suh*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and e-mail to all counsel on the attached service list on this 6th day of May, 2004.



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