

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OHIO STATE CONFERENCE OF THE	:	
NATIONAL ASSOCIATION FOR THE	:	
ADVANCEMENT OF COLORED PEOPLE, et	:	Case No. 2:14-cv-00404
al.,	:	
	:	
Plaintiffs,	:	Judge Peter C. Economus
	:	
v.	:	Magistrate Judge Norah McCann King
	:	
JON HUSTED, et al.,	:	
	:	
Defendants.	:	
	:	
	:	
	:	

DECLARATION OF FRED A. LEVENSON

I, Freda J. Levenson, under penalty of perjury hereby declare that:

I am the Managing Attorney at the American Civil Liberties Union of Ohio Foundation in Cleveland, Ohio and a member in good standing of the bar of this Court. I am counsel for Plaintiffs in this matter.

50. Attached hereto as Exhibit 50 is a true and correct copy of documents produced by Defendants reflecting the number of Ohioans who voted and took advantage of same-day registration during the first week of early voting in 2008.

51. Attached hereto as Exhibit 51 is a true and correct copy of documents produced by Defendants reflecting the number of Ohioans who voted and took advantage of same-day registration during the first week of early voting in 2010.

52. Attached hereto as Exhibit 52 is a true and correct copy of documents produced by Defendants reflecting the number of Ohioans who voted and took advantage of same-day registration during the first week of early voting in 2012.

53. Attached hereto as Exhibit 53 is a true and correct copy of the Expert Rebuttal Declaration of Barry C. Burden, Ph.D.

54. Attached hereto as Exhibit 54 is a true and correct copy of the Expert Rebuttal Declaration of Paul W. Gronke, Ph.D.

55. Attached here to as Exhibit 55 is a true and correct copy of excerpts from a deposition transcript of Sean P. Trende, conducted on June 6, 2014, in connection with *North Carolina State Conference of the NAACP v. McCrory*, Case No. 1:13-cv-658 (M.D.N.C.).

56. Attached hereto as Exhibit 56 is a true and correct copy of a Brief in Support of Plaintiffs' Motion to Strike Declarations of Sean Trende and Motion in Limine to Exclude His Testimony at Preliminary Injunction Hearing filed June 30, 2014, in connection with *North Carolina State Conference of the NAACP v. McCrory*, Case No. 1:13-cv-658 (M.D.N.C.).

57. Attached hereto as Exhibit 57 is a true and correct copy of an article by Barry C. Burden, et al., entitled "Election Laws, Mobilization, and Turnout: The Unanticipated Consequences of Election Reform," published in the *American Journal of Political Science* in January 2014.

58. Attached hereto as Exhibit 58 is a true and correct copy of the Declaration of Carrie Davis, Executive Director of Plaintiff League of Women Voters of Ohio, dated July 25, 2014.

59. Attached hereto as Exhibit 59 is a true and correct copy of Directive 2012-36, issued by Defendant Husted on August 17, 2012 to "All County Boards of Elections; Deputies,

Directors, and Board Members,” available at

<http://www.sos.state.oh.us/SOS/Upload/elections/directives/2012/Dir2012-36.pdf>.

60. Attached hereto as Exhibit 60 is a true and correct copy of the Expert Rebuttal Declaration of Daniel A. Smith, Ph.D.

61. Attached hereto as Exhibit 61 is a true and correct copy of the Expert Report of Thomas Brunell, Ph.D., filed on October 1, 2012, in connection with *Brooks v. Gant*, No. 5:12-cv-5003 (D.S.D.).

62. Attached hereto as Exhibit 62 is a true and correct copy of excerpts from the deposition transcript of Vincent Roscigno, conducted on July 10, 2014.

63. Attached hereto as Exhibit 63 is a true and correct copy of a press release issued by Defendant Husted on June 26, 2013, available at

<http://www.sos.state.oh.us/SOS/mediaCenter/2013/2013-06-26.aspx>.

64. Attached hereto as Exhibit 64 is a true and correct copy of e-mail correspondence between counsel dated June 18 through June 23, 2014.

65. Attached hereto as Exhibit 65 is a true and correct copy of e-mail correspondence between counsel dated July 17, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Freda J. Levenson
Freda J. Levenson

7/30/14
Date