1 2 3 4 5	THOMAS E. MONTGOMERY, County Counsel County of San Diego By TIMOTHY M. BARRY, Chief Deputy (State Bar No. 89019) STPHANIE KARNAVAS, Senior Deputy (State Bar No. 255596) 1600 Pacific Highway, Room 355 San Diego, CA 92101-2469 Telephone: (619) 531-6259 E-mail: timothy.barry@sdcounty.ca.gov Exempt From Filing Fees (Gov't Code § 6103)	
6	Attorneys for Defendants	
7		
8	IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA	
9	IN AND FOR THE COUNTY OF SAN DIEGO	
10	CENTRAL DIVISION	
11 12 13 14 15 16 17	CITIZENS OVERSIGHT, INC, a Delaware non-profit corporation; RAYMOND LUTZ, Plaintiffs, v. MICHAEL VU, San Diego County Registrar of Voters, HELEN N. ROBBINS-MEYER, San Diego County Chief Administrative Officer, SAN DIEGO COUNTY, a Municipality Defendants.	No. 37-2016-00020273-CL-MC-CTL Action Filed: June 16, 2016 DECLARATION OF NEAL KELLEY IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF IMAGED FILE Date: July 6, 2016 Time: 1:30PM Dept.: C-73 ICJ: Hon. Joel Wohlfell
19 20 21 22 23 24 25 26 27 28	I, Neal Kelley, declare as follows: 1. I make this declaration based on my own personal belief and if called upon to testify herein, I could and would competently testify to the following facts: 2. I have been employed with the County of Orange since 2004. 3. I am currently employed by the County of Orange as the Registrar of Voters. I have held my current position since 2006. 4. As the Registrar of Voters of the County of Orange I oversee the administration of all federal, state and local elections for the County.	
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- 5. I am familiar with policies and practices of the County of Orange regarding the handling, processing, and tabulation of ballots both before and after an election and with those practices regarding the completion of the 1 percent manual tally required by Elections Code § 15360.
- 6. The County of Orange conducts the 1 percent manual tally pursuant to Elections Code § 15360(a)(2).
- 7. The County of Orange conducts its random draw for purposes of its 1 percent manual tally on the Thursday following the election.
- 8. The County of Orange does not include provisional ballots in the sample selected for the 1 percent manual tally.
- 9. When selecting the batches of vote by mail ("VBM") ballots to be included in the 1 percent manual tally, Orange County includes the VBM ballots that have been processed and included in the official count as of the Friday after the election.

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

Executed this 30TH day of June 2016, at Manphis, Tol

Neal Kelley