1   REGISTRAR REPRESENTATIVE 1: So now we just
2   have to draw eight mail batches. So there's not going
3   to be a thousandths digit. The highest hundredths digit
4   we can draw is seven. We can close up the thousands,
5   the hundreds. We can pull the eight and the nine.
6   PAT GRACIAN: These are mail-in ballots?
7   REGISTRAR REPRESENTATIVE 1: We are drawing
8   numbers between 1 and 730.
9   SPEAKER 1: So you have 730 billets of mail
10 ballots.
11   REGISTRAR REPRESENTATIVE: Pardon?
12   SPEAKER 1: You have 730 billets of mail
13 ballots.
14   REGISTRAR REPRESENTATIVE 1: We call them
15 batches or dets. It's roughly representative --
16   RAY LUTZ: Does that include the ones that
17 came in on election day?
18   REGISTRAR REPRESENTATIVE 1: Definitely not.
19   REGISTRAR REPRESENTATIVE 2: Yes. Excuse me.
20 Up to election day.
21   RAY LUTZ: So you are not one percent of the
22 total, only one percent of the ones you have received so
23 far.
24   REGISTRAR REPRESENTATIVE 1: Yes.
25   RAY LUTZ: So it's less than one percent of

1

1   the total then?
2   REGISTRAR REPRESENTATIVE 1: I'd have to look

3 at the code again. I think it's one percent of we have

4 on election day.

5   REGISTRAR REPRESENTATIVE 2: On election day.

6   PAT GRACIAN: So there's 730 batches. How

7 many --

8   RAY LUTZ: No. You have them, but you're just

9 saying you haven't validated them yet, so you don't know

10 if you have them; is that right?

11   REGISTRAR REPRESENTATIVE 1: Right.

12   RAY LUTZ: But have you counted all the

13 mail-in ballots that you received at this point?

14   REGISTRAR REPRESENTATIVE 1: There's two ways

15 to look at that. Counted as in we have it included in

16 the tally yet. They have been -- because they haven't

17 been opened yet.

18   REGISTRAR REPRESENTATIVE 2: They haven't been

19 validated for the count.

20   REGISTRAR REPRESENTATIVE 1: We have an

21 estimate of how many we have, but we have to go through

22 and validate signature check before we can actually scan

23 them.

24   RAY LUTZ: So if you were being, really call

25 it conservative, the 1 percent would be -- you would

2

1 include more batches because you have to include one

2 percent of the entire total.

3   REGISTRAR REPRESENTATIVE 1: We'd have to wait

4 to know.

5   RAY LUTZ: Or you can say worse case, the

6   number of batches that we have would include all of

7   them?

8   REGISTRAR REPRESENTATIVE 1: We could. That's

9   not how the procedures are run.

10   RAY LUTZ: Okay. So you are taking the -- you

11   are trying to get as few --

12   REGISTRAR REPRESENTATIVE 2: Find the

13   procedure. That might the first step.

14   PAT GRACIAN: How many ballots are per batch?

15   REGISTRAR REPRESENTATIVE 1: There's about

16   400. Just the size of the box.

17   PAT GRACIAN: Approximately 400 per batch.

18   RAY LUTZ: It doesn't say anything in here

19   that I see about the ballots coming in.

20   REGISTRAR REPRESENTATIVE 1: The remaining

21   contents. Remember we drew --

22   RAY LUTZ: It doesn't really apply -- this

23   procedure here doesn't apply to the vote by mail

24   ballots. It doesn't talk about that.

25   REGISTRAR REPRESENTATIVE 1: No.

1   RAY LUTZ: So if you have the 280,000 ballots

2   that are still uncounted according to your website, is

3   that the estimate of how many, if they were all

4   validated, the number coming in?

5   REGISTRAR REPRESENTATIVE 1: Yes.

6   RAY LUTZ: Okay. How many do you think --

7   would be in this here, but I would have to take some

8   time to total it up, how many vote by mail ballots

9 are -- actually, wait. According to this, these numbers

10 right here, the number that you're going to pull, that's

11 based on having something like 730 mail-in batches it

12 says, right?

13   REGISTRAR REPRESENTATIVE 1: Right.

14   RAY LUTZ: How many approximately in each

15 batch?

16   REGISTRAR REPRESENTATIVE 1: About 400.

17   RAY LUTZ: Okay. So we have 730 times 400.

18 Here we go.

19   REGISTRAR REPRESENTATIVE 2: So what we are

20 going to do, we'll go ahead and do this as we currently

21 have it. If there needs to be further conversation

22 about how we --

23   REGISTRAR REPRESENTATIVE 1: Procedures, we

24 will have further conversation.

25   REGISTRAR REPRESENTATIVE 2: We will go

4

1 forward right now, go ahead picking as we --

2   RAY LUTZ: That may been right. When I

3 multiply by 730, I get 292,000.

4   REGISTRAR REPRESENTATIVE 2: Right.

5   RAY LUTZ: That's not been counted yet. Maybe

6 that include these. That would make sense. You're

7 doing a great job. I thought I was going to catch you.

8   REGISTRAR REPRESENTATIVE 2: That might be the

9 nicest thing you ever said.

10   RAY LUTZ: I thought I was going to catch you.

11   PAT GRACIAN: Mail-in ballots. What about the

12 provisionals? Does include that include provisionals?

13   RAY LUTZ: No. It may be a different number.

14 In other words, they may have to choose twice as many as

15 they think on there or they are doing it right.

16   REGISTRAR REPRESENTATIVE 2: What we are going

17 to do is move forward with our procedure as we have it

18 now. We're certainly open and welcome to talking after

19 this about modifications.

20   RAY LUTZ: Okay.

21   SPEAKER 1: As far as you know, the mail-in

22 ballots that were delivered on election day are not

23 included in the billets that you are counting for this

24 random re-count?

25   REGISTRAR REPRESENTATIVE 1: Say that again.

5

1   SPEAKER 1: As far as you know -- as far as

2 you know, the mail-in ballots that were delivered to the

3 polls on election day are not included in the billets

4 that are going to be included in this manual one percent

5 recount.

6   REGISTRAR REPRESENTATIVE 1: Correct, because

7 we still have to signature-check all those and make sure

8 they're eligible to be counted, but we are going to pull

9 these out as soon as we select which batches we are

10 going to pick, I'm going to take this down to technical

11 services and he is going to pull these out for us to

12 count and the ones came in yesterday haven't been opened

13 or scanned

14   REGISTRAR REPRESENTATIVE 2: They are not

15   processed at all.

16   REGISTRAR REPRESENTATIVE 1: So we couldn't

17   give them to count.

18   RAY LUTZ: So actually, I take that back. I

19   think the number that the should be 16 instead of eight,

20   if you are going to include the same number in each the

21   batch because that is an arbitrary number because you

22   should be sampling more of those than you are, because

23   you are not sampling one percent of the total number.

24   REGISTRAR REPRESENTATIVE 2: Up until the

25   election day. So it is a timing. But again, that is a

6

1   conversation for you guys to have not with the people in

2   this room.

3   SPEAKER 1: We will talk to Michael Vu or

4   somebody in charge of the procedure.

5   RAY LUTZ: I think we're clear about the fact

6   that what we're doing right now doesn't include all of

7   the -- what you just mentioned, all of what was brought

8   in election day.

9   SPEAKER 1: It doesn't include provisional

10   ballots on election day, nor does it include the mail-in

11   ballots on election day.

12   REGISTRAR REPRESENTATIVE 2: Just to be clear,

13   we're not trying count votes cast. We are trying to

14   make sure that what we have is an actual match manually

15   to what the machine counted. And additionally we will,

16   same thing with the mail ballots, find any context that

17   are not included in these numbers and we will also have

18   to count those.

19   SPEAKER 1: Right. We are only checking the

20   accuracy of the machines instead of counting the

21   ballots.

22   REGISTRAR REPRESENTATIVE 2: Correct. Not

23   counting --

24   SPEAKER 1: I totally agree and understand

25   that. It's just that with leaving out specific subsets

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1   of the total, you end up with the potential, especially

2   because those subsets would tend to swing one way or the

3   other, that your machine may not be catching certain

4   types of voting accurately.

5   REGISTRAR REPRESENTATIVE 2: I totally hear

6   what you're saying.

7   RAY LUTZ: And since state law does say it's

8   one percent, if you're not doing one percent, you're not

9   really following the law.

10   REGISTRAR REPRESENTATIVE 2: So again, we will

11   move forward with how we are currently --

12   REGISTRAR REPRESENTATIVE 1: The code says one

13   percent of precinct. It doesn't speak to the mail

14   ballots.

15   RAY LUTZ: That -- it doesn't talk about

16   mail-in ballots.

17   REGISTRAR REPRESENTATIVE 2: This is purely

18   our procedure for what we're doing here.

19   RAY LUTZ: I know. We will have to raise

20   those issues separately?

21   REGISTRAR REPRESENTATIVE 2: Absolutely.

22   RAY LUTZ: Thank you very much.

23

24

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