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November 20, 2009

To Whom It May Concern:

We, the undersigned, are political consultants with many years of experience in both federal and non-federal elections in Los Angeles County, California.

In practice, as a general rule, whether consulting for a political party committee or a candidate, when we target voters in a local jurisdiction for a local race for voter identification and Election Day get-out-the-vote activities, we use local election history from past local elections rather than federal election history because voter behavior in connection with local elections is distinct from that of voters in a federal election. Similarly, for these same reasons, when we target voters in a federal election, we use federal election history from past federal elections rather than local election history.

Even if held in close proximity in terms of time, local elections involve different sets of variables than do federal elections. The same concept on different variables applies even if the two elections are in overlapping jurisdictions. These variables include the nature of the office sought; the candidates involved; the issues in the relevant jurisdiction; the fit among the specific candidates, issues, and offices; and other circumstantial variables that dictate the political atmosphere for a specific election (i.e., whether a scandal is involved during a given campaign dictates the political tone of that particular election). Additionally, while federal elections are partisan elections, non-federal local elections are nonpartisan elections. In effect, the partisan issues relevant to a federal election, such as national deficit and healthcare, are not applicable or transferrable to the nonpartisan issues relevant to a local election, such as trash pick-up, public safety, and fixing potholes. Thus, the motivation and the decision-making process of a voter voting in a federal election are different from those in a local election, and vice-versa.

In our experiences, as a practical matter, voters vote for motives and reasons in a local election that are distinct from a federal election. Hence, voters who turn out to vote in a local election are often a different set of voters than the voters who turn out for a federal election. Because of the differences between these voter universes, information gathered in connection with a non-federal election is generally of little or no use in a later federal election, even if the federal election is soon after the non-federal election and even if the electorate overlaps. Additionally, other factors, such as voter fatigue that result from targeting the same voters for different elections within a short window, also significantly diminish the transferability of information gathered from one election to another.

By way of example, California's 32nd Congressional District special primary election was held on May 19, 2009. On March 3, 2009, four cities encompassed in that Congressional District had local elections, including the cities of Azusa, Covina, Monterey Park, and Rosemead. For the reasons described above, we would view the voter identification, GOTV information, and efforts in connection with those local races as being of little or no value in targeting or GOTV efforts for the subsequent federal elections. This would be especially true for local elections, which usually

turn on local issues, such as past city council accomplishments and affordable housing development. This would apply with equal force to GOTV and voter identification in other elections, including, for example, the utility of information from recent (April 8, 2008) local elections in the cities of Lancaster, Culver City, Santa Clarita, Sierra Madre, and Long Beach in the subsequent June 6, 2008, primary election.

It is, therefore, our considered opinion that voter identification and GOTV activities in a non-federal election confer little or no meaningful benefit to federal candidates in a subsequent federal election.

Regards,

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