

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

PAUL LEHTO, Individually, JOHN WELLS,  
Individually;

Plaintiffs,

vs.

SEQUOIA VOTING SYSTEMS, Inc. and  
SNOHOMISH COUNTY;

Defendants.

NO. CO5-0877-RSM

**DECLARATION OF  
DOUGLAS J. MORRILL**

I, Douglas J. Morrill, declare as follows:

1. I am one of the attorneys of record for defendant Snohomish County in this action, Paul Lehto, et al. v. Sequoia Voting Systems, Inc., et al., No. CO5-0877-RSM. I am over eighteen years of age and competent to testify. I have personal knowledge of the facts stated below.

2. As early as April 2005, in the context of the initial review of this lawsuit, I discussed with my colleague and co-counsel Gordon Sivley whether to seek removal federal court. We also discussed this matter with Malcolm Harris, counsel for co-defendant Sequoia Voting Systems, Inc. in a phone conference on April 22, 2005. We indicated to Mr. Harris that our client concurred in seeking removal.

DECLARATION OF DOUGLAS J. MORRILL

1 3. Mr. Harris told Mr. Sivley and me that he would prepare the notice of removal.

2 4. I later had a conversation with Mr. Harris wherein he indicated that, essentially  
3 as a convenience to us, he could simply prepare the joinder in the notice of removal for the  
4 county if we would authorize him to sign for us. I discussed this matter with Gordon Sivley  
5 and he agreed that this approach was acceptable with him and I should so advise Mr. Harris,  
6 which I did.

7 5. Thus, when Mr. Harris signed the Joinder in Notice of Removal for Mr. Sivley,  
8 he did so with both Mr. Sivley's and my full knowledge and express authority.

9 6. As per the above, Snohomish County, by and through its attorneys Mr. Sivley  
10 and I, consents to the removal of this matter to federal court and has consistently done so  
11 since co-defendant Sequoia first removed this action formally.  
12

13 7. I declare under penalty of perjury under the laws of the state of  
14 Washington that the foregoing is true and correct and of my own knowledge, and  
15 that I executed this declaration at Everett in the County of Snohomish, this 30<sup>th</sup> day  
16 of June, 2005.  
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22 Douglas J. Morrill

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25 DECLARATION OF DOUGLAS J. MORRILL