

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES

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December 9, 2008
Start: xx:xx am
Recess: xx:xx am

HELD AT: Council Chambers
City Hall

B E F O R E:
DIANA REYNA
Chairperson

COUNCIL MEMBERS:
Maria Baez
Inez E. Dickens
Erik Martin Dilan
Lewis A. Fidler
Daniel R. Garodnick
Vincent J. Gentile
Vincent Ignizio
Robert Jackson
Melinda R. Katz
Mike McMann
James S. Oddo
Speaker Christine C. Quinn
Joel Rivera
David I. Weprin

A P P E A R A N C E S [CONTINUED]

Diana Reyna
Opening Statement
Chair
Committee on Rules, Privileges and Elections

Committee Counsel
Committee on Rules, Privileges and Elections

Julie Dent
Candidate
Commissioner
Board of Elections

Frank Setio
Former Judge and Assemblyman

Carl Andocino
Counsel
King's County Democratic Organization

Guided Tour

William Martin
Committee Clerk
Committee on Rules, Privileges and Elections

2 CHAIRPERSON REYNA: Good morning
3 and welcome to the Committee on Rules, Privileges
4 and Elections. My name is Diana Reyna and I am
5 the Chair of this Committee. Before we begin I'd
6 like to introduce other members of this Committee.
7 To my left is Joel Rivera, Council Member from the
8 Bronx; Council Member Inez Dickens from Manhattan;
9 Council Member Erik Martin Dilan from Brooklyn;
10 Council Member Melinda Katz from Queens; Council
11 Member, on the floor, Lewis Fidler from Brooklyn;
12 and Council Member David Weprin from Queens.
13 Before us today is a candidate for reappointment
14 to the New York City Board of Elections, Ms. Julie
15 Dent who is here with us, will be in shortly. We
16 have been joined by Congressman-elect Mike McMann
17 from Staten Island.

18 Ms. Dent is being considered for
19 the reappointment as the Democratic Commissioner
20 from King's County. Her reappointment is for a 4-
21 year term that begins on January 1st, 2009 and ends
22 December 31st, 2012. For the record, her
23 Certificate for Party Recommendation was properly
24 formatted and submitted.

25 First I will briefly describe the

1
2 functions of the Board of Elections. The Board of
3 Elections consists of ten Commissioners, two from
4 each of the City's five counties who are directly
5 appointed by the New York City Council. Not more
6 than two Commissioners shall be registered voters
7 of the same county. Each Commissioner serves a
8 term of four years or until a successor is
9 appointed. Commissioners shall be registered
10 voters from each of the major parties in the
11 county for which they are appointed. The Board
12 and its Commissioners are responsible for the
13 maintenance and administration of voting records
14 and elections. The Board also exercises quasi-
15 judicial powers by conducting hearings to validate
16 nominating petitions of candidates for nomination
17 to elective office.

18 The Board is required to make an
19 annual report of its affairs and proceedings to
20 the New York City Council once every 12 months and
21 no later than the last day of January in any year.
22 Commissioners receive a \$300 per diem for each
23 day's attendance at meetings of the Board or any
24 of its committees with a maximum of \$30,000 per
25 year.

2 Welcome Ms. Dent. Will you please
3 raise your right hand and be sworn in by counsel?

4 COMMITTEE COUNSEL: Do you swear or
5 affirm to tell the truth, the whole truth and
6 nothing but the truth?

7 MS. JULIE DENT: Yes.

8 CHAIRPERSON REYNA: And I'd like to
9 just introduce two more Council Members who have
10 joined us, Council Member Leroy Comrie from Queens
11 and Council Member Daniel Garodnick from
12 Manhattan.

13 Ms. Dent do you have an opening
14 statement?

15 MS. DENT: Yes I do.

16 CHAIRPERSON REYNA: If you'd like
17 to share it with us, now is the time.

18 MS. DENT: Yes. I would like to
19 say good morning to the most distinguished City
20 Council. As most of you are aware, my name is
21 Commissioner Julie Dent, New York City Board of
22 Elections, Brooklyn, Democrat. And I have had the
23 pleasure of representing the Borough of Brooklyn
24 since July of 2007. If I'm reappointed, I believe
25 that I can make constructive contributions as a

2 knowledgeable representative of my community, my
3 Borough, my political party and my City.

4 For the last 11 years I am the
5 Educational/Executive Director of the Audrey
6 Johnson Daycare Learning Center in the Borough of
7 Brooklyn. Before joining the Audrey Johnson
8 Daycare Learning Center, I served as an
9 Administrative Director and teacher and the Horace
10 E. Green Daycare Center in Brooklyn. I received
11 my Master's degree in Education from the City
12 College of New York with honors. I also serve as
13 the Chairperson of Community Board Number 4 in
14 Bushwick, Brooklyn.

15 While serving as Commissioner of
16 the Board of Elections I have learned so much as
17 it relates to the ballot marking device and our
18 attempt to make the transition from the lever
19 machines to the new optical scan system. We are
20 now at the mercy of the State Board and the
21 Federal courts in Albany with respect to the new
22 voting system. The State Board has yet to
23 complete testing and certifying which of any of
24 the new systems that we will be permitted to use
25 in New York State, including New York City. The

2 Federal court's order remains in effect requiring
3 that the September 2009 primary election, all
4 lever machines have to be replaced. Will this
5 happen? Anybody's guess is as good as mine to
6 this date.

7 I'm committed to the City's over
8 4.3 million registered voters and look forward to
9 working with you, our elected officials, to make
10 sure that we as American citizens can freely and
11 easily exercise our right to vote. I thank you.

12 CHAIRPERSON REYNA: Thank you Ms.
13 Dent. I wanted to take questions or comments from
14 my Committee members, thank you very much. Before
15 I do so I just wanted to introduce Frank Setio
16 [phonetic], former Judge and Assemblyman from
17 Brooklyn and Carl Andocino [phonetic], Counsel to
18 the King's County Democratic Organization. Thank
19 you for being here.

20 I know that our guided tour is
21 leaving, thank you for joining us. I have a
22 question from Council Member Daniel Garodnick.

23 COUNCIL MEMBER GARODNICK: Thank
24 you Madam Chair and Ms. Dent, welcome, nice to see
25 you--

2 MS. DENT: [Interposing] Thank you.

3 COUNCIL MEMBER GARODNICK: --I just
4 wanted to follow up on a couple of points. First
5 of all, happy belated birthday.

6 MS. DENT: Thank you.

7 COUNCIL MEMBER GARODNICK: And I
8 wanted to follow up on a couple of the votes, I
9 have some, the background materials here. I saw
10 that there were a couple of abstentions, one was
11 an abstention on a vote to discontinue using
12 political clubs and organizations as locations for
13 poll worker training, and one was on a vote
14 authorizing the Executive Director to meet with
15 the Lawyers Committee of Election Protection. And
16 I just wanted to see if you wanted to just flesh
17 those out a little bit so we can understand your
18 thought process on those.

19 MS. DENT: Well as it relates to
20 using political clubs, we thought that we would
21 give the opportunity to community-based
22 organizations in the community if they would like
23 to allow the voters to use their place. And the
24 Commissioners thought it was a good idea to do
25 that. Some of the churches do get a small fee if

2 we actually use their religious place.

3 COUNCIL MEMBER GARODNICK: So the
4 proposal was to allow non-political clubs for poll
5 worker training? That was the proposal that was
6 out there?

7 MS. DENT: Correct. And some of
8 the training took place in the colleges, as you
9 know. The downtown Brooklyn on J Street. The
10 technical collage. We used some of those places;
11 Long Island College was used as well.

12 COUNCIL MEMBER GARODNICK: Okay.
13 And so the Board voted to approve doing that, is
14 that correct?

15 MS. DENT: Correct.

16 COUNCIL MEMBER GARODNICK: Okay.
17 And you abstained on that vote.

18 MS. DENT: Yes I did.

19 COUNCIL MEMBER GARODNICK: Did you
20 want to explain what your thought process was?

21 MS. DENT: My reason for abstaining
22 on that vote is some of the constituents live in
23 the community and from being the Chairperson of
24 Community Board 4, some of them had indicated to
25 me that it was easier for them to get to their

2 political club as opposed to traveling to downtown
3 Brooklyn or other places to take the training.

4 COUNCIL MEMBER GARODNICK: Okay.

5 And on the vote, the more recent one, authorizing
6 the Executive Director to meeting with the Lawyers
7 Committee of Election Protection, I should just
8 preface with two points. First is my wife is
9 active in the Election Protection operation of the
10 Lawyers Committee for Civil Rights. So I just had
11 some independent knowledge of the request made to
12 meet with the Executive Director. I just wanted
13 to understand as a matter of openness, I would
14 think that it would be a general positive thing to
15 have the Executive Director meeting with advocacy
16 groups. But I know that it is the policy of the
17 Board to only authorize the Executive Director to
18 meet with advocacy groups in certain
19 circumstances. I see that you abstained on this
20 one so I just wanted to ask if you wanted to
21 explain that one.

22 MS. DENT: Okay. Again I abstained
23 on that one because I didn't have enough
24 information, being a new Commissioner; I didn't
25 have enough information on your wife's group or

2 the group in question. There are a lot of nice,
3 good government groups that the Executive Director
4 would love to meet with, all would like to meet
5 with us to find out more information about the
6 Board of Elections which I think is great.
7 However I didn't have enough information for me to
8 vote yea or nay so I abstained.

9 COUNCIL MEMBER GARODNICK: Okay.

10 Well let's put aside that issue for a second
11 because I am--I have a general concern about the
12 Board of Elections and its, perhaps, unwillingness
13 to be open or meet with folks who want to meet
14 with them. And I would think that almost under
15 any circumstances if an advocacy group wanted to
16 meet with the Executive Director, the Board should
17 authorize or even give the Executive Director the
18 ability to meet with those groups to hear what
19 they have to say.

20 This by the way is not my wife's
21 group. She is a volunteer in the group and she
22 is, you know, she is way down on the chain. I
23 just wanted to make a disclosure of that so it's
24 absolutely clear. But put that aside for a
25 second. In terms of meeting with advocacy groups

2 who are trying to promote either whether it's the
3 new use of ballot marking devices or, you know,
4 additional training for poll workers or whatever
5 it is, shouldn't it be the policy of the Board to
6 be rather liberal with to whom it gives permission
7 for the Executive Director to meeting?

8 MS. DENT: I think that the
9 Executive Director does meet with a lot of groups.
10 Again as I said earlier, I don't really have
11 enough information being a new Commissioner, and
12 not to make excuses, to give you the answer that
13 you may be looking for. However what I will do is
14 make sure I research it further to find out why if
15 it's as you indicated that the Executive Director
16 was not meeting with enough groups.

17 I do know however that getting the
18 ballot marking devices into all of the voting
19 places, it took a lot of time, and we were doing a
20 lot and paying a lot of attention to that. So I
21 really don't think that Commissioners and I can
22 only speak for myself, do not want the Executive
23 Director to go out and engage with groups, I just
24 think maybe the timing at that time wasn't right.

25 COUNCIL MEMBER GARODNICK: Do you

2 have any feeling on some of the proposed
3 constitutional amendments at the State level on
4 the subject of either same-day registration or no
5 fault absentee voting or early voting? We
6 recently had a hearing here at the City Council on
7 these subjects. There are a couple of resolutions
8 that are pending encouraging all of them frankly,
9 the early voting, same-day registration, no fault
10 for absentee ballots, the thought being New
11 Yorkers are some of the busiest people in the
12 world and they should have the access to vote at
13 the more flexible time than what is ordinarily
14 afforded them. Do you have any comments on any of
15 those?

16 MS. DENT: I think whatever makes
17 the voting privilege that we are entitled to as
18 citizens, easier for the voter, that we need to
19 look into it more and see how it will work for New
20 York City and if it works I think we should be, as
21 Commissioners, more than happy to support it.

22 COUNCIL MEMBER GARODNICK: Thank
23 you. And the last question I have is something
24 that came up and I raised with the last
25 appointment of Commissioners to the Board, was the

2 issue of sample ballots on the website. I
3 strongly believe that the City Board should be
4 putting sample ballots on the website, allow
5 people to explore who's going to be at their poll
6 site, who are the options for them on election day
7 for a couple of purposes. One for a more informed
8 electorate but also to reduce lines, to reduce the
9 amount of time that people are deliberating when
10 they're actually in the poll place. Is that
11 something which you would support as a member of
12 the Board?

13 MS. DENT: I think the name of the
14 candidates that are running for office should be
15 on the website. However to put--and this is my
16 personal opinion, to put the ballot on our
17 website, it may leave room for people to do
18 unscrupulous things with that. Maybe with
19 computers today, people are very, very
20 sophisticated with it. So my personal answer
21 would be no I don't think it's a good idea to put
22 the actual device on but I do think it's an idea
23 to put the candidates so people will know who's
24 running and what they doing, so on and so forth.
25 But no I wouldn't--

2 COUNCIL MEMBER GARODNICK:

3 [Interposing] I see, so you're--

4 MS. DENT: --put that on there.

5 COUNCIL MEMBER GARODNICK: I see
6 you point is the actual format of the ballot or
7 putting in the actual, the layout where it appears
8 at the poll site is something that concerns you
9 because of the potential for fraud but the names
10 themselves or the candidates themselves does not
11 concern you, am I hearing you right?

12 MS. DENT: No. I think it's a
13 wonderful idea but only if we're able to help the
14 public and inform them better as to who's running
15 and who they would like to support, I'm in favor
16 of that, yes.

17 COUNCIL MEMBER GARODNICK: Okay.
18 All right. Well I thank you very much and I
19 appreciate your presence--

20 MS. DENT: [Interposing] Well
21 you're so welcome.

22 COUNCIL MEMBER GARODNICK: --and
23 thank you. Okay. Thank you.

24 MS. DENT: Um-hum.

25 CHAIRPERSON REYNA: Thank you

2 Council Member. Council Member, we've been joined
3 by Council Member Maria Baez, Council Member James
4 Oddo and Council Member Vincent Gentile and
5 Council Member Vincent Ignizio. Thank you. We
6 have a question from Council Member Inez Dickens.

7 COUNCIL MEMBER DICKENS: Thank you
8 so much Madam Chair and thank you Commissioner for
9 coming in.

10 MS. DENT: Thank you.

11 COUNCIL MEMBER DICKENS: I
12 apologize; I'm losing my voice so I will try to be
13 very quick. I'm glad in your opening statement
14 you mentioned the ballot marking devices. Do you
15 really think that the training was adequate for
16 the poll workers? And I raise this issue because
17 I have received in my District numerous complaints
18 of constituents, voters, who went and in some
19 cases the BMDs were not operating and in other
20 Districts, election Districts, poll sites, the
21 BMDs, the poll workers, there was only one poll
22 worker that purportedly had been trained and they
23 were too busy with the long lines that they
24 couldn't stop to give assistance. So, you know,
25 that's a big concern of mine, particularly since

2 New York State is leaning towards doing this and
3 the State hasn't certified anything and we're not
4 in total HAVA compliance.

5 MS. DENT: And you are correct. We
6 are not in total HAVA compliance however as it
7 relates to the training, the Commissioners of the
8 Board of Election, we did indicate that we train
9 to the best of our ability with the monies that we
10 had on hand. We did also write that we needed
11 additional monies so we can do further training.
12 Training was offered. We offered training not
13 only to the public, to Community Board, to other
14 community leaders, the trainings were also offered
15 at the colleges. And the marking ballot device
16 training was also offered at the office on 42
17 Broadway where the Commissioners meet. Do we need
18 further training? I would say yes we do. We need
19 further training in order for the public to feel
20 comfortable with the ballot marking devices or
21 whatever device we will be using in 2009.

22 COUNCIL MEMBER DICKENS:

23 Commissioner, is there any reason why only one
24 poll worker at each site was taught the BMDs?

25 MS. DENT: But that's incorrect. I

2 don't know what happened at some of the poll sites
3 because I wasn't there. But we did not train just
4 one person to work the ballot marking device. As
5 a matter of fact we trained as many people as
6 possible so as to avoid what you just indicated.
7 If one person had to leave for whatever reason or
8 help, there would be someone else there that was
9 able to help the public with the ballot marking
10 device. I really don't know what happened at your
11 site but I'm very concerned and I think it's
12 something that we have to really look into.

13 COUNCIL MEMBER DICKENS: The reason
14 I raised that is because the poll workers
15 themselves told me that for the most part one poll
16 worker at each site had been chosen for the
17 training, they didn't choose, they asked for
18 volunteers for training for the BMDs. So I was
19 very concerned to learn that at many sites there
20 was only one poll worker who was actually trained
21 on the BMDs. And I want to add also that in my
22 District I was able to bring a BMD into my
23 District to ensure that poll workers, as many poll
24 workers as could be, could be trained, and the
25 public was open to attend--

2 MS. DENT: [Interposing] And we did-

3 -

4 COUNCIL MEMBER DICKENS: --also.

5 MS. DENT: Yes.

6 COUNCIL MEMBER DICKENS: In my
7 District to try to assist and I went myself for
8 the training which I had questions that the Board
9 workers were unable to answer as far as my fear
10 about the casting of the vote and how it would be
11 counted. So I just wanted to put that to you so
12 that you would be aware that the workers
13 themselves were unable to address some of my
14 concerns.

15 MS. DENT: And I thank you very
16 much for bringing this to my attention and I
17 definitely will bring it back to the other
18 Commissioners. And we will see that, to the best
19 of our ability, that something like this doesn't
20 happen again as well as to try to train as many
21 people as possible to know how to operate the
22 ballot marking devices. And I can honestly say to
23 you that there were many trained. I don't know if
24 perhaps they didn't show up that day and why
25 things turned out the way it did in your District.

2 But again I apologize on behalf of the New York
3 City Board of Election and we will try our
4 darndest to make sure something like that doesn't
5 happen again.

6 COUNCIL MEMBER DICKENS: And also
7 in the past the Board has worked closely with
8 political clubs and other political organizations
9 to bring the voting machine or in the case the
10 BMDS into the Districts because after all that's
11 where the poll workers actually, for the most part
12 I would venture to say that probably about 85% or
13 more of the poll workers actually come from
14 political clubs. And yes it is easier for the
15 workers to go to central sites such as that rather
16 than--

17 MS. DENT: [Interposing] Correct.

18 COUNCIL MEMBER DICKENS: --to the
19 Board.

20 MS. DENT: Um-hum.

21 COUNCIL MEMBER DICKENS: So, you
22 know, I just want to put that on the table--

23 MS. DENT: [Interposing] Um-hum.

24 COUNCIL MEMBER DICKENS: --because
25 they could be utilized in the Districts in order

2 to do training.

3 MS. DENT: Okay. I would also like
4 to share--not to make excuses, but the ballot
5 marking device, we were a little hesitant about
6 actually having it to travel out because, you
7 know, with computers it's a little different than
8 the lever machines. So this was New York City's
9 first time using the ballot marking device and
10 having it at each voting site at the election and
11 we really didn't want anything to go wrong. As
12 you know this was an unprecedented election and we
13 wanted to make sure everybody had the opportunity
14 to vote and we wanted to comply with the Help
15 America Voters Act.

16 COUNCIL MEMBER DICKENS: Well thank
17 you so much--

18 MS. DENT: [Interposing] You're so
19 welcome.

20 COUNCIL MEMBER DICKENS: --although
21 that last statement there was--there's a question
22 in my mind--

23 MS. DENT: [Interposing] Okay.

24 COUNCIL MEMBER DICKENS: --about
25 everyone voting but thank you anyway for your

2 testimony.

3 MS. DENT: We try.

4 CHAIRPERSON REYNA: We have been
5 joined by Council Member Robert Jackson. Before I
6 go to the next person, if there's any further
7 questions. I wanted to just interrupt and ask our
8 candidate for Commissioner to the Board of
9 Election the obstacles, if any, that you are aware
10 of preventing the Board of Elections from
11 complying with now what seems to me a Federal
12 court mandate to require that all lever machines
13 be replaced by September of next year for the
14 primary election. If you can just state for the
15 record what are some of those obstacles?

16 MS. DENT: One of the obstacles,
17 the biggest obstacle as you know is funding. And
18 in addition to that as I said in my statement that
19 the State has not certified a machine. And until
20 that is done there's, you know, we're at their
21 mercy. We can't move any further. However as we
22 all know that Judge Sharp did indicate that by
23 2009 for the primary election that they have to
24 have the scanning machines in each voting site.
25 But we're waiting and we're watching to see what

2 would happen at this point. But I think funding
3 is going to be a big--have a big impact.

4 CHAIRPERSON REYNA: Are you aware
5 of there has been prior to your joining the Board-
6 -the Commission or in your present time complying
7 with your participation as a Commissioner in most
8 recent months, has there been any attempt to speak
9 to the State as to a timeline, a definitive date
10 as to when they're going to be making a decision?

11 MS. DENT: Yes we have spoken with
12 the State as well as we have--there was a
13 conference that we attended and all the parties
14 were there and they talked about the different
15 machines. And I just think about Nassau County,
16 the pros and cons, what worked and what didn't
17 work with the machine that they were using. And
18 right now again and not to be redundant we're just
19 waiting for the State to certify a machine so
20 we'll be able to move forward as it relates to how
21 much money we would need and how much training it
22 would take so we will be prepared for 2009.

23 CHAIRPERSON REYNA: So there's
24 really no--from post that conference there isn't a
25 date that has been set forth with a decision so

2 that the State can meet its own deadline?

3 MS. DENT: Not to my knowledge.

4 CHAIRPERSON REYNA: And how much
5 time would the Board of Elections for the City of
6 New York need in order to implement everything for
7 September 2009?

8 MS. DENT: We need to start
9 immediately in order to do that and make that
10 mandate.

11 CHAIRPERSON REYNA: Thank you. Are
12 there any final comments or questions? I'd like
13 to call a vote.

14 [Pause]

15 MR. WILLIAM MARTIN: William
16 Martin, Committee Clerk, Committee on Rules,
17 Privileges and Elections and 1211. Council Member
18 Reyna.

19 CHAIRPERSON REYNA: I vote aye.

20 MAR: Rivera.

21 COUNCIL MEMBER RIVERA: I vote aye.

22 MAR: Baez.

23 COUNCIL MEMBER BAEZ: Aye.

24 MAR: Comrie.

25 COUNCIL MEMBER COMRIE: Aye.

2 MAR: Dilan.

3 COUNCIL MEMBER DILAN: I vote aye.

4 MAR: Fidler.

5 COUNCIL MEMBER FIDLER: Aye.

6 MAR: Jackson.

7 COUNCIL MEMBER JACKSON: I vote

8 aye.

9 MAR: Katz.

10 COUNCIL MEMBER KATZ: [No audible

11 response].

12 MAR: McMann.

13 COUNCIL MEMBER McMANN: Aye.

14 MAR: Weprin.

15 COUNCIL MEMBER WEPRIN: Aye.

16 MAR: Gentile.

17 COUNCIL MEMBER GENTILE: I vote

18 aye.

19 MAR: Dickens.

20 COUNCIL MEMBER DICKENS: Aye and

21 congratulations.

22 MAR: Garodnick.

23 COUNCIL MEMBER GARODNICK: Madam

24 Chair?

25 CHAIRPERSON REYNA: Yes.

2 COUNCIL MEMBER GARODNICK: Madam
3 Chair a moment to explain my vote.

4 CHAIRPERSON REYNA: Aye.

5 COUNCIL MEMBER GARODNICK: Thank
6 you. I'm going to vote aye and Ms. Dent
7 congratulations. I do want to encourage you and
8 the other members of the Board to enthusiastically
9 take steps and aggressively take steps to try to
10 promotion the openness and transparency in our
11 processes including from sample ballots to meeting
12 with advocates or any way that we can open up the
13 process of the Board of Elections, even the
14 internal budgeting scenarios as to where dollars
15 are spent so that we as the ones making those
16 allocations can better assist you in your work.
17 But those are conversations for on an ongoing
18 basis we look forward to having those with you and
19 I will vote aye.

20 MS. DENT: Thank you.

21 MAR: Oddo.

22 COUNCIL MEMBER ODDO: Yes.

23 CHAIRPERSON REYNA: While we wait,
24 we're waiting for Speaker Quinn to come up and
25 vote I just wanted to make an announcement. The

2 Finance Committee will meet immediately after the
3 Rules, Privileges and Elections Committee in this
4 chamber, um-hum.

5 [Background conversation]

6 MAR: Speaker Quinn.

7 SPEAKER QUINN: Aye.

8 KATZ: Aye.

9 MAR: By a vote of 14 in the
10 affirmative, 0 in the negative and 1 abstention,
11 the item is adopted; members please sign the
12 Committee report, thank you.

13 [Congratulating candidate]

14 [Gavel banging]

15 CHAIRPERSON REYNA: This meeting
16 has been adjourned.

17 [Background conversation]

18 [END 1002.MP3]

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21

22

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature _____Laura L. Springate_____

Date _____September 15, 2009_____