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Attorney for Lieutenant Governor
Craig Campbell and the State of Alaska,
Division of Elections

IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JOE MILLER,)	
)	Case No. 3:10-cv-00252 RBB
Plaintiff,)	
)	
v.)	
)	
LIEUTENANT GOVERNOR CRAIG)	
CAMPBELL, in his official capacity;)	
and the STATE OF ALASKA,)	
DIVISION OF ELECTIONS,)	
)	
Defendants.)	
_____)	

AFFIDAVIT OF ELECTIONS DIRECTOR GAIL FENUMIAI

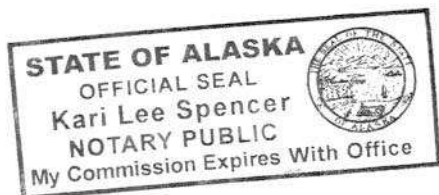
STATE OF ALASKA)
) s.s
FIRST JUDICIAL DISTRICT)


Gail Fenumiai, being on oath first duly sworn, hereby deposes and says as follows:

1. I am employed by the State of Alaska, Division of Elections as the Director of the Division of Elections. Although I was hired in this position as of January 2, 2008, I have a long history of employment with the Division of Elections.
2. I was employed by the Division of Elections from August 1988, through December 1989, and from July 1995, until January 9, 2003. At the time I left employment with the Division in 2003 my position title was Elections Administrative Supervisor.
3. I have personal knowledge of the matters set out in this affidavit.
4. In counting ballots it is the longstanding policy of the division of elections to apply the standards set out in AS 15.15.360 and the standards set out in Alaska Supreme Court caselaw interpreting this statute that voter intent must be considered in determining the validity of ballot markings.
5. In this election, I am allowing write-in votes containing minor misspellings and variations of "Murkowski" or "Lisa Murkowski" to be counted for write-in candidate Lisa Murkowski if the voter's intent to vote for Lisa Murkowski is clear from the ballot.


Gail Fenumiai

SWORN TO AND SUBSCRIBED before me this 14 day of November, 2010.




Notary public in and for Alaska
My Commission expires: with office