

ORIGINAL

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**FILED**  
 AUG 13 2008  
 RICHARD W. WIEKING  
 CLERK U.S. DISTRICT COURT,  
 NORTHERN DISTRICT OF CALIFORNIA

**RECEIVED**

AUG 13 2008

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

ATTORNEYS FOR PLAINTIFF  
 MARKHAM ROBINSON

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

Case No. CV-08-3836 JL

MARKHAM ROBINSON,  
 Plaintiff  
 v.  
 SECRETARY OF STATE DEBRA  
 BOWEN, et al.  
 Defendants.

**DECLARATION OF GREGORY S.  
 WALSTON IN SUPPORT OF  
 PLAINTIFF'S MOTION FOR A  
 PRELIMINARY INJUNCTION**

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I, Gregory S. Walston, declare as follows:

1. I am an attorney licensed to practice before all California state courts, the United States District Courts for the Northern and Eastern Districts of California, the United States Court of Appeals for the Ninth Circuit, and the Supreme Court of the United States. I am presently employed as a partner in the Law Firm of Walston Cross, and, in that capacity, I represent the plaintiff in this action.

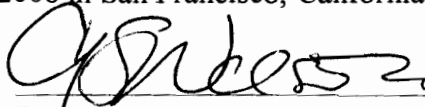
2. According to the California Secretary of State's website, the American Independent Party is one of six political parties recognized the Secretary a "qualified political party."

3. The aforementioned website can be found at the following internet address:  
[http://www.sos.ca.gov/elections/elections\\_f.htm](http://www.sos.ca.gov/elections/elections_f.htm).

1           4.       The five other "qualified" parties recognized by the Secretary are the Democratic  
2 Party, the Green Party, the Libertarian Party, the Peace and Freedom Party, and the Republican  
3 Party.

4           5.       Further, particular sections of the California Elections Code apply to the American  
5 Independent Party specifically. See, Cal. Elections Code §§ 6500 *et seq*, 7500 *et seq*.

6           I declare under penalty of perjury that the foregoing is true and correct and based on my  
7 personal knowledge. Executed August 12, 2008 in San Francisco, California.

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9 Gregory S. Walston

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