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1 THE TELEPHONIC DEPOSITION OF GREGG  
 2 VANCE was taken on behalf of the Defendant at  
 3 the offices of the Deputy Attorney General Civil  
 4 Litigation Division, 954 West Jefferson Street,  
 5 Boise, Idaho, commencing at 1:10 p.m. on  
 6 September 15, 2010, before Cindy L. Leonhardt,  
 7 Registered Professional Reporter and Notary  
 8 Public within and for the State of Idaho, in the  
 9 above-entitled matter.  
 10 APPEARANCES:  
 11 For the Plaintiffs:  
 12 Troupis Law Office P.A.  
 13 BY CHRIST T. TROUPIS  
 14 1299 E. Iron Eagle, Suite 130  
 15 P.O. Box 2408  
 16 Eagle, Idaho 83616  
 17 For the Defendant:  
 18 Deputy Attorneys General  
 19 Civil Litigation Division  
 20 BY MICHAEL S. GILMORE  
 21 954 West Jefferson Street  
 22 P.O. Box 83720  
 23 Boise, Idaho 83720-0010  
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1 APPEARANCES (Continued):  
 2 For the Intervenors:  
 3 Givens Pursley LLP  
 4 BY GARY G. ALLEN  
 5 601 West Bannock  
 6 P.O. Box 2720  
 7 Boise, Idaho 83701  
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1  Exhibit 1 marked.)  
 2 MR. GILMORE: Let's do the objections  
 3 before I call Mr. Vance.  
 4 I will object to Paragraph 5 and to the  
 5 blogs referred to in Paragraph 5 and attached to  
 6 Mr. Vance's affidavit, to the extent they're  
 7 offered with the truth of the matters contained  
 8 in them regarding crossover voting. That's a  
 9 hearsay objection.  
 10 I object to the last seven words of  
 11 Paragraph 7, to the extent that it's based upon  
 12 hearsay about crossover voting.  
 13 I object to Paragraph 14, to the extent  
 14 that it's based on hearsay about crossover  
 15 voting.  
 16 I object to Paragraph 6, because  
 17 neither the original nor a duplicate of the  
 18 newspaper advertisement referred to in that  
 19 paragraph has been provided in the affidavit.  
 20 This objection is under the Thousand Series of  
 21 the Federal Rules of Evidence; and I also object  
 22 on grounds of hearsay.  
 23 I object to the last sentence of  
 24 Paragraph 9, for lack of documentation of outside  
 25 money through Sunshine reports or other

# Summary of Comments on Vance Deposition.ptx

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Number: 1 Author: user Subject: Sticky Note Date: 10/3/2010 4:12:57 PM  
Objections to Vance Affidavit

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Author: lwinmill Subject: Sticky Note Date: 10/12/2010 10:43:37 AM

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Sustained as to para 5 to extent that it is offered to prove that the author intended to cross over. Overruled to extent that it is offered to prove that statements were being made to encourage others to cross over and support Schroeder.

Sustained as to para 7 to extent it is offered that there was a "likelihood" of cross over voting, but overruled to extent it is offered to show a reaction to the "threat of cross over voting" whether that threat was real or imagined.

Sustained as to para 14 to extent it suggests that cross over voting occurs.

Sustained as to para 6 as to best evidence, foundation and hearsay. If original can be obtained and authenticated, objection will be overruled since the statement is being offered not to prove the truth of the matter asserted, but to show that the statement was made in an effort to incite voters to take particular actions.

Sustained as to para 9 to extent it refers to source and effect of outside money. Speculation, unsupported opinion and hearsay.

Sustained as to para 10. Speculation, unsupported opinion and hearsay.

Sustained as to para 13. Not relevant.