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Nov. 23, 2010
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ACORN misconduct trial stalls yet again, probably well into 2011

Scheduling conflict spurs delay, which means state will lose lead prosecutor

By FRANCIS MCCABE
LAS VEGAS REVIEW-JOURNAL

The voter registration misconduct trial of the national grass-roots community organizing group ACORN was delayed for a third time Monday.

A week before jury selection was to begin, Judge Donald Mosley was forced to delay the trial because the ACORN attorney, Lisa Rasmussen, is involved in a federal trial in Reno. The judge will set a new trial date -- probably well into 2011.

The delays means the state will lose its lead prosecutor on the case, Chief Deputy Attorney General Conrad Hafen. A newly elected Las Vegas justice of the peace, Hafen will be sworn in Jan. 3.

Whoever takes over the case will need a good amount of time to prepare for trial, he said.

The Nevada attorney general's office charged ACORN with 13 felonies on allegations the organization authorized a Las Vegas field operative to run an illegal voter-registration program during the 2008 election cycle, using cash to encourage workers to sign up voters. ACORN, the Association of Community Organizations for Reform Now, also had an illegal quota policy that forced workers to register a certain number of people per shift or face termination, authorities allege.

The field operative who created and ran the incentive program, Christopher Edwards, is serving three years of probation after pleading guilty to two gross misdemeanors. As part of a plea deal, Edwards must testify against ACORN.

Earlier this month, co-defendant Amy Busefink took a deal from prosecutors and pleaded no contest to two gross misdemeanors. She is expected to be sentenced to a year of probation, a \$1,000 fine and 200 hours of community service. Under the Alford plea, Busefink didn't admit guilt but acknowledged that prosecutors could prove their case against her. She does not have to testify against ACORN as a part of her deal.

Busefink was a longtime employee of Project Vote, worked in partnership with ACORN in 2008 and oversaw Edwards. Project Vote is a national grass-roots organization that aims to register voters.

ACORN officials have maintained the organization's innocence in the case, saying Edwards was ordered not to run the incentive program.

The program, called Blackjack or 21-Plus, rewarded employees with \$5 extra per shift if they brought in 21 or more completed voter registration cards.

The case is expected to continue although ACORN effectively dissolved itself earlier this month by declaring Chapter 7 bankruptcy.

If convicted of the 13 counts of compensation for registration of voters, ACORN as an organization can be fined a maximum of \$5,000 per count.

ACORN's attorneys have said the state's case is based on an unconstitutional law. Nevada law says it is "unlawful for a person to provide compensation for registering voters that is based upon the total number of voters a person registers."

The defunct 40-year-old organization, which once counted President Barack Obama among its ranks, came under fire from conservatives for its voter registration tactics.

Conservatives condemned it as a pro-Democrat group engaging in partisan political activities, which violated the tax-exempt status of some of its affiliates.

Recently, video showing ACORN workers giving advice on how to skirt the law caused a political backlash that prompted Congress to slash ACORN's federal funding.

The tapes were later shown to be heavily edited.

Contact reporter Francis McCabe at fmccabe@reviewjournal.com or 702-380-1039.

Find this article at:

<http://www.lvrj.com/news/acorn-misconduct-trial-stalls-yet-again-probably-well-into-2011-110086639.html>

Check the box to include the list of links referenced in the article.

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EXHIBIT 2

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Home About LSR Blog Current Newsletter Join Email List RSS Feeds Contact Subscriptions LSR Account

Site News and Updates ...

LSR did not publish a full issue the week of Nov. 26, due to the Thanksgiving holiday. We have uploaded several in-depth items to our blog this week

The 11/19/10 edition is now posted in HTML and .PDF formats, which may be found by clicking on "Current Newsletter" on the red menu bar above.

Our Web site is a work in progress, so there are some features that aren't working fully just yet -- such as the search engine (which can, at this point, only search blog items -- see window below). We'll use this space to keep you posted on the changes.

The Lone Star Report is now on Twitter.com. Follow us at @LoneStarReport.

Be a familiar face at Lone Star Report's Facebook group! Just type in "Lone Star Report" under the search window at Facebook.com and request to be added to the group.

Lone Star Report Blog

Vegas judge postpones ACORN trial

NOV 29 Written by: Andy Hogue 11/29/2010 5:40 PM

A Las Vegas trial -- which could have implications for certain Texas voter registration efforts if the case is taken to higher courts -- was postponed this week.

The Las Vegas Review-Journal reported that a voter registration misconduct trial between ACORN and the state of Nevada was delayed for the third time. This time, the prosecuting attorney had a federal trial in Reno, Nev.

The Review-Journal has more:

A week before jury selection was to begin, Judge Donald Mosley was forced to delay the trial because the ACORN attorney, Lisa Rasmussen, is involved in a federal trial in Reno. The judge will set a new trial date -- probably well into 2011.

The delays means the state will lose its lead prosecutor on the case, Chief Deputy Attorney General Conrad Hafen. A newly elected Las Vegas justice of the peace, Hafen will be sworn in Jan. 3.

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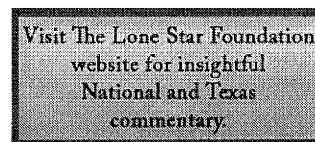
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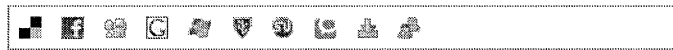
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EXHIBIT 3

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-APPLICATION-

Title

Title of Work: ACORN misconduct trial stalls yet again, probably well into 2011

Completion/Publication

Year of Completion: 2010

Date of 1st Publication: November 23, 2010

Nation of 1st Publication: United States

Author

▪ **Author:** Stephens Media LLC

Author Created: text

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Righthaven LLC

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Transfer Statement: By written agreement

Rights and Permissions

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Certification

Name: Steven A. Gibson

Date: December 15, 2010

Applicant's Tracking Number: 0002167

Registration #:

Service Request #: 1-534407923

Application Date: 12-15-2010 18:20:21

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