

E-Mail from Clifford Arnebeck to Several of Named Plaintiffs, Sent 4/29/09

From: Arnebeck@aol.com <Arnebeck@aol.com>
Subject: The attempted intervention into the King Lincoln case by the Shaffer/Lupo group
To: **REDACTED**
Date: Wednesday, April 29, 2009, 4:55 PM

When, after the 2006 election in which Jennifer Brunner and Mark Dann took over the SOS and AG positions, all the election cases were brought into a settlement exploration mode. An essential part of that exploration in our case was consideration by the AG's office of conducting a criminal investigation of the election theft and voter suppression activity that targeted our clients in the 2004 election and beyond.

Paddy Shaffer was Bob Fitrakis' campaign manager when he ran for Governor in 2006, and had carried out various election protection assignments for him. Ms. Shaffer had decided to independently pursue negotiations with the AG and SOS in regard to her perceptions of the criminal activity in the 2004 election.

Our exploration with the AG's office reached a point in May 2008 at which the AG's office wanted us to identify the specific targets for prosecution, as opposed to convening a grand jury to conduct an investigation to determine the targets. We have, since that time, been seeking to do that, and have identified Karl Rove as a prime target. We also identified Michael Connell, Rove's IT Guru, as a key witness to Rove's activities.

The League of Young Voters attended our news conference on July 17, 2008, when we reported upon this activity, including our filing of a motion to lift the stay in our case that had been put into place to allow settlement exportations to proceed.

Paul Gregory attended the hearing in Federal court in Cleveland for the argument of Michael Connell's motion to quash our subpoena for his testimony before the 2008 election. The court ordered that the deposition proceed on November 3, 2008, however at Connell's lawyers' request only lawyers were permitted to attend the deposition.

Ms. Shaffer teamed up with Marion Lupo, who had assisted us back in 2006 as a paralegal, to file a motion to intervene in our case. In doing so they have been critical of SOS Brunner and us for not filing the hundreds of pages of boards of elections responses accounting for the 2004 ballots. Brunner turned this material over to the AG. The AG advised court chambers of the substantial omissions, and then us. The AG then gave us a copy of all the responses. We published them, in their entirety on FreepRess.org.

A description of the responses that cried out for investigation were provided to the criminal division of the AG's office, along with two volumes of evidence of voter suppression and vote tampering.

Prosecutions are conducted by prosecutors. We have been seeking from the State of Ohio and the FBI, since 2004, investigation and prosecution of the criminal acts in the 2004 election.

Ms. Shaffer and Lupo have continued to attack the SOS Brunner and the lawyers for both the plaintiffs and the SOS, and implicitly the federal court, for not accepting their views, substantively and procedurally, of our case and their relationship to it. They have asserted that there was no stay in our case, that we had conspired with the AG to misrepresent the existence of a stay, and have implied that we were suppressing evidence of the destruction of 2004 ballots.

I sent to you a copy of the court's decision rejecting Ms. Shaffer's and Lupo's various motions that were opposed by us and by the AG. They are currently seeking reconsideration of their motions

by the court, and I have filed a response to their motion, including an affidavit from Miles Curtiss and myself to counter some of their defamatory assertions.

Please let me know if any of you would like any more information about this, particularly if you have been contacted by anyone from this group in their efforts to intervene in a case in which they lack standing and timeliness, among other things.

Cliff Arnebeck