

Affirmation of Paddy Shaffer

1. I have included newly discovered evidence that my research has documented. What I have found is that many of the Ohio County Boards of Elections are still destroying the 2004 election records, in violation of the court order. The newly discovered evidence is in the form of multiple RC-3 forms and one RC-2 form. They are Certificates of Disposal forms filed by 10 of the 88 Ohio Boards of Elections. Most counties do not file the forms and ask permission to dispose of records. Filing these forms is required by Ohio law, yet in my efforts in 2007 to get the State Auditor's office to get the counties to follow the law and all file the forms, the Auditor's office declined. Therefore I can only let the court know what I have been able to find, 10 counties appear to have disposed of more of the 2004 General Election records in 2009. For the county's that do not file properly, we do not know what is missing. Geauga county's form states that they disposed of the 2004 ballot stubs, but after traveling to that county doing election research on April 28, 2009 I found that they still have the ballot stub records. These are important in an audit. The details on that are spelled out in my research page, attached to the RC-2 and RC-3 forms.

There are additional records that have been destroyed since the Secretary of State gathered ballots in 2007 of which I am not reporting on in this filing. If the court is interested in knowing of the other records that I have documented to have been disposed of, I can provide it. This includes signature books and the precinct workbooks.

The RC-3 forms true and accurate copies of the copies made for me by the Ohio Historical Society on April 24, 2009.

2. In statement #5 of the April 24, 2009 Declaration made by Clifford Arnebeck, he mentions that I, Paddy Shaffer "*Sometime in 2007, when we were presenting evidence of criminal activity to the criminal division of the Ohio Attorney General's office, Ms. Shaffer informed me that she was independently presenting evidence to an investigator of the same office.*" and "*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.*"

The actual situation, of which not only Mr. Arnebeck and Mr. Fitrakis are aware of, but also the office of the Ohio Attorney General (AG) is aware of, is that I did not seek out a place and a way to submit evidence. On a Friday morning in July of 2007, my phone rang. It was shortly after Richard Hayes Phillips and I had discovered that some of the 2004 ballots were missing, because we had been photographing ballots at the office of the Secretary of State, and they couldn't find some that had been requested. We were very concerned, and wanted to know everything we could about what had happened. When my phone rang, it was Lloyd Early, the Director of Special Investigations, at the Ohio Bureau of Criminal Identification and Investigation.

Mr. Early said he had learned that I knew about election fraud in Ohio, and he had the time and interest to learn what I knew. I spent that weekend and some additional time working nearly around the clock to pull together evidence, stories, and witnesses to

election crimes and sent this information via email to Lloyd Early. We had hours of conversation during multiple phone conversations. I gave him the names and contact information for witnesses for each story. I gave him as much of the individual election problem stories as I could in writing. I gave him only part of what I knew, as it was a huge amount of time and effort to produce this, which again I did as a volunteer. When I did a public record request for the report Mr. Early told me he would be submitting to the BCI legal department, I found that the report he wrote on all this appears to be very biased, and covered only our first phone call, and not any of the written information I submitted. BCI and Mr. Early did not contact even one person to follow up on the leads I provided. Mr. Lloyd Early also disappeared from his job. I could not find him via email nor phone. This was in the summer of 2007. I later was told he was moved to Health Care Fraud. I do not understand why he could not let me know the outcome of what was decided, after leading me on in what turned out to be a very fake attempt to make me think they would do something. Now it appears to have been a fishing expedition to see what I knew. Why would they do something so cruel to a citizen who simply cared and worked hard as a volunteer to resolve the election problems?

After Mr. Early disappeared I sent off all the evidence I had provided to Mr. Early to both Attorney General Marc Dann and Secretary of State Jennifer Brunner. I wanted to know who Lloyd Early was, and why I had just been put through that heart breaking experience, told to believe that some things will be resolved, then nothing is resolved and Mr. Early has disappeared. Secretary Brunner did not respond, Attorney General Marc Dann did. I have provided his very short email response. This is much like the treatment myself and many others have had from Arnebeck and Fittrakis, promises for years that things will be resolved, justice served, the case will become a RICO case... and yet nothing has been resolved and there is a six year statute of limitations that will quickly have passed.

When this request to give information from me to the AG via Mr. Early began I mentioned to Bob Fittrakis and Clifford Arnebeck that I was very pleased that I had heard from the Bureau of Criminal Identification (BCI) and let them know how excited I was that we were finally going to get an investigation. Rather than getting excited, Cliff wanted to know whom I talked to. Bob wanted to know what I was telling them. I have included the email that I sent to Cliff Arnebeck and Dr. Richard Hayes Phillips letting them know who I was giving election fraud evidence to. Mr. Arnebeck later contacted multiple AG attorneys, including Chelsea Rice, who worked over Lloyd Early, multiple times and represented himself as my attorney, advising them to not speak with me. Emails amongst those attorneys with that conversation was previously provided to the court. Again, Mr. Arnebeck was stretching the truth. He has never been my attorney. Why confuse the AG attorneys, and why block the possibility that they might investigate election fraud in Ohio?

3. In statement #6 of Clifford Arnebeck's April 24, 2009 Declaration he wrote *"In the first week of May 2008, I met with Paul Scarsella to deliver a hard copy of Richard Hayes Phillips' book, Witness to a Crime. Scarsella asked me: "Whom do you want us to*

indict?" I subsequently advised him that we would seek to reopen our case for the purpose of conducting limited discovery in order to answer that question."

In paragraph 9 of the letter Clifford Arnebeck sent to some plaintiffs (enclosed) he wrote, *"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 was told by a Mr. James Hanson, a retired attorney from Ohio, that Mr. Arnebeck had told him that he had three active investigations in three Ohio counties. This does not appear to be factual. I have seen that there have been multiple interviews and articles on the internet with comments, especially from Mr. Arnebeck with misinformation on the King Lincoln case. One topic frequently mentioned is the issue of the stay. Pro se litigant Ms. Lupo and myself have spent multiple days, and visited the clerk, the law clerk with the magistrate, and the judge's law clerks to attempt to find the "stay" in the case that they claim was lifted. None of those court employees could find it, this is how we reached the conclusion that it does not exist. If it does exist, where is it? If it doesn't exist, why do Arnebeck and Fittrakis keep referring to it, filing about it, and misleading and confusing the public and the court.

I do not understand anyone mis-informing people about such an important case, especially an attorney for the plaintiffs. Even the quashing of the subpoena's for Mr. Connell were reported to be done to block his testimony, with no mention the plaintiff attorneys in the articles and interviews posted online that the Benesch Law firm quashed the subpoena's because the amount of time given to respond was inadequate. The attorney's from Benesch simply did their job and correctly advised their client his rights in the situation.

I had a meeting with Mr. Paul Scarsella, Sections Chief for Special Prosecutions at the office of the Ohio Attorney General on March 20, 2009. I had seven people with me in attendance, some members of the OEJC. Three were there in person, and four joined us in a conference call. A second AG attorney named Emily was also there. When we asked Mr. Scarsella to let us know about the claim of a plaintiff attorney in the King Lincoln case of active election fraud investigations going on in three Ohio counties he told us that there are no active investigations of election fraud going in any Ohio county that falls under his job's coverage of the state. The question was repeated to him several times and ways to make sure all in attendance understood that what Mr. Arnebeck had told Mr. Hanson was incorrect. We were again disappointed as we had wished it was true, that there were investigations going on election fraud in Ohio. On Friday, May 1, 2009, I phoned Mr. Scarsella and requested a written letter that would say that. My intention was to file it with the court. Mr. Scarsella replied that he would send the letter that afternoon. It is now May 8, 2009, and I do not yet have that promised. I had hoped to file it with the court with this, and I still hope to receive it.

I raise this issue because it does not appear Mr. Arnebeck and Mr. Fitrakis are getting much done in the way of indictments, it has been a year since they claim to have had the issue raised with the Attorney General. There are no investigations into the county elections from the attorneys in that year, and no investigations into the counties since the case was filed almost three years ago. In my research of the actual 2004 records have found things that needed investigating, beyond the issues as yet raised in this law suit, and have asked a County Prosecutor, the AG and the SOS to investigate, yet nothing has been done. This is one of the things I wanted to clarify with Mr. Scarsella, and one of the reasons we had the meeting. I have been refused a handwriting expert, for which the Attorney General has one on staff at BCI. I have discovered apparent alleged fraud on over 6,800 Coshocton County write-in ballots for a sheriff race. Yet again, nothing is done, no investigation, and the handwriting expert can only be utilized if Secretary Brunner of Coshocton County Prosecutor Bob Batchelor requests it. To date, they haven't although over a half a year ago, one of Secretary Brunner's attorneys promised me an investigation. I would be happy to further explain this to the court, and further provide documentation.

As for Dr. Richard Hayes Phillips book, and Mr. Scarsella wanting to know who to indict, if he did indeed say that to Mr. Arnebeck, I do wish that both Arnebeck and Fitrakis would get busy pushing the prosecution of those who committed criminal acts as reported in the book. I assisted Mr. Phillips with some of that research, and hope that it is put to the use for which it was written, to achieve election justice in Ohio. Mr. Phillips made that easy to do with all that he documented. So why the delay?

4. During the recent Tea Party events on April 15, 2009, I was asked to be a speaker at the main Columbus Library. The topic I was asked to speak on was elections. I gave my speech and approximately 30 to 40 minutes later left the main auditorium and went into another area of the library to make copies of a press release for Virginia Brooks. When I finished, and was heading back to the auditorium and the Tea Party group, I spotted Clifford Arnebeck in the library talking with a man with long hair and a jacket. Mr. Arnebeck seemed to be very angry. I did not stop to hear the conversation, it seemed I'd be safer with the Tea Party group. I did not recognize the man with the long hair, and I do not know if he was in the auditorium when I was speaking. There were approximately 60 or more people there when I spoke. I did explain my opinions on the King Lincoln v Blackwell case, the enormous amount of alleged fraud I found in Coshocton from studying the 2004 actual ballots, and the destruction of election records by at least 58 of our 88 counties. As this library is in Franklin County, I'm pretty sure I let the group know that Franklin County is missing all of their unvoted ballots according to several employees of the Secretary of State. Franklin was not listed on Secretary Brunner's lists of counties missing ballots. I discovered it, questioned Matt Damschroder about it, and still to this day do not know where his ^{WV, VA, KY} ballots are, and neither did the other members of the Franklin County Board of Elections when I asked them. Mr. Arnebeck in his filing of April 24, 2009, claims he never asked Dave Hickman to investigate me. I wonder if Arnebeck has asked others to investigate me, and who was at the library?

PS

I affirm to the best of my knowledge the above is true and correct under the penalty of perjury.

Dated May 8, 2009

Signature: *Paddy Shaffer*

Paddy Shaffer
2408 Sonnington Drive
Dublin, Ohio 43016

----- Original Message -----

From: Marc Dann

To: paddy@columbus.rr.com

Sent: Sunday, August 12, 2007 3:44 PM

Subject: Re: From Paddy Shaffer - DELAWARE COUNTY, A CRIME SCENE INVESTIGATION

Lloyd works for me.

-----Original Message-----

From: Paddy Shaffer <paddy@columbus.rr.com>

To: Jennifer Brunner <jbrunner@sos.state.oh.us>; Marc Dann

Sent: Sun Aug 12 15:31:45 2007

Subject: From Paddy Shaffer - DELAWARE COUNTY, A CRIME SCENE INVESTIGATION

Dear Jennifer Brunner and Marc Dann,

This is the last of the items that I will provide at this time, which I had sent to Lloyd Early. He called me and asked for information. So who is he?

Please note: In Delaware County we have evidence of both the theft of the United States Presidential race, and also the Ohio Supreme Court race. This should matter!

What do you have to do today, that could be more important than dealing with all this that I have just sent you?

And there is so much more...

Make it a Powerful Day,

Paddy Shaffer

paddy@columbus.rr.com

(614) 761-0621

----- Original Message -----

From: "Paddy Shaffer" <paddy@columbus.rr.com>

To: <learly@ag.state.oh.us>

Sent: Friday, July 20, 2007 12:58 PM

Subject: From Paddy Shaffer - DELAWARE COUNTY, A CRIME SCENE INVESTIGATION

> Dear Lloyd Early,

>

> I'm at the beginning of sending you records and information that should

> help

> with your investigation. Please let me know if you have questions.

>

> Enclosed in the attachment is Richards report on elections and Delaware

> County. This is going into a book he is writing.

>

> Bless Your Heart,

>

> Paddy Shaffer

> paddy@columbus.rr.com

> (614) 761-0621

>

----- Original Message -----

From: Paddy Shaffer
To: Cliff Arnebeck ; Dr. Richard Hayes Phillips
Sent: Monday, July 23, 2007 3:06 PM
Subject: Lloyd Early - his title

----- Original Message -----

From: Lloyd Early
To: Paddy Shaffer
Cc: Chelsea S. Rice
Sent: Monday, July 23, 2007 11:47 AM
Subject: RE: your titles - a question

Ms. Shaffer:

Per your request, I am currently serving in the following capacities:

1. Assistant Executive Director of Certification and Standards, Ohio Peace Officer Training Commission
2. Director of Special Investigations, Ohio Bureau of Criminal Identification and Investigation

The Assistant Attorney General in the Ohio Attorney General's Public Integrity Unit to whom I made reference is AAG Chelsea Rice, who has been copied on this message.

Lloyd S. Early
Assistant Executive Director
Certification and Standards Division
Ohio Peace Officer Training Commission
(800) 346-7682/(740) 845-2700
learly@ag.state.oh.us

From: Paddy Shaffer [mailto:paddy@columbus.rr.com]
Sent: Monday, July 23, 2007 11:45 AM
To: Lloyd Early
Subject: your titles - a question

Dear Lloyd,

Could you please write and send me your two titles. I'm wanting to make sure I have them correctly. I would also like the name of the person in the legal department that my information will go to, and the proper title and spelling for Chelsey Rice. If you can send contact information for them also, I would appreciate it.

Thank You,

Paddy Shaffer
paddy@columbus.rr.com
(614) 761-0621