

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEAN CUNNINGHAM, et al.,

Defendants.

Case No. 3:08CV709

**DECLARATION OF SHIRA HOFFMAN**

1. My name is Shira Hoffman. I am a Paralegal Specialist in the Voting Section, Civil Rights Division, United States Department of Justice. I live in Washington, D.C. I make this declaration under 28 U.S.C. § 1746.

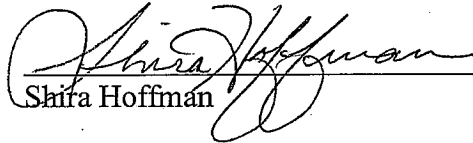
2. On November 13, 2008, our office received a set of data provided by the Defendants and derived from the Virginia Elections and Registration Information System ("VERIS"), a database administered by the Virginia State Board of Elections ("SBE"). This data included the names of absentee voters in Virginia and noted whether such voters were UOCAVA voters, the dates on which their absentee ballot applications were processed by localities, and the dates on which the mailing labels for their absentee ballots were printed ("print date"). According to the SBE, the print date is the earliest date on which a ballot could have been sent.

3. The data referred to in Paragraph 2 were attached as Exhibit F to the United States Memorandum in Support of Motion for Temporary Restraining Order and Preliminary Injunction filed with this Court. That exhibit is incorporated here by reference.

4. The November 13, 2008 VERIS data showed that 279 ballots requested by UOCAVA voters were mailed on October 21, 2008 or later – 14 days or less prior to the November 4, 2008 general federal election. I reached this number by sorting the data to show only voters designated as UOCAVA voters who requested their ballots by October 5, 2008, and whose ballot print dates were October 21, 2008 or later. I then counted each voter who, according to the database, met that criteria.

5. The United States received updated data from the SBE on March 6, 2009. According to that data set, an absentee ballot was mailed to Carl R. Conti on October 8, 2009. See Attachment A to this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

  
Shira Hoffman

Dated: September 18, 2009

# Attachment A

	A	B	C	D	E	F	G	H	I
1	LOCALITY	PRECINCT	last_name	first_name	middle_name	FULL_ADDRESS	full_address_line_2	full_address_line	city
37612	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	BYERLY	KRISTIN	KAY	15505 BENCHLEY DR			COLORADO SPRINGS
37613	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	CHEN	SUNNY	SHIH-FAIN	1032 Carmelita Dr			Sierra Vista
37614	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	CLARK	BARBARA	ANN	1537 Winter Rd			Virginia Beach
37615	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	CONNOR	MICHAEL	CASEY	OOSTELIJKE HANDELSKADE 1113	1019DN	AMSTERDAM	
37616	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	CONTI	CARL	RICHARD	AIR DEPT V-O	USS THEODORE ROOSEVELT CVN-71		FPO
37617	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	DUDLEY	KYLE	A	4600 Church Point Pl			Virginia Beach
37618	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	DUNN	DEREK	JOHN	C/O CITY HARVEST CHURCH	8 TEMASEK BOULEVAR	#08-01 TO 03	038988
37619	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	GARIN	CATHERINE	KELSIE	7963 JILLS CREEK DR.			BARTLETT
37620	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	GORDON	STEVEN	JEFFERY	1673 Church Point Ln			Virginia Beach
37621	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	HARRINGTON	JAMES		EASTERN UNITED PETROLEUM SE	PO BOX 9449	AHMADI 61003	
37622	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	HARRINGTON	JAMES		4156 Hermitage Pt			Virginia Beach
37623	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	HARRINGTON	SARAH	JANE	4156 Hermitage Pt			Virginia Beach
37624	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	HIGGINS	ABIGAIL	SARAH	USMAA GMATS SAMUELS HALL	300 STEAMBOAT RD		KINGS POINT
37625	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	HOLMAN	THOMAS	DAILEY	1504 Wakefield Dr			Virginia Beach
37626	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	KURGAN	KATHLEEN	A	PSC 817 Box 51			Fpo
37627	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	KURGAN	KATHLEEN	A	PSC 817 Box 51			Fpo
37628	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	LAURENCE	COLLEEN	ELIZABETH	CORPS DE LA PAIX	BP 222	NOUAKCHOTT	WEST AFRICA
37629	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	LEDFORD	ANDREW	KENNETH	4564 Church Point Pl			Virginia Beach
37630	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	LEDFORD	ANDREW	KENNETH	4564 Church Point Pl			Virginia Beach
37631	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	LEONARD	STANLEY	SCOTT	4136 Country Club Cir			Virginia Beach
37632	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	MACIAS	LUIS	A	4511 Sir Johns Ln			Virginia Beach
37633	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	MAIN	ISABEL	YEARIAN	1708 Westerfield Rd			Virginia Beach
37634	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	MATOS	MICHAEL	A	USDAO BOGOTA	UNIT 5115		APO
37635	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	MORO	MICHAEL	VINCENT	4416 Hermitage Rd			Virginia Beach
37636	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	MORRISON	DOUGLAS	HAMILTON	GRILLPARZERSTR 7/11B	VIENNA AUSTRIA	A-1010	
37637	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	MORRISON	DOUGLAS	HAMILTON	4508 Curtiss Dr			Virginia Beach
37638	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	PARUM	MARCIA	ABERNATHY	115 CORNELL AVE	SCARBOROUGH ONTARIO	M1N2Y5	
37639	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	PETERSEN	ANIKI	JEANE	4305 Hermitage Rd			Virginia Beach
37640	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	PETERSEN	HENRIK	THOMAS	BARDOWICKER STR 28C	21379 SCHARNEBECK		
37641	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	PETERSEN	JAN	BERND	IFFLANDSTRASSE 24	22087 HAMBURG		
37642	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	PETERSEN	MARY E	WOOD	BARDOWICKER STR 28C	21379 SCHARNEBECK		
37643	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	ROBBINS	SARAH	JESSIE	4124 Hermitage Pt			Virginia Beach
37644	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	ROGUSKI	ANDREA	ELAINE	1002 JOHNSON AVE			PORT NECHES
37645	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	ROGUSKI	JEDEDIAH	JIM	1002 JOHNSON AVE			PORT NECHES
37646	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	SALISBURY	DAVID	THOMAS	4585 3RD ST			LA MESA
37647	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	SEMLER	COGAN	SCOTT	222 CONGRESS AVE			PACIFIC GROVE
37648	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	THOMPSON	HILLIARY	GENIA	PSC 477 Box 356			Fpo
37649	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	WALLER	KATHRYN	CLAIRE	B.P. 12 TANAMBE 504	AMPARAFARAVOLA		
37650	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	WASTENEYS	KATHERINE	ANN	571 PALMERSTON AVE	TORONTO ONTARIO	M6G-2P6	
37651	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	WEINSTEIN	BRIAN	CHARLES	4632 Bradston Rd			Virginia Beach
37652	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	WHALEN	TODD	EDWARD	1708 Westerfield Rd			Virginia Beach
37653	VIRGINIA BEACH CITY	018 - THOROUGHGOOD	WILEY	KIRSTEN	MARSHALL	842 B Ave			Coronado
37654	VIRGINIA BEACH CITY	019 - LAKE SMITH	CANNON	MICHAEL	LEWIS	USCG TRACEN	ONE MUNRO AVENUE		CAPEMAY
37655	VIRGINIA BEACH CITY	019 - LAKE SMITH	FORTUNE	JEANNIE		5005 Stedwick Ct Apt 103			Virginia Beach
37656	VIRGINIA BEACH CITY	019 - LAKE SMITH	GERSTENSLAG	ROBYN	BUCHANAN	5055 Shell Rd # A			Virginia Beach
37657	VIRGINIA BEACH CITY	019 - LAKE SMITH	GISTARB	JESSICA	UNTALAN	5241 Bardith Cir			Virginia Beach
37658	VIRGINIA BEACH CITY	019 - LAKE SMITH	HANNA	JAMES	DAVID	5021 Parsons Ln			Virginia Beach
37659	VIRGINIA BEACH CITY	019 - LAKE SMITH	KRAFT	ERICA	ANN	36 Commando Ave			Fort Bragg
37660	VIRGINIA BEACH CITY	019 - LAKE SMITH	KUNKEL	JACOB	THOMAS	1508 Chatham Ct Apt 202			Virginia Beach

	J	K	L	M	N	O	P	Q	R	S
1	state	zip	country	BALLOT	UOCAVA_TYPE	BALLOT_ST	APP_PROCESS	date_sent	BALLOT_PROCE	ONGOING
37612	CO	80921	US	Mail	6B - Military - Spouse/Dependent - Domestic	Marked	4/8/2008 0:00	10/8/2008 0:00	10/20/2008 0:00	FALSE
37613	AZ	856351929	US		6A - Military - Domestic	Issued	2/2/2008 0:00	10/8/2008 0:00		TRUE
37614	VA	234554224		In Person	6D - Temporarily Residing Outside US Due To Employment	On Machine	10/29/2008 0:00	10/29/2008 0:00	10/29/2008 0:00	FALSE
37615			NETHERLANDS	Mail	6C - Temporarily Residing Outside US	Marked	8/20/2008 0:00	10/8/2008 0:00	10/25/2008 0:00	FALSE
37616	AE	9599	US	Mail	6E - Military - Overseas	Late	9/12/2008 0:00	10/8/2008 0:00	11/17/2008 0:00	TRUE
37617	VA	234554373	US		6A - Military - Domestic	Issued	10/3/2008 0:00	10/11/2008 0:00		TRUE
37618			SINGAPORE		6C - Temporarily Residing Outside US	Issued	6/6/2006 0:00	10/8/2008 0:00		TRUE
37619	TN	38133	US	Mail	6B - Military - Spouse/Dependent - Domestic	Marked	9/22/2008 0:00	10/8/2008 0:00	10/30/2008 0:00	FALSE
37620	VA	234557015		Mail	6A - Military - Domestic	Marked	10/10/2008 0:00	10/21/2008 0:00	10/28/2008 0:00	TRUE
37621			KUWAIT		6C - Temporarily Residing Outside US	Issued	4/8/2008 0:00	10/8/2008 0:00		TRUE
37622	VA	234554519			6C - Temporarily Residing Outside US	Deleted	4/8/2008 0:00			TRUE
37623	VA	234554519		Mail	6D - Temporarily Residing Outside US Due To Employment	Marked	10/6/2008 0:00	10/10/2008 0:00	10/31/2008 0:00	FALSE
37624	NY	11024	US	Mail	6A - Military - Domestic	Marked	10/23/2008 0:00	10/23/2008 0:00	10/31/2008 0:00	FALSE
37625	VA	234554529		Mail	6A - Military - Domestic	Marked	10/5/2007 0:00	10/8/2008 0:00	10/15/2008 0:00	TRUE
37626	AE	96229998	US		6A - Military - Domestic	Deleted	6/6/2008 0:00	10/8/2008 0:00		TRUE
37627	AE	96229998	US	Mail	6E - Military - Overseas	Marked	10/7/2008 0:00	10/11/2008 0:00	11/4/2008 0:00	TRUE
37628			MAURITANIA		6C - Temporarily Residing Outside US	Issued	6/12/2008 0:00	10/8/2008 0:00		TRUE
37629	VA	234554363	US	In Person	6A - Military - Domestic	On Machine	10/25/2008 0:00	10/25/2008 0:00	10/25/2008 0:00	FALSE
37630	VA	234554363	US		6A - Military - Domestic	Deleted	10/20/2008 0:00	10/24/2008 0:00		FALSE
37631	VA	234554412		Mail	6A - Military - Domestic	Marked	10/14/2006 0:00	10/8/2008 0:00	10/16/2008 0:00	TRUE
37632	VA	234554935	US		6A - Military - Domestic	Issued	10/14/2008 0:00	10/21/2008 0:00		TRUE
37633	VA	234554344		Mail	6D - Temporarily Residing Outside US Due To Employment	Marked	10/6/2008 0:00	10/11/2008 0:00	10/24/2008 0:00	TRUE
37634	AA	34038	US		6A - Military - Domestic	Issued	2/21/2008 0:00	10/8/2008 0:00		TRUE
37635	VA	234554525	US	Mail	6C - Temporarily Residing Outside US	Marked	10/11/2008 0:00	10/11/2008 0:00	11/1/2008 0:00	TRUE
37636			AUSTRIA	Mail	6C - Temporarily Residing Outside US	Marked	7/18/2008 0:00	10/8/2008 0:00	10/20/2008 0:00	TRUE
37637	VA	234554318			6C - Temporarily Residing Outside US	Deleted	1/2/2008 0:00			TRUE
37638			CANADA	Mail	6C - Temporarily Residing Outside US	Marked	9/2/2008 0:00	10/8/2008 0:00	10/24/2008 0:00	TRUE
37639	VA	234554522			6C - Temporarily Residing Outside US	Issued	8/15/2008 0:00	10/8/2008 0:00		TRUE
37640			GERMANY	Mail	6C - Temporarily Residing Outside US	Marked	8/27/2008 0:00	10/8/2008 0:00	10/14/2008 0:00	TRUE
37641			GERMANY	Mail	6C - Temporarily Residing Outside US	Marked	8/15/2008 0:00	10/8/2008 0:00	10/20/2008 0:00	TRUE
37642			GERMANY		6C - Temporarily Residing Outside US	Issued	8/15/2008 0:00	10/8/2008 0:00		TRUE
37643	VA	234554519			6D - Temporarily Residing Outside US Due To Employment	Issued	10/14/2008 0:00	10/26/2008 0:00		FALSE
37644	TX	77651	US	Mail	6A - Military - Domestic	Marked	10/10/2008 0:00	10/20/2008 0:00	10/29/2008 0:00	TRUE
37645	TX	77651	US	Mail	6A - Military - Domestic	Marked	10/10/2008 0:00	10/20/2008 0:00	10/29/2008 0:00	TRUE
37646	CA	91941	US	Mail	6A - Military - Domestic	Marked	10/21/2008 0:00	10/21/2008 0:00	10/29/2008 0:00	FALSE
37647	CA	93950	US	Mail	6A - Military - Domestic	Marked	9/24/2008 0:00	10/8/2008 0:00	11/4/2008 0:00	TRUE
37648	AP	963060300	US	Mail	6A - Military - Domestic	Marked	5/15/2008 0:00	10/8/2008 0:00	10/20/2008 0:00	TRUE
37649			MADAGASCAR		6D - Temporarily Residing Outside US Due To Employment	Issued	10/10/2008 0:00	10/12/2008 0:00		TRUE
37650			CANADA	Mail	6C - Temporarily Residing Outside US	Marked	10/10/2008 0:00	10/20/2008 0:00	10/27/2008 0:00	TRUE
37651	VA	234554312			6E - Military - Overseas	Issued	10/27/2008 0:00	10/28/2008 0:00		TRUE
37652	VA	234554344		Mail	6E - Military - Overseas	Marked	10/6/2008 0:00	10/11/2008 0:00	10/24/2008 0:00	TRUE
37653	CA	921182616	US	Mail	6B - Military - Spouse/Dependent - Domestic	Marked	9/15/2008 0:00	10/8/2008 0:00	10/20/2008 0:00	FALSE
37654	NJ	8204	US		6A - Military - Domestic	Issued	10/16/2008 0:00	10/23/2008 0:00		TRUE
37655	VA	234553814	US	In Person	6A - Military - Domestic	On Machine	10/27/2008 0:00	10/27/2008 0:00	10/27/2008 0:00	FALSE
37656	VA	234553805	US	Mail	6A - Military - Domestic	Marked	10/28/2008 0:00	10/29/2008 0:00	11/3/2008 0:00	TRUE
37657	VA	234553861	US	In Person	6A - Military - Domestic	On Machine	9/25/2008 0:00	9/25/2008 0:00	9/25/2008 0:00	FALSE
37658	VA	234553925		In Person	6A - Military - Domestic	On Machine	10/20/2008 0:00	10/20/2008 0:00	10/20/2008 0:00	FALSE
37659	NC	283071532	US	Mail	6A - Military - Domestic	Marked	2/21/2008 0:00	10/8/2008 0:00	10/24/2008 0:00	TRUE
37660	VA	234553829	US	Mail	6A - Military - Domestic	Marked	10/6/2008 0:00	10/12/2008 0:00	11/1/2008 0:00	TRUE