

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

**The Honorable Rick Perry,**

**Plaintiff,**

**v.**

**Civil Action No. 3:11-CV-856-JAG**

**Charles Judd,  
In His Official Capacity as a Member  
of the Virginia State Board of Elections, et al.,**

**Defendants.**

**REPUBLICAN PARTY OF VIRGINIA CHAIRMAN'S  
NOTICE REGARDING WITNESSES TO BE  
CALLED AT THE JANUARY 13 HEARING**

Defendant Patrick Mullins, Chairman of the Republican Party of Virginia, hereby gives notice that he does not intend to present any live witnesses at the preliminary injunction hearing scheduled for January 13, 2012, in light of the allegations and causes of action asserted by the Plaintiff's Complaint and Emergency Motion, and based upon the Chairman's position the he and the Republican Party of Virginia are neither necessary nor proper parties to this lawsuit. However, the Chairman reserves the right to seek leave of Court to present live witnesses and/or documents (including election materials) in the event that, after this date, the Plaintiff or an Intervenor candidate raises new factual allegations or legal claims that are not presented in the Plaintiff's Complaint. Because the Chairman and his counsel cannot anticipate any unasserted factual allegations or causes of action, it is not possible to identify witnesses who might be necessary to address such unknown facts or legal theories at this time.

Respectfully submitted this 3<sup>rd</sup> day of January, 2012.

/s/

---

Charles E. Sims (Va. Bar 35845)  
LeClairRyan, a Professional Corporation  
Riverfront Plaza, East Tower  
951 East Byrd Street, Eighth Floor  
Richmond, Virginia 23219  
Telephone: (804) 343-5091  
Facsimile: (804) 783-7655  
[Charles.Sims@leclairryan.com](mailto:Charles.Sims@leclairryan.com)

Lee E. Goodman (Va. Bar 31695)  
LeClairRyan, a Professional Corporation  
1101 Connecticut Ave., NW, Sixth Floor  
Washington, DC 20036  
Telephone: (202) 659-6730  
Facsimile: (202) 775-6430  
[Lee.Goodman@leclairryan.com](mailto:Lee.Goodman@leclairryan.com)

*Attorneys for Patrick Mullins, Chairman of the  
Republican Party of Virginia*

## CERTIFICATE OF SERVICE

I hereby certify that on the 3<sup>rd</sup> day of January, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel named below:

Hugh M. Fain, III  
Edward E. Bagnell, Jr.  
Maurice F. Mullins  
Spotts Fain PC  
411 East Franklin Street  
Richmond, Virginia 23218-1555  
Telephone: (804) 788-1190  
[hfain@spottsfain.com](mailto:hfain@spottsfain.com)  
[ebagnell@spottsfain.com](mailto:ebagnell@spottsfain.com)  
[cmullins@spottsfain.com](mailto:cmullins@spottsfain.com)

James E. Trainor, III  
Joseph M. Nixon  
Martin D. Beirne  
Beirne Maynard & Parsons LLP  
1300 Post Oak Blvd., 25<sup>th</sup> Floor  
Houston, Texas 77056  
Telephone: (512) 623-6700  
[ttrainor@bmpllp.com](mailto:ttrainor@bmpllp.com)  
[jnixon@bmpllp.com](mailto:jnixon@bmpllp.com)  
[mbeirne@bmpllp.com](mailto:mbeirne@bmpllp.com)

### ***Attorneys for The Honorable Rick Perry***

E. Duncan Getchell, Jr.  
Wesley G. Russell, Jr.  
Office of the Attorney General  
900 E. Main Street  
Richmond, Virginia 23219  
Telephone: (804) 786-2436  
[dgetchell@oag.state.va.us](mailto:dgetchell@oag.state.va.us)  
[wrussell@oag.state.va.us](mailto:wrussell@oag.state.va.us)

Joseph N. Lief  
Virginia International Raceway  
1245 Pinetree Road  
Alton, Virginia 24520  
Telephone: (434) 822-7700

### ***Attorneys for Charles Judd, Kimberly Bowers, Don Palmer,***

*members of the Virginia State Board of Elections,  
in their official capacity*

/s/

---

Charles E. Sims (Va. Bar 35845)  
LeClairRyan, a Professional Corporation  
Riverfront Plaza, East Tower  
951 East Byrd Street, Eighth Floor  
Richmond, Virginia 23219  
Telephone: (804) 343-5091  
Facsimile: (804) 783-7655  
[Charles.Sims@leclairryan.com](mailto:Charles.Sims@leclairryan.com)

*Attorneys for Patrick Mullins, Chairman of the  
Republican Party of Virginia*