

1 THOMAS E. MONTGOMERY, County Counsel
County of San Diego
2 By TIMOTHY M. BARRY, Chief Deputy (State Bar No. 89019)
1600 Pacific Highway, Room 355
3 San Diego, CA 92101-2469
Telephone: (619) 531-6259
4 E-mail: timothy.barry@sdcounty.ca.gov
Exempt From Filing Fees (Gov't Code § 6103)
5

6 Attorneys for Defendants
7

8 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SAN DIEGO**
10 **CENTRAL DIVISION**

11 RAYMOND LUTZ,
12 Plaintiff,

13 v.

14 MICHAEL VU, San Diego County Registrar
of Voters, HELEN N. ROBBINS-MEYER,
15 San Diego County Chief Administrative
Officer, SAN DIEGO COUNTY, a
16 Municipality

17 Defendant.
18
19

No. 37-2016-00020273-CL-MC-CTL
Action Filed: June 18, 2016

**DECLARATION OF DEAN LOGAN IN
SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S MOTION
FOR INJUNCTIVE RELIEF**

IMAGED FILE

Date: July 6, 2016
Time: 1:30PM
Dept.: C-73
ICJ: Hon. Joel Wohlfell

20 I, Dean C. Logan, declare as follows:

21 1. I make this declaration based on my own personal belief, except for matters set
22 forth on information and belief, and as to those matters I believe them to be true, and if called
23 upon to testify herein, I could and would competently testify to the following facts:

24 2. I have been employed with the County of Los Angeles for approximately 10 years.

25 3. I am currently employed by the County of Los Angeles as the Registrar-
26 Recorder/County Clerk. I have held my current position since July 2006.

27 ///

28
**DECLARATION OF DEAN LOGAN IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S
MOTION FOR INJUNCTIVE RELIEF**

1 4. As the Registrar-Recorder/County Clerk for the County of Los Angeles I oversee
2 the conduct of all federal, state and local elections for the County of Los Angeles.

3 5. I am familiar with policies and practices of the County of Los Angeles regarding
4 the handling, processing, and tabulation of ballots both before and after an election and with
5 those practices regarding the completion of the 1% percent manual tally required by Elections
6 Code § 15360.

7 6. The County of Los Angeles conducts the 1 percent manual tally pursuant to
8 Elections Code § 15360(a)(1). This 1 percent is based on the semi-official election results,
9 which includes polls ballots and vote by mail ballots.

10 7. The County of Los Angeles does not include provisional ballots in the sample
11 selected for the 1 percent manual tally. If provisional ballots were included in the 1 percent
12 manual tally, it would be very difficult, if not impossible, for the Registrar's office to complete
13 the official canvass of the election results and certify the election within the 30-day certification
14 period. This is because, to combat voter fraud, provisional ballots cannot be reviewed,
15 processed and counted until all of the vote by mail ("VBM") ballots have been processed and
16 counted. Each VBM ballot envelope and provisional ballot envelope must be manually
17 reviewed by my staff. VBM envelopes must be signature checked before ballots are extracted
18 and added to the count. Provisional ballot envelopes are not only signature checked but
19 additional voter information provided on the envelope must also be verified. Due to the time
20 intensive nature of this manual review and the fact that all VBM ballots will not have been
21 received by my office as of the date of the election, the processing and tabulation of the
22 provisional and VBM ballots often continues well into the 30 day certification period.

23 8. The County of Los Angeles does not include VBM ballots that have yet to be
24 processed and added into the official election results, because, again, the processing and
25 tabulation of the VBM ballots not included in the semi-official election results the day after the
26 election takes most of the 30 day certification period to complete. If our office was required to
27 wait to include all VBM ballots in the 1 percent manual tally, it would be very difficult, if not
28 impossible, for the Registrar's office to complete the canvass of the election results and certify

1 the election within the 30-day certification period.

2 Executed this 30 day of June, 2016, at Norwalk, California.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 

5
6 _____
7 DEAN LOGAN
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28