

PRESS RELEASE REGARDING JUDGE HOSACK'S RULING IN THE ELECTION CONTEST CASE FILED AT APPROXIMATELY 4:55 p.m. Pacific Standard Time.

It is my opinion the decision confirms:

1. No statutorily required absentee ballot record was kept by election officials
2. The most accurate record of legal absentee ballots received, in existence, is the November 6, 2009 absentee ballot report;
3. The November 6, 2009 record documents only 2041 valid absentee ballots received;
4. The ballot counting machine print out reflects a total of 2051 absentee ballots counted;
5. 10 more absentee ballots were counted by the machine than are documented as received;
6. Ten more absentee ballots were machine counted than were received;
7. These ten ballots are sufficient to change the result of the election.

Mr. Brannon is out of town at this time. I have not been able to discuss the opinion with him. What further proceedings will be undertaken, if any, will be determined at that time.

Starr Kelso, Attorney for Jim Brannon, October 5, 2010.