

# DANIEL W. MEEK

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May 15, 2007

Judge Mary Mertens James  
Marion County Circuit Court  
P.O. Box 12869  
Salem, OR 97309

Dear Judge James:

**Re: Hazell v. Bradbury, No. 06C-22473**

Enclosed are corrections of errors in some of the memoranda filed by the Hazell Plaintiffs or the Horton Plaintiffs.

The few corrections for the each of the following memoranda are presented in table form only:

MOTION FOR SUMMARY JUDGMENT BY PLAINTIFFS HAZELL, NELSON, CIVILETTI, DELK, AND DUELL AND MEMORANDUM IN SUPPORT (filed February 16, 2007)

DECLARATION OF BRYN HAZELL (filed February 16, 2007)

MOTION FOR SUMMARY JUDGMENT BY PLAINTIFFS HORTON AND LEWIS ON THEIR CLAIMS AND MOTION FOR SUMMARY JUDGMENT ON INTERVENORS' CROSS-CLAIM AND COMBINED MEMORANDUM IN SUPPORT (filed February 16, 2007)

HAZELL PLAINTIFFS SURREPLY MEMORANDUM SUPPORTING SUMMARY JUDGMENT FOR PLAINTIFFS (filed April 27,2007)

Judge Mary Mertens James  
Marion County Circuit Court  
May 15, 2007          Page 2

The corrections to one of the memoranda are numerous, however, so we have included both a table showing each correction and a complete copy of the corrected memorandum:

HAZELL PLAINTIFFS MEMORANDUM OPPOSING SUMMARY  
JUDGMENT FOR DEFENDANTS AND INTERVENORS AND HAZELL  
PLAINTIFFS REPLY MEMORANDUM SUPPORTING SUMMARY  
JUDGMENT FOR PLAINTIFFS (filed March 30, 2007)

Sincerely

Daniel W. Meek

cc: David Leith, ODOJ  
Linda Williams  
John Dilorenzo

**CORRECTIONS TO MOTION FOR SUMMARY JUDGMENT BY PLAINTIFFS  
HAZELL, NELSON, CIVILETTI, DELK, AND DUELL  
AND MEMORANDUM IN SUPPORT**

(filed February 16, 2007)

<b>Page</b>	<b>Error</b>	<b>Corrected to</b>
2, line 7	was commenting its	was commenting <u>upon</u> its
2, second from bottom	missing quotation mark	add quotation mark before "could"
6, line 16	oregon constitution	Oregon Constitution
14, line 4	"cite the 2 cases"	reference to <i>Vannatta, supra</i> ;; <i>Deras v. Myers</i> , 272 Or 47, 535 P2d 541 (1975).
16, line 9	thr	the
18, line 4	missing words	"invalid is" inserted before "both"

**CORRECTION TO DECLARATION OF BRYN HAZELL**

**(filed February 16, 2007)**

<b>Page</b>	<b>Correction</b>
1, ¶ 2	"I have been a registered voter in Oregon since <del>1995</del> <u>1975</u> , . .."

**CORRECTION TO MOTION FOR SUMMARY JUDGMENT BY PLAINTIFFS  
HORTON AND LEWIS ON THEIR CLAIMS AND MOTION FOR SUMMARY  
JUDGMENT ON INTERVENORS' CROSS-CLAIM AND COMBINED  
MEMORANDUM IN SUPPORT**

**(filed February 16, 2007)**

<b>Page</b>	<b>Error</b>	<b>Corrected to</b>
3, line 9	Article IV, section 4(d)	Article IV, section 1(4)(d)

**CORRECTIONS TO HAZELL PLAINTIFFS MEMORANDUM OPPOSING  
SUMMARY JUDGMENT FOR DEFENDANTS AND INTERVENORS AND  
HAZELL PLAINTIFFS REPLY MEMORANDUM SUPPORTING SUMMARY  
JUDGMENT FOR PLAINTIFFS**

(filed March 30, 2007)

Page	Error	Corrected to
2, line 7	was commenting its	was commenting <u>upon</u> its
2, line 8	comments was dicta	comments <u>were</u> dicta
7, line 17	Article II, Section 2	Article II, Section 8
20, line 4	Oregon Supreme Court	<u>The</u> Oregon Supreme Court
21, line 5	implemented Measure 9 express	implemented Measure 9's express
23, line 6	they "are enjoyed	they "are <u>enjoined</u>
26, line 11 (text)	In 1945, Texas adopted	in <u>1845</u> , Texas adopted
28, second line from bottom	In 1858 Oregon	In <u>1857</u> , Oregon
28	electric protection	<u>election</u> protection
28	Texas statute prohibiting	Texas statute <u>included</u>
29, line 16	1857-58	1857
30	Full citation to <b><i>Jory v. Martin</i></b> missing in first instance.	corrected
30, line 20 30, line 25	<b><i>Vannatta</i></b> cite missing volume number	corrected
32, fn 15	"touchstone phone"	" <u>touchtone</u> phone"
36, line 5	But <b><i>Vannatta</i></b> but finds	But <b><i>Vannatta</i></b> finds
36, line 6	<b><i>Vannatta</i></b> cite missing volume number	corrected
37, fn 20	Repetition of "I have not seen ..." already quoted in text	delete repetition from fn
38, line 1	Hose of Representatives	<u>House</u> of Representatives
38, third line from bottom	Benjamin Harrison	<u>William Henry</u> Harrison

**CORRECTIONS TO HAZELL PLAINTIFFS MEMORANDUM OPPOSING  
SUMMARY JUDGMENT FOR DEFENDANTS AND INTERVENORS AND  
HAZELL PLAINTIFFS REPLY MEMORANDUM SUPPORTING SUMMARY  
JUDGMENT FOR PLAINTIFFS**

**(filed March 30, 2007)**

41, sentence beginning Maryland in 1852	Citation omitted	ELECTIONS LAWS OF THE STATE OF MARYLAND, (Lucas 1852), p. 90.
43, line 6 (in quote)	Hunker	Hunkers
44, last line	Kentucky (1792)	Kentucky (1799)
45, line 3	Louisiana (1850)	Louisiana (1846)
45, line 3	art 93	Title VI, art 93
45, Table, Row 1	Kentucky (1792)	Kentucky (1799)
45, Table, Row 2	Louisiana (1812)	Louisiana (1848)
49, fn 41	regulae Democratic tickets	regular Democratic tickets
53, fn 44	date of case omitted	(1974) added
56, last line	A concluding general term is them	A concluding general term is <u>then</u>

**CORRECTIONS TO HAZELL PLAINTIFFS SURREPLY MEMORANDUM  
SUPPORTING SUMMARY JUDGMENT FOR PLAINTIFFS**

(filed April 27, 2007)

<b>Page</b>	<b>Error</b>	<b>Correction</b>
9, line 16	Defendants reply	Defendants' Reply Memorandum
15, line 3	the	The
20, line 9	Meyer	<b><i>Meyer</i></b>
26	entire page may be missing	provide entire page, which consists of only 2 lines
51, line 14	(1996)	(1966)

The entire page 26, if it is missing, consists of:

Relying on the Michigan and New York compilations apparently misled Palmer and Carey into believing that Connecticut was the likely original source of Article II,