

Exhibit 10

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-CIV-KING/O'SULLIVAN

EMMA YAIZA DIAZ; JOHN LANMAN;
AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL
ORGANIZATIONS; AMERICAN FEDERATION OF
STATE, COUNTY AND LOCAL EMPLOYEES,
AFL-CIO; FLORIDA PUBLIC EMPLOYEES COUNCIL
79M AFSCME, AFL-CIO; AND SERVICE EMPLOYEES INTERNATIONAL
UNION, AFL-CIO,

Plaintiffs,

-vs-

KURT S. BROWNING, Secretary of State of Florida;
BRENDA SNIPES, Broward County Supervisor of
Elections; JERRY HOLLAND, Duval County Supervisor
of Elections; LESTER SOLA, Miami-Dade Supervisor
of Elections; BILL COWLES, Orange County
Supervisor of Elections; and ARTHUR ANDERSON,
Palm Beach County Supervisor of Elections,

Defendants.

DEPOSITION OF DEBORAH DION

Thursday, September 27, 2007
7910 NW 25th Street, Suite 201
Miami, Florida 33122
10:00 a.m. - 3:50 p.m.

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APPEARANCES:

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 GARY ROBINSON, P. A.
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 Appearance via telephone.

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JASON TEAL, ESQUIRE

Page 3

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 Appearance via telephone.

RONALD A. LABASKY, ESQUIRE
 YOUNG VAN ASSENDERP, P.A.
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1 PROCEEDINGS
 2 ---
 3 Deposition taken before MELANIE
 4 STINSON-KONSTANTINIDIS, Court Reporter and Notary
 5 Public in and for the State of Florida at Large, in
 6 the above cause.
 7 ---
 8 DIRECT EXAMINATION
 9 BY MR. WINSOR:
 10 Q Can you please state your name for the
 11 record and how to spell it?
 12 A Deborah Dion. D-E-B-O-R-A-H, D-I-O-N.
 13 Q Can you tell me what your position is?
 14 A I am currently the political director for
 15 the South Florida AFL-CIO, which is an affiliate of
 16 the state Florida AFL-CIO as was as the national
 17 AFL-CIO.
 18 Q You're here today as a designee of the --
 19 A -- national AFL-CIO.
 20 (Telephone interruption.)
 21 BY MR. WINSOR:
 22 Q Ms. Dion, your employer is the South
 23 Florida Chapter of the AFL-CIO?
 24 A It's the South Florida AFL-CIO. It's a
 25 central labor council.

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1 Q Tell me how that relates to the national
 2 or international AFL-CIO.
 3 A There are nine central labor councils in
 4 the state of Florida that are under the umbrella of
 5 the Florida AFL-CIO.
 6 Q When you say "under the umbrella," tell me
 7 how you mean that.
 8 A There's the big national AFL-CIO. Then in
 9 every state, there is a state federation.
 10 So the Florida AFL-CIO is based in
 11 Tallahassee. Underneath the Florida AFL-CIO, there
 12 are nine central labor councils throughout the state
 13 of Florida.
 14 So I work for the South Florida
 15 AFL-CIO as their political director, and we cover
 16 Miami-Dade County, we cover Hendry, Monroe, and Lee
 17 counties.
 18 Q Are you a full-time employee of that
 19 organization?
 20 A Yes, I am.
 21 Q How many full-time roughly, if you know,
 22 how many full-time employee do they have?
 23 A I am about it.
 24 Q So are there members that are of your --
 25 the organization that employs you, does it have

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1 that up, which will make it easier for us to address
 2 this list.
 3 And I will be asking you about some
 4 names on this list. So if you want, while I'm doing
 5 this, if you'd like to familiarize yourself with the
 6 list in front of you, that would be great.
 7 MR. WINSOR: And, Elizabeth, if it's all
 8 right with you, if you've got a copy there, I'd
 9 like to attach this Schedule A as an exhibit
 10 for today's deposition, or a copy of it.
 11 MS. WESTFALL: Just the Schedule A or the
 12 whole pleading?
 13 MR. WINSOR: Just the Schedule A.
 14 MS. WESTFALL: Okay. Should I hand it to
 15 the court reporter to have it marked as
 16 Exhibit 1?
 17 MR. WINSOR: Please. Thank you.
 18 (Exhibit 1 was marked for
 19 identification.)
 20 MS. WESTFALL: The witness now has the
 21 document, the Exhibit 1, in front of her,
 22 Mr. Winsor.
 23 MR. WINSOR: Okay.
 24 BY MR. WINSOR:
 25 Q First, have you had a chance to look

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1 through these names, Ms. Dion?
 2 A Yes.
 3 Q Do you recognize any of the names?
 4 A I do not.
 5 Q Well, that may make this easy then. And
 6 you've looked at each page carefully? Ma'am?
 7 A Yes.
 8 Q I didn't mean to hurry you. I just wanted
 9 to make sure you weren't waiting on me.
 10 A I don't recognize any of these names.
 11 Q We are done with that exhibit then, if you
 12 don't recognize any of the names. And you testified
 13 you've not seen this document before?
 14 A That's correct.
 15 Q With respect to 2006, the 2006 November
 16 election, are you aware of any union member who
 17 submitted an incomplete application before the book
 18 closing deadline, and attempted to correct that
 19 application after the book closing deadline?
 20 MS. WESTFALL: Objection, asked and
 21 answered.
 22 You may answer.
 23 THE WITNESS: I do not.
 24 BY MR. WINSOR:
 25 Q Do you know any individual who is not a

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1 union member that was fit into that description?
 2 A I do not.
 3 Q Have you heard from any union member any
 4 problems relating to that particular union member's
 5 efforts to register in 2006?
 6 A I do not.
 7 Q What about any nonunion member?
 8 A No.
 9 Q Tell me about the AFL-CIO voter
 10 registration goals and efforts.
 11 MS. WESTFALL: Objection, vague.
 12 You may answer.
 13 THE WITNESS: Basically, our goal is to
 14 register every union member and every household
 15 member to --
 16 BY MR. WINSOR:
 17 Q Go ahead.
 18 A To participate in elections, in local,
 19 state and federal elections.
 20 Q What types of things does the AFL-CIO do
 21 to try to reach that goal?
 22 A Each local union, we can order their lists
 23 of unregistered and registered, and then we do a
 24 voter registration drive. Either -- we do it a
 25 couple ways.

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1 Some locals will do local union mail
 2 and follow up with local union mail. Others will do
 3 voter registration at the work sites.
 4 Q Okay.
 5 A And member-to-member contact.
 6 Q Let's go through each of those separately.
 7 Let's start with the -- when you say "voter
 8 registration drive," and I assume that's different
 9 than workplace registration, which could be a form
 10 of a voter registration drive, but I understand the
 11 union looks at those differently. Tell me if I am
 12 missing something there.
 13 MS. WESTFALL: Objection.
 14 You may answer.
 15 THE WITNESS: Can you repeat that
 16 question?
 17 BY MR. WINSOR:
 18 Q Sure. Actually, I'll withdraw it.
 19 Tell me, when you say "voter
 20 registration drives," walk me through how that would
 21 work?
 22 A Well, there is various ways and different
 23 unions approach voter registration in different
 24 ways.
 25 Q Okay.

Exhibit 11

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-22572-CIV-KING/O'SULLIVAN

EMMA YAIZA DIAZ; JOHN LANMAN;
AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL
ORGANIZATIONS; AMERICAN
FEDERATION OF STATE, COUNTY
AND LOCAL EMPLOYEES, AFL-CIO;
FLORIDA PUBLIC EMPLOYEES
COUNCIL 79, AFSCME, AFL-CIO;
AND SERVICE EMPLOYEES
INTERNATIONAL UNION, AFL-CIO,

Plaintiffs,

vs.

KURT S. BROWNING, Secretary of
State of Florida; BRENDA
SNIPES, Broward County
Supervisor of Elections; JERRY
HOLLAND, Duval County
Supervisor of
Elections; LESTSER SOLA,
Miami-Dade Supervisor of
Elections; BILL COWLES, Orange
County Supervisor of
Elections; and ARTHUR
ANDERSON, Palm Beach County
Supervisor of Elections,

Defendants.

DEPOSITION OF:	ALMA R. GONZALEZ
TAKEN AT THE INSTANCE:	The Defendants
DATE:	September 17, 2007
TIME:	Commenced at 10:04 a.m. Concluded at 12:10 p.m.
LOCATION:	301 S. Bronough Street, #600 Tallahassee, Florida

REPORTED BY:

LISA D. FREEZE, RPR
Notary Public

ACCURATE STENOGRAPHY REPORTERS, INC.
2894 REMINGTON GREEN LANE
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INDEX OF EXHIBITS

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1 **Q** For the purposes of this deposition today, I
2 just want to make sure that you have no specific facts
3 about any of these AFL or service employee unions with
4 respect to problems they may have had with registration
5 applications.

6 **A** I have no direct knowledge of any of these
7 other individuals.

8 **Q** All right. And again, as far as our four
9 AFSCME members here -- Juana De Jesus, Ondina Garcia, Jan
10 Rokyta, and Geraldine Root -- you don't, as you sit here
11 today, have any specific knowledge of either when their
12 difficulties arose or the nature of their difficulties
13 with respect to registration applications?

14 **A** I do not recall at this time.

15 **Q** All right. Has the union retained any expert
16 to assist it with respect to this litigation?

17 MS. WESTFALL: I'm going to object.

18 THE WITNESS: Has AFSCME Council 79? Is that
19 who you are asking me about?

20 BY MR. ANTONACCI:

21 **Q** Well, that's who you noticed --

22 **A** The answer is no.

23 **Q** Were you aware of whether the AFSCME
24 International has retained any expert to assist it in
25 this litigation?

Exhibit 12

John J. Sullivan

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UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF FLORIDA

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EMMA YAIZA DIAZ; JOHN LANMAN;
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ORGANIZATIONS; AMERICAN FEDERATION
OF STATE, COUNTY AND LOCAL EMPLOYEES,
AFL-CIO; FLORIDA PUBLIC EMPLOYEES
COUNCIL 79, AFSCME, AFL-CIO, AND
SERVICE EMPLOYEES INTERNATIONAL
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vs.

KURT S. BROWNING, Secretary of State
of Florida; BRENDA SNIPES, Broward
County Supervisor of Elections;
JERRY HOLLAND, Duval County Supervisor
of Elections; LESTER SOLA, Miami-Dade
Supervisor of Elections; BILL COWLES,
Orange County Supervisor of Elections;
and ARTHUR ANDERSON, Palm Beach County
Supervisor of Elections,

Defendants.

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Deposition of John J. Sullivan
Washington, D.C.

Friday, September 21, 2007

Reported by: Carla J. Briggs, RPR-RMR-CRR
Job No. 183144

John J. Sullivan

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<p>1 2 3 4 5 September 21, 2007 6 10:07 a.m. 7 8 9 10 Deposition of John J. Sullivan, held at the offices 11 of: 12 13 14 The Advancement Project 15 1730 M Street, NW, Suite 910 16 Washington, DC 20036 17 18 19 20 Pursuant to notice, before Carla J. Briggs, 21 RPR-RMR-CRR, a Notary Public of the District of 22 Columbia.</p>	<p>1 APPEARANCES (Continued): 2 On Behalf of the Defendant Arthur Anderson, Palm 3 Beach County Supervisor of Elections (Via 4 Telephone): 5 JOHN LaVIA, ESQUIRE 6 YOUNG VAN ASSENDERP, P.A. 7 222 S. Adams Street 8 Suite 200 9 Tallahassee, Florida 32302 10 (850) 222-7206 11 12 13 14 15 16 17 18 19 20 21 22</p>
Page 3	Page 5
<p>1 APPEARANCES: 2 On Behalf of the Plaintiffs: 3 ELIZABETH S. WESTFALL, ESQUIRE 4 ADVANCEMENT PROJECT 5 1730 M Street, N.W. 6 Suite 910 7 Washington, DC 20036 8 (202) 728-9557 9 10 On Behalf of the Defendant Kurt S. Browning, 11 Secretary of the State of Florida (Via Telephone): 12 13 ALLEN C. WINSOR, ESQUIRE 14 GRAY ROBINSON, P.A. 15 301 South Bronough Street 16 Suite 600 17 Tallahassee, Florida 32301 18 (850) 577-9090 19 20 On Behalf of the Defendant Bill Cowles, Orange 21 County Supervisor of Elections (Via Telephone): 22 23 JACOB HOROWITZ, ESQUIRE 24 ORANGE COUNTY ATTORNEY'S OFFICE 25 3099 East Commercial Blvd. 26 Suite 200 27 Fort Lauderdale, Florida 33308 28 (954) 771-4500</p>	<p>1 I-N-D-E-X 2 Deposition of John J. Sullivan 3 September 21, 2007 4 5 EXAMINATION BY: PAGE 6 Mr. Winsor 6 7 Ms. Westfall 58 8 Mr. Winsor 64 9 Ms. Westfall 68 10 11 (NO EXHIBITS MARKED) 12 13 14 15 16 17 18 19 20 21 22</p>

2 (Pages 2 to 5)

John J. Sullivan

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1 that you've challenged in this case, but who did not
 2 vote in 2006?
 3 MS. WESTFALL: Objection. Calls for a
 4 legal conclusion. You may answer.
 5 A Other than the information we've already
 6 provided in the case, no.
 7 Q Well, specifically, what information are
 8 you talking about?
 9 A Well, getting back to the example I just
 10 gave, I believe Monica Russo identified a member who
 11 was not permitted to vote because her voter
 12 registration application was not processed by the
 13 supervisor.
 14 Q I think you said that was in 2004.
 15 A Oh, I'm sorry. I apologize. No.
 16 Q Well, let me -- there was a gap there. I
 17 want to ask you again.
 18 Do you know of any SEIU member who did not
 19 vote in 2006 because of the statute that you have
 20 challenged, but who otherwise would have voted in
 21 2006?
 22 MS. WESTFALL: Objection. Calls for a

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1 legal conclusion. You may answer.
 2 A I don't know.
 3 Q So you do not know if -- okay.
 4 Well, I'm asking if you know of someone
 5 who couldn't vote in 2006?
 6 MS. WESTFALL: Objection; asked and
 7 answered. You may answer.
 8 A We know of members whose voter
 9 registration applications were not processed by the
 10 supervisor in 2006, and I think we've identified
 11 those members for you in our responses. These
 12 members were not able to vote. I don't think we
 13 have any additional information regarding their
 14 individual efforts or their individual plans to
 15 vote.
 16 Q Well, when you say you've identified
 17 individuals who weren't registered, where did you
 18 identify those individuals? And I didn't mean to
 19 put words in your mouth with respect to how you
 20 characterized the information you provided.
 21 A It's my understanding that we were given
 22 information from the election officials in Florida

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1 regarding applications that were not processed, and
 2 we were able to compare that list of names against
 3 our membership rolls to identify those of our
 4 members whose applications were not processed and,
 5 as a result, were not eligible to vote.
 6 Q And do you know why those particular
 7 applications were not processed?
 8 MS. WESTFALL: Objection.
 9 A It's my understanding that the information
 10 was provided by the defendants and that the
 11 information identified those individuals whose
 12 applications were incomplete and as a result were
 13 not processed.
 14 Q Okay. I think you said earlier in the
 15 deposition that what -- that one of the things the
 16 Union sought through this litigation was the ability
 17 of its members to make corrections to applications
 18 as late as possible; is that right?
 19 A Yes.
 20 Q And you're talking about corrections to
 21 what kind of applications?
 22 MS. WESTFALL: Objection; asked and

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1 answered.
 2 Q You can go ahead.
 3 MS. WESTFALL: And objection as to form.
 4 You can answer.
 5 A The voter registration applications.
 6 Q Are you aware of any SEIU members who
 7 attempted to make corrections to his or her
 8 application after book closing in 2006?
 9 MS. WESTFALL: Objection; asked and
 10 answered.
 11 A No.
 12 Q Has SEIU received any written complaints
 13 from any of its members regarding voter registration
 14 in Florida?
 15 MS. WESTFALL: Objection; vague. You may
 16 answer.
 17 A Do you mean the international, SEIU?
 18 Q Well, yes.
 19 A Not to my knowledge.
 20 Q Does the Union -- does the SEIU, the
 21 international, have -- or is it aware of any
 22 complaints made to any local chapters by a Florida