

# **EXHIBIT 122**

SECOND AFFIDAVIT OF LEILA HELP-TULLEY, M.S.W.

STATE OF ARIZONA        )  
                                  ) ss  
COUNTY OF APACHE    )

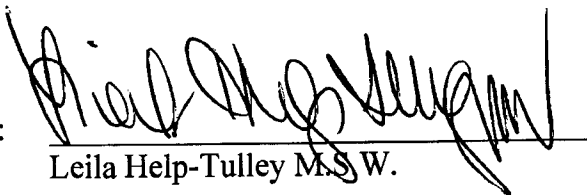
I, Leila Help-Tulley, declare and state as follows:

1. I have personal knowledge of the facts stated below.
2. On September 12, 2006, I went with Agnes Laughter to the polling precinct located at the Chilchinbeto Chapter House to provide her translator assistance in completing her ballot for the Primary Election.
3. When we entered the seventy-five feet voting area, we were immediately met by two poll officials. These poll officials asked Ms. Laughter if she had identification. She told them "no." They seemed puzzled. Then Ms. Laughter told them that "I am here standing before you. Am I not proof enough that I am a human being here to vote?" They had no answer for her. The poll officials told us to wait outside of the building while they went inside the building to speak with someone. After approximately five minutes of waiting outside, the poll officials returned and told Ms. Laughter that she had permission to enter the Chilchinbeto Chapter House.
4. Upon entering the Chilchinbeto Chapter House, Ms. Laughter was directed to the first station where she was asked to sign her name. Ms. Laughter signed the register by making her mark with her thumb print. She was assigned number 483 and was given a piece of paper with that number listed on it. Ms. Laughter was then sent to another station. We were told that this station was the conditional provisional balloting area. Ms. Laughter was asked by the poll workers at this station whether she had identification. She told them "no." The poll workers then proceeded to fill out a yellow ballot form and told her to return in three days to bring an identification to have her vote counted. In response, Ms. Laughter told the poll workers that she did not have identification and that she would be unable to bring identification within three days. The poll workers then told her, "well just go to the hospital in Kayenta and get a medical record and we would consider this for you as well." Ms. Laughter then told them that she has difficulty in obtaining transportation. They then told Ms. Laughter to just try and bring something back. Ms. Laughter told them that she may not be able to bring something back. The poll workers then told her to just walk outside.
5. Ms. Laughter did not receive any type of ballot from the poll workers during the September 12, 2006 Primary Elections.

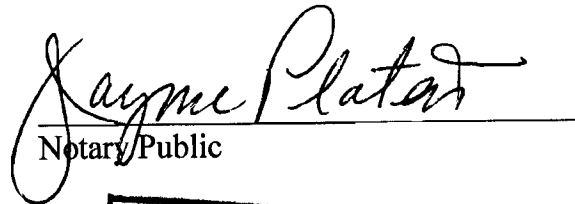
6. I am concerned that Ms. Laughter and other Navajo elders will not be able to cast a ballot in the General Election.

7. Attachment 1 to this Affidavit is a true and correct copy of the document given to Ms. Laughter by the poll workers at the polling location located at Chilchinbeto Chapter House on September 12, 2006.

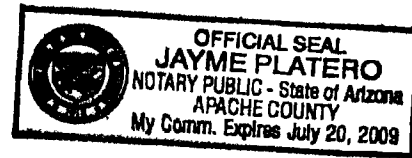
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

By:   
Leila Help-Tulley M.S.W.

SUBSCRIBED AND SWORN TO before me, by Leila Help-Tulley, M.S.W., this 25<sup>th</sup> day of September, 2006.

  
Notary Public

My Commission Expires:  
July 20, 2009



# **ATTACHMENT 1**

**PROVISIONAL BALLOT / BOLETA PROVISIONAL**

AFF #

3202

<b>BOARDWORKER: Has the elector provided either one form of identification from List 1 OR two forms from List 2?</b>			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
I have received instructions by an Election Official on how/where to provide sufficient ID. Recibí instrucciones del Oficial de Elecciones tocante como/donde presentar identificación suficiente.			Initials of Elector Iniciales del Elector	
1 Election	2 Precinct Name/#	3 Registered Party		
Primary		Rep.		
4 Register # AND/OR "V" # Assigned	5 Party/Precinct Code from Ballot-Enclosed			
483	Chilchinbeto			

**IF "NO" is checked above, you have five (5) days after a Federal election and three (3) days after any other election to provide ID as listed below in LIST 1 OR LIST 2 to the County Recorder ALONG WITH THIS RECEIPT. You may visit one of our offices listed below or, if applicable, see the supplemental listing provided by the board worker for more locations. If you have any questions or concerns, please contact us at 1-800-668-3867.**

**LIST 1 - Photo ID (one required - including name and address):**

- Valid Arizona driver license or non-operating identification
- Tribal enrollment card or other form of tribal identification (Photo or Non-photo)
- Valid United States federal, state, or local government issued identification
- Any other form of identification with voter's photograph, name and address which election officials determine to be equally reliable

**LIST 2 - ID without photograph bearing the name and address (two required):**

- Utility bill of the elector that is dated within ninety (90) days of the date of the election. A utility bill may be for electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television
- Bank or credit union statement that is dated within ninety (90) days of the date of the election
- Valid Arizona Vehicle Registration
- Property tax statement of the elector's residence
- Vehicle insurance card
- Valid United States federal, state, or local government issued identification
- Recorder's Certification or Voter Registration Card
- Any "Official Election Material" mailing bearing your name and address
- Any other form of identification with voter's name and address which election officials determine to be equally reliable



**OFFICE LOCATIONS:**

◆ Navajo County Recorder's Office, 100 E. Carter Drive, Holbrook ◆ County Health Department, 251 Penrod Rd, Show Low ◆

**NOTICE TO VOTERS-** To find the status of your Ballot, you may call 1-800-668-3867. You will need the Affidavit # printed above to access the status for your ballot. The status will be available 10 calendar days after a Federal election and 5 business days after any other election. If you feel that a violation of the Help America Vote Act 2002 has occurred, you may contact: Secretary of State's Office of Election Services, 1700 West Washington Street, 7th Floor, Phoenix, AZ 85007, Toll Free: 1-877-THE VOTE, www.sosaz.com

**VOTER'S RECEIPT - GIVE THIS RECEIPT TO THE VOTER**

Continue completing the next page.