

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**


*****)		
ROBERT L. SCHULZ (New York), <i>et al.</i> ,)	Case No. 07-CV-0943 LEK/DRH
Plaintiffs)	
v.)	AFFIDAVIT FILED IN
STATE OF NEW YORK, <i>et al.</i> ,)	SUPPORT OF STATE OF
Defendants)	KENTUCKY AND
*****)	TREY GRAYSON'S
		MOTION TO DISMISS
		AMENDED COMPLAINT

AFFIDAVIT FILED PURSUANT TO LR 7.1(a)(2)

Comes the affiant, Trey Grayson, and after being duly sworn states as follows:

1. I have been named a defendant in the above styled action in my individual capacity and in my official capacity as the Secretary of State for the Commonwealth of Kentucky. See Amended Complaint ¶ 177.
2. The Kentucky Secretary of State's Office does not transact business relating to elections in the Northern District of the State of New York and does not own any property in the Northern District of the State of New York.
3. I personally do not transact business relating to elections in the Northern District of the State of New York and I do not own any property in the Northern District of the State of New York.
4. The Kentucky Secretary of State does not decide or dictate whether Kentucky counties use paper ballots, machines, or computers in Kentucky elections.

Further, affiant sayeth not.



 Trey Grayson
 Secretary of State
 Commonwealth of Kentucky

Subscribed and sworn to before me Trey Grayson this 5th day of December,
2007. My Commission expires: 12.22.2010

State at Large.

Lillian Troop
Notary Public LILLIAN TROOP