UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION TEXAS DEMOCRATIC PARTY; BOYD L. RICHIE, in his capacity as) Chairman of the Texas Democratic Party; HARRIS COUNTY DEMOCRATIC PARTY; GERALD BIRNBERG, in his capacity as) Chairman of the Harris County Democratic Party; J. GOODWILLE PIERRE; ALEXANDRA GIBBS; JEFFREY T. VANSCHOONHOVEN; BONI SUE LESZCZUK; and ERIC J. GALLOWAY Plaintiffs, VS. Cause No. 4:08-CV-03332 LEO VASQUEZ, in his capacity as Harris County Tax Assessor Collector) and Harris County Voter Registrar Defendant. ORAL DEPOSITION OF

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MICHELLE DIXON MARCH 11, 2009

ORAL DEPOSITION OF MICHELLE DIXON, produced as a

witness at the instance of the PLAINTIFFS, was taken in the above-styled and numbered cause on March 11, 2009, from 10:25 a.m. to 12:24 p.m., before Lori Childers, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Clinton Gambill, 1019 Congress, 15th Floor, Houston, Texas 77002, pursuant to the Federal Rules of Civil Procedure.

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1	Q	Okay. All right.
2	A	No.
3	Q	So it's just the affidavit itself?
4	А	That's correct.
5	Q	And when the when the affidavits are brought in,
6	are they brought in in an individually in an envelope? Or	
7	how are	they brought in?
8	А	That's when the provisional now, the provisional
9	ballots	themselves, I'm not sure because that's taken to the
10	county o	clerk. But the affidavits the affidavits are in a
11	sealed -	they have to be in a sealed envelope.
12	Q	Okay. Who's the person responsible for opening the
13	sealed e	envelope?
14	A	The managers.
15	Q	And that would be Ed Johnson?
16	A	Ed Johnson, Chris German.
17	Q	George Hammerlein?
18	A	George I haven't seen him open too many.
19	Q	Okay. All right. He's got people to direct
20	A	Right.
21	Q	to do that.
22		All right. Fair enough.
23	A	He's the director.
24	Q	Okay. So imaging takes it over?
25	A	Uh-huh.
1		

Page 97 That's like the main reasons, is if they moved out of 1 Α the county, they're living in another county, they've died, 2 and they've been on suspense that time and they didn't update. 3 4 0 So those are the three reasons you can think of 5 that --6 Α That I can think of. 7 0 Okay. 8 Α Uh-huh. And do you know who was in charge of purging voters 9 0 10 from the system? 11 A It would -- I know Ed Johnson but -- probably 12 Ed Johnson and Mr. Hammerlein. But I can't tell you which one 13 would actually go in and -- and go ahead and do it. I'm not 14 sure. Okay. But Ed Johnson, as far as you know, is in 15 0 16 charge of those systems? 17 A Yes. 18 Okay. Now, did anybody ever send you an E-mail or a 0 19 memo or come and tell you, "Hey, don't throw away any 20 documents that you have from the 2008 election. Don't throw away" -- "don't delete any E-mails that you have that concern 21 22 the 2000 (sic) election"? Did anybody --23 А No. -- come to you and tell you that? 24 0 25 Α No.