

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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ROBERT DASCOLA,

Plaintiff,

vs.

Case No. 2:14-cv-11296-LPZ-RSW  
Hon. Lawrence P. Zatkoff  
Magistrate Judge R. Steven Whalen

CITY OF ANN ARBOR and JACQUELINE  
BEAUDRY, ANN ARBOR CITY CLERK,

Defendants,

and

SECRETARY OF STATE RUTH JOHNSON,

Intervenor-Defendant.

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**PLAINTIFF'S RESPONSE TO COURT'S  
OPINION AND ORDER ISSUED JULY 22, 2014**

In its July 22, 2014 Opinion and Order, the Court directed all parties to provide a variety of information regarding the conduct of the Ann Arbor Third Ward Council Member primary on August 5, 2014.

As a candidate, Plaintiff has no involvement in the preparations for and conduct of the election. He does not have direct access to information regarding all of the procedures being employed by the Ann Arbor Defendants and, to the extent relevant, by the Intervenor-Defendant.

Plaintiff did receive from the Ann Arbor Defendants on July 24, 2014 a nearly-final draft of their response to this Court's Order. He has now received and thoroughly reviewed the filed responses of all Defendants.

As to the Court's questions about the basic procedure to be used for counting votes and the safeguards to guarantee that all votes are counted accurately (sub-parts a) and b), Plaintiff has no information in addition to that provided in the Defendants' responses. To the extent that Plaintiff and his counsel are familiar with the details of election procedures, the responses appear to be a thorough and accurate presentation of those issues.

Plaintiff does believe that, based on the procedures outlined by the Defendants, there are adequate safeguards in place to guarantee an accurate vote-count. Plaintiff suggests no other safeguards which should be in place.

Plaintiff has no other information to provide to the Court to ascertain the probability that all votes cast in the Third Ward primary election will be counted correctly.

/s/ Thomas F. Wieder  
Thomas F. Wieder (P33228)  
Attorney for Plaintiff

Dated: July 25, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that on July 25, 2014, I electronically filed the foregoing document with the Clerk of the Court using the ECF System which will provide electronic copies to counsel of record.

/s/ Thomas F. Wieder  
Attorney for Plaintiff