

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

**OHIO COUNCIL 8, AFSCME
AMERICAN FEDERATION OF
STATE, COUNTY AND MUNICIPAL
EMPLOYEES, AFL-CIO, et al.**

Plaintiffs,

vs.

JENNIFER BRUNNER, et al.

Defendants.

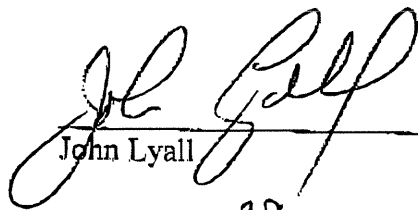
Case No. 1:10-CV-

**DECLARATION OF JOHN
LYALL, PRESIDENT OF OHIO
COUNCIL 8, AFSCME**

I, John Lyall, pursuant U.S.C. §1746, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. My name is John Lyall and I am currently President of AFSCME Ohio Council 8. AFSCME stands for American Federation of State, County and Municipal Employees, AFL-CIO.
2. AFSCME Ohio Council 8 is the leading statewide labor organization for public and non-profit workers in Ohio. Council 8 represents more than 50,000 workers and includes nearly 300 local unions. Members are employed in cities, counties, hospitals, universities and boards of education. Members include non-profit employees and other public service employees.
3. AFSCME Ohio Council 8 brings this action on behalf of its members who vote in Ohio and who seek as much information as possible about Ohio judicial candidates, including information on the ballot about party affiliation.
4. Among the AFSCME Ohio Council 8 members are voters who identify as democrats, voters who identify as republicans, and voters who identify as independents.

5. Voters, including members of AFSCME Ohio Council 8 and members are confused and misled by the current general election judicial ballot restrictions that keep party affiliations off the ballot.
6. Our members who vote rely in part on ballot cues, such as party identification on partisan ballots, when making decisions to vote for or against a candidate. Party designations provide an important indication of a candidate's philosophy.
7. Some of our members who are voters use success in the primary election as part of their process for selecting a candidate.
8. Current Ohio law prevents voters from learning through the general election ballot language whether a candidate for judge prevailed in a party primary and if so, in which party primary. This causes confusion among our members and/or causes many of them to simply not vote for judicial candidates in the general election.
9. Without a prompt injunction by this Court our members will be faced with another judicial election where party affiliation is not identified. Such an election will preclude some voters from casting a ballot in the judicial races for lack of knowledge concerning the candidates.
10. I have read the complaint submitted in this action and all of the allegations regarding AFSCME Ohio Council 8 are true. I also believe to the best of my knowledge that the remaining allegations in the complaint are true.


John Lyall

Dated: July 28, 2010