

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. )

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ORAL DEPOSITION OF  
KIMBERLY SHOEMAKER  
MARCH 10, 2009

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ORAL DEPOSITION OF **KIMBERLY SHOEMAKER**, produced as a witness at the instance of the PLAINTIFFS, was taken in the above-styled and numbered cause on March 10, 2009, from 3:05 p.m. to 3:34 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.

1 A Yes.

2 Q Okay. Tell me about that training.

3 A Our -- our manager told us how to handle it.

4 Q Okay. And who's the manager, again?

5 A Ed Johnson.

6 Q Ed Johnson. What did Ed Johnson tell you about  
7 provisional ballots?

8 A To put the -- where to put the sticker on it.

9 Q Okay.

10 A Or who it needs to go to next and to the processors.

11 Q Okay. Is there any kind of, what the police could  
12 call, chain of custody? Like, when the provisional ballots  
13 come in, does somebody have to sign for them, that you're  
14 aware of?

15 A No.

16 Q Okay. Is there anybody standing around watching you  
17 guys to see what you're doing with the provisional ballots, or  
18 is it pretty much just a free for all?

19 A Sometimes our manager will stand over us.

20 Q Okay.

21 A Ed Johnson will stand over us.

22 Q Sometimes he will, and sometimes he won't?

23 A Yes.

24 Q Okay. Thank you.

25 MR. PRATHER: Can I see Exhibit 1 one real