

**Affidavit of Ivy Frye**

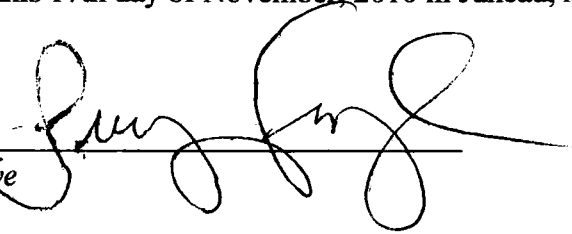
State of Alaska )  
 ) ss.  
City and Borough of Juneau )

Ivy Frye, being first duly sworn upon oath, deposes and states as follows under penalty of perjury:

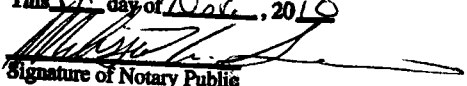
1. I am over the age of eighteen years, of sound mind, and competent to testify to the following facts based on personal knowledge.
2. From Wednesday, November 10, 2011 to Monday, November 15, 2011 I was a ballot observer for the Joe Miller for US Senate campaign in Juneau, Alaska.
3. Title 15 of Alaska State Laws lays out the mandatory guidelines for reviewing write-in ballots. Per Title 15, a vote for a write-in candidate “shall be counted if the oval is filled in for that candidate and if the name, as it appears on the write-in declaration of candidacy, of the candidate or the last name of the candidates is written in the space provided” (15.15.360 (11)). Further, “The rules set out in this section are mandatory and there are no exceptions to them. A ballot may not be counted unless marked in compliance with these rules.” (15.15.360 (b))
4. I witnessed the following inconsistencies with the State of Alaska, Division of Elections ballot counting process, and various misinterpretations of Title 15 during my six days as a ballot observer.
5. On November 13, the Division of Elections director, Gail Fenumiai, in consultation with State of Alaska, Department of Law attorneys, Mike Barnhill and Sarah Felix, accepted numerous misspelled ballots for Lisa Murkowski including: Muskisk, Murcosaga, Mirkuski, Mirkowski and Murkosky in House District 37-742 (Togiak), or House District 39-934 (Savoonga).
6. On November 13, Ms. Fenumiai, accepted a ballot in District 37-722(King Salmon, Alaska), “Marakasu” as “Murkowski”.
7. On November 14, Ms. Fenumiai accepted the following misspellings of “Murkowski” as counted ballots: Murkouki, Murkowsik, Murkowaski, Murkoswi, Murkowki, Murkoki, Mickoski, Murkowsky, Murcowski, and Murcoski (Question ballots in House Districts 5 and 7).
8. On November 15, Ms. Fenumiai accepted the following misspellings of Murkowski as counted ballots: Mmkoski, Murkouski, Morkosky, Murskoski, Murkowsn, Murkoski, Merckoskie, Murkaski, Maryonski, Moskoiski, Markowski, Murkowsky, Murcowski, Merkowski, Muckowski, Murrkooski, Mukuski, Merkowsky, Murakowski, Merkauski.

Further affiant sayeth naught.

Dated this 17th day of November, 2010 in Juneau, Alaska.

  
Ivy Ffye

Subscribed and sworn to before me, a notary public in and for the State of Alaska this 17 day of November, 2010.

State of Alaska  
Borough of MAT-SU  
Subscribed and sworn to before me  
This 17<sup>th</sup> day of Nov., 2010  
  
Signature of Notary Public  
My commission expires:  
9/7/2011

