

IN THE
SUPREME COURT OF FLORIDA

FILED
THOMAS D. HALL

NOV 16 2000

CLERK, SUPREME COURT
BY _____

CASE NO.: SC 00-2346

PALM BEACH COUNTY CANVASSING BOARD,

Petitioner,

vs.

KATHERINE HARRIS, as Secretary of State, State of Florida,
and ROBERT A. BUTTERWORTH, as Attorney General of the State of Florida,
State of Florida,

Respondents,

ALBERT GORE
and the FLORIDA DEMOCRATIC EXECUTIVE COMMITTEE,

Intervenors.

INTERVENORS' SUPPLEMENTAL APPENDIX

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EXHIBITS

F Letters to the Honorable Katherine Harris, Secretary of State, State of Florida, dated November 15, 2000 regarding the request for canvassing boards to Amend Certification of County Returns after November 14, 2000 from:

- 1 Robert W. Lee, County Court Judge, Chair, Broward County Canvassing Board
- 2 Jennifer J. Edwards, Supervisor of Elections, Collier County
- 3 Lawrence D. King, Chairperson, Miami-Dade Canvassing Board
- 4 The Honorable Charles Burton, County Court Judge, 15th Judicial Circuit, Chairperson, Palm Beach County Canvassing Board

G Statement from The Honorable Katherine Harris, Secretary of State, State of Florida dated November 15, 2000.

Letters from The Honorable Katherine Harris, Secretary of State, State of Florida dated November 15, 2000 regarding request of County Canvassing Boards to Amend Certification of County returns to:

- 1 Robert W. Lee, County Court Judge, Chair, Broward County Canvassing Board
- 2 Jennifer J. Edwards, Supervisor of Elections, Collier County
- 3 Lawrence D. King, Chairperson, Miami-Dade Canvassing Board
- 4 The Honorable Charles Burton, County Court Judge, 15th Judicial Circuit, Chairperson, Palm Beach County Canvassing Board

H Official Certificate of the State Elections Canvassing Commission of the General Election Held on the Seventh Day of November, A.D., 2000

**CANVASSING BOARD
BROWARD COUNTY, FLORIDA
201 S.E. 6th Street
Room 6760
Ft. Lauderdale, FL 33301**

November 15, 2000

**The Honorable Katherine Harris
State of Florida
Secretary of State
The Capitol
Room 1801
Tallahassee, FL 32399-0250
Via facsimile - (850) 488-1768**

**RE: Request of Broward County Canvassing Board to Amend Certification of
County Returns After November 14, 2000**

Dear Secretary Harris:

This letter is in response to your November 14, 2000 memorandum in which you required the Broward County Canvassing Board (the "Board") to submit a written statement of facts and circumstances justifying an amended certification of county returns. The Board has concluded that the limited manual recount to date indicates an error in the vote tabulation which could affect the outcome of the election, requiring all manual recount of all ballots.

The Board states the following additional facts and circumstances that justify an amended certification:

1. Extremely large voter turnout, and the resulting ballots cast, dramatically increased the time required for the initial tabulation.
2. This Board, representing voters in the second largest county in Florida, needs additional time to complete all necessary tabulation, and should be afforded more time than boards representing voters in less-populated counties.
3. The large number of ballots has created additional logistical problems, requiring that ballots be moved to an alternate location for further tabulation. The Supervisor's location can accommodate a very limited number of counting teams.

4. The Board has encountered significant periods of delay, including:

A. The actions of the Board have been materially impacted by numerous lawsuits, including lawsuits filed in state circuit courts in Broward County, Palm Beach County and Leon County, and in federal court in both the Southern District and Middle District of Florida.

B. The actions of the Board have been materially impacted by conflicting opinion letters issued by Cabinet officers. On November 13, 2000, an opinion letter was issued by the Director of the Division of Elections, on behalf of the Secretary of State. On November 14, 2000, a conflicting opinion letter was issued by the Office of the Attorney General. These opinion letters impacted the Board's decision-making process regarding a full manual recount and further impeded the Board's ability to proceed more expeditiously.

C. One of the members of the Board, Supervisor of Elections Jane Carroll, was out of state on a pre-planned family holiday and therefore unavailable from November 9, 2000 through November 12, 2000.

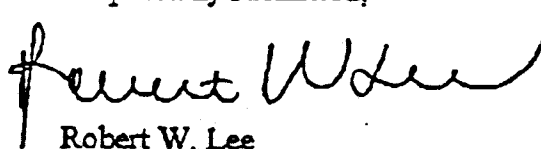
D. The Veterans' Day holiday, observed in Broward County by different governmental agencies on either November 10, 2000 or November 13, 2000, further limited the Board's ability to act.

E. The Board was required by state law to conduct an automatic recount prior to determining the necessity of a full manual recount.

Based on these facts and circumstances, the Board voted today to begin a full manual recount. The Board expects to complete the recount by 5:00 pm on Monday, November 20, 2000. In accordance with your memorandum, the Board will advise you in the future of any change in relevant facts and circumstances regarding this recount, including the estimated completion time.

Please feel free to contact me with any question or concerns.

Respectfully submitted,



Robert W. Lee
County Court Judge
Chair, Broward County Canvassing Board

SUPERVISOR OF ELECTIONS

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VIA FAX & FED EX

November 15, 2000

The Honorable Katherine Harris
Secretary of State
Florida Department of State
Division of Elections
The Capital, Room 1801
Tallahassee, Florida 32399

Honorable Katherine Harris,

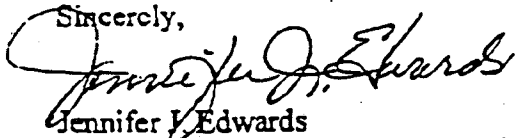
On November 14, 2000, as Collier County Supervisor of Elections Employees were preparing the ballot envelopes of this November 7, 2000 General Election for storage, we performed a post election audit of all envelopes to confirm all envelopes were empty. During this audit, we found 24 ballots had not been removed from the envelope in which they were received, although accepted and opened prior to the election, but were not counted. These 24 ballots represent a cross section of voters of several political parties upon review of the unopened ballot envelopes.

An additional ballot was received October 18, 2000 and accepted. Upon opening, it was ascertained to be a ballot card for the first primary election. Upon further investigation of this ballot, it was determined that the voter had voted for the general election using a first primary ballot card.

We provide this for your information; we are not requesting a manual recount of ballots for this recent General Election. We do inquire if the Canvassing Board of Collier County Florida may provide an amended recount certification of Colliers ballots by merely adding these inadvertently omitted absentee ballots to the total ballot counts already certified and provided.

If this amended recount is approved, the count of these 25 ballots will take place on Friday, November 17, 2000 at 2 p.m. in the Elections Office, M. L. King Building, 3301 Tamiami Trail, Naples, Florida 34104. This will occur at the same meeting at which our overseas ballots will be canvassed, however, they will be certified separately.

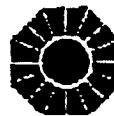
Sincerely,



Jennifer J. Edwards
Supervisor of Elections
Collier County

JJE/pp





OFFICE OF THE SUPERVISOR OF ELECTIONS
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P.O. Box 012241
Miami, Florida 33101-2241

November 15, 2000

Honorable Katherine Harris
Secretary of State
8802, The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0250

Dear Secretary Harris:

After a careful review of the written filings, exhibits and presentation of oral argument of the requesting party, the Democratic Party, as well as the Republican Party's response and all other interested persons, the Miami-Dade Canvassing Board exercised its discretion and unanimously voted to conduct a manual recount of three precincts selected by the requesting party comprising 1% of the vote as provided for pursuant to Florida Statute 102.166.

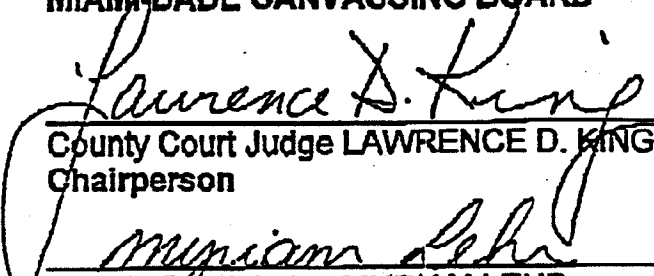
The Miami-Dade County Canvassing Board urges you to accept the Supplemental Certificate of Results for the Office of President of the United States. These supplemental votes are a result of the Canvassing Board's decision to hand count three precincts. The manual recount of the three precincts was completed at approximately 8:00 p.m. on November 14, 2000. The Supplemental Certificate of Results will be faxed to the Division of Elections prior to 2:00 p.m. on Wednesday, November 15, 2000 and an original certification will be sent to the Division of Elections such that it will be received by that office on November 16, 2000.

The Miami-Dade County Canvassing Board believes it is imperative that the votes for the Office of President of the United States contained in the Supplemental Certificate of Results be added to the vote totals of the Board's Certificate of Results dated November 9, 2000.


Please contact David C. Leahy, Supervisor of Elections for Miami-Dade County, at 305-375-3150 if you have any questions regarding this request or the Supplemental Certificate of Results.

Sincerely,

MIAMI-DADE CANVASSING BOARD



County Court Judge LAWRENCE D. KING
Chairperson



County Court Judge MYRIAM LEHR
Substitute Member



Supervisor of Elections DAVID C. LEAHY
Member

cc: L. Clayton Roberts, Director
Division of Elections