

IN THE CIRCUIT COURT OF THE  
SECOND JUDICIAL CIRCUIT IN AND  
FOR LEON COUNTY, FLORIDA

CIVIL DIVISION

CASE NO. 00-2808

ALBERT GORE, JR., Nominee of the  
Democratic Party of the United States  
For President of the United States, et al.,

Plaintiffs,

v.

KATHERINE HARRIS, as Secretary  
of State, State of Florida, et al.,

Defendants.

FILED  
00 NOV 29 PM 4:52  
DAVE LANG  
CLERK, CIRCUIT COURT  
LEON COUNTY, FLORIDA

**ORDER REQUIRING THE DELIVERY OF CERTAIN BALLOTS  
FROM PALM BEACH AND MIAMI-DADE COUNTIES**

This matter came before the Court for a hearing on November 28, 2000. Having heard the arguments of counsel and being otherwise fully advised of the premises, it is hereby

ORDERED and ADJUDGED as follows:

1. Defendant David Leahy, Supervisor of Elections for Miami-Dade County, in response to Plaintiffs' Request for Production, shall produce to the Clerk of the Circuit Court of Leon County, Florida (hereinafter the "Clerk") the approximately 10,750 "undervote" ballots cast in the presidential election in Miami-Dade County on November 7, 2000, as well as the final precinct tally sheets.
2. Defendant Theresa LePore, Supervisor of Elections for Palm Beach County, in response to Plaintiffs' Request for Production, shall produce to the Clerk the approximately 3300 "disputed" ballots cast in Palm Beach County for the general election held on November 7, 2000, as well as the final precinct tally sheets.

3. These ballots shall be secured, transported by police vehicle, and delivered to the Clerk by officers of the Miami-Dade Police Department and Palm Beach County Sheriff's Office, respectively. The ballots shall be delivered to the Clerk by ~~12:00~~ <sup>5:00</sup> ~~noon~~ <sup>P.M.</sup> on Friday, December 1, 2000.

4. Defendants Leahy and Lepore shall coordinate the delivery of the ballots with the Clerk. The Clerk shall confirm the particular time and manner of the delivery to the courthouse, and shall keep the Clerk's office open to accept delivery of the ballots immediately upon their arrival. Upon such delivery, the Clerk shall execute a receipt in the form attached to this Order, provide a copy to the officers, and file a copy in the record of this case, evidencing that the ballots have been delivered and received, and that the Clerk has assumed custody, control, and responsibility over the ballots.

5. Defendants Leahy and Lepore shall also deliver sample voting machines, ballots, and instructions used in the elections in their respective counties including those requested by the parties.

6. The Plaintiffs shall reimburse the Defendant counties for the expenses incurred and their compliance with Plaintiff's request as granted in this Order.

7. In addition all remaining ballots cast in Palm Beach County and Miami-Dade County for President of the United States in the 2000 general election shall be sent separately pursuant to the same procedures set forth in this Order as soon as practicable following the delivery of the ballots previously requested by the Plaintiffs. Nothing in this paragraph shall prevent the ballots requested by the Plaintiffs from being sent immediately today. Defendants George Bush and Richard Cheney shall reimburse the defendant counties for the expenses incurred in their compliance with this paragraph.

8. Nothing in this Order shall be construed as waiving any party's evidentiary objections concerning these ballots in the trial of this matter.

DONE AND ORDERED in Chamber in Leon County on this 29<sup>th</sup> day of November 2000.



Honorable Judge N. Sanders Saul

cc: Copies furnished to all parties in this case



