

Mr. Julius Galacki

Los Angeles, CA

June 26, 2011

Via U.S. Mail

The Honorable Dean Logan
Registrar-Recorder / County Clerk, Los Angeles County
P.O. Box 30450
Los Angeles, CA 90030-0450

Re: Write-In Ballot Cast for Julius Galacki in CD 36 Special General Election

Dear Registrar Logan:

I am registered to vote in Congressional District 36, and have attached this letter to my vote-by-mail ballot for the July 12, 2011 special general election for Congressional District 36 (the "General Election").

I hereby cast a *write-in vote* for myself, Julius Galacki, in the General Election.

The Elections Code gives every voter the right "to write the name of *any candidate* for any public office, including that of President and Vice President of the United States, on the ballot of *any election*" as per Elections Code §15340 (emphases added).

Although the Elections Code explicitly gives me the right to vote for a write-in candidate in "any" election, the ballot that your office has provided does not allow me or any other voter to exercise that citizen's right in the General Election. Thus our, i.e. all citizens', fundamental right to vote for a candidate of our choice has been irreparably harmed.

Equally troubling, a new state law bans such write-in votes from being counted in federal and state elections. Namely, Senate Bill 6, which implements Proposition 14's Top Two Primary, *bans every write-in vote from being counted in the General Election:*

A person whose name has been written on the ballot as a *write-in candidate* at the general election ... *shall not be counted.*¹

In other words, if a voter casts a write-in vote in the General Election, *his or her vote will be thrown away.* As Secretary of State Debra Bowen's office has conceded, Senate Bill 6 not only gives "candidates the illusion that they can run as a write-in", but

¹ Part 8606 of Senate Bill 6, *codified at Elections Code §8606* (emphases added).

Exh. 2 - Galacki Decl.

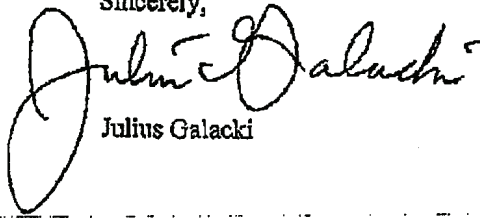
(7)

moreover gives "voters the illusion that they can write in a candidate's name and have [their votes] counted."² This is blatant disenfranchisement.

Senate Bill 6 brazenly violates every Californian's right to run for office and to have his or her vote counted. I am prepared to take all necessary steps to defend and vindicate those fundamental rights.

I may be reached through my attorney, Gautam Dutta, at 415.236.2048; Dutta@BusinessandElectionLaw.com. Thank you for your time and consideration.

Sincerely,



Julius Galacki

² Plaintiffs' May 6, 2011 Motion for Summary Judgment, *Chamness v. Bowen*, 11-CV-1479 (C.D. Cal.) (ODW), at 9:15-9:18 (emphases added), available at <http://gautamdutta.files.wordpress.com/2010/10/plaintiffs-motion-for-summary-judgment-5-6-11-conformed-copy.pdf> (last visited June 26, 2011).

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