

JOHN E. BUTTOLPH ESQ.

5020 Campus Drive
Newport Beach, CA 92660

Tel. 949-955-2033
Fax. 949-955-2036

April 3, 2006

Orange County Registrar of Voters
Neil Kelley, Acting Registrar
1300 South Grand Avenue, Building C
Santa Ana, CA 92705
BY CERTIFIED MAIL/ RETURN RECEIPT REQUESTED

RE: Newport Beach Municipal Debt Initiative
SUBJECT: Validation Procedure

Dear Mr. Kelley,

I represent Newporters for Responsible Government (NRG), proponents of the Newport Beach Municipal Debt Initiative. Please be advised that we have identified substantial differences between the database provided by the Registrar for use by the public to determine the number of valid petition signatures prior to submission, and the full voter registration database maintained at your office and used to verify each of the petition signatures post-submission. **Please be advised that your office must ensure that the Registrar's official verification of signatures is based on the same software and database the Registrar makes available to the public, and upon which the public – including the proponents of this initiative – have reasonably relied.** Otherwise, the inaccurate database provided by your Office will disenfranchise thousands of Newport Beach voters.

On April 3 NRG submitted petitions containing more than 6500 signatures which we have determined to be valid by comparing them with your public database. When your Office officially verifies the signatures on the petitions submitted in support of the Municipal Debt Initiative, NRG requests that your office validate each signature using the same public database, and your ongoing daily updates to the database covering the collection dates in the Declaration of Circulator - to ensure validation of signers who were registered on the date they signed our petition, but who relocated at some date thereafter (prior to the date on which your staff performs the official validation).

Very truly yours,

JOHN EARL BUTTOLPH
JEBms
Cc: Hon. Bruce McPherson, Secretary of State