

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Laura Boustani, <i>et al.</i>	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 06-2065
	)	
	)	Judge Christopher A. Boyko
J. Kenneth Blackwell,	)	
	)	
Defendant.	)	

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**DEFENDANT J. KENNETH BLACKWELL’S ANSWER TO PLAINTIFFS’  
COMPLAINT**

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Now comes Defendant J. Kenneth Blackwell (“Defendant”), and answers the following in response to the allegations set forth in Plaintiffs’ Complaint:

1. Defendant denies the allegations set forth in paragraph 1 of the Complaint for lack of knowledge or information sufficient to form a belief as to the truth of the statements contained therein.
2. As to paragraph 2 of the Complaint, Defendant admits he is the Ohio Secretary of State, but denies the remaining allegations as set forth in paragraph 2 of the Complaint.
3. As to paragraph 3 of the Complaint, Defendant admits that Plaintiffs have attempted to bring the Complaint as stated therein, but denies that the Plaintiffs have stated a cognizable claim.
4. As to paragraph 4 of the Complaint, Defendant admits that Plaintiffs have attempted to bring the Complaint as stated therein, but denies that the Plaintiffs have stated a cognizable claim.

5. As to paragraph 5 of the Complaint, Defendant admits the Ohio General Assembly passed House Bill 3, which amended portions of Title 35 of the Ohio Revised Code, and admits that R.C. 3505.20(A) has been accurately quoted, but denies the remaining allegations set forth in that paragraph.

6. As to paragraph 6 of the Complaint, Defendant admits that R.C. 3505.20(A) has been accurately quoted, but denies the allegations set forth in paragraph 6 of the Complaint.

7. As to paragraph 7 of the Complaint, Defendant admits that the stated portions of R.C. 3505.181(B)(7) and (B)(8) have been accurately quoted, but denies the allegations set forth in paragraph 7 of the Complaint.

8. As to paragraph 8 of the Complaint, Defendant admits that the stated portions of R.C. 3505.183(B)(4)(a) have been accurately quoted, but denies the allegations set forth in paragraph 8 of the Complaint.

9. Defendant denies the allegations set forth in paragraph 9 of the Complaint.

10. Defendant denies the allegations set forth in paragraph 10 of the Complaint.

11. Defendant denies the allegations set forth in paragraph 11 of the Complaint.

12. Defendant admits the allegations set forth in paragraph 12 of the Complaint.

13. Defendant denies the allegations set forth in paragraph 13 of the Complaint.

14. Defendant denies the allegations set forth in paragraph 14 of the Complaint.

15. Defendant denies the allegations set forth in paragraph 15 of the Complaint.

16. Defendant denies the allegations set forth in paragraph 16 of the Complaint for lack of knowledge or information sufficient to form a belief as to the truth of the statements therein.

17. Defendant denies the allegations set forth in paragraph 17 of the Complaint for lack of knowledge or information sufficient to form a belief as to the truth of the statements therein.

18. Defendant denies the allegations set forth in paragraph 18 of the Complaint.

19. Defendant denies the allegations set forth in paragraph 19 of the Complaint.

20. Defendant denies the allegations set forth in paragraph 20 of the Complaint.

21. Defendant denies the allegations set forth in paragraph 21 of the Complaint.

22. Defendant denies the allegations set forth in paragraph 22 of the Complaint for lack of knowledge or information sufficient to form a belief as to the truth of the statements therein.

23. Defendant denies the allegations set forth in paragraph 23 of the Complaint.

24. Defendant denies the allegations set forth in paragraph 24 of the Complaint.

25. Defendant denies the allegations set forth in paragraph 25 of the Complaint.

26. Defendant denies the allegations set forth in paragraph 26 of the Complaint.

27. Defendant denies the allegations set forth in paragraph 27 of the Complaint.

28. Defendant denies the allegations set forth in paragraph 28 of the Complaint.

29. Defendant denies the allegations set forth in paragraph 29 of the Complaint for lack of knowledge or information sufficient to form a belief as to the truth of the statements therein.

30. As to paragraph 30 of the Complaint, Defendant incorporates by reference his answers from paragraphs 1 through 29 above.

31. Defendant denies the allegations set forth in paragraph 31 of the Complaint.

32. Defendant denies the allegations set forth in paragraph 32 of the Complaint.

33. As to paragraph 33 of the Complaint, Defendant incorporates by reference his answers from paragraphs 1 through 32 above.

34. Defendant denies the allegations set forth in paragraph 34 of the Complaint.

35. Defendant denies the allegations set forth in paragraph 35 of the Complaint.

36. As to paragraph 36 of the Complaint, Defendant incorporates by reference his answers from paragraphs 1 through 35 above.

37. Paragraph 37 of the Complaint does not require a responsive pleading.

38. Defendant denies the allegations set forth in paragraph 38 of the Complaint.

39. As to paragraph 39 of the Complaint, Defendant incorporates by reference his answers from paragraphs 1 through 38 above.

40. Defendant admits that the stated portion of 42 U.S.C. 1971(a)(2)(A) has been accurately quoted, but denies the allegations set forth in paragraph 40 of the Complaint.

41. Defendant denies the allegations set forth in paragraph 41 of the Complaint.

42. Defendant admits that the stated portion of 42 U.S.C. 1971(a)(2)(B) has been accurately quoted, but denies the allegations set forth in paragraph 42 of the Complaint.

43. Paragraph 43 of the Complaint does not require a responsive pleading.

44. Defendant denies the allegations set forth in paragraph 44 of the Complaint.

WHEREFORE, having answered the Plaintiffs' Complaint, Defendant provides the following defenses, including affirmative defenses:

45. The Plaintiffs have failed to state a claim upon which relief can be granted.

46. This Court lacks jurisdiction over the Plaintiffs' Complaint

47. The Plaintiffs lack standing to bring these claims.

48. Defendant is immune from suit

49. The Plaintiffs claims are not ripe.
50. Plaintiffs Claims must fail based upon the doctrine of laches.
51. Plaintiffs have failed to join all necessary parties.
52. Defendant hereby reserves the right to supplement his affirmative defenses as discovery proceeds.

Respectfully submitted,

JIM PETRO  
ATTORNEY GENERAL OF OHIO

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CERTIFICATE OF SERVICE

This is to certify that the foregoing was filed electronically on the 28<sup>th</sup> day of September, 2006 in accordance with the Court's Electronic Filing System. Parties may access this filing through the Court's filing system.

/s/ Richard G. Lillie  
Richard G. Lillie