

To: Chairman Brian Kemp, Mr. Tex McIver, Mr. Randy Evans, Mr. David Worley, Mr. Kent Webb

August 31, 2010

Dear State Election Board (SEB) Members,

At the last SEB meeting on June 9, I requested a point of clarification during the Attorney General's report for Lowndes County case SEB 20010-000007. I asked if the charges raised by Laura Gallegos were considered in the Lowndes Consent Order under discussion. Chairman Kemp did not address my question and continued the discussion. I have since found that Deputy Attorney General (AG), Ann Brumbaugh:

- Did not investigate and report all the charges in Mrs. Gallegos' April 3, 2010 letter to the board
- Did not list Mrs. Gallegos as a complainant on the June 9 hearing agenda and
- Did not inform Mrs. Gallegos of the June 9 hearing for the Lowndes County case.

During public comments, I also outlined several areas of the Lowndes County Consent Order where the Deputy AG prepared content that is provably false based on evidence revealed in the administrative hearing previously conducted on January 14, 2010 in Valdosta. That trial evidence clearly supports Mrs. Gallegos' contention that she was falsely blamed by her supervisor after officials

- Forced 947 test votes into the actual election totals,
- Failed to reconcile those totals with the poll book totals to detect the discrepancy and
- Certified inaccurate results

At the same June 9 SEB meeting, there was confusion during the Attorney General's report over the charges involved in Douglas County case SEB 2008-000136. I requested a point of clarification to explain to the board that the Secretary of State's own Investigative Report indicated election officials may have committed egregious potential violations that the AG never properly investigated or charged.

Specifically, these included stated in the report indicated that officials:

- Were not satisfied with some of the election results
- Manually entered results for 25,000 ballots into a spreadsheet
- Left the spreadsheet unsecured and available to be taken off site,
- Entered results from the unsecured spreadsheet into a county server the next day and
- Manipulated the results until they were satisfied with them.

Although, I documented this information in a previous letter to the board dated June 7, 2009 and our organization has Douglas County voters who may have been impacted by these potentially unlawful activities, Chairman Kemp would not let me speak again. In both of these two cases, the chair applied a "fact witness only" rule. However, in immediately preceding cases, such as the one presented by the Carroll County Republican Chairman, we listened to hearsay evidence being presented at length. Finally, Douglas County "fact witnesses", Mr. James Quarterman and Mr. Melvin Hampton, brought some of my concerns to the attention of the board but the concerns were not seriously evaluated.

The Deputy Attorney General's conduct in investigating these two cases is simply unacceptable. As a result, I am submitting today, the attached 70 count complaint against Deputy AG Brumbaugh for a variety of charges in failing to faithfully perform her duties. I am filing this complaint on behalf of our supporters in these two counties and throughout Georgia. The counts are categorized as follows:

- Failure to properly investigate Douglas County case SEB2008-000136
- Failure to properly investigate Lowndes County cases SEB 2008-000133 and 2010-000007
- Preparing false statements for a Lowndes County Consent Order dated February 24, 2010
- Making false statements to the SEB at Its February 24, 2010 hearing
- Filing obvious false claims in a Statement of Matters Asserted against Laura Gallegos
- Making false statements to the court at the January 14, 2010 administrative hearing

For those counts that are valid, I expect the Deputy AG to be held accountable and the election officials involved in the potential violations to be referred for charges. For those counts deemed invalid, I expect to receive evidence and an explanation as to why the charges are invalid.

The Deputy AG for the board, Ann Brumbaugh, is unwilling or unable to legitimately examine the evidence in these cases. Furthermore, Secretary Kemp's former Inspector General, Shawn LaGrua, is the subject of articles of impeachment in the Georgia General Assembly, some of which involve several of the matters in my complaint. Therefore, I am requesting that the board designate a **true independent counsel** who is free of political entanglement and can impartially investigate each of these charges to reach an objective, factually supported conclusion.

I have attended nearly every board meeting for the last two years and it is clear to me that these two cases represent two of the greatest examples of corruption and election fraud that this board has ever seen. It is further disturbing that the actions taken by Chairman Kemp during the Attorney General's report for these two cases have served to cover-up major potential violations committed by elections officials involved in these dubious activities and rendered them free to count our votes again in November.

Sincerely,

Garland Favorito

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70 Count Complaint Against Deputy Attorney General Ann Brumbaugh **Concerning Investigations of Cases in Lowndes and Douglas Counties**

Ann Brumbaugh failed to properly investigate Douglas County case SEB2008-000136

1. Ann Brumbaugh failed to investigate or charge Douglas County Election Board member, John Lawrence, for potential violations based on the Inspector General report dated July 9, 2009 that indicated:
 - He “was not satisfied with some of the results” of the 2008 Douglas County elections
 - He allowed votes from all 25,000 advanced and Election Day ballots to be left unsecured overnight in a spreadsheet
 - He took the election results and reports home with him overnight
 - He ordered a contractor to re-enter the results from the unsecured spreadsheet into the county server the next day after he had reviewed them overnight
 - He continued to participate in manually fixing the results until he was satisfied

2. Ann Brumbaugh failed to further investigate or charge Douglas County Elections Supervisor, Laurie Fulton, for potential violations based on the Inspector General report dated July 9, 2009 that indicated:
 - She allowed votes from all 25,000 advanced and Election Day ballots to be left unsecured overnight in a spreadsheet
 - She allowed a board member to take the election results and reports home with him overnight
 - She allowed a contractor to re-enter the results from the unsecured spreadsheet into the county server the next day after the board member had reviewed them overnight
 - She continued to participate in manually fixing the results until she was satisfied

3. Ann Brumbaugh failed to further investigate or charge the Douglas County Election Supervisor after the supervisor arranged to have a second unauthorized ballot created for the 2008 general election against the advise of the Secretary of State’s office as confirmed by the Inspector General report date July 9. 2009 and State Elections Director, Tailor in the August 27, 2009 SEB transcript.

4. Ann Brumbaugh failed to charge the Douglas County Board for willfully failing to recertify all election results after 67 additional absentee ballots were found

5. Ann Brumbaugh failed to further investigate whether or not the voters who submitted the 67 absentee were identified as having voted or whether or not they may have voted again

6. Ann Brumbaugh failed to investigate why Douglas County made no reports of equipment failure on Election Night of 2008 despite the evidence of problems encountered as described in the July 9, 2009 Inspector General report and the dramatic shift of local election results from late evening of Election Night November 4 to the morning of November 5.

7. Ann Brumbaugh failed to investigate how Douglas County was able to provide election results on the morning of November 5 without resolving the database and reporting problems described in the July 9, 2009 Inspector General report
8. Ann Brumbaugh failed to investigate what activities Board Member, John Lawrence, and Supervisor, Laurie Fulton, privately performed from midnight on Election Night 2008 until roughly 5 am the next morning of November 5, 2008 in order to manually produce the election results.
9. Ann Brumbaugh failed to investigate and determine whether or not the series of potential violations committed by the Douglas County Board of Elections and the Elections Supervisor were an intentional attempt to manipulate the 2008 election results. Specifically these potential violations include:
 - Failing to properly announce to the public the logic and accuracy tests for Election Day machines
 - Creating a second unauthorized ballot template that was used to record votes for more than 25,000 Election Day ballots
 - Manually producing results for those 25,000 ballots cast on Election Day using undisclosed, privately performed procedures
 - Manually entering Election Day results for the 25,000 ballots from a spreadsheet that was left unsecured overnight
 - Fixing the manually entered results to match previously reported results produced manually with undisclosed, privately performed procedures
 - Failure to report the database accumulation problems that they experienced on Election Night

Ann Brumbaugh failed to properly investigate Lowndes County cases SEB 2008-000133, 2010-000007

10. Ann Brumbaugh failed to investigate and determine in case SEB2008-000133 who forced 947 test votes into the live election results on the Lowndes County server during the night of the 2008 general election
11. Ann Brumbaugh failed to investigate and determine in case SEB2010-000007 who forced 947 test votes into the live election results on the Lowndes County server during the night of the 2008 general election
12. Ann Brumbaugh failed to list Laura Gallegos as the complainant in case SEB2010-000007 although she admitted to the SEB at its February 24, 2010 hearing that Mrs. Gallegos was the complainant
13. Ann Brumbaugh failed to notify Laura Gallegos, about the hearing date for case SEB2010-000007 although she admitted to the SEB at its February 24, 2010 hearing that Mrs. Gallegos was the complainant

14. Ann Brumbaugh failed to hold the Lowndes County Elections Supervisor, Deb Cox accountable under law after Mrs. Brumbaugh claimed to the SEB that a Lowndes County voting machine technician failed to “do all of the steps she was required to do”
15. Ann Brumbaugh failed to hold the Lowndes County Elections Supervisor, Deb Cox, accountable for failing to swear in voting machine technician, Laura Gallegos, properly as the court ruled at her January 14, 2010 hearing in Lowndes County
16. Ann Brumbaugh failed to investigate and determine whether any voting machine technicians or other Lowndes County election employees were sworn in properly according to the procedures designated as required by the court at the January 14, 2010 hearing.
17. Ann Brumbaugh failed to hold the Lowndes County Elections Board accountable under the law for rewriting an oath after the court ruled at the January 14, 2010 that rewriting the oath provided by the office of the Secretary of State invalidated it for SEB jurisdiction

Ann Brumbaugh made false statements in a Lowndes County Consent Order dated February 24, 2010

18. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that: *“On election night (November 4, 2008), 947 test votes were accidentally uploaded into the GEMS server”* despite the facts that the state’s witness, Mr. James Long, who was employed by the Center for Elections Systems at Kennesaw State University, explained under oath during cross examination at the January 14 hearing that the server warns the operator when the card has test votes from pre-election mode, The operator must ignore that warning and proceed to load the votes into the machine anyway. Thus the loading of test votes into actual results was proactive and forceful, not an accident.
19. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that Laura Gallegos *“Ms. Gallegos did not fill out the Logic and Accuracy certification form, as required by the rules of the State Election Board”* despite the fact that Ms. Brumbaugh was unable to prove that charge at Mrs. Gallegos’ hearing conducted in Lowndes County on January 14, 2010
20. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that Laura Gallegos *“Ms. Gallegos did not fill out the Logic and Accuracy certification form, as required by the rules of the State Election Board.”* despite the fact that Mrs. Gallegos’ response to the court is that she did fill it out and her response has never been refuted.
21. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that Laura Gallegos *“Ms. Gallegos did not fill out the Logic and Accuracy certification form, as required by the rules of the State Election Board.”* despite the fact that the court ruled that Mrs. Gallegos was never properly sworn as a custodian according to 21-2-327(b) and SEB Rule 183-1-12.02(2)(g)(1).

22. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that *“The results of the investigations indicated that the Logic and Accuracy testing for the early and absentee voting machines was incomplete. This was a violation of O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).”* despite the fact that the manual diagnostic steps 11-66 allegedly skipped are not designated as required under the law
23. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that *“The results of the investigations indicated that the Logic and Accuracy testing for the early and absentee voting machines was incomplete. This was a violation of O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).”* despite the fact that the manual diagnostic steps 11-66 allegedly skipped are not designated as required under SEB rules
24. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that *“The results of the investigations indicated that the Logic and Accuracy testing for the early and absentee voting machines was incomplete. This was a violation of O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).”* despite the fact that “Machine 17” malfunctioned and testing for it could not have possibly have been completed anyway
25. Ann Brumbaugh falsely claimed in the Lowndes County Consent Order that *“The results of the investigations indicated that the Logic and Accuracy testing for the early and absentee voting machines was incomplete. This was a violation of O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).”* despite the fact that the state’s witness, Mr. James Long, explained that testing performed by Mrs. Gallegos had nothing to do with the discrepancy caused by the 947 extra test votes in the actual election results which triggered the investigation in the first place.

Ann Brumbaugh made obvious false claims in a Statement of Matters Asserted against Laura Gallegos

26. Ann Brumbaugh falsely implied in the Statement of Matters Asserted that: *“Due to these [testing] errors 947 test votes were uploaded onto absentee precinct touchscreen memory card #17. On Election Night, November 2008 or shortly thereafter the absentee precinct memory cards, including card# 17, were uploaded into the Gems Server.”* despite the facts that the state’s witness, Mr. James Long, who was employed by the Center for Elections Systems at Kennesaw State University, explained under oath during cross examination at the January 14 hearing that the server warns the operator when the card has test votes from pre-election mode, The operator must ignore the warning and proceed to load the votes into the machine anyway. Thus the loading of test votes into actual results was proactive and forceful, not an accident.
27. Ann Brumbaugh falsely implied in the Statement of Matters Asserted that: *“As a result [of improper testing] dates were not set on the machine impairing accurate tracking in the audit records”* despite the fact that the audit trail that is designed to catch a discrepancy between the number of votes cast and the number of actual voters was **absolutely not impaired**. The state’s witness, Mr. James Long, testified on January 14, 2010 that the number of votes cast and the number of actual voters were in the package sent by the supervisor of Lowndes County Elections

to the Secretary of State's office when that office detected the discrepancy. The superintendent is responsible for reconciling those totals under O.C.G.A. 21-2-493 and other code sections.

28. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that the manual diagnostic steps 11-66 allegedly skipped are not designated as required under the law
29. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that the manual diagnostic steps 11-66 allegedly skipped are not designated as required under SEB rules
30. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that Ms. Brumbaugh's own witness state's witness. Mr. James Long, acknowledged under oath on January 14, 2010 that Mrs. Gallegos performed automatic diagnostic testing that meets the current legal requirements.
31. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that there is no evidence that Lowndes County published the procedures containing manual diagnostic steps 11-66 that were allegedly skipped
32. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that there is no evidence that Lowndes County distributed the manual diagnostic steps 11-66 those procedures to the technicians
33. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that Deputy Inspector General, Chris Harvey, had previously stated to the SEB at the hearing for SEB2008-000136 that Mrs. Gallegos always followed instructions in regards to the testing
34. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that Mr. Long,

her own witness, contradicted this assertion when he acknowledged under oath that Mrs. Gallegos followed the instructions she was given in regards to the testing

35. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that the law states that the superintendent is responsible for the logic and accuracy testing
36. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that "Machine 17" malfunctioned and testing for it could not have possibly have been completed anyway
37. Ann Brumbaugh falsely claimed in the Statement of Matters Asserted that "*Laura Gallegos skipped steps 11-66 of the logic and accuracy and testing. These actions violate O.C.G.A. 21-2-379.7(b) and State Election Board Rule 183-1-12-.02(3)(b)(1)(ii).*" despite the fact that the state's witness, Mr. James Long, explained that testing performed by Mrs. Gallegos had nothing to do with the discrepancy caused by the 947 extra test votes in the actual election results which triggered the investigation in the first place.

Ann Brumbaugh made false statements to the SEB at Its February 24, 2010 hearing

38. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos was involved in "*a series of mistakes and violations*" despite being unable to prove that Mrs. Gallegos committed any mistake or violation at her hearing conducted in Lowndes County on January 14, 2010
39. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do all of the steps she was required to do*" despite the fact that the manual diagnostic steps 11-66 allegedly skipped are not designated as required under the law or SEB rules
40. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do all of the steps she was required to do*" despite the fact that Ms. Brumbaugh's own witness state's witness. Mr. James Long, acknowledged under oath that Mrs. Gallegos performed the automatic diagnostic testing that meets the current legal requirements.
41. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do all of the steps she was required to do*" despite the fact that there is no evidence that Lowndes County published the procedures containing manual diagnostic steps 11-66 that were allegedly skipped
42. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do all of the steps she was required to do*" despite the fact that there is no evidence that Lowndes County distributed the manual diagnostic steps 11-66 those procedures to the technicians

43. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “*did not do all of the steps she was required to do*” despite the fact that Deputy Inspector General, Chris Harvey, had previously stated to the SEB at the hearing for case SEB2008-000136 that Mrs. Gallegos always followed instructions in regards to the testing
44. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “*did not do all of the steps she was required to do*” despite the fact that her own witnesses Mr. Long had previously testified at the January 14 hearing that Mrs. Gallegos followed instructions in regards to the testing
45. Ann Brumbaugh falsely charged to the SEB that Laura Gallegos “*did not do all of the steps she was required to do*” despite the fact that the law states that the superintendent is responsible for the logic and accuracy testing
46. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “*did not do all of the steps she was required to do*” despite the fact that “Machine 17” malfunctioned and testing for it could not possibly have been completed anyway
47. Ann Brumbaugh falsely implied to the SEB that Laura Gallegos “*did not do all of the steps she was required to do*” despite the fact that the state’s witness, Mr. James Long, explained that testing performed by Mrs. Gallegos had nothing to do with the discrepancy caused by the 947 extra test votes in the actual election results which triggered the investigation in the first place.
48. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “did not fill out the certification form” despite the fact that Ms. Brumbaugh was unable to prove that charge at Mrs. Gallegos’ hearing conducted in Lowndes County on January 14, 2010
49. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “did not fill out the certification form” despite the fact that Mrs. Gallegos’ response to the court is that she did fill it out and her response has never been refuted.
50. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “did not fill out the certification form” despite the fact that the court ruled that Mrs. Gallegos was never properly sworn as a custodian according to 21-2-327(b) and SEB Rule 183-1-12.02(2)(g)(1).
51. Ann Brumbaugh falsely claimed to the SEB that “the paperwork was still filled out incorrectly and still filled out incompletely” despite the fact that Ms. Brumbaugh was unable to prove any such charges at Mrs. Gallegos’ hearing conducted in Lowndes County on January 14, 2010
52. Ann Brumbaugh falsely claimed to the SEB that Mrs. Gallegos was one of the parties that “...violated different sections of the code” despite the fact that Ms. Brumbaugh was unable to prove any such charges at Mrs. Gallegos’ hearing conducted in Lowndes County on January 14, 2010

53. Ann Brumbaugh falsely claimed to the SEB that Mrs. Gallegos was one of parties that "...made mistakes, was negligent, was irresponsible," despite the fact that Ms. Brumbaugh was unable to prove any such charges at Mrs. Gallegos' hearing conducted in Lowndes County on January 14, 2010
54. Ann Brumbaugh falsely implied to the SEB regarding Mrs. Gallegos that: "She couldn't do her job correctly" despite the fact that Ms. Brumbaugh was unable to prove any charge related to such a claim at Mrs. Gallegos' hearing conducted in Lowndes County on January 14, 2010
55. Ann Brumbaugh falsely claimed to the SEB that Mrs. Gallegos was one of "three groups of people that all did a really, really bad job in their capacities" despite the fact that Ms. Brumbaugh was unable to prove any such charges at Mrs. Gallegos' hearing conducted in Lowndes County on January 14, 2010
56. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that the manual diagnostic steps 11-66 allegedly did not do are not designated as required under the law or SEB rules
57. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that Ms. Brumbaugh's own witness state's witness. Mr. James Long, acknowledged under oath that Mrs. Gallegos performed the automatic diagnostic testing that meets the current legal requirements.
58. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that there is no evidence that Lowndes County published the procedures containing manual diagnostic steps 11-66 that were allegedly skipped
59. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that there is no evidence that Lowndes County distributed the manual diagnostic steps 11-66 those procedures to the technicians
60. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that Deputy Inspector General, Chris Harvey, had previously stated to the SEB that Mrs. Gallegos always followed instructions in regards to the testing
61. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that her own witness, Mr. James Long testified at the January 14, 2010 hearing that Mrs. Gallegos always followed instructions in regards to the testing
62. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos "*did not do the testing*" despite the fact that the law states that the superintendent is responsible for the logic and accuracy testing

63. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “*did not do the testing*” despite the fact that “Machine 17” malfunctioned and testing for it could not have possibly have been completed anyway
64. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “did not fill out the paperwork correctly” despite the fact that Ms. Brumbaugh was unable to prove that charge at Mrs. Gallegos’ hearing conducted in Lowndes County on January 14, 2010
65. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “did not fill out the paperwork correctly” despite the fact that Mrs. Gallegos’ response to the court is that she did fill it out and her response has never been refuted.
66. Ann Brumbaugh falsely claimed to the SEB that Laura Gallegos “did not fill out the paperwork correctly” despite the fact that the court ruled that Mrs. Gallegos was never properly sworn as a custodian according to 21-2-327(b) and SEB Rule 183-1-12.02(2)(g)(1).
67. Ann Brumbaugh falsely implied to the SEB that: “Mrs. Gallegos had not done her job efficiently and proficiently” despite the fact that Ms. Brumbaugh was unable to prove any charge related to such a claim at Mrs. Gallegos’ hearing conducted in Lowndes County on January 14, 2010

Ann Brumbaugh made false statements to the court at the January 14, 2010 hearing

68. Ann Brumbaugh moved to exclude the expert witness testimony for Laura Gallegos claiming that she was not given proper notice and could not effectively cross examine him despite the fact that she had just handed the defense attorney a pack of material concerning that expert witness
69. Ann Brumbaugh moved to exclude the expert witness testimony for Laura Gallegos claiming that she was not given proper notice and could not effectively cross examine him despite the fact that her office had deposed the expert witness for 7 hours in January of 2009
70. Ann Brumbaugh moved to exclude the expert witness testimony for Laura Gallegos claiming that she was not given proper notice and could not effectively cross examine him despite the fact that she knew the witness and was well aware of his public comments to the SEB concerning how the case against Mrs. Gallegos was mishandled