

Affidavit of Dirk Moffatt

Dirk Moffatt, being first duly sworn upon oath, deposes and states as follows under penalty of perjury:

1. I am over the age of eighteen years, of sound mind, and competent to testify to the following facts based on personal knowledge.

2. From Wednesday, November 10, 2010 through Tuesday, November 16 I was an observer on behalf of Joe Miller at the count for write in votes.

3. I was present on Wednesday, November 10, 2010 and personally saw the following vote counting irregularities:

- Precinct 9-305, 9-310, 9-320 at Table 9 had a ballot count that was shown to observer upside down and at a rapid succession that made it difficult for observers to do their job. A total of 62 ballots were challenged but counted at the end of my shift.

4. I was present on Thursday, November 12, 2010, and personally saw the following vote counting irregularities:

- Precinct 31-930, 31-925, 31-910, 6-543, 32-985, 36-676 at Table 5. The count on this day was slowed to a reasonable pace shown right side up this time making the count process more productive. One unusual aspect of this days count was they had 7 vote under count for 31-930. A total of 130 ballots were challenged but counted at the end of my shift.

5. I was present at the Division of Election hand count Facility every day Wednesday, November 10, 2010 through Tuesday, November 16; except on except for Thursday, November 11, 2010, when I was observing absentee ballot returns at the Department of Elections. Unlike Opposition Observers, we were not allowed to take pictures of Ballots until Saturday, November 10, 2010. I took several pictures of ballots that were challenged but counted in the last days. The following are examples of ballots I took pictures of that I personally heard and observed Gail Fenumiai declare as valid write-in votes that would count for Lisa Murkowski:

- Lisa Mwkaski
- Lisa Miskuski
- Lisa Murkwoski
- Lisa Merkeyski
- Lisa Murkowsky
- Lisa Murkoski

- Murcowski
- Lisa Mukooski
- Lisa Mirkowski
- Mankowski
- MerMerkowski
- Merkowski

Dated this 17th day of November, 2010 in Juneau, Alaska.

I affirm the statements above to be true to the best of my knowledge and belief.

IN WITNESS WHEREOF, and under penalty of perjury under the laws of the State of Alaska, I affix my hand this 22 day of November, 2010.



Dirk Moffatt

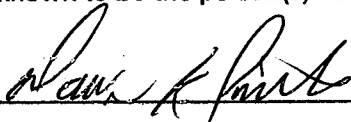
STATE OF ALASKA:

I, Dawn K Smith, do hereby certify that on this

22nd day of November, 2010, personally appeared before me

Dirk Moffatt

known to be the person(s) who executed the foregoing instrument.



Notary Public in and for the State of Alaska.

My commission expires 03/20/2014.