

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LIBERTARIAN PARTY OF OHIO,)	
et al.,)	
Plaintiffs,)	Case No. 08-555
)	
v.)	Judge Sargus
)	
JENNIFER BRUNNER,)	
Ohio Secretary of State,)	Magistrate Judge King
in her official capacity,)	
)	
Defendant.)	
_____)	

DECLARATION OF RICHARD WINGER
(pursuant to 28 U.S.C. § 1746)

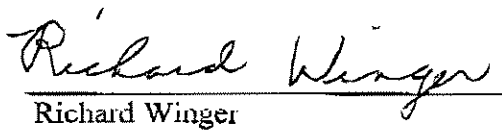
I, Richard Winger, hereby declare under penalty of perjury that the following are true and correct to the best of my knowledge and belief:

1. I am above the age of 18 and a resident of San Francisco, California.
2. I am the editor of Ballot Access News, a 23-year-old print publication that covers, among other matters, which parties are on the ballot in which states. See www.ballot-access.org.
3. The seven most populous states are California, Texas, New York, Florida, Pennsylvania, Illinois, and Ohio. Of these seven states, Ohio is (as it was in all years 2002-2006) the only one in which no minor parties will appear on the November 2008 ballot. Put another way, Ohio is the only one in which only the Democratic and Republican Parties will appear on ballots in 2008.
4. The Libertarian Party itself is ballot-qualified this year in California, Texas, New York, Florida, Pennsylvania, and Illinois, although in Pennsylvania its statewide petition has not yet been certified. (The petition deadline is August 1, 2008 in Pennsylvania.)

5. It is very likely that at least one political party, other than the Democratic and Republican Parties, will appear on the November 2008 ballot in at least 46 states. The only state in which it is clear that none will appear (other than Ohio) is Alabama. Litigation meanwhile is pending in Tennessee and Oklahoma to determine whether additional parties will appear on those states' ballots.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 7, 2008.


Richard Winger