Direct Material Proof of Massive Election Fraud in Ohio in the 2004 U.S. Presidential Election

Dr. Ron Baiman We Count Conference Cleveland, Ohio September 30, 2006

Overview

- "Virtually Irrefutable" Exit Poll Evidence of Vote Miscount
- A One in 187 Billion "Coincidence"?
- The 12 Rural County Remarkable "Series of Coincidences"
- Direct Material Proof of Election Fraud in Ohio

"Virtually Irrefutable" Exit Poll Evidence of Vote Miscount



Simulation of a 56% to 50% Exit Poll Response Bias (WPE is same as Kerry WPD)



5

Statistically Significant Discrepancies Assuming Official Results are True

Official Kerry Vote	Kerry WPD	Odds - One in
22%	-16%	17,815
25%	-9%	23
30%	-11%	36
32%	-11%	1,449
34%	-10%	71
34%	-9%	38
36%	-17%	3,844
37%	-12%	134
38%	-29%	867,205,553
39%	-11%	21
40%	-28%	294,832
46%	-8%	20
52%	-14%	430
54%	-15%	125
54%	-12%	102
55%	-15%	5,550
57%	-11%	76
57%	16%	128
62%	-13%	154
71%	-11%	399
80%	-10%	173
81%	13%	360



A One in 187 Billion Coincidence?

The following are reformatted (bold face type added, repetitive contact information deleted, paragraph indentations deleted) copies of an email correspondence with attachments between Ron Baiman and Warren Mitofsky.

I include the, otherwise complete, correspondence for the record. Original e-mails are available from the author.

						EM Row	ESI Exit	ESI Minus		
						data Evit	Poll	Est. EM		
								Exit Poll		Ect
EDEO	rocpondont	korn	buch	othor	votoro	Values		values	Votoro	ESL.
	1espondent	1 1	24				26%	0.02		
40 52	40 E2	12	20	0	43 E2	25.00%	28%	0.02	43 E2	52.00
32	32	13	39	0	32	23.00%	30%	0.03	32	32.00
46	46	13	33	0	46	28.26%	2104	0.02	46	46.00
48	48	14	33	0	47	29.79%	31%	0.01	47	47.00
20	20	9	19	0	20	32.14%	32.70	0.00	20	28.00
54	54	10	23	0	54	32.35%	38%	0.02	54	50.00
50	50	10	32	0	50	36.00%	20%	0.02	50	30.00
33	33	10	10	0	49	27 020	39%	0.02	49	49.00
<u> </u>	<u> </u>	6	10	0	29	37.93%	/10/	0.01	<u> </u>	29.00
15	15	0 12	<u> </u>	0	15	40.00%	41%	0.01	15	22.00
32		10	19	0	32	40.03%	41%	0.00	32	32.00
45	45	10	20	0	44	40.91%	41%	0.00	44	44.00
29	29	12	17	0	29	41.36%	41%	0.00	29	29.00
43	43	18	25	0	43	41.86%	41%	-0.01	43	43.00
28	28	12	<u> </u>	1	28	42.86%	41%	-0.02	28	28.00
92	92	40	20		92	43.46%	43%	0.00	92	92.00
52	52	23	29	0	52	44.23%	43%	-0.01	52	52.00
<u> </u>	55	24	30	0	54	44.44%	44%	0.00	54	54.00
29	29	13	16	0	29	44.83%	45%	0.00	29	29.00
21	21	9	11	1	20	45.00%	40%	0.01	20	20.00
<u> </u>	<u> </u>	24	20	1	23	47.83%	47%	-0.01	23	23.00
32	32	12	20	0	50	48.00%	47 %	-0.01	30	37.50
25	25	12	13	1	25	48.00%	40%	0.00	25	37.50
48	48	24	23	1	48	50.00%	49% 50%	-0.01	48	37.50
16	16	8	8	0	16	50.00%	50%	0.00	16	37.50
30	30	19	19	0	30	50.00%	52%	0.00	30	37.50
<u>40</u> 52	40 52	24	24	0	<u>40</u> 52	50.00%	54%	0.03	40 52	57.50
25	25	12	26	0	<u> </u>	50.94%	54%	0.03	23	33.00
23	23	17	1 [0	23	52.17%	55%	0.02	23	23.00
52	52	17	15	1	52	53.13%	57%	0.02	52	52.00
32	32	12	23		32	53.05%	57%	0.03	32	32.00
22	22	17	10	0	22	54.55%	59%	0.02	22	22.00
31	31	17	14	0	31	54.84%	58%	-0.03	31	31.00
57	57	22	10	0	57	59.46%	66%	-0.01	57	57.00
	31	23	10		21	65.000	66%	0.01	31	47.00
<u>4/</u> 51	<u>4/</u> 51	<u> </u>	10		<u>4/</u>	66.00%	67%	0.00	<u>47</u> 50	47.00
51	51	33	17		50	67 210/	67%	0.00	50	52.00
21	23	21	10		21	67 7 40/	68%	0.00	<u> </u>	32.00
	51	21	10		51		68%	0.00	51	51.00
51	51	34	16	0	50	68.00%	68%	0.00	50	30.00
26	26	24	14	0	94 25	60.10%	68%	-0.01	44 2E	25.00
30	30	24	10		30	69 7 50/	69%	0.00	33	33.00
70	70	<u> </u>	10	0	70		70%	-0.09	<u> </u>	70.00
10	10	35	13		10	91 400/	75%	-0.05	10	13.00
43 67	43 67	55	0	0	43 67	82 0004	82%	0.00	43 67	67.00
52	52	33	- 1 <u>C</u>	0	52	99 4 60/	87%	-0.01	50/ 52	52.00
55	55	40	0	0	<u> </u>	00.40%	90%	-0.02	52	52.00
30	30	47 29			20	96 5504	96%	-0.01	20	29.00
2042	J1 672404	20	1	0	29	50.55%	5570	0.01	41 22444	23.00
2042	+1.0/346	2							+1.2244	V 41.22

From: "Ron Baiman" <rbaiman@uic.edu> To: "Warren Mitofsky" <mitofsky@mindspring.com> Cc: <kathy@uscountvotes.org> Subject: Re: Data Question Date: Tuesday, December 06, 2005 4:17 PM

Warren,

Thank you for this.

If I understand you correctly, the ESI numbers reflect an initial called-in "hand count" of respondents who expressed a presidential preference but who may not have completed all of the other demographic and issue exit poll questions.

Clearly, if it were equally reliable this larger sample would be the prefered presidential exit poll data. However, you state that you suspect that the large discrepancies in the two precincts may be the result of hand-tally error. This seems to suggest that the hand tally data are not very reliable. Is the "hand tally" sample sufficiently larger to justify using it even though it may be incorrect? At this point, it seems that it might be best to use the smaller but more reliable (sub) sample of complete interviews? This does not seem to make a big difference for most of the precincts except for those two. (However, as I've noted, these small -3 to +3 percent exit poll differences could easily affect the ESI analysis - such as it is - of the difference between the Bush 2004 and 2000 vote as the officially reported Ohio vote difference was less than 1%. This will be discussed in our forthcoming paper in detail.) Also, it is fully, and publicly, documented

In any case, may I suggest that you, or ESI, release whatever records you have of the "hand tally" sample to the public. Among other things, this would add public transparency to the investigation of the two precincts, and clarify the confusion over these extremely important data.

Thanks again for your response.

Ron

From: Warren Mitofsky To: Ron Baiman Sent: Tuesday, December 06, 2005 5:05 PM Subject: Re: Data Question

Ron,

We have said over and over again that the ICPSR data was a subset. This does not raise any questions. This is part of the description of what has been archived and it has been the same for the last 30 years.

Don't urge me to release anything that we have not already released. I intend to live up to protecting respondent confidentiality. If you bring it up again I will not respond to anything else you may write. I'm sick of this nonsense. You people are unethical.

warren

----- Original Message -----From: Warren Mitofsky To: Ron Baiman Sent: Tuesday, December 06, 2005 9:55 PM Subject: Re: Data Question

Ron,

I said: "If you bring it up again I will not respond to anything else you may write." Apparently you did not believe me. Don't bother to write again. I wont answer you.

We have never hidden the fact that the tabulations were a subsample. >From our 1/19/04 evaluation report: "Note that because the questionnaires are subsampled, the age, race, and gender completion rates may be slightly inconsistent with the overall completion rate."

From: "Ron Baiman" <rbaiman@uic.edu> To: "Warren Mitofsky" <mitofsky@mindspring.com> Cc: <kathy@uscountvotes.org> Subject: Re: Data Question Date: Wednesday, December 07, 2005 11:32 AM

Warren,

The issue is not whether you answer me or not (I assume that you won't) - its are you going to do anything about this?

You have the power and the responsibility to help resolve a burning national crises over the state of our election system. Regardless of the position of members of the NEP, you can take a public stance for release of the data.

In fact, as I recall, AAPOR "ethics guidelines" require full release of the raw data (which in this case should also include anonymous data on pollsters and polling conditions) subject to preserving respondent confidentiality - so you can claim that you are legally bound to fully release the data subject to this restriction.

I urge you, for the sake of the country, to help with this. Concern over "respondent confidentiality" does not have to stand in the way of doing what's right for democracy.

Sincerely,

Ron

From: "Ron Baiman" <rbaiman@uic.edu>
To: "Warren Mitofsky" <mitofsky@mindspring.com>
Cc: <Kathy@uscountvotes.org>
Subject: Re: Data Question
Date: Tuesday, December 06, 2005 6:44 PM

Warren,

a) I fail to see how releasing a subsample rather than a full sample protects respondent confidentiality. It strikes me rather as an expedient way to partially fulfill a public responsibility. Why not fulfill it all the way?

b) I don't appreciate being called "unethical". This is a critical public issue. Scheuren has shown how the "respondent confidentiality" issue can be dealt with in Ohio. I see no reason why similar national "full sample" exit poll data (with individual record backup) can't be released. In the past, when exit polls did not deviate as much this may not have been as important.

c) The fact that this is a subsample is not common knowledge. As I've said the NEP methodology statement says that 2042 interviews were conducted in Ohio. This is the size of the ICPSR dataset for Ohio.

I thank you for your responses. I am just trying to be open and honest about where I'm coming from.

Sincerely,

Ron

From: "Warren Mitofsky" <mitofsky@mindspring.com> To: "Ron Baiman" <rbaiman@uic.edu> Subject: Re: Data Question Date: Wednesday, December 07, 2005 12:06 PM

Go Fuck yourself.

Coincidence?

- As of today (7/21/2006), EM has not explained these discrepancies.
- If the ICPSR/Roper Kerry exit poll share of 78.57% is substituted for the ESI exit poll share of 70% for one of the precincts in question (Mitofsky #4), it becomes the precinct with by far the most significant Kerry exit poll discrepancy in Ohio, with odds of less than one in 187 billion (187,306,286,930) instead of its current odds of 5,550, that the official Kerry vote share could be as low as it was (55%) given the exit poll result.
- The other precinct with inconsistent ESI and ICPSR exit polls also becomes markedly more significant with odds of less than one in 526,406 instead of 154, if a 81% Kerry exit poll share is substituted for the EM 75% exit poll relative to an official result of 62%.
- Do analysts all over the country know that what are called the "total # of Interviews" in EM's methodology statement are only a random sample of about half the number of interviews, with general deviations of <u>+</u>3%, and large increases of 6% and 9% in Kerry's exit poll vote share, relative to what ESI/EM are claiming as complete exit polls, for two precincts?

The 12 Rural County Remarkable "Series of Coincidences"

The Ohio Supreme Court Vote Anomaly

- On average in Ohio John Kerry got 32% more votes than Ellen Connally, an under- funded, pro-gay rights, anti-death penalty, liberal supreme court judge candidate from Cleveland running against an incumbent, Thomas Moyer.
- But in 12 conservative rural counties in south western Ohio Connally got more votes than Kerry.
- On average, Bush got 21% more votes than Moyer, but in 9 of these 12 counties Bush got over 43% more votes than Moyer.

Another Remarkable Series of Coincidences"?

- More specifically, of only 14 out of 88 counties where Bush did abnormally well relative to Moyer (better than a 1.43 Bush/Moyer ratio), 9 of them just happen to be the same 12 counties where Kerry implausibly got fewer votes than Connally.
- In the other 3 K/C<1 counties Bush didn't do too shabbily either, his lowest ratio is in Miami which at 1.36 is still well above his overall state average (relative to Moyer) of 1.21.
- Now, some might claim that these abnormally high C/K ratios and B/M ratios are a result of voters switching from Moyer to Connally (reducing the denominator of B/M and increasing the numerator of C/K), but only *one* of these 12 counties has a lower than average Moyer share of the overall vote for supreme court.

Again Suggests Vote Shift

- Moreover, the "above average" Bush vote in B/M>1.43 and K/C<1 counties is 68,928 which is very close (considering that these are all estimates from state averages) to the "Lost" Kerry vote of 81,599.
- If "above average" Bush vote from the other 3 K/C<1 counties is added to this it comes to 75,766, even closer to the 81,599 "lost" Kerry vote.
- A county by county comparison of the "lost" Kerry vote to the "extraordinarily above average" Bush vote in these same counties (F) and the other 3 K/C<1 Counties shows a very close county by county order of magnitude correlation.
- Conclusion: about 75,000 to 82,000 votes were shifted from Kerry to Bush. I don't know how you could possibly explain this remarkable series of "coincidences" any other way!

Direct Material Proof of Election Fraud in Ohio

2004 Election Records Show Massive Vote Corruption in Miami County Ohio

- Poll book and absentee Ballot Audit Records Reveal that Miami County Official Vote Totals are Massively Corrupted.
- At Least 7% of precincts have an at least 10% discrepancy between the number of voters who voted and the officially certified number of votes.
- Four of these precincts are off by more than 100 votes.
- In at least 13% of precincts, there is at least a 5 vote difference between the officially certified vote and the number of voters who are recorded (with name and address) as having voted in these precincts.

Data from Miami County Ohio 2004 General Election Records

PREC INCT NUMB ER	PRECINCT NAME	% Max Vote minus Long Form Certified overLong Form Certified	Maximum Votersminus Long Form Certified	Maximum Vote Based on Regularplus Accepted Provisionals and Absentee Requests	TOTAL VOTE REPORT RECEIVED 628-06	Long Form Certified Result Total Voters	M in iu m u m Valid ated vo te b ased on Regular plus Accepted Provisionals Plus Valid ated Ab sen tee Vo tes	Minimum Validated Voteminus Long Form Certified	% M in im um Validated min us Long Form Certified over Long Form Certified	Regular Plus Provisional Poll Book	Regular Plus Accepted Provisionals	Accepted Provisionals in Signature Book Table	Provision al Votes	Non- Absentee Ballot Count (except for Precinct 30 where all but on e absentee is included)	Vote According to Poll Book and signature book giving absentee requests two weeks before election	Absentee Requests Validated by Cross Reference to Returned Ballots	Report of by Precinct Absentee Ballots Requested	Signature Book Absentee Requests
41	TIPP CITY F	-19.27%	-106	444	431	550				398	400	10	8		443		44	45
55	CONCORD SOUTH WEST	-18.56%	-126	553	547	679				461	462	5	4		542		91	81
30	TROY 3-E	-10.07%	-68	607	228	675	614	(61)	-9.04%	593	583	3/	4/	664	673	21	24	80
32	TROY 3-G	-4.92%	-36	696	724	732				596	604	33	25		663		92	67
52	CONCORD SOUTH	-0.76%	-5	653	519	658				592	594	13	11		646		59	54
58	MONROE EAST CENTRAL	-1.06%	-8	748	745	756				687	686	16	17		745		62	58
60	MONROE SOUTH EAST	0.42%	4	947	899	943				822	831	24	15		929		116	107
37	TROY 4F	12.86%	63	553	577	490	537	47	9.59%	495	500	31	26	475	538	37	53	43
44	TIPP CITY J	12.17%	120	1,106	1094	986	1,079	93	9.43%	953	955	15	13		1,090	124	151	137
35	TROY 4C	14.47%	69	546	887	477	518	41	8.60%	414	417	15	12		464	101	129	50
54	CONCORD SOUTH EAST	23.89%	162	840	953	678	810	132	19.47%	678	679	25	24	457	816	131	161	138
83	COUNTY TOTALS			6,089	6,398	5,720				5,237					5,891			

TOTAL NUMBER OF PERSONS WHO VOTED AN ELECTION OFFICIAL MUST WRITE THE COMPLETE NAME. 414 COMPLETE ADDRESS, AND BALLOT STUB NUMBER IN THIS BOOK AT THE TIME THE VOTER SIGNS THE SIGNATURE BOOK. FOLLOW THE INSTRUCTIONS AT THE TOP OF EACH SHEET. **Poll Book** SEAL THIS BOOK IN THE PROPER ENVELOPE MIAMI COUNTY 035 TROY WARD 4 PRECINCT C ELECTION DATE: 11/02/04 Retty for Nurfey This Poll BOOK SIGNED

OATH OF JUDGES OF ELECTION MUST BE SUBSCRIBED TO BY EACH PRECINCT ELECTION OFFICIAL Res. Code, Sec. 3501.31

55:

State of Ohio County of _____

I do solemnly affirm under penalty of perjury that I will support the Constitution of the United States of America and the Constitution of the State of Ohio and its laws; that I have not been convicted of a felony, or any violation of the Election Laws; that I will discharge to the best of my ability the duties of Judge of Election in and for Precinct in the Election to be held on this

the hereion to be here on the formation and instructions of the Board of Elections of said County; and that I will endeavor to prevent fraud in such election, and will report immediately to said Board any violations of the Election Laws which come to my attention, and will not disclose any information as to how any elector voted which is gained by me in the discharge of my official duties.

SIGN NAME	GIVE POLITICAL AFFILIATION
Doins E. Smallerberger	R
Deniel M. Sman	R
Carolynh Sparthe	D
Bally For Durkan	D

Affirmed to and subscribed before me this

Hunth 20.04 attypitesiting rubar

NOTE: ABOVE MUST BE SIGNED BY ALL ELECTION OFFICERS

Certificate of	Appointment to Fill Vacancy and Res. Code, Sec. 2001.31	Oath.
Election Day.	20	
	Precinct	Thursday or Wind and Coy or Winger
WE HEREBY CERTIFY, That _	Uniaci	

IN CASE OF VACANCY

day of the election at the time fixed for meeting before the hour fixed for opening the polls, thereupon the Presiding Judge, with the concurrence of a majority of the remaining Judges, appointed _______

qualified elector_____ of the same political party as that of the absentee_____ to fill the vacane_____ pending action by the Board of Elections.

Said Judge(s) thereupon w_____duly affirmed as required by law:

Witness our signatures as of the above date.

SIGN NAME	GIVE POLITICAL AFFILIATION
	and and and and
The state of the state	

Affirmed to and subscribed before me this

Day Months

PRESIDENG JUDGE

20

NOTE: ABOVE MUST BE SIGNED BY ALL ELECTION OFFICERS

	COMPLETE ADDRESS	STUBN
401. Gregorin J. Boden	308 11 00 100	410
102. Meliesa & Boden	Jos Vince L	713
103. Kelly Roymond	411 11) Rom	76
104. Conflace Choney	320 W Raza Ch	and and
405.		710
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WALK-IN (PROVISIONAL) VOTERS Names, Addresses and Stub Numbers to be WRITTEN BY THE ASSIGNED JUDGE NAMES IN FULL ADDRESSES STUB No. in Storehalder 358W 20c 065 Copas W 253 W Justen 081 11 Rod Copas 253 3 michele R. Rass W. 134 4 Dal 1002 St Troy 145 astil lone 1295 154 6 Fare 1205 165 das 7 179 Alcherson enn 8 2 tong Temes 204 107 9 703 339 Laine for the 10 9 2 347 Jue # 101 11 34351 Ker Aniein 53 207 Kellinger 12 30 356 mis 12 Jug Oh \$1373 13 125 14)? 15 Form 3 16 Black 17) 2) 1 18 , 0 19 20 Page 1

WALK-IN

MIAMI COUNTY BOARD OF ELECTIONS NOVEMBER 2, 2004 GENERAL ELECTION PROVISIONAL BALLOT STATISTICS, BY PRECINCT

35 Troy 40	9	SUMLINI ADDRESS	COUNTY	COUNTY	ACCEPTED OR	BALLOT
le name: provision	nal ballot statistics-110204-bl	ank			ACOLOTED AND REASON	IN BOX
100000 - 10 	Betty Metz Gundy Storehalde Distance Grass Statey Darter John Crose Chastity Stone Kachard Leguis James Dalling Michalle Capab Dayle Layne Jr Michalle Capab Dayle Layne Jr Michalle Capab	9/16 thelia # 101 358 W CON PA 259 W CON PA 1090 Dictemen 135 Surthyuw 1305 S Ricigi 1305 S Ricigi 1305 S Ricigi 1305 W Ross PA 306 W Ross PA 306 W Ross PA 305	MONT	X X X X X X X X X X X X X X X X X X X	A A A A Uniong signe A A	× iture in b
	1.5	accepted		0	*(

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• Poll Book: 417

Regular Voters (minimum of either ballots cast certified by judges or last signature in poll book): 412

"Accepted Provisionals" in signature book: 15

- Minimal number of absentee votes cast in this precinct: validated by official audit report: 101
- Minimum number of voters who voted in this precinct:
 417 + 101 = 518
- Long Form Certified Result for this precinct: 477
- Minimal number of disenfranchised voters in this precinct: 518 477 = 41

Recount Precinct 30

- Poll Book: 546 Regular voter signatures
- 37 Accepted Provisional voter signatures
- Total Precinct Ballots Cast: 583
- Maximal number of absentee votes in this precinct based on total absentee ballot requests: 24
- Maximum number of voters who voted in this precinct: 607
- Long Form Certified Result for this precinct: 675
- Minimum number of phantom ballots for this precinct: 68

- Poll Book: 571 Regular voter signatures
- 33 Accepted Provisional voter signatures
- Total Precinct Ballots Cast: 604
- Maximal number of absentee votes in this precinct: 92
- Maximum number of voters who voted in this precinct: 696
- Long Form Certified Result for this precinct: 732
- Minimum number of phantom ballots for this precinct: 36

- Poll Book: 390 Regular voter signatures
- 10 Accepted Provisional voter signatures
- Total regular plus provisional ballots cast: 400
- Maximal number of absentee votes in this precinct: 44
- Maximum number of voters who voted in this precinct: 444
- Long Form Certified Result for this precinct: 550
- Minimum number of phantom ballots for this precinct: 106

- Poll Book:
- Certified Total Precinct Ballots Cast: 500
- Minimal number of absentee votes in this precinct: 37
- Minimum number of voters who voted in this precinct: 537
- Long Form Certified Result for this precinct: 490
- Minimal number of disenfranchised voters in this precinct: 47

- Poll Book: 457 Regular voter signatures
- 5 Accepted Provisional voter signatures
- Total Precinct Ballots Cast: 462
- Maximal number of absentee votes in this precinct: 91
- Maximum number of voters who voted in this precinct: 553
- Long Form Certified Result for this precinct: 679
- Minimum number of phantom ballots for this precinct: 126

- Poll Book: 654 Regular voter signatures
- 25 Accepted Provisional voter signatures
- Total Precinct Ballots Cast: 679
- Minimal number of absentee votes in this precinct: 131
- Minimum number of voters who voted in this precinct: 810
- Long Form Certified Result for this precinct: 678
- Minimal number of disenfranchised voters in this precinct: 132

Proof that 11/04 Ballots are going to be Destroyed

Pictures from Darke County Ohio Board of Elections. The third shows that a container with election material from a date before 11/04 does not have the "destroy" label on it. Unfortunately it is not a clear picture.







CITIZENS WAKE UP!

- Having had two Presidential and possibly many other elections stolen, it is time to take this issue very seriously.
- All indications suggest that electronic voting equipment can be easily hacked and corrupted by a small number of "insiders" – programmers, vendors, and election officials.
- We need: real time release of detailed disaggregated election results, routine random audits of this equipment for every election, extensive checks against other voting records, and publicly funded exit polls.
- Hand counted ballots may be the only reliable solution.
- Party and media elites wake up! This is real, it has occurred and will continue to occur unless we do something about it!

Sources:

- "Was the 2004 Presidential Election Stolen?: The History, The Crime, The Cover-up, and Conclusions"
 Ron Baiman, AAPOR presentation, May 19, 2006, Montreal, Canada
 <u>http://www.freepress.org/images/departments/1996_Stolen.pdf</u>
- "Analysis of Connally Spreadsheets", Ron Baiman, June 5, 2006: <u>http://www.freepress.org/departments/display/19/2006/1996</u>
- Poll Books and Absentee Ballot Audit Reports collected by Ron, Jeremy, and Rachel Baiman from Miami County Ohio on July 10-14 and July 17, 2006.
- Peter Peckarsky and Robert Fitrakis provided legal and financial support.

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