

ORIGINAL

In the
Supreme Court of Ohio

STATE ex rel. LETOHIOVOTE.ORG., et al., : Case No. 2009-1310
: :
Relators, : Original Action in Mandamus
: :
v. : :
: :
OHIO SECRETARY OF STATE : :
JENNIFER BRUNNER, et al. : :
: :
Respondents. : :

**EVIDENCE OF INTERVENOR-RESPONDENTS J. PARI SABETY,
DIRECTOR, OFFICE OF BUDGET AND MANAGEMENT, AND
MICHAEL A. DOLAN, DIRECTOR, OHIO LOTTERY COMMISSION**

MICHAEL A. CARVIN* (*pro hac vice*
application pending)
**Counsel of Record*
Jones Day
52 Louisiana Ave., N.W.
Washington D.C. 20001-2113
202-879-3939
202-626-1700 fax
macarvin@jonesday.com

DOUGLAS R. COLE (0070665)
CHAD A. READLER (0068394)
Jones Day
325 John H. McConnell Blvd, Suite 600
P.O. Box 165017
Columbus, Ohio 43216-5017
614-469-3939
614-461-4198 fax
drcole@jonesday.com
careadler@jonesday.com

RICHARD CORDRAY (0038034)
Attorney General of Ohio

BENJAMIN C. MIZER* (0083089)
Solicitor General
**Counsel of Record*
ALEXANDRA T. SCHIMMER (0075732)
Chief Deputy Solicitor General
DAVID M. LIEBERMAN (*pro hac vice*
application pending)
Deputy Solicitor
WILLIAM C. BECKER (0013476)
Assistant Attorney General
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
614-466-8980
614-466-5087 fax
benjamin.mizer@ohioattorneygeneral.gov

Counsel for Intervenor-Respondents
J. Pari Sabety and Michael A. Dolan

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SUPREME COURT OF OHIO

DAVID R. LANGDON (0067046)
THOMAS W. KIDD, JR. (0066359)
BRADLEY M. PEPPPO (0083847)
Langdon Law LLC
11175 Reading Road, Suite 104
Cincinnati, Ohio 45241
513-577-7380
513-577-7383 fax
dlangdon@langdonlaw.com
tkidd@langdonlaw.com
bpeppo@langdonlaw.com

Counsel for Relators

LetOhioVote.org, Thomas E. Brinkman, Jr.,
David Hansen, and Gene Pierce

RICHARD CORDRAY (0038034)
Attorney General of Ohio

RICHARD N. COGLIANESE* (0066830)

**Counsel of Record*

ERICK D. GALE (0075723)

PEARL M. CHIN (0078810)

Assistant Attorneys General

30 East Broad Street, 16th Floor

Columbus, Ohio 43215

614-466-2872

614-728-7592 fax

richard.coglianesse@ohioattorneygeneral.gov

erick.gale@ohioattorneygeneral.gov

pearl.chin@ohioattorneygeneral.gov

Counsel for Respondent

Ohio Secretary of State Jennifer Brunner

In accordance with S.Ct.Prac.R. X, § 7 Intervenor-Respondents J. Pari Sabety and Michael A. Dolan submit the attached evidence. The evidence is indexed as follows:

- Exhibit A: Am. Sub. H.B. 1, Section 265.10
- Exhibit B: Am. Sub. H.B. 1, Section 305.10
- Exhibit C: Affidavit of J. Pari Sabety
- Exhibit D: Affidavit of David A. Ellis
- Exhibit E: Sample instant scratch-off ticket from Lottery Commission game "Slots of Luck"
- Exhibit F: Sample instant scratch-off ticket from Lottery Commission game "EZPLAY \$3 Poker"
- Exhibit G: Press Release from LetOhioVote.Org, dated July 20, 2009

Respectfully submitted,

RICHARD CORDRAY (0038034)
Attorney General of Ohio



BENJAMIN C. MIZER* (0083089)
Solicitor General

**Counsel of Record*

ALEXANDRA T. SCHIMMER (0075732)

Chief Deputy Solicitor General

DAVID M. LIEBERMAN (*pro hac vice*
application pending)

Deputy Solicitor

WILLIAM C. BECKER (0013476)

Assistant Attorney General

30 East Broad Street, 17th Floor

Columbus, Ohio 43215

614-466-8980

614-466-5087 fax

benjamin.mizer@ohioattorneygeneral.gov

Counsel for Intervenor-Respondents
J. Pari Sabety and Michael A. Dolan

CERTIFICATE OF SERVICE

I certify that a copy of Intervenor-Respondents' Evidence was served by electronic mail on this 10th day of August 2009 upon the following counsel:

Michael A. Carvin
52 Louisiana Ave., N.W.
Washington D.C. 20001-2113
macarvin@jonesday.com

Douglas R. Cole
Chad A. Readler
325 John H. McConnell Blvd, Suite 600
P.O. Box 165017
Columbus, Ohio 43216-5017
drcole@jonesday.com
careadler@jonesday.com

David R. Langdon
Thomas W. Kidd, Jr.
Bradley M. Peppo
11175 Reading Road, Suite 104
Cincinnati, Ohio 45241
dlangdon@langdonlaw.com
tkidd@langdonlaw.com
bpeppo@langdonlaw.com

Counsel for Respondent
LetOhioVote.org, Thomas E. Brinkman, Jr.,
David Hansen, and Gene Pierce

Richard M. Coglianesse
Erick D. Gale
Pearl M. Chin
Assistant Attorneys General
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
richard.coglianesse@ohioattorneygeneral.gov
erick.gale@ohioattorneygeneral.gov
pearl.chin@ohioattorneygeneral.gov

Counsel for Respondent
Ohio Secretary of State Jennifer Brunner


Alexandra T. Schimmer
Chief Deputy Solicitor General

EXHIBIT A

2795

Group	\$	311,067	\$	311,067
TOTAL ALL BUDGET FUND GROUPS	\$	311,067	\$	311,067

SECTION 263.10. CDR COMMISSION ON DISPUTE RESOLUTION
AND CONFLICT MANAGEMENT

General Revenue Fund

GRF 145401 Commission Operations	\$	250,000	\$	0
TOTAL GRF General Revenue Fund	\$	250,000	\$	0
TOTAL ALL BUDGET FUND GROUPS	\$	250,000	\$	0

SECTION 265.10. EDU DEPARTMENT OF EDUCATION

General Revenue Fund

GRF 200100 Personal Services	\$	10,490,789	\$	10,723,972
GRF 200320 Maintenance and Equipment	\$	3,110,071	\$	3,144,897
GRF 200408 Early Childhood Education	\$	23,268,341	\$	23,268,341
GRF 200416 Career-Technical Education	\$	2,233,195	\$	2,233,195
GRF 200420 Computer/Application/ Network Development	\$	4,880,871	\$	4,880,871
GRF 200421 Alternative Education Programs	\$	7,814,479	\$	7,918,749
GRF 200422 School Management Assistance	\$	1,950,521	\$	3,230,469
GRF 200424 Policy Analysis	\$	356,311	\$	361,065
GRF 200425 Tech Prep Consortia Support	\$	1,243,943	\$	1,260,542
GRF 200426 Ohio Educational Computer Network	\$	20,156,602	\$	20,425,556
GRF 200427 Academic Standards	\$	5,300,074	\$	5,300,074
GRF 200431 School Improvement Initiatives	\$	7,294,175	\$	7,391,503
GRF 200437 Student Assessment	\$	55,954,648	\$	56,703,265
GRF 200439 Accountability/Report Cards	\$	3,804,673	\$	3,804,673
GRF 200442 Child Care Licensing	\$	865,590	\$	877,140
GRF 200446 Education Management Information System	\$	13,199,152	\$	11,934,284
GRF 200447 GED Testing	\$	975,536	\$	988,553
GRF 200448 Educator Preparation	\$	1,310,750	\$	1,328,240
GRF 200455 Community Schools	\$	1,000,000	\$	1,000,000
GRF 200457 STEM Initiatives	\$	5,000,000	\$	5,000,000
GRF 200458 School Employees Health Care Board	\$	800,000	\$	800,000
GRF 200502 Pupil Transportation	\$	448,022,619	\$	462,822,619
GRF 200505 School Lunch Match	\$	9,100,000	\$	9,100,000
GRF 200511 Auxiliary Services	\$	111,979,388	\$	111,979,388
GRF 200532 Nonpublic Administrative Cost Reimbursement	\$	50,838,939	\$	50,838,939
GRF 200540 Special Education Enhancements	\$	134,150,233	\$	135,820,668
GRF 200545 Career-Technical Education Enhancements	\$	7,752,662	\$	7,802,699

2796

GRF 200550	Foundation Funding	\$	5,130,669,418	\$	4,746,289,372
GRF 200551	Foundation Funding -- Federal Stimulus	\$	387,583,913	\$	457,449,362
GRF 200578	Violence Prevention and School Safety	\$	200,000	\$	200,000
GRF 200901	Property Tax Allocation - Education	\$	1,053,262,363	\$	1,020,655,157
TOTAL GRF General Revenue Fund		\$	7,504,569,256	\$	7,175,533,593
General Services Fund Group					
1380 200606	Computer Services-Operational Support	\$	7,600,091	\$	7,600,091
4520 200638	Miscellaneous Educational Services	\$	275,000	\$	275,000
4L20 200681	Teacher Certification and Licensure	\$	8,013,206	\$	8,147,756
5960 200656	Ohio Career Information System	\$	529,761	\$	529,761
5H30 200687	School District Solvency Assistance	\$	18,000,000	\$	18,000,000
TOTAL GSF General Services Fund Group		\$	34,418,058	\$	34,552,608
Federal Special Revenue Fund Group					
3090 200601	Educationally Disadvantaged Programs	\$	8,405,512	\$	8,405,512
3670 200607	School Food Services	\$	6,324,707	\$	6,577,695
3680 200614	Veterans' Training	\$	778,349	\$	793,846
3690 200616	Career-Technical Education Federal Enhancement	\$	5,000,000	\$	5,000,000
3700 200624	Education of Exceptional Children	\$	2,664,000	\$	2,755,000
3740 200647	Troops to Teachers	\$	100,000	\$	100,000
3780 200660	Learn and Serve	\$	619,211	\$	619,211
3AF0 200603	Schools Medicaid Administrative Claims	\$	639,000	\$	639,000
3AN0 200671	School Improvement Grants	\$	17,909,676	\$	17,936,675
3AX0 200698	Improving Health and Educational Outcomes of Young People	\$	630,954	\$	630,954
3BK0 200628	Longitudinal Data Systems	\$	100,000	\$	0
3BV0 200636	Character Education	\$	700,000	\$	0
3C50 200661	Early Childhood Education	\$	14,189,711	\$	14,554,749
3CF0 200644	Foreign Language Assistance	\$	25,000	\$	0
3CG0 200646	Teacher Incentive Fund	\$	3,007,975	\$	1,157,834
3D10 200664	Drug Free Schools	\$	13,347,966	\$	13,347,966
3D20 200667	Honors Scholarship Program	\$	6,990,000	\$	6,985,000
3DJ0 200699	IDEA Part B - Federal Stimulus	\$	218,868,026	\$	218,868,026
3DK0 200642	Title 1A - Federal Stimulus	\$	186,336,737	\$	186,336,737
3DL0 200650	IDEA Preschool - Federal Stimulus	\$	6,679,679	\$	6,679,679
3DM0 200651	Title IID Technology - Federal Stimulus	\$	11,951,000	\$	11,951,000
3DP0 200652	Title I School Improvement -	\$	54,221,000	\$	54,221,000

3H90	200605	Federal Stimulus Head Start Collaboration Project	\$	225,000	\$	225,000
3L60	200617	Federal School Lunch	\$	295,421,000	\$	310,150,675
3L70	200618	Federal School Breakfast	\$	80,850,000	\$	84,892,500
3L80	200619	Child/Adult Food Programs	\$	89,250,000	\$	93,712,500
3L90	200621	Career-Technical Education Basic Grant	\$	48,029,701	\$	48,029,701
3M00	200623	ESEA Title 1A	\$	530,000,000	\$	530,010,000
3M10	200678	Innovative Education	\$	1,000,000	\$	0
3M20	200680	Individuals with Disabilities Education Act	\$	413,391,594	\$	421,241,163
3S20	200641	Education Technology	\$	9,487,397	\$	9,487,397
3T40	200613	Public Charter Schools	\$	14,275,618	\$	14,291,353
3Y20	200688	21st Century Community Learning Centers	\$	36,000,000	\$	36,000,000
3Y40	200632	Reading First	\$	27,366,373	\$	24,455,172
3Y60	200635	Improving Teacher Quality	\$	101,778,397	\$	101,778,400
3Y70	200689	English Language Acquisition	\$	8,142,299	\$	8,142,299
3Y80	200639	Rural and Low Income Technical Assistance	\$	1,500,000	\$	1,500,000
3Z20	200690	State Assessments	\$	12,923,799	\$	12,923,799
3Z30	200645	Consolidated Federal Grant Administration	\$	8,499,279	\$	8,499,280
3Z70	200697	General Supervisory Enhancement Grant	\$	887,319	\$	0
TOTAL FED Federal Special Revenue Fund Group			\$	2,238,516,279	\$	2,262,899,123
State Special Revenue Fund Group						
4540	200610	Guidance and Testing	\$	450,000	\$	450,000
4550	200608	Commodity Foods	\$	24,000,000	\$	24,000,000
4R70	200695	Indirect Operational Support	\$	6,050,000	\$	6,250,000
4V70	200633	Interagency Operational Support	\$	1,111,838	\$	1,117,725
5980	200659	Auxiliary Services Reimbursement	\$	1,328,910	\$	1,328,910
5BB0	200696	State Action for Education Leadership	\$	1,250,000	\$	600,000
5BJ0	200626	Half-Mill Maintenance Equalization	\$	16,100,000	\$	16,600,000
5U20	200685	National Education Statistics	\$	300,000	\$	300,000
5W20	200663	Early Learning Initiative	\$	2,200,000	\$	2,200,000
5X90	200911	NGA STEM	\$	100,000	\$	0
6200	200615	Educational Improvement Grants	\$	3,000,000	\$	3,000,000
TOTAL SSR State Special Revenue Fund Group			\$	55,890,748	\$	55,846,635
Lottery Profits Education Fund Group						
7017	200612	Foundation Funding	\$	990,236,905	\$	1,277,271,428
TOTAL LPE Lottery Profits Education Fund Group			\$	990,236,905	\$	1,277,271,428
Revenue Distribution Fund Group						

EXHIBIT B

National Park Service, chooses to take over the operations or maintenance of the Hayes Presidential Center, in whole or in part, the Ohio Historical Society shall make arrangements with the National Park Service or other United States government agency for the efficient transfer of operations or maintenance.

SECTION 301.10. REP OHIO HOUSE OF REPRESENTATIVES

General Revenue Fund

GRF 025321	Operating Expenses	\$	18,517,093	\$	18,517,093
TOTAL GRF General Revenue Fund		\$	18,517,093	\$	18,517,093

General Services Fund Group

1030 025601	House Reimbursement	\$	1,433,664	\$	1,433,664
4A40 025602	Miscellaneous Sales	\$	37,849	\$	37,849
TOTAL GSF General Services Fund Group		\$	1,471,513	\$	1,471,513
TOTAL ALL BUDGET FUND GROUPS		\$	19,988,606	\$	19,988,606

OPERATING EXPENSES

On July 1, 2009, or as soon as possible thereafter, the Clerk of the House of Representatives may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 025321, Operating Expenses, at the end of fiscal year 2009 to be reappropriated to fiscal year 2010. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2010.

On July 1, 2010, or as soon as possible thereafter, the Clerk of the House of Representatives may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 025321, Operating Expenses, at the end of fiscal year 2010 to be reappropriated to fiscal year 2011. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2011.

SECTION 303.10. HFA OHIO HOUSING FINANCE AGENCY

Agency Fund Group

5AZ0997601	Housing Finance Agency	\$	8,614,627	\$	8,614,627
	Personal Services				
TOTAL AGY Agency Fund Group		\$	8,614,627	\$	8,614,627
TOTAL ALL BUDGET FUND GROUPS		\$	8,614,627	\$	8,614,627

SECTION 305.10. IGO OFFICE OF THE INSPECTOR GENERAL

General Revenue Fund

2866

GRF 965321	Operating Expenses	\$	1,214,218	\$	1,214,218
TOTAL GRF	General Revenue Fund	\$	1,214,218	\$	1,214,218
General Services Fund Group					
5FA0 965603	Deputy Inspector General for ODOT	\$	400,000	\$	400,000
5FT0 965604	Deputy Inspector General for BWC/OIC	\$	425,000	\$	425,000
TOTAL GSF	General Services Fund Group	\$	825,000	\$	825,000
TOTAL ALL BUDGET FUND GROUPS		\$	2,039,218	\$	2,039,218

VIDEO LOTTERY TERMINAL OVERSIGHT

Of the foregoing GRF appropriation item 965321, Operating Expenses, \$50,000 in each fiscal year may be used to defray any expenses associated with the review of the operation of video lottery terminal operations as specified in Chapter 3770. of the Revised Code.

SECTION 307.10. INS DEPARTMENT OF INSURANCE**Federal Special Revenue Fund Group**

3CX0 820608	State Coverage Initiative - Federal	\$	50,000,000	\$	100,000,000
3U50 820602	OSHIIP Operating Grant	\$	1,770,000	\$	1,790,000
TOTAL FED	Federal Special Revenue Fund Group	\$	51,770,000	\$	101,790,000

State Special Revenue Fund Group

5540 820601	Operating Expenses - OSHIIP	\$	200,000	\$	200,000
5540 820606	Operating Expenses	\$	22,884,736	\$	22,884,736
5540 820609	State Coverage Initiative Administration	\$	479,575	\$	479,575
5550 820605	Examination	\$	9,275,768	\$	9,294,668
5AG0 820603	Health Information Technology and Health Care Coverage and Quality Council	\$	10,116,272	\$	0

TOTAL SSR	State Special Revenue Fund Group	\$	42,956,351	\$	32,858,979
TOTAL ALL BUDGET FUND GROUPS		\$	94,726,351	\$	134,648,979

**HEALTH INFORMATION TECHNOLOGY AND HEALTH CARE
COVERAGE AND QUALITY COUNCIL**

Notwithstanding section 3929.682 of the Revised Code, up to \$8,000,000 of the foregoing appropriation item 820603, Health Information Technology and Health Care Coverage and Quality Council, shall be used for health information technology initiatives: to provide the central tools and support the electronic exchange of health information, to work with industry associations to encourage and support providers in using electronic medical records, and to establish a loan program to help health care providers with the financial burden of buying and implementing electronic medical records.

Notwithstanding section 3929.682 of the Revised Code, up to

EXHIBIT C

THE SUPREME COURT OF OHIO

STATE ex rel., LETOHIO VOTE.ORG : Case No. 09-1310
et. al :
:
Relators :
vs. :
HON. JENNIFER BRUNNER et. al :
:
Respondents :

AFFIDAVIT OF J. PARI SABETY

J. Pari Sabety, first being duly sworn, states that I am over the age of eighteen, and with personal knowledge affirm the following:

- (1) I am the Director of the Office of Budget and Management.
- (2) As part of my job duties, I am required to execute the statutory mandates of this Office, including but not limited to monitoring on an ongoing basis the State budget, revenues, and expenditures, to ensure that the State does not end a fiscal year or biennium in a deficit position. The statutory mandates of this Office are in set forth in Chapters 126 and 131 of the Revised Code.
- (3) I am also required to assist the Governor in discharging his statutory duty under R.C. 107.03 *et seq.* to submit a State biennial budget plan to the General Assembly that provides funding for State programs, including a thorough and efficient system of common schools referred to in Section 2, Article VI of the Ohio Constitution.
- (4) The General Assembly increased the appropriation of the Department of Education's Foundation Funding Fund 7017, Appropriation Item 200612, for the current biennium by \$851.5 million to reflect expected revenues from the implementation of video lottery terminals ("VLTs") in May 2010 and associated license fees.
- (5) The VLT proceeds to be used to fund the local schools are based upon specific time frames for implementation.
- (6) Pursuant to Section 6, Article XV of the Ohio Constitution, the net proceeds from any State lottery must be paid into a fund of the State Treasury that consists solely of those

proceeds and used solely for support of elementary, secondary, vocational, and special education programs.

(7) R.C. 3770.06(A) requires that all gross proceeds of the lottery be deposited into the State Lottery Gross Revenue Fund, out of which expenses for operations and prizes are paid resulting in net proceeds.

(8) R.C. 3770.06(A) requires that the "net proceeds" remaining after payment of lottery expenses for operations and prizes be transferred to the State Lottery Fund.

(9) Pursuant to R.C. 3770.06(B) and Section 6, Article XV, of the Ohio Constitution, the Lottery Profits Education Fund was established to receive the net proceeds, which the OBM director must transfer, from the State Lottery Fund.

(10) Pursuant to R.C. 3770.06(B) the Lottery Profits Education Fund shall be used solely for the support of elementary, secondary, vocational, and special education programs.

(11) The Department of Education distributes funds to local schools pursuant to Title 33 of the Ohio Revised Code as amended in Am. Sub. H.B. 1.

(12) The Department of Education (ODE) on a bimonthly basis determines pursuant to the Foundation formula each school district's disbursement, submits a series of vouchers to the Ohio Accounting Knowledge System (OAKS) which are electronically transferred to the local school district.

(13) The Executive Budget submitted to the General Assembly on February 2, 2009, included \$1.4 billion for the Lottery Profits Education Fund; and with the passage of Am.Sub. H.B. 1 by the General Assembly, \$851.5 million from the implementation of the VLTs increased the total for the Lottery Profits Education Fund to \$2.267 billion that is available to support elementary, secondary, vocational education and special education.

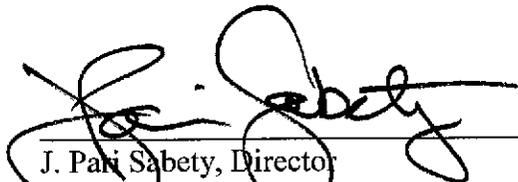
(14) Am. Sub. H.B. No. 1 appropriates \$851.5 million of the VLT net proceeds from the Lottery Profits Education Fund Am. to the Department of Education for Foundation Funding to support local school districts.

(15) In addition to the \$851.5 million from the Lottery Profits Education Fund, the Department of Education's Foundation Fund is supported by revenue from the General Revenue Fund, the Commercial Activities Tax Fund, and the Federal State Fiscal Stabilization Funds received under the American Recovery and Reinvestment Act.

(16) The General Assembly, pursuant to Section 4, Article XII of the Ohio Constitution, shall provide for raising revenue sufficient to defray the expenses of the state for each year. For example, Section 5a, Article XII of the Ohio Constitution and the General Assembly, in H.B. 2 section 201.10 appropriated funds to the Department of Transportation for establishing, maintaining, improving and ensuring the safety of the state highway system of roads using the Highway Operating Fund Group

(17) An appropriation of money made by the General Assembly in contemplation of meeting a current expense within the meaning of Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code is to take effect immediately when this act becomes law.

Further affiant sayeth naught.

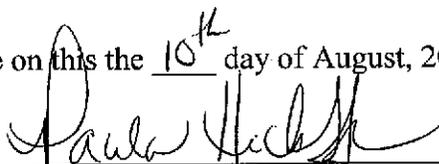


J. Paul Sabety, Director
Ohio Office of Budget and Management

State of Ohio
County of Franklin

: ss
:

Sworn to and prescribed before me on this the 10th day of August, 2009.



Notary Public

PAULA HICKS - HUDSON
ATTORNEY at LAW
Notary Public - State of Ohio
My Commission has no expiration date

EXHIBIT D

IN THE SUPREME COURT OF OHIO

STATE ex rel., LETOHIO VOTE.ORG : **Case No. 09-1310**
et. al :
:
Relators :
vs. :
HON. JENNIFER BRUNNER et. al :
Respondents :

AFFIDAVIT OF DAVID A. ELLIS

David A. Ellis, Ph.D., first being duly sworn, states that I am over the age of eighteen and with personal knowledge affirm the following:

(1) I am the Assistant Director of the Ohio Office of Budget and Management (“OBM”).

(2) As part of my job duties, I regularly assist the Director of OBM in carrying out the statutory duties of the Office, including but not limited to establishing policy, procedures, and actions that, among other things, must be taken to assist the Governor in preparing and submitting to the General Assembly a balanced biennial budget. My duties have included assessing revenue projections related to the implementation of VLTs at Ohio’s seven horse racing tracks.

(3) During the development process for the budget for fiscal years 2010 and 2011, the OBM staff worked with the Ohio Department of Taxation staff, members of the Governor’s Council of Economic Advisors, and other economic forecasters to assess the economic and revenue situation for the 2010-2011 fiscal biennium.

(4) The Ohio Constitution effectively precludes the State from ending a fiscal year or biennium in a “deficit” position by requiring the General Assembly to “provide for raising revenue, sufficient to defray the expenses of the state, for each year, and also a sufficient sum to pay principal and interest as they become due on the state debt” (Ohio Constitution Article XII, Section 4), and by limiting debts for casual deficits or failures in revenues, or to meet expenses not otherwise provided for,” to \$750,000 (Ohio Constitution Article VIII, Section 1).

(5) During calendar year 2009, in the midst of a national economic recession, the State's actual tax revenues declined below the levels forecast at the outset of the preceding biennium—resulting in a deficit.

(6) Fiscal year 2009 revenues were reforecast on three occasions. As a result of those reforecasts, there were associated reductions in 2009 fiscal year state expenditures for departments, agencies, boards, and commissions, in order to comply with the Constitutional provisions that prevent the State from ending a fiscal year in a deficit position.

(7) The State's departments, agencies, boards, and commissions submitted fiscal year 2010 and 2011 budget proposals reflecting requested appropriations equal to 90% of those reduced fiscal year 2009 spending levels.

(8) Because the revenues continued to decline, the submitted budget proposals containing the 90% reduced appropriation requests ultimately did not allow for a balanced budget.

(9) Revised revenue estimates were prepared for the deliberations of the House/Senate Conference Committee on Am Sub. H.B. No. 1—the State 2010-11 Biennial Appropriations Act. Based on those revised revenue estimates, the expenditures for the biennium set forth in Am. Sub. H.B. No. 1, as passed by the Senate, would have exceeded revenues by approximately \$3.2 billion.

(10) In order to avoid an increase in taxes and additional cuts in public services, a proposal to increase revenues by establishing video lottery terminals (“VLTs”) administered by the Ohio Lottery Commission was presented to the General Assembly, and language authorizing VLTs was included in Am. Sub. H.B. No. 1 as passed by the General Assembly and signed by the Governor.

(11) Implementation of VLTs was designed to generate revenue from the issuance of licenses and receipt of operating revenue from video lottery terminals located at the seven horse racing tracks in Ohio.

(12) It was determined that \$65 million per racetrack license, paid in five installments during the 2010-11 biennium, would generate \$455 million in revenues for the biennium.

(13) Gross revenue from the implementation of VLTs beginning their operations in May 2010 would generate an estimated \$478,183,333, which would be distributed to the Lottery

Profits Education Fund for the support of primary, secondary, vocational, and special education expenditures in the 2010-11 biennium.

(14) Licensing fees of \$455 million and \$478,183,333 million in estimated revenue from the operation of VLTs is expected to provide a total of \$933,183,333 to the Lottery Profits Education Fund in the 2010-11 biennium.

(15) After accounting for the net revenue and licensing fees paid, and offsetting the expected decline in revenues derived from previously existing Ohio Lottery games resulting from the implementation of VLTs, the net increase in receipts to the Lottery Profits Education Fund during the 2010-11 biennium is expected to be \$851.5 million.

(16) Ohio Revised Code Section 3770.06 and Section 327.10 of Am. Sub. H.B. No. 1 authorize the Director of OBM to transfer the estimated net income from the Lottery Commission's operations for each fiscal year from the State Lottery Fund to the Lottery Profits Education Fund, with these transfers administered as provided by the applicable statutes.

(17) In Am. Sub. H.B. No.1 the General Assembly provided an appropriation to the Department of Education for Foundation Funding to local school districts and with that Department to distribute those appropriated funds to local school districts as provided in that Am. Sub. H.B. No. 1.

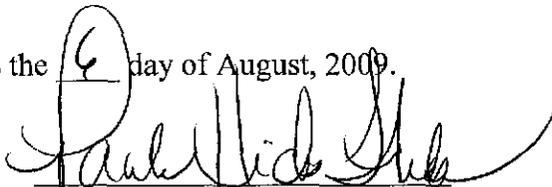
Further affiant sayeth naught.



David A. Ellis
Assistant Director
Ohio Office of Budget and Management

State of Ohio : ss
County of Franklin :

Sworn to and prescribed before me on this the 6 day of August, 2009.



Notary Public
PAULA HICKS - HUDSON
ATTORNEY at LAW
Notary Public - State of Ohio
My Commission has no expiration date

EXHIBIT E

\$1

OHIO LOTTERY

SLOTS OF LUCK

WIN UP TO \$100!

Reveal 3 identical symbols in the same SPIN across, win the prize shown for that SPIN.
Reveal a [Lucky] symbol and win the prize shown for that SPIN automatically!

SPIN 5	SPIN 4	SPIN 3	SPIN 2	SPIN 1	PRIZE
7	7	7	7	7	PRIZE
7	7	7	7	7	PRIZE
7	7	7	7	7	PRIZE
7	7	7	7	7	PRIZE
7	7	7	7	7	PRIZE

070

EXHIBIT F



\$3 POKER

WIN UP TO 3 TIMES!

HANDS	PRIZE
10♥ J♥ Q♥ K♥ A♥	\$30,000
5♥ 6♥ 7♥ 8♥ 9♥	\$2,500
2♥ 2♦ 2♣ 2♠	\$250
7♦ 7♣ 10♣ 10♦ 10♠	\$100
6♣ J♣ Q♣ K♣ A♣	\$50
4♥ 5♣ 6♠ 7♠ 8♠	\$20
3♥ 3♣ 3♠	\$10
J♠ J♦ Q♦ Q♠	\$5
9♦ 9♠	\$3

YOUR CARDS

2♣	Q♦	K♣	6♠	K♥	9♥	Q♠	3♠
J♠	4♥	A♣	2♥	3♥	9♣	A♠	Q♥
7♣	2♠	10♠	3♣	4♠	2♦	A♥	9♦

HOW TO WIN

MATCH "YOUR CARDS" TO CARDS SHOWN
 IN HANDS. MATCH ALL CARDS IN ONE
 OR MORE "HANDS" TO WIN THE
 PRIZES(S).

AGENT 0100001 SEP 30 2006/10:04
 038720 595485 \$3.00

TICKET-MSG
 004-063819268-175129



EXHIBIT G

Welcome ♦ In The News ♦ Volunteer ♦ Donate



FOR IMMEDIATE RELEASE
Contact: Carlo LoParo, 614-204-2242

Thursday, July 20, 2009

Committee Petitions Supreme Court to Send VLT Plan to Voters

COLUMBUS - LetOhioVote.Org today filed a Writ of Mandamus with the Ohio Supreme Court directly challenging Governor Ted Strickland's plan to place up to 17,500 video slot machines at Ohio horse race tracks without a vote of the people.

In the writ, LetOhioVote.Org committee members Tom Brinkman, Gene Pierce and David Hansen asked the Ohio Supreme Court to uphold the right of referendum on this issue. Further, the committee seeks the Court's affirmation of the peoples' constitutional right to vote on the video slot machine scheme. If the committee's effort succeeds, the issue will be placed before voters in November 2010, and the slot machine rollout will be halted pending that vote.

"In 2006, nearly 57 percent of Ohioans opposed placing video slot machines at horse race tracks," Pierce said. "If Governor Strickland and legislative leaders believe their plan is better than the one the voters already rejected, they ought to make their case directly to the people. Simply ignoring a public vote should not be an option."

"The governor and legislative leaders should have the courage to place this issue before the voters," former state representative Brinkman said. "They didn't have the nerve to cut government, but they freely violate the expressed will of the people? Well, we say 'not so fast.'" Brinkman is the co-founder of COAST, a Cincinnati-based taxpayer advocacy group.

"Placing video slot machines at struggling race tracks is nothing more than giving wealthy track owners a huge government bailout," Hansen added. "It's the same old story; they can't make their business profitable so they turn to government. Any way you look at it, it's bad economics and bad government."

In 2007, Governor Strickland said, "The people of Ohio have spoken with a clear voice on this issue time and time again. They do not want an expansion of gambling in their state." "The people deserve another opportunity to speak with a clear voice on this issue," Pierce concluded.

Copies of the court filings are available [here](#) and [here](#). The writ was filed to by Cincinnati elections attorney David Langdon.

LetOhioVote.Org is ballot issue committee established to seek a public vote on the expansion of government sponsored gambling.