

# **R. I. STATE BOARD OF ELECTIONS**

## **MINUTES OF MEETING (HEARING)**

**February 7, 2006**

**The Rhode Island State Board of Elections convened at 4:08 P.M. A quorum included Vice Chair Thomas Iannitti, Commissioners Florence Gormley, Frank Rego and Raymond Xavier. Also, present Attorney Robert Kando, Executive Director, who is also acting as Legal Counsel to the Board in the matter of The Rhode Island Republican Party and the Donald L. Carcieri Campaign for Governor.**

**First order of business, a hearing was conducted in the matter of The Rhode Island Republican Party and the Donald L. Carcieri Campaign for Governor.**

**Representing the Donald L Carcieri Campaign for Governor, Joe Daigle Esq.. Representing the Rhode Island Republican Party (RIGOP) James Bopp Esq., with Joseph Daigle Esq. as Local Counsel.**

**Special Counsel H. Reed Witherby, Esq. appeared with Raymond Marcaccio, Esq. as Local Counsel.**

**Attorney Bopp summarized in oral argument the eight motions filed with the Board and identified as follows: 1) Motion for Immediate Hearing 2) Motion to Require Special Prosecutor to Provide Deposition, Interview, or Statement Information to Party Counsel 3) Motion to Disqualify Counsel 4) Motion to Dismiss 5) Motion to Quash**

**or Postpone Subpoena 6) Motion to Stay Investigation 7) Motion to Authorize Discovery 8) Motion to Authorize Subpoenas.**

**Attorney Witherby gave a response to Attorney Bopp's arguments.**

**At this time, Commissioner Xavier made a motion to deny the Motion to Disqualify Counsel, Commissioner Gormley seconded the motion, and the vote was 4-0 to deny the Motion to Disqualify Counsel.**

**At this time, a motion was made by Commissioner Gormley to deny the following motions; 1) Motion to Dismiss 2) Motion to Quash or Postpone Subpoena 3) Motion to Stay Investigation 4) Motion to Authorize Discovery 5) Motion to Authorize Subpoenas. Commissioner Xavier seconded the motion and on a 4-0 vote, the motions were denied.**

**At this time, Commissioner Gormley made a motion that Mr. Witherby be directed not to issue any subpoenas for thirty days (30) from today or that any active subpoenas not be scheduled to be heard within thirty days (30) from today. Commissioner Xavier seconded the motion and the vote was 4-0 in favor of the motion.**

**At 5:04 P.M. and with no further business, Commissioner Xavier motioned to adjourn Commissioner Rego seconded the motion.**

**Respectfully Submitted,**

**Steve Taylor**