

IN THE CHANCERY COURT FOR KNOX COUNTY TENNESSEE

CARL R. SEIDER)
)
 Plaintiff)
 v.) No. 166736-1
)
)
)
 KNOX COUNTY ELECTION COMMISSION)
)
 Defendant.)

T.R.A.P. RULE 24(c) STATEMENT

Plaintiff's Counsel emailed the Complaint and Court's Order and the requested alternative writs of mandamus to James Murphy at his office in Nashville, Tennessee after the entry of the Court's Order on the applications for writs of alternative mandamus on April 13, 2006.

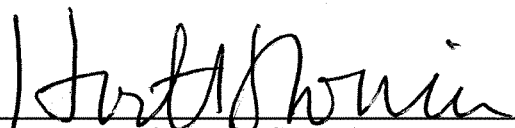
During the morning of April 13, 2006 Plaintiff's Counsel called Mr. Murphy to schedule a hearing. Mr. Murphy agreed to a hearing anytime on April 14, 2006 and the parties agreed he would participate by telephone conference.

Plaintiff's Counsel and Mr. Murphy left a telephone message on the voice mail of the Court's secretary that they agreed to a hearing anytime on April 14, 2006 that the Court was available and that Mr. Murphy would participate by telephone conference from Nashville.

The Court's secretary called Plaintiff's Counsel during the late morning on April 13th and informed Counsel that the Court would not permit Mr. Murphy to participate by telephone conference and that before the Court would hear from the parties the Court required a signed written statement from Mr. Murphy that the Knox County Election Commission waived its right to thirty (30) days to answer the complaint for a writ of mandamus.

Plaintiff's Counsel relayed the Court's conditions to Mr. Murphy. Mr. Murphy stated he would have to confer with his client.

Mr. Murphy responded and informed Plaintiff's Counsel that the Election Commission would not agree to shorten 30 days and the Election Commission would not agree to an expedited hearing. Mr. Murphy's email response is attached.


HERBERT S. MONCIER
Attorney for Plaintiff

Herbert S. Moncier
Suite 775 Bank of America Center
550 Main Avenue
Knoxville, Tennessee 37902
(865) 546-7746
BPR # 1910

CERTIFICATE

I hereby certify that a true and correct copy of the foregoing was served on James Murphy.


HERBERT S. MONCIER