

**IAN O'BRIEN**  
3256 Osborne Road  
Atlanta, Georgia 30319  
(404) 915-7627

2008 MAY 14 AM 9:45

RECEIVED  
SECRETARY OF STATE  
ELECTIONS DIVISION

May 14, 2008

*VIA HAND DELIVERY*

The Honorable Karen C. Handel  
Georgia Secretary of State  
Elections Division  
2 Martin Luther King, Jr. Drive  
1104 West Tower  
Atlanta, Georgia 30334-1530

Re: Complaint Challenging Qualifications of Keith Gross for  
Election to Georgia House of Representatives District 80

Dear Secretary Handel:

My name is Ian O'Brien. I am an elector eligible to vote in Georgia House of Representatives District 80. My address is 3256 Osborne Road, Atlanta, Georgia 30319. I reside and am registered to vote at this address.

Pursuant to O.C.G.A. § 21-2-5, I hereby challenge the qualifications of Keith Gross, candidate for Georgia House of Representatives District 80, to seek and hold said office.

On information and belief, and in support of this challenge to Mr. Gross' qualifications, I respectfully show as follows:

- (1) As recently as May 8, 2008, Florida driver's license records indicated that Keith Gross had a current and valid Florida driver's license.
- (2) As recently as April 22, 2008, Keith Gross was driving a black Porsche Boxster convertible automobile bearing a Florida license plate and a "Keith Gross for State House District 80" bumper sticker.
- (3) Keith Gross first voted in an election in the State of Georgia on February 5, 2008.
- (4) Keith Gross first registered to vote in the State of Georgia on November 7, 2007. Prior to that date, Mr. Gross was registered to vote in the State of Florida.
- (5) Such additional evidence as may be shown at the hearing of this case.

The Honorable Karen C. Handel

May 14, 2008

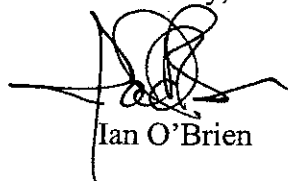
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It therefore appears that Keith Gross does not meet the constitutional and statutory requirements for seeking and holding the office of Representative to the Georgia House of Representatives from District 80 because:

- (a) Mr. Gross will not have been a citizen of the State of Georgia for at least two years immediately preceding the date of his election, November 4, 2008, as required by Article III, Section II, Paragraph III(b) of the Constitution of the State of Georgia; and
- (b) Mr. Gross will not have been a legal resident of the territory embraced within Georgia House of Representatives District 80 for at least one year immediately preceding the date of his election, November 4, 2008, as required by Article III, Section II, Paragraph III(b) of the Constitution of the State of Georgia and by O.C.G.A. § 28-2-1.

Accordingly, I challenge Mr. Gross' qualifications to seek and hold the office of member of the General Assembly from Georgia House of Representatives District 80 on each of these two separate grounds. I respectfully request that you notify Mr. Gross of this challenge and that you are requesting a hearing before a judge of the Office of State Administrative Hearings.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian O'Brien", with a horizontal line extending to the left and a vertical line extending downwards from the end of the signature.

Ian O'Brien