

**STATE OF MICHIGAN  
BOARD OF CANVASSERS**

\_\_\_\_\_/

In the matter of:

A sample of 500 Signatures from the  
508,202 Signatures submitted by the  
Michigan Civil Rights Initiative Committee  
to place on the November, 2006 ballot  
a proposed Constitutional Amendment

\_\_\_\_\_ /

**AFFIDAVIT OF JOHN IRVING  
ONE OF THE SIGNERS REPRESENTED IN THE RANDOM SAMPLE**

I, John Irving, now attest under oath as follows.

1. I am a resident and registered voter in the State of Michigan.

2. In 2004, I signed a petition labeled as the Michigan Civil Rights Initiative.

3. At some time in April, 2005, I received a call from a woman about a petition. We had a short conversation, the woman suggested that I had signed a petition favoring affirmative action and asked if I wanted my name removed. Without going into a detailed explanation of my views, I told the woman I was generally against affirmative action as she described it, and said yes, my name could be removed from a petition supporting it.

4. I have since learned that a "phone affidavit" was filed in my name by this woman a document sent to the Board of Canvassers. Although an indication was made that my name might be "removed" from a petition that was poorly described to me, I was unaware that my statements would be used in this specific way.

4. On or about May 3<sup>rd</sup>, 2005, at roughly 8pm, I received a call from Jennifer Gratz. She explained that my name was in a random sample and that another group had made representations of that April conversation. Initially, I thought Ms. Gratz was the

same woman that called me in April, but when she asked me to tell her about my conversation in April, I recognized this could not be the case. After going over the previous conversation, she read to me the actual language of the petition I signed in 2004. At the end of the conversation, when she identified herself as the plaintiff in one of the University of Michigan admissions lawsuits, it became fully apparent to me that either through misunderstanding or misrepresentation, my statement to the original caller in April was taken out of context and used to represent the opposite of my feelings.

5. In 2004, I signed the petition labeled Michigan Civil Rights Initiative with the understanding that I was opposing the types of the policies the University of Michigan was using in admissions, and generally other government hiring and contracting practices where a preference is given by the government on the basis of race and gender. Upon reading again the actual language of the petition, it is apparent to me that my original intent in signing the petition was correct.

6. In making this statement today, the matter should be firmly settled and I ask that the Board of Canvassers and all other groups respect my privacy and not make further contact with me.

---

John Irving

Subscribed and sworn to before me on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2005.

---

Notary Public