

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND
GREENBELT DIVISION**

MS. PATRICIA FLETCHER, et al.)	
)	
Plaintiffs,)	Civ. Action No.: RWT-11-3220
)	
v.)	
)	
LINDA LAMONE in her official)	
capacity as State Administrator of)	
Elections for the state of Maryland;)	
And ROBERT L. WALKER in his)	
official capacity as Chairman of the)	
State Board of Elections,)	
)	
Defendants.)	
)	

AFFIDAVIT

COMES NOW the Affiant, Thomas V. Mike Miller, Jr., and makes oath and affirms under the penalties of perjury that the following is true and correct based upon his personal knowledge:

1. My name is Thomas V. Mike Miller, Jr. I am over the age of eighteen and competent to testify.

2. I am the President of the Maryland Senate. I was elected to the Maryland House of Delegates in 1970 and elected to the Maryland Senate in 1974. I have served continuously as a member of the Maryland General Assembly from 1970 to the present. I have served as President of the Maryland Senate from January 1987 to the present.

3. I am a member of the Maryland Bar. I was admitted to the Bar in 1967, and have served and practiced law in the State of Maryland continuously since then.

4. I have reviewed the affidavit of Patricia Fletcher that was filed in the above-captioned matter, including the allegations she makes about me in paragraphs 10 and 11 concerning the alleged use of the racial epithet "n*****" 23 years ago and the introduction of Senator Lawlah years ago. These allegations are categorically false. I am outraged that Ms. Fletcher would make these false allegations now for the first time in this litigation after 23 years.

5. I have never used the word "n*****" which is deeply offensive to me. I specifically deny that I or anyone else associated with me used the word "n*****" in the 1988 Dukakis campaign, or at any other time. Indeed, if I or any other public official had used this word in any context in any such meeting attended by Ms. Fletcher, there would have been and should have been an immediate public outcry. No one in the Prince George's County Democratic Party or the Maryland Democratic Party that I know would ever tolerate such language or remain silent about its usage.

6. I was not active in the 1988 Dukakis campaign. I did not attend the Democratic National Convention and I was not on the ballot for any elective office or for the position of delegate to the Convention. As I was not involved in the Presidential decision-making process during that election, I rarely attended any meetings of the Prince George's County Democratic Party planning meetings regarding the election efforts and at no time did I or anyone I have been associated with suggest mailing or handing out ballots based on ethnicity.

7. I have reviewed Ms. Fletcher's allegations in paragraph 11 about an introduction of former Senator Lawlah that she alleges I made at a dinner meeting in a year she does not specify. I have never made any inappropriate introductions of Senator Lawlah, including an introduction

such as the one she alleges in her affidavit. Senator Lawlah and I are longtime colleagues and friends and we have a deep mutual respect. As a emcee of events, I tried to make introductions that are both flattering and amusing to both the person being introduced as well as the audience. At no time has Senator Lawlah or anyone else complained about an introduction.

8. I have also reviewed Ms. Fletcher's allegation about my introduction of Ulysses Currie. I have often introduced the chairs, present and past, of the Senate Budget and Taxation Committee with the same introduction I have given to Senator Currie, which is as follows: "When I was interviewing candidates to become chairman of the Senate Budget and Taxation Committee, I asked Senator Currie what does one plus one equal? He answered, "Whatever you say it is., Mr. President." I have made the same introductions of Senator Kasemeyer and other past and present chairpersons. This is a humorous introduction which is always well received by audiences of all ethnical backgrounds. It has no relationship to Senator Currie's racial background whatsoever, and in the many years that I have used this introduction, no one, including Senator Currie, has suggested that it does. I will continue to use this introduction in the future. Senator Currie is one of my oldest and dearest friends and at no time in my life have I ever referred to him as a "good ole boy" nor would I ever.

9. Ms. Fletcher has publicly stated her personal animus and bias against me numerous times. She was as member of the Prince George's County School Board and lost the election approximately one year ago. Although I had absolutely nothing to do with her election loss, she has a personal grudge against me as a result of the loss of her election that is evidenced by her public statements regarding my positions on a number of Prince George's County School Board actions in 2008.

10. In 2008, I publicly stated numerous times that I believed Ms. Fletcher and her colleagues on the School Board had made an improper decision in voting for the funding of a \$36 million central administration building with operating funds at a time that the board was considering closing schools and laying off as many as 1000 employees. Ms. Fletcher was one of the strongest supporters of spending the \$36 million on the central administrative building over more important needs of the School System. Under my leadership, the General Assembly took action in the 2009 Legislative Session to force the School Board to rescind this action.

11. In 2008, I also wrote a letter to the State Interagency Committee on School Construction (IAC) strongly objecting to the actions of Ms. Fletcher and her colleagues on the School Board asking the IAC to request the School Board revise their request for State Public School Construction funding. I wrote in that letter that the school board had inappropriately refused to prioritize eight schools that had been identified by a School Board commissioned study as having the worst level of health and safety deficiencies in the County. I stated my belief in that letter that in ignoring the needs of those schools contrary to their own study, Ms. Fletcher and her colleagues were threatening the health of the children at those schools in favor of political pandering on behalf of less needy schools in their personal districts. The IAC agreed with my position that the request should be revised and directed at the School Board submit a new request. Ms. Fletcher was very unhappy with my actions which she stated publicly at a meeting of the School Board. The following excerpt from a Washington Post Article dated Wednesday, December 18, 2008 demonstrates Ms. Fletcher's animus:

“Pat Fletcher (District 3) criticized Miller's ‘lack of common courtesy’ and suggested his letter would wind up in the trash can. ‘That letter, to me, can go into file 13,’ she said. ‘That’s it on Senator Miller. I could go on further, but that’s it for me’”

12. In a November 2, 2010 article in the Washington Examiner, Ms. Fletcher's reelection loss was connected to her disagreement with me. The article stated:

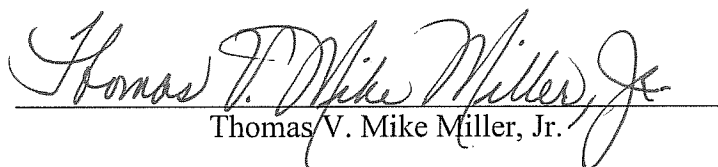
“With 20 of the 33 precincts reporting, Board Member Pat Fletcher who was elected in 2006 looks likely to fall to challenger Carolyn Boston a former Fairmount Heights Vice-Mayor. Boston is out polling Ms. Fletcher with 70% of the vote to Fletcher’s 29%. Fletcher won the September Primary with 39% of the vote over Carolyn Boston who had 27%.

Fletcher made a name for herself on the Board of Education supporting a widely unpopular new central administrative office building and publicly clashing with State Senate President Mike Miller.”

13. I am profoundly outraged that the plaintiffs and their counsel in this case, and Ms. Fletcher in particular, would use personal grudges and bias against me to put forward these inflammatory allegations which are utterly and completely false. It is a profoundly sad commentary on our state of public discourse that such a manifestly false affidavit has been filed in our Federal court.

14. Pursuant to 28 U.S.C. § 1746 I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct based upon my personal knowledge.

Executed this 2nd day of December, 2011.


Thomas V. Mike Miller, Jr.