

OHIO ELECTIONS COMMISSION

[REDACTED]

)
) Case No. 2007E-055
)
) Complainant,
)
)
) **RESPONSE**
)
)
) Patrick F. Fischer, et al.
)
)
) Respondents.)

-v-

I, Patrick F. Fischer, being of full age being duly sworn, depose and say:

1. I am an attorney licensed to practice in Ohio and a candidate for Cincinnati City Council in the November 2007 General Election.
2. I announced my candidacy in February 2007.
3. The Committee to Elect Pat Fischer ("Campaign Committee") launched www.patfischer.org (the "Website") on or about April 19, 2007.
4. The Website contains several pages including a page that contains my biography, the address of which is <http://www.patfischer.org/biography.php> (the "Biography").
5. The Biography is comprised of four paragraphs, totaling approximately 500 words. The Biography was drafted in late March and/or early April 2007.
6. The Biography was posted on the Website prior to the April 19, 2007 launch of the Website.

I. Cincinnati Bar Association Presidency

7. When the Biography was written, I was serving as president of the Cincinnati Bar Association ("CBA").
8. When the Biography was posted on the Website, I was serving as president of the Cincinnati Bar Association ("CBA").
9. The Biography, when posted, accurately stated in the middle of the third paragraph, "Currently, Pat is serving as the President of the Cincinnati Bar Association."
10. The third paragraph begins by describing my accomplishments as an attorney. After the brief mention of my involvement with the CBA, the balance of the paragraph relates my CBA involvement to my commitment to public service, including a description of "Out of the Crossfire", a program I endorsed to reduce retaliatory gunfire.

11. I completed my term as CBA president in May 2007. I am currently the Immediate Past President of the CBA.

12. I had not reviewed the Biography for accuracy between the time it was posted and the time this case was filed.

13. The Biography had not been updated between April 2007 and the filing of this case.

14. Once I became aware of the outdated information contained in the Biography, I instructed the Campaign Committee to update the Biography.

15. The relevant sentence in the Biography has now been updated.

16. When the Biography was posted, the sentence regarding my status as CBA President was true and accurate.

17. Had I been aware of the outdated wording of the Biography on my own, I would have instructed the Campaign Committee to update the Biography. I did not intentionally or knowingly fail to instruct the Campaign Committee to update the Biography.

18. I do not believe the expiration of my term as CBA Presidency has any affect upon the outcome of my campaign for Cincinnati City Council.

19. The failure to update the outdated wording was an honest mistake made by the Campaign Committee. The old wording was not knowingly or intentionally left on the Website for the purpose of affecting the outcome of my campaign for Cincinnati City Council.

II. Community Service

20. The final paragraph of the Biography states that Pat Fischer "serves, or has served, on numerous local boards . . ." The statement is true. The paragraph goes on to discuss the boards upon which I serve or have served.

21. I was interviewed by Dan Hurley in a segment televised on September 23, 2007.

22. During the interview, Mr. Hurley identified me as the current President of the Pleasant Ridge Community Council.

23. I corrected Mr. Hurley on the spot and informed him and the television viewing public that I am no longer the President of the Pleasant Ridge Community Council.

24. My correction of Mr. Hurley was true and accurate.

25. The Complaint alleges that the Pleasant Ridge Community Council's website lists me as its president.

26. I have recently reviewed the Pleasant Ridge Community Council's website. From all appearances, the website has not been updated or maintained since late 2005 or early 2006.

