

BAKER NAMES NEW LEGAL TEAM FOR BUSH IN ELECTION CONTEST



Tallahassee, Florida (CNN)

CNN.com.law center

11.2000

Former Secretary of State James A. Baker, who is representing GOP presidential candidate George W. Bush in Florida, said Tuesday he wanted to "set the record straight" about the arguments Vice President Al Gore, the Democratic nominee, had made in his court contest of the election.

At a press conference Tuesday, Baker introduced an expanded legal team that will represent the Bush campaign. Barry Richard, who has handled much of the Bush campaign's court fight will continue to be a senior member of the team along with Fred Bartlit, a leading litigation attorney who sued a number of Florida counties over the overseas military absentee ballots. Bartlit's law partner Philip Beck also will represent the Bush campaign along with two partners in Baker's law firm, Irwin Terrell and Daryl Bristow.

CNN Correspondent Mike Boettcher said the team has been described as "Boies-killers" aimed at defeating the Gore legal team led by David Boies, who is best known for spearheading the government's successful antitrust lawsuit against Microsoft.

Terrell successfully defended American Airlines in a predatory pricing antitrust lawsuit brought by Boies, on behalf of Continental and Northwest Airlines.

The Bush camp also used the news conference to address what it called "myths" presented in Gore's contest.

Terrell challenged the Gore team's request to have 10,000 votes counted by hand in Miami-Dade County because they were never counted by the voting machines. Terrell said all of the ballots were counted and that the disputed ballots were actually nonvotes, meaning those voters declined to mark a choice for president. He said the percentage of nonvotes in Miami-Dade County was lower than the percentage in at least 34 other Florida counties.

Bartlit rejected the argument that the hand recount in Miami-Dade County was stopped because of protests by an angry Republican mob. He said members of the county canvassing board have said they were not intimidated by the protestors, who he described as noisy but peaceful. Bartlit said the canvassing board decided not to conduct the hand count because it would not be able to meet the deadline set by the Florida Supreme Court.

The attorneys also addressed the issues of Palm Beach County's butterfly ballots and Nassau County's decision to use the results of a machine recount instead of the hand recount.

Baker accused the Gore campaign of trying to overturn the results of the election.

"America has never had a presidential election decided by a contest of the election outcome in the court. This is an extraordinary procedure and we are entering new uncertain and controversial territory," Baker said.

The Associated Press contributed to this report.

ATTORNEYS

Philip S. Beck