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December 2, 2022

Hon. Deborah S. Hunt
Clerk of Court
United States Court of Appeals for the Sixth Circuit
540 Potter Stewart U.S. Courthouse
100 E. Fifth Street
Cincinnati, Ohio 45202-3988

RE: *Timothy King, et al., v. Gretchen Whitmer, et al.*, No. 21-1786
FRAP 28(j) citation of supplemental authorities for Oral Argument on
December 8, 2022, before the Hon. Danny J. Boggs, the Hon. Helene N.
White, and the Hon. Raymond M. Kethledge.

Dear Ms. Hunt:

Appellants referred to the then-pending election litigation spearheaded by Stacey Abram's political action committee on page 13, n.7, of their Reply Brief. Judgment has now been entered against the plaintiffs, yet no motion for sanctions has been filed. *See generally* Docket Sheet for *Ebenezer Baptist Church of Atlanta, Georgia, Inc. v. Raffensperger*, No. 18-cv-05391 (N.D. Ga.).

On pages 19-20, n.9, of their Reply Brief, Appellants highlighted some of the ways that Democrats have argued election results were flipped. Since filing, additional instances of election misconduct have come to light, including an election result that changed after votes from a missing computer memory card were counted, Rebecca Gaunt, *Cobb Elections Director To Address Kennesaw City Council After Flawed Special Election*, Cobb County Courier, Nov. 20, 2022, available at <https://tinyurl.com/hvrnnmss>; the Delaware Supreme Court has unanimously declared vote-by-mail and same-day registration unconstitutional, *Albence v. Higgin*, No. 342,2022, 2022 WL

5333790 (Del. Oct. 7, 2022); and a former mayor has been sentenced to jail for ballot harvesting in a case where it was also alleged she “ran a sophisticated operation using her status in Democratic politics in San Luis to persuade voters to let her gather and, in some cases, fill out their ballots,” Bob Christie, *Arizona woman sentenced to 30 days in jail for collecting 4 ballots*, A.P. (Oct. 14, 2022), available at <https://tinyurl.com/2yy85frz>.

Each of these instances bolsters Appellants’ contention that a reasonable attorney could conclude the kinds of irregularities alleged in the Complaint—and for which Appellants had sworn, first-hand witness accounts—were sufficiently serious to raise questions about the outcome the 2020 Presidential Election in Michigan.

Respectfully,

/s/ Sidney Powell
Sidney Powell