FULTON COUNTY SUPERIOR COURT
STATE OF GEORGIA

STATE OF GEORGIA, V. SIDNEY KATHERINE POWELL ET AL., DEFENDANTS.	CASE NO. 23SC188947 JUDGE MCAFEE

POWELL'S GENERAL DEMURRER AND MOTION TO DISMISS COUNTS 1, AND 32-37 FOR PROSECUTORIAL MISCONDUCT AND *NAPUE* VIOLATIONS

Ms. Powell moves to dismiss all charges against her for the State's abuse of its prosecutorial powers and misconduct. To indict Ms. Powell, the District Attorney and Special Prosecutor necessarily (i) failed to conduct an independent investigation of the Coffee County events; (ii) ignored all evidence showing Ms. Powell was not involved in the events surrounding Coffee County; (iii) failed to collect evidence of who was involved; (iv) ignored and failed to collect evidence showing the visit was authorized by Coffee County officials; (v) failed to interview key witnesses who knew Ms. Powell was not involved; and (vii) mischaracterized documents and suborned false or misleading testimony to create a false narrative that Ms. Powell was responsible for SullivanStrickler's work in Coffee County.

Documents only recently produced by the State and others found by Ms. Powell independently prove *first*, that Ms. Powell was not the attorney who requested SullivanStrickler to go to Coffee County; and *second*, Coffee County officials invited and approved the forensic collection. These two irrefutable facts, and the State's failure to disclose this material previously—and presumably to the grand jury—

demand dismissal of all charges against her and her complete exoneration. Moreover, this evidence calls into question the validity of the State's investigation writ large, its presentation to the grand jury of false and misleading "evidence," and violations of its ethical responsibilities in pursuing this prosecution—particularly as to Ms. Powell.

I. Prosecutors Have a Special Responsibility.

"The charging decision is arguably the most important prosecutorial power and the strongest example of the influence and reach of prosecutorial discretion."[1] Then-Attorney General Robert H. Jackson, in his most famous speech "*The Federal Prosecutor*," warned of prosecutorial abuses years ago.

> If the prosecutor is obliged to choose his cases, it follows that he can choose his defendants. Therein is the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than pick cases that need to be prosecuted. . . . It is in this realm—in which the prosecutor picks some person whom he dislikes or desires to embarrass or selects some group of unpopular persons and then looks for an offense, that the greatest danger of abuse of prosecuting power lies. It is here that law enforcement becomes personal, and the real crime becomes that of being unpopular with the predominant or governing group, being attached to the wrong political views, or being personally obnoxious to or in the way of the prosecutor himself.

Even more prophetic and appropriate now are these words from Mr. Jackson's same speech:

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[1] Angela J. Davis, *The American Prosecutor: Independence, Power, and the Threat of Tyranny*, 86 IOWA L. REV. 393, 408 (2001); Eisha Jain, *Prosecuting Collateral Consequences*, 104 Geo. L.J. 1197 (2016); *see generally*, *Disciplinary Regulation of Prosecutors as a Remedy for Abuses of Prosecutorial Discretion: A Descriptive and Normative Analysis*, 14 Ohio St. J. Crim. L. 143 (2016) (with Samuel Levine); James Vorenberg, *Decent Restraint of Prosecutorial Power*, 94 Harv. L. Rev. 1521, 1525 (1981); Kenneth J. Melilli, *Prosecutorial Discretion in an Adversary System*, 1992 BYU L. Rev. 669, 678–82 (1992).

> Those who are in office are apt to regard as "subversive" the activities of any of those who would bring about a change of administration. Some of our soundest constitutional doctrines were once punished as subversive. We must not forget that it was not so long ago that both the term "Republican" and the term "Democrat" were epithets with sinister meaning to denote persons of radical tendencies that were "subversive" of the order of things then dominant.[2]

Based on the government's power to threaten and to take an individual's liberty, the State Bar of Georgia has stated: "A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice and that guilt is decided upon the basis of sufficient evidence." *State Bar Rules and Regulations*, Rule 4-102 and RPC Rule 3.8. "The responsibility of a public prosecutor differs from that of the usual advocate; his duty is to seek justice, not merely to convict." *Burns v. State*, 172 Ga. App. 645, 646 (1984); accord, *Berger v. United States,* 295 U.S. 78, 88 (1935). "While the safety of society requires the faithful prosecution of offenders against the laws, the State does not ask their conviction but upon calm and dispassionate investigation of the charges against them." *Burns*, 172 Ga. App. at 646. The prosecutor has the responsibility to guard the rights of the accused as well as those of society at large. American Bar Association, Standards of Criminal Justice, 3-5.8(c); *see* O.C.G.A. § 15-18-2 (oath requiring district attorney to discharge duties faithfully and impartially).

Prosecutors may not give evidence they know is false or present argument that

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[2] 24 J. Am. Jud. Soc'y 18 (1940), 31 J. Crim. L. 3 (1940) (address at Conference of United States Attorneys, Washington, D.C., April 1, 1940), *available at* https://www.roberthjackson.org/speech-and-writing/the-federal-prosecutor/.

they know not to be true. *Washington v. Hopson*, 299 Ga. 358, 365 (2016). The information Ms. Willis, Mr. Wade, and their team presented to the grand jury against Ms. Powell to obtain this Indictment was necessarily misleading at best and flat out false at worst.[3]

1. The State Has Thumbed its Nose at Producing Exculpatory Evidence.

On August 30, 2023, undersigned counsel requested by letter to the District Attorney and Special Prosecutor a specific list of *Brady* evidence because Ms. Powell is not the lawyer who requested SullivanStricklerLLC go to Coffee County—the subject of Counts 32-37 and the only purported "acts of racketeering" by which Ms. Powell is wrongly charged in this Indictment. Ex. A.[4] Accordingly, she could not have agreed and conspired to commit the charged acts. The State ignored that request.

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[3] There remains a very troubling question of how the State used the "Special Grand Jury." Did the prosecutors use it to segregate *Brady* information as to Ms. Powell and then keep that information from the grand jury that returned the Indictment? How much time did the indicting grand jury hear the charges? Did it hear witnesses with first-hand testimony or personal knowledge, or did it hear an investigator sum it up, and just indict? Did the prosecutors inform the grand jury that text messages in their possession showed Ms. Powell had nothing to do with Coffee County, and Maggio's emails to her were unanswered? Did they inform the grand jury that no witness spoke with her about Coffee County?

[4] Powell was and is entitled to these specific materials immediately so that she will have the opportunity to meaningfully prepare her defense. *Weatherford v. Bursey,* 429 U.S. 545, 559, 97 S. Ct. 837, 845-46 (1977) (The prosecutor has "duty under the due process clause to insure that 'criminal trials are fair' by disclosing evidence favorable to the defendant upon request."); *United States v. Sipe*, 388 F.3d 471, 485 (5th Cir. 2004) (same, even if inadmissible at trial).

On September 11, 2023, undersigned counsel again emailed the State, fine-tuning the list even further and explaining the State had an improper understanding of the facts surrounding the Coffee County matter as to Ms. Powell. Counsel also explained that Coffee County officials had given permission or even requested the forensic review, so there could be no crime. Ex. B. Despite its original promise by the government to produce materials immediately, the State has still not replied.

Finally, on Thursday September 14, the State made an initial production of discovery in this case. The defense's initial review of this production has disclosed several of the documents counsel has been requesting for a month, including text messaging showing Ms. Powell was not involved and evidence that Coffee County provided a letter of invitation to come inspect the election equipment in Coffee County. The government has made two more productions of discovery since September 14, 2023.

To this day, the undersigned has not received a written response to any *Brady* requests, and the documents counsel has unearthed were in files unrelated to Coffee County. The undersigned believes that there are material and exonerating documents which should be in the State's possession which have not been turned over to Ms. Powell.

II. The Key Facts Are Beyond Dispute.

The burden of proof at every turn is upon the State, and Ms. Powell is entitled to the presumption of innocence. *Victor v. Nebraska*, 511 U.S. 1, 5 (1994) ("The government must prove beyond a reasonable doubt every element of a charged

offense."); *Nelson v. Colorado*, 581 U.S. 128, 135–36 (2017) (observing "the presumption of innocence lies at the foundation of our criminal law") (quotation omitted). The baseless Indictment here has placed her in a position of trying to identify the parties to a transaction she was not a part of. The State must be held to its burden, and it could not have acted in good faith and met that burden before the grand jury. The following facts are beyond dispute:

Even before the November 2020 election, Coffee County officials expressed concerns to the state about the election equipment in Coffee County. Coffee County had multiple problems with Dominion Voting Systems equipment in its election and wrote multiple letters to the Secretary of State seeking assistance. Ex. C. The Coffee County Board of Elections met to discuss the election issues after the election. Ex. D. Misty Hampton, Elections Supervisor for Coffee County, even made a video showing how the Dominion machines could be used to change votes.[5] Eric Chaney, another member of the Coffee County Board of Elections, and Misty Hampton expressed frustration with the Secretary of State's failure to address their concerns. Exs. E and F.

Katherine Friess, an attorney working closely with Rudy Giuliani on behalf of the Trump campaign, sought an invitation from Coffee County to inspect the machines on behalf of the campaign. Ex. G. She and the Giuliani team developed a strategic plan on or about December 27, 2020, including Coffee County, and a

[5] Kraken Institute, Coffee County GA Election Officials Demonstrate Voting Machines, Dec. 10, 2020, https://youtu.be/cMlTolRrHWo?si=M7Gp_miz568P_Me3.

presentation to the Georgia Legislature. Ex. H. Numerous people testified extensively before a committee of the Georgia legislature on December 30, 2020, about election issues and the problems they encountered in Coffee County. Ex. I. Ms. Powell had no role in any of this.

On December 31, 2020, Misty Hampton and Eric Chaney drafted a letter of invitation allowing individuals to come to Coffee County to inspect the voting machines. The written invitation was specifically referenced in text messages between and among Sullivan Strickler and Katherine Friess, and those messages were obtained by the government early in its investigation of Coffee County. Inexplicably, the government never looked into this letter, never obtained a copy, and did not appear to know it even existed until the undersigned emailed the government about it. Ex. B.

The written invitation reads as follows:

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

Ernestine Thomas-Clark, Chairman
Wendell Stone, Vice-chairman
C.T. Peavy, Member

224 West Ashley Street
Douglas, GA 31533
(912) 384-7018
FAX (912) 384-1343
E-Mail: misty.hampton@coffeecounty-ga.gov

Eric Chaney, Member
Matthew McCullogh, Member
Misty Martin, Election Supervisor
Jil Ridlehoover Elections Assistant

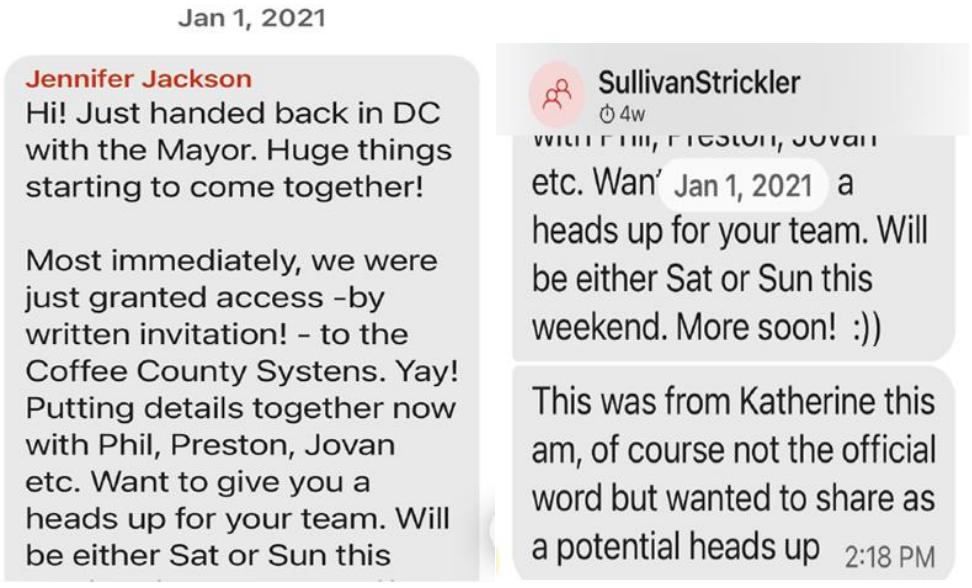
12/31/2020

We have received your open record request, and I will be speaking with my board, and per Georgia Law I do not see any problem assisting you with anything y'all need accordance to Georgia Law. Y'all are welcome in our office any time. Coffee County Board of Elections and Registration and myself, are willing to work with anyone with accordance to the Georgia Law.

On January 1, 2021, Katherine Friess celebrated receipt of this invitation, notified Sullivan Strickler, and forwarded it on to Bernie Kerik and two others working with her according to a privilege log Mr. Kerik produced in civil litigation and long in the State's possession.

Name	Date	From	To	CC	Bcc	Email Subject or File Name	File Type	Nature and Basis of Privilege Claim
GA Witness List Affidavits.pdf	12/3/2020	Katherine Freiss (kfriess@protonmail.com)	jellis@donaldtrump.com; p@bonfiresearch.org; Bernie Kerik (private@bernardkerik.com)	N/A		GA Witness List Affidavits.pdf	Email	ACP: Confidential communication discussing legal strategy.
Giuliani Team StrategicCommunications Plan for your review.pdf	12/27/2020	Katherine Freiss (kfriess@protonmail.com)	Rudyrhelen0528@gmail.com,Bernie Kerik private@bernardkerik.com	N/A		Giuliani Team StrategicCommunications Plan for your review.pdf	Email	ACP: Confidential communication providing information to render legal advice.
Letter of invite from Coffee County GA.pdf	1/1/2021	kef@hushmail.com	t@bonfiresearch.com; P@bonfiresearch.org; private@bernardkirk.com; kfriess@protonmail.com	N/A		Letter of invite from Coffee County GA.pdf	Email	ACP: Confidential communication discussing legal strategy.

The text from Ms. Friess was part of a text message from Jennifer Jackson of SullivanStrickler to her team:



Ex. J.

Ms. Powell is not included on the emails or text messaging about this invitation from Coffee County because she was not at all involved.

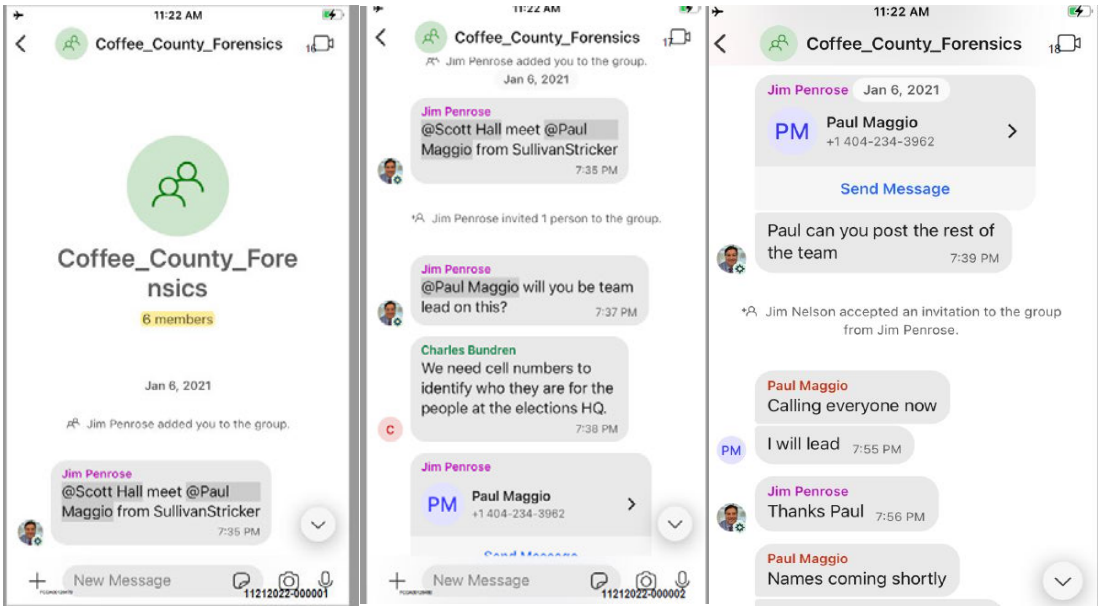
Ms. Friess goes on to note who she will contact about the Coffee County work, and while she names several individuals, there is no mention of Sidney Powell. This is not surprising given that Ms. Friess, Rudy Giuliani and others had privately and publicly disavowed any connection to Ms. Powell *long* before the events in Coffee County. Sidney Powell was not involved in Coffee County—just as she was not involved in all the prior communications or testimony about Coffee County.

The State produced phone records in discovery for numerous individuals directly or indirectly involved in Coffee County, including records for Katherine Friess, Paul Maggio, Cathy Latham, Misty Hampton, and others. Those phone records show numerous phone calls between and among these individuals, but more important for Ms. Powell, there are no phone calls during that time frame between anyone involved in Coffee County and Sidney Powell. Ms. Powell had no role in or communications with any of them about Coffee County.[6]

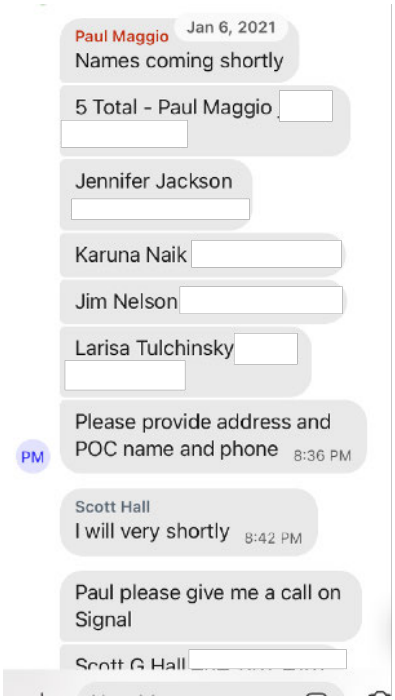
From January 1, 2021, through January 7, 2021, numerous signal text messages internal to Sullivan Strickler show correspondence between and among Jennifer Jackson, Paul Maggio and Greg Freemyer about Coffee County and names of others involved. There is no mention of Sidney Powell—because she was not involved. Ex. J.

[6] Ms. Powell does not expect the State to dispute this and has not attached the phone records in the interest of the privacy of all parties. Counsel will provide them to the Court, of course, if it wishes to see them.

On January 6, 2021, a group text is begun among members of Sullivan Strickler and others involved in the Coffee County work through January 7—the day they were in the Elections Office.



The individuals involved include Charles Bundren (attorney), Jim Penrose, Paul Maggio and Scott Hall. Maggio then provided names and numbers for his team: Jim Nelson, Jennifer Jackson, Karuna Nail, and Larisa Tulchinsky. There is no mention of Sidney Powell, again, because she was not involved.



The State has video evidence that shows the SullivanStrickler representatives, along with Eric Chaney and Misty Hampton from Coffee County, together at the Coffee County Board of Elections on January 7, 2021. Sidney Powell is not on the video, has never been to Coffee County, and was not involved in this matter whatsoever. Ex. K. Not a single witness has or can place Sidney Powell at the Coffee County collection or in the planning for it—much less knowingly and willfully agreeing to participate in any of the charged offenses or predicate acts.

On January 17-18, 2021, Doug Logan and Jeff Lenberg went to Coffee County at the request of Jim Penrose. Sidney Powell was not involved in this either. Doug Logan testified it was all under the direction of Charles Bundren, for whom Jim Penrose instructed Logan to prepare a report for use possibly to challenge the run-off election or later. Indeed, text messages just produced by the State show Penrose even instructed Logan not to mention it to Sidney Powell. Ex. L.

rt	Jim Penrose	+12******883	1/20/2021 13:08	Letâ€™s talk about it here
rt	Jim Penrose	+12******883	1/20/2021 13:16	Here's the plan
rt	Jim Penrose	+12******883	1/20/2021 13:16	Let's keep this close hld
rt	Jim Penrose	+12******883	1/20/2021 13:16	hold

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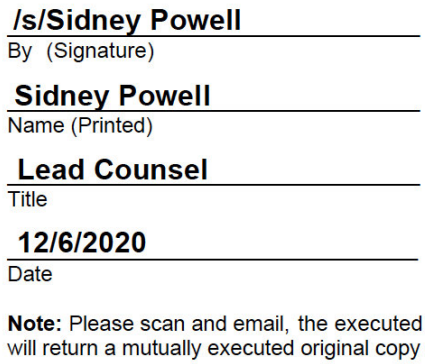
	Message From	phone	Sent Time	Message Text
rt	Jim Penrose	+12******883	1/20/2021 13:13	if you can draft a report for review on Friday morning with Charles Bundren that would be best - we only have until Sat to decide if we're going to use this report to try to decertify the Senate runoff election - or if we hold it for a bigger movement later
rt	Jim Penrose	+12******883	1/20/2021 13:13	I'm not going to brief Sidney on these findings yet
rt	Jim Penrose	+12******883	1/20/2021 13:13	I'd ask you do the same
rt	Jim Penrose	+12******883	1/20/2021 13:13	so that we maintain our agility on how to use it
rt	Jeff Lenberg	+15******000	1/20/2021 13:20	Just landed Albuquerque
rt	Doug Logan	+19******360	1/20/2021 18:08	Okay

In 2022, many of the aforementioned individuals testified under oath about Coffee County in the *Curling* litigation. They testified they never met with Sidney Powell and never spoke with Sidney Powell. This is because Sidney Powell was not involved in Coffee County.

Furthermore, there is no evidence that Ms. Powell saw the SullivanStrickler emails to Ms. Powell beginning on January 7, 2021—the day Mr. Maggio and team were on their way to Coffee County "per Jim Penrose." Ms. Powell did not answer an email until January 9, 2021, when it is clear Ms. Powell saw them for the first time. The December 6, 2020, SullivanStrickler contract under which the government claims the Coffee County work was performed was actually for work in Michigan, where the parties had obtained a Court Order. There is no reference to Georgia in that contract. Although the government claims the contract was "signed" by Sidney Powell, there is no signature. There is only a typewritten version of Ms. Powell's

name. More stunning, discovery just provided by the government shows that Ms. Powell's name was entered on the contract by Jim Penrose. Ms. Powell never signed the Michigan contract. The excerpt of the contract signature can be found below:


/s/Sidney Powell
By (Signature)

Sidney Powell
Name (Printed)

Lead Counsel
Title

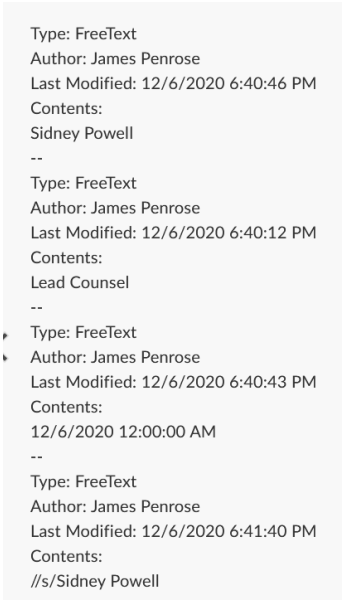
12/6/2020
Date

Note: Please scan and email, the executed full
will return a mutually executed original copy upo

And the contract was for Michigan:

Customer is requesting that SS provide services such as Computer Forensic Collections and Analytics on the Dominion Voting Systems equipment; from the Poll Pads (iPads) to the Windows machines that run the scanners, to Linux machines that tabulate the votes in The State of Michigan.

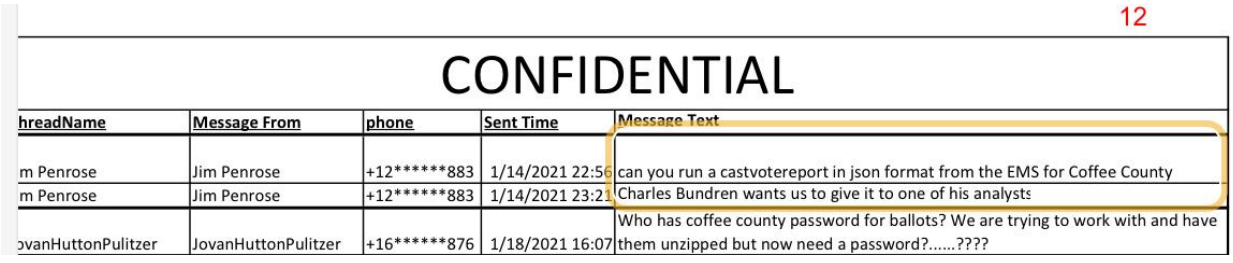
The version of the contract just produced by the State shows the metadata which reveals Mr. Penrose put Ms. Powell's name on the contract.


Type: FreeText
Author: James Penrose
Last Modified: 12/6/2020 6:40:46 PM
Contents:
Sidney Powell
--
Type: FreeText
Author: James Penrose
Last Modified: 12/6/2020 6:40:12 PM
Contents:
Lead Counsel
--
Type: FreeText
Author: James Penrose
Last Modified: 12/6/2020 6:40:43 PM
Contents:
12/6/2020 12:00:00 AM
--
Type: FreeText
Author: James Penrose
Last Modified: 12/6/2020 6:41:40 PM
Contents:
//s/Sidney Powell

III. Other Lawyers Requested and Were Directing the Coffee County Project for Use in Other Litigation, If at All.

Signal message show that during the Coffee County forensic collection itself the day of January 7, 2021, attorney Charles Bundren participated in the group messages and was promptly responding to Mr. Maggio's texts.

Mr. Bundren is the same lawyer Doug Logan testified was the supervising lawyer for the Coffee County project. Ex. M. Mr. Bundren continued to be involved as these text messages show:



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hreadName	Message From	phone	Sent Time	Message Text
m Penrose	Jim Penrose	+12******883	1/14/2021 22:56	can you run a castvotereport in json format from the EMS for Coffee County
m Penrose	Jim Penrose	+12******883	1/14/2021 23:21	Charles Bundren wants us to give it to one of his analysts
ovanHuttonPulitzer	JovanHuttonPulitzer	+16******876	1/18/2021 16:07	Who has coffee county password for ballots? We are trying to work with and have them unzipped but now need a password?.....????

Jeff Lenberg	Jeff Lenberg	+15******000	4/20/2021 14:33	Did you get Mistyâ€™s EMS running in a VM? If so can I download it as soon as possible?
Jeff Lenberg	Doug Logan	+19******360	4/20/2021 16:2	Yes I did.
Jeff Lenberg	Doug Logan	+19******360	4/20/2021 16:2	Talk to Jim to get Charle's approval
Jeff Lenberg	Doug Logan	+19******360	4/20/2021 16:2	ANd tell him Sullivan STricker can add you to my vm folder for it.
Jeff Lenberg	Jeff Lenberg	+15******000	4/20/2021 16:2	Got it.
Jim Penrose	Jim Penrose	+12******883	1/14/2021 21:28	i just heard conan say that 105 remote logins happened on the EMS

The documents show that it was Ms. Freiss from the Trump campaign who arranged the Coffee County trip, distributed the "invitation," contacted SullivanStrickler through Ms. Jackson, and informed several others. They also show that Coffee County officials provided the "written invitation" to do so. Ex. J. The Coffee County trip was a project of the Campaign. Robert Sinners, whose testimony the State has, swore vehemently that Ms. Powell had NO connection with the Trump Campaign. Ex. N. Of course, any individual following any of the public statements from the Campaign itself during this time would also know that Ms. Powell had no connection whatsoever with the work of the Trump Campaign—a fact made public upon its November 22, 2020, statement confirming this dissociation.[7]

It is both perplexing and quite troubling that the State apparently did not investigate the invitation issued by Coffee County, follow up on the text messages Ms. Marks provided them, or perform any meaningful independent investigation of

[7] *See*, Eric Tucker, *Trump campaign legal team distances itself from Powell*, AP NEWS (Nov. 22, 2022, 10:30 PM), available at https://apnews.com/article/trump-campaign-distances-sidney-powell-c74165d465cf28b5478a65bd267fde29 ("'Sidney Powell is practicing law on her own. She is not a member of the Trump Legal Team. She is also not a lawyer for the President in his personal capacity,' Giuliani and another lawyer for Trump, Jenna Ellis, said in a statement.")

Ms. Powell's lack of involvement in Coffee County.[8] The State apparently did not interview Ms. Freiss or Mr. Bundren. Mr. Wade did not even ask Mr. Maggio if he had contact with either of those attorneys when Maggio appeared before the Special Grand Jury pursuant to an immunity agreement. Neither Friess nor Bundren is a named or unnamed co-conspirator. Even a glance at those text messages shows Ms. Powell was not involved. A cursory review of any of the sworn testimony of the key people involved in Coffee County would show investigators that the people involved in Coffee County never spoke with Ms. Powell and that Ms. Powell had nothing to do with the events in Coffee County. Interviews with any of these key individuals would also reveal Ms. Powell had nothing to do with Coffee County, and she should not be charged in this case. But it appears the State did none of these things.

This not only requires immediate dismissal of the false charges against Ms. Powell, but it also makes it extremely difficult to believe the indicting grand jury heard any first-hand or truthful evidence about her before rubber-stamping the Indictment. This alone raises even more questions about likely abuses of the grand jury. All Counts of the Indictment and "acts" alleged against Ms. Powell must be dismissed. Ms. Powell committed no crime, and there was no crime regarding Coffee County.

[8] Ms. Marks of the "Coalition for Good Governance" is the driving force behind the *Curling* litigation, and some 2000 pages of documents just produced by the State also reveals she was the driving force behind the Indictment of Ms. Powell and the Coffee County charges.

IV. Coffee County Officials Gave Permission for the Collection.

Independently of the State, through counsel's own investigation, Ms. Powell obtained the letter of invitation to Coffee County that Ms. Powell has repeatedly requested from the prosecution. This letter speaks for itself. Ex. O. The letter confirms the testimony of multiple witnesses that authority was given for the data collection. *See* Misty Hampton deposition Ex. P; *see also* depositions of SullivanStrickler corporate representative Dean M. Felicetti, Doug Logan, and Jeff Lenberg, attached as Exs. C, D, and F to *Ms. Powell's General Demurrer and Motion to Dismiss Counts 32-37*. Under the statutes alleged, the State must prove the defendants *knowingly and willfully agreed* with SullivanStrickler personnel to access the equipment *without authorization*. That is legally and factually impossible.

There is also a transcript of a portion of a call with Scott Hall, again from the *Curling* matter, that states that the group had permission from Coffee County Officials to collect the data.

> Marilyn Marks 01:20 : How in the world did you get permission to do that?
>
> Scott Hall 01:24: We basically had the entire Elections Committee there. Okay. And they said, "We give you permission, go for it." Ex. Q.

SullivanStrickler understood it had permission as shown in text messages and sworn testimony, and the firm believes to this day its conduct was lawful. Ex. G and R. This issue is briefed in Powell's General Demurrer. The permission provided by Coffee County to investigate the machines defeats the State's allegations on all counts as to Ms. Powell. Authorization was provided and there was no crime.

V. This Indictment Necessarily Rests on False or Misleading Testimony to the Grand Jury.

Given the plethora of evidence that Ms. Powell had nothing to do with Coffee County, the kindest explanation for her Indictment is the failure of the State to operate in good faith at any level. The more apparent explanation is its deliberate targeting of Ms. Powell and refusal to investigate independently and review the evidence—all in complete dereliction of the prosecutors' duties. Ga. R. Prof. Cond. 3.8.

The Due Process Clause forbids the government from introducing or failing to correct testimony that it knows or reasonably should know to be false. *Napue v. Illinois*, 360 U.S. 264, 269, 79 S. Ct. 1173, 1177 (1959) (noting "[t]he principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, [is] implicit in any concept of ordered liberty"); *Giglio v. United States*, 405 U.S. 150, 153 (The Supreme "Court [has] made clear that deliberate deception of a court and jurors by the presentation of known false evidence is incompatible with rudimentary demands of justice.") (citation omitted); *accord Tassin v. Cain*, 517 F.3d 770, 776 (5th Cir. 2008). The State can neither solicit false testimony nor allow "it to go uncorrected when it appears." *Napue*, 360 U.S. at 269, 79 S. Ct. at 1177.

"*Napue* sets forth a very defense-friendly standard. A defendant need only show that false testimony was presented at trial, that the government knew, or should have known, that the testimony was false, and that there is reasonable likelihood that the false testimony could have affected the judgment of the jury." *United States v. Quinn*, 537 F.Supp.2d 99, 120 (D.D.C. 2008). *See also Drake v.*

Portuondo, 553 F.3d 230, 241 (2d Cir. 2009) ("if it is established that the government knowingly permitted the introduction of false testimony, reversal is virtually automatic") (quoting *United States v. Wallach*, 935 F.2d 445, 456 (2d Cir. 1991)). This is far too important an issue *to the integrity of the Court itself* to whitewash or sweep under the rug. *United States v. Omni Int'l.Corp.*, 634 F. Supp. 1414, 1438 (D.Md. 1986) (courts cannot become "accomplices to such misconduct") (citation omitted).

The same principles apply to State's presentation of evidence to a grand jury. "*Napue* has been extended to grand jury proceedings; in other words, a due process violation ensues when a prosecutor knowingly presents perjured testimony, material in nature, to the grand jury." *United States v. Harmon*, No. 08-CR-00938-LHK, 2014 WL 2465504, at *2 (N.D. Cal. May 30, 2014), aff'd, 833 F.3d 1199 (9th Cir. 2016). The State must not force a defendant "to stand trial on an indictment which it knows to be based in part upon perjured testimony. The consequences to the defendant of perjured testimony given before the grand jury are no less severe than those of perjured testimony given at trial, and in fact may be more severe. The defendant has no effective means of cross-examining or rebutting perjured testimony given before the grand jury, as he might in court." *United States v. Basurto*, 497 F.2d 781, 786 (9th Cir. 1974). In fact, the prejudice to a defendant for the presentation of false or misleading testimony to a grand jury creates irrevocable prejudice. Ms. Powell suffers irrevocable prejudice and mounting harm every day these false charges stand.

There are some differences among the circuits, but they all agree that when the State knows of exculpatory evidence, it has an obligation to present it. "Other

courts have stressed the importance of the grand jury hearing all relevant information and therefore have imposed a duty on the prosecutor to present exculpatory evidence. The Second and Seventh Circuits have suggested that, although a prosecutor need not present all conceivably exculpatory evidence to the grand jury, it must present evidence that clearly negates guilt." *United States v. Page*, 808 F.2d 723, 727 (10th Cir. 1987); *United States v. Ciambrone*, 601 F.2d 616, 622–23 (2d Cir.1979). The Tenth Circuit adopted this rule. "[W]hen *substantial* exculpatory evidence is discovered in the course of an investigation, it must be revealed to the grand jury. This promotes judicial economy. If a fully informed grand jury cannot find probable cause to indict, there is little chance the prosecution could have proved guilt beyond a reasonable doubt to a fully informed petit jury." *Page*, 808 F.2d at 728.

At the very least—as to Powell—the State must have presented a misleading and false case to the grand jury, or the grand jury simply rubber-stamped the Indictment. The State was in possession of substantial exculpatory evidence which it must not have presented, and this Court should carefully review the grand jury proceedings for *Napue* and ethical violations by the prosecution.

VI. CONCLUSION

The Indictment against Ms. Powell depends on false assumptions—not evidence—because she did not conspire with, agree with, contract, or agree to pay anyone to send SullivanStrickler to Coffee County to retrieve data or otherwise. The Indictment represents troubling and unethical conduct by the prosecutors, and likely,

a *Napue* violation coupled with the failure to present exculpatory evidence. Accordingly, Ms. Powell requests that this Court order the government to produce the transcripts from both grand juries for every mention of Sidney Powell, and upon review of that information and for the reasons stated herein, the Indictment against her should be dismissed.

Respectfully submitted,

/s/ Brian T. Rafferty
BRIAN T. RAFFERTY
Georgia Bar No. 311903
Counsel for Defendant

RAFFERTY LAW, LLC
1575 Johnson Road NE
Atlanta, Georgia 30306
(912) 658-0912
brian@raffertylawfirm.com

FULTON COUNTY SUPERIOR COURT
STATE OF GEORGIA

STATE OF GEORGIA, V. SIDNEY KATHERINE POWELL ET AL., DEFENDANTS.	CASE NO. 23SC188947 JUDGE MCAFEE

CERTIFICATE OF SERVICE

I hereby certify the above styled **MOTION TO DISMISS COUNTS 1 AND 32-37 FOR PROSECUTORIAL MISCONDUCT AND NAPUE VIOLATIONS** has been served, this day, by electronic mail, upon all counsel who have entered appearances as counsel of record in this matter via the Fulton County e-filing system.

This the 27th day of September, 2023.

/s/ Brian T. Rafferty
BRIAN T. RAFFERTY
Georgia Bar No. 311903
Counsel for Defendant

RAFFERTY LAW, LLC
1575 Johnson Road NE
Atlanta, Georgia 30306
(912) 658-0912
brian@raffertylawfirm.com

EXHIBIT A

RAFFERTY LAW, LLC
BRIAN RAFFERTY, ESQ.
1575 Johnson Road NE
Atlanta, Georgia 30306
912-658-0912
Brian@raffertylawfirm.com

August 30, 2023

Ms. Fani Willis
District Attorney

Mr. Nathan Wade
Special Assistant District Attorney

Mr. John W. "Will" Wooten
Deputy District Attorney

Mr. Grant Rood
Assistant District Attorney

Fulton County District Attorney's Office
136 Pryor Street SW, 3rd Floor
Atlanta, Georgia 30303

Re: *State of Georgia v. Sydney Powell et al.*, 23SC188947
Brady Request

Ms. Willis, Mr. Wade, Mr. Wooten and Mr. Rood:

To avoid unnecessary motion practice, and pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, Ms. Powell requests production within ten days of the following specific evidence necessary to her defense:[1]

[1] Powell is entitled to these specific materials immediately so that she will have the opportunity timely to prepare her defense. *Weatherford v. Bursey,* 429 U.S. 545, 559, 97 S. Ct. 837, 845-46 (1977) (The Prosecutor has "duty under the due process clause to insure that 'criminal trials are fair' by disclosing evidence favorable to the

1. All notes including raw notes of all interviews of Jim Penrose, Doug Logan, Jeff Lindberg, Cathy Latham, Misty Martin (by any name), Scott Hall, Paul Maggio, any employee or contractor of SullivanStrickler LLC, and any person known by the prosecution to have been in the Coffee County Elections Office on January 6-9, 2021.

2. All evidence by and between coconspirators—named or unnamed—and other witnesses that Ms. Powell disagreed with others or others disagreed with her, that she was excluded from meetings, conversations, disparaged by alleged coconspirators, and ignored or distanced by them throughout the time of the alleged "conspiracy."

3. All testimony, statements, or notes of any kind by any agent or prosecutor, or person working with them, by any purported witness, coconspirator, or unindicted coconspirator, about Sidney Powell.

4. All information obtained regarding Sidney Powell from witnesses, testimony, statements, text messages, or records of any kind obtained or created in *Curling v. Raffensperger,* No. 1:17-cv-02989 (N.D. GA).

5. All communications of any kind between agents of the District Attorney's office, including prosecutors themselves, and any attorneys or parties in the federal case *Curling v. Raffensperger,* No. 1:17-cv-02989, (N.D. GA), regarding Sidney Powell, Coffee County, SullivanStrickler, or the events of January 6-9, 2021, in Coffee County alleged in the Indictment.

6. All documentation, notes, communications between any agent, employee, or contractor of Sullivan and Strickler and any indicted or unindicted coconspirator, including telephone records and all messaging apps.

7. All statements of any indicted or unindicted coconspirator or any witness that mention Sidney Powell.

---

defendant upon request."); *United States v. Sipe*, 388 F.3d 471, 485 (5th Cir. 2004) (same, even if inadmissible at trial); *United States v. Rodriguez*, 496 F.3d 221, 226 (2d Cir. 2007) (Disclosure required "in a manner that gives the defendant a reasonable opportunity either to use the evidence in the trial or use the information to obtain evidence for use in the trial.").

8. All documents regarding SullivanStrickler or Coffee County that bear any signature of Sidney Powell, completed in her name, or are purported to bear a signature of Sidney Powell.

9. Any contract or "release" or "chain of custody" documents for information to be retrieved from Coffee County, Georgia, to Jim Penrose, Paul Maggio, any representative of Sullivan and Strickler, or any named or unnamed indicted or unindicted coconspirator.

10. Any letter, request, or invitation of any kind issued by any official of Coffee County for a forensic review or investigation of the voting equipment and records of Coffee County following the 2020 presidential election.

11. The names and contact information of all alleged coconspirators—indicted or unindicted.

12. The cell phone records, text messages, and messaging apps showing communications with Sidney Powell of any and all co-conspirators—named or unnamed, indicted or unindicted—for the dates of the alleged conspiracies.

13. All recordings, notes, emails, communications of any kind between Sidney Powell and any indicted or unindicted co-conspirator during the dates of the purported conspiracies.

14. All releases obtained by SullivanStrickler or chain of custody documents for the firm's investigation and handling of the records of any county listed in the indictment.

15. SullivanStrickler's standard release and chain of custody forms.

16. All evidence that the State contends "inculpates" Sidney Powell in the conspiracies alleged in Counts 1, and 32-37.

17. All evidence showing that attorneys other than Sidney Powell requested assistance from others, including but not limited to SullivanStrickler, to perform the forensic analysis in Coffee County.

18. All evidence showing that the attorneys other than Sidney Powell that requested assistance from others to perform the forensic analysis in Coffee County also represented to others that Coffee County officials had provided authorization for the forensic analysis.

19.. Any evidence that Sidney Powell contracted with SullivanStrickler or anyone else to conduct a forensic review of voting machines in Coffee County.

20. All video *with audio* taken in Coffee County regarding the events alleged in the indictment.

21. All statements or raw notes of interviews or emails of any witness that claimed they sent any information from the voting machines in Coffee County to Sidney Powell.

22. All statements, raw notes, recordings, writings, or communications of any kind that persons in the County offices of Coffee County Elections gave permission to Sullivan and Strickler and/or other technicians to enter the premises and obtain information from the electronic ballot markers, tabulating machines, and any other equipment in Coffee County's Elections & Registration office.

23. All agreements, suggestions, promises, written or unwritten, the prosecution has made with conspirators—named or unnamed, indicted or unindicted—to provide evidence in any form against Sidney Powell.

24. All evidence that SullivanStrickler employees or contractors actually obtained data that is the subject of Counts 32-37, and to whom and when they transmitted it to anyone—including *not* providing it to Sidney Powell.

25. All evidence, statements, documents or communications of any kind that SullivanStrickler were entrusted by State Officials in the Coffee County Elections Office to possess official ballots outside the polling place of Coffee County GA, and that said ballots were collected in readily legible form.

26. All evidence that Sidney Powell signed a contract with SullivanStrickler LLC in Fulton County Georgia.

27. All evidence that Sidney Powell delivered a payment to SullivanStrickler in Fulton County.

28. All evidence that Misty Martin a/k/a Misty Hampton a/k/a Emily Misty Hayes was an "officer charged by law with the care of ballots."

29. All evidence that SullivanStrickler and all present in the Coffee County Elections Office on January 7, 2021, believed that they had authority to access the voting equipment.

30. All information proving that the information SullivanStrickler obtained from Coffee County was provided to Sidney Powell and was readily legible.

31. All communications between any employee or agent of the District Attorney's office for Fulton County and any employee or agent of Dominion Voting Systems, including but not limited to all mentions of Sidney Powell and Coffee County.

32. All evidence that Sidney Powell did not know of activities of alleged coconspirators or intended to commit any crime in violation of Georgia law.

Upon its prompt collection and review of this evidence, the prosecution should dismiss the charges against Ms. Powell, because it has made an egregious error in indicting her. We would welcome an opportunity to speak with you about this soon. As you know, time is of the essence as Ms. Powell has invoked her right to a speedy trial. Accordingly, we request production of this information within ten (10) days or no later than September 9, 2023.

Sincerely,

Brian Rafferty

Brian Rafferty

EXHIBIT B

Begin forwarded message:

From: "Wooten, Will" <Will.Wooten@fultoncountyga.gov>
Subject: Re: Brady Request
Date: September 18, 2023 at 2:05:34 PM EDT
To: Brian Rafferty <brian@raffertylawfirm.com>
Cc: Nathan Wade <nathanwade@lawyer.com>, "Rood, Grant" <Grant.Rood@fultoncountyga.gov>, "Wakeford, FMcDonald" <FMcDonald.Wakeford@fultoncountyga.gov>

Mr. Rafferty,

We have reviewed the article and do not have the purported letter. We do not know the source of CNN's claim. As to Ms. Hampton's transcript, we have not yet received that transcript from the court reporter. Per our records, it was ordered from the court reporter on April 18, 2023.

Best regards,

Will Wooten

Deputy District Attorney
White Collar Crime Unit
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303
(404) 612-6560

From: Brian Rafferty <brian@raffertylawfirm.com>
Sent: Saturday, September 16, 2023 11:28 AM
To: Wooten, Will <Will.Wooten@fultoncountyga.gov>
Cc: Nathan Wade <nathanwade@lawyer.com>; Rood, Grant <Grant.Rood@fultoncountyga.gov>; Wakeford, FMcDonald <FMcDonald.Wakeford@fultoncountyga.gov>
Subject: Re: Brady Request

Mr. Wooten, linked below is the article referencing both text messages and a letter of invitation from Coffee County, authorizing the activities conducted in Coffee County. Please advise if you have this letter.

On a related note, it is my understanding that Misty Hampton testified before the Grand Jury, and offered testimony consistent with testimony offered in the Curling case and testified that the visit to Coffee County by Sullivan Strickler and others was authorized. That testimony is also Brady material as to Ms. Powell and others. Please provide a copy of the transcript of that testimony before the Grand Jury as soon as possible.

I look forward your prompt response to this request.

Regards,

Brian Rafferty

Exclusive: Georgia prosecutors have messages showing Trump's team is behind voting system breach I CNN Politics
cnn.com

Brian Rafferty
Rafferty Law, LLC
1575 Johnson Road NE
Atlanta, Georgia 30306
(912)658-0912
Brian@raffertylawfirm.com

> On Sep 14, 2023, at 4:44 PM, Wooten, Will <Will.Wooten@fultoncountyga.gov> wrote:
>
> Mr. Rafferty:
>
> We have reviewed our materials, and we do not have any such letter in our possession. When you provide the referenced media reports, we will conduct an additional sweep of our materials to determine if there is anything else that may be responsive. Thank you.
>
> Best regards,
>
> Will Wooten
> Deputy District Attorney
> White Collar Crime Unit
> Fulton County District Attorney's Office
> 136 Pryor Street SW
> Atlanta, GA 30303
> (404) 612-6560

From: Brian Rafferty <brian@raffertylawfirm.com>
Sent: Thursday, September 14, 2023 2:45 PM
To: Wooten, Will <Will.Wooten@fultoncountyga.gov>
Cc: Nathan Wade <nathanwade@lawyer.com>; Rood, Grant <Grant.Rood@fultoncountyga.gov>; Wakeford, FMcDonald <FMcDonald.Wakeford@fultoncountyga.gov>
Subject: Re: Brady Request

Mr. Wooten, I will locate those media reports, but the specific letter is dated January 1, 2021, and is described as a letter of invitation. Does the District Attorney have such a letter?

Brian Rafferty
Rafferty Law, LLC
1575 Johnson Road NE
Atlanta, Georgia 30306
(912)658-0912
Brian@raffertylawfirm.com

> On Sep 14, 2023, at 2:34 PM, Wooten, Will <Will.Wooten@fultoncountyga.gov> wrote:
>
> Mr. Rafferty:
>
> Your e-mail states that the “letter of invitation” you are inquiring about is “specifically referenced in media reports.” Please provide those media reports to us so that we can determine whether or not we are in possession of anything responsive to your request.
>
> Best regards,
>
> **Will Wooten (He/Him)**
> Deputy District Attorney
> White Collar Crime Unit
> DA’s LGBTQ+ Advisory Committee
> Fulton County District Attorney’s Office
> 136 Pryor Street SW

Atlanta, GA 30303
(404) 612-6560

CONFIDENTIALITY NOTICE: This e-mail contains legally privileged and confidential information intended only for the individual or entity named within the message. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, the recipient is hereby notified that any review, dissemination, distribution or copying of this communication is prohibited. If this communication was received in error, please notify the sender by reply e-mail and delete the original message.

OPEN RECORDS NOTICE: Please be advised that the contents of this e-mail and any response sent by you to this e-mail address may be subject to public disclosure under the Georgia Open Records Act, O.C.G.A. § 50-18-70, et seq.

From: Brian Rafferty <brian@raffertylawfirm.com>
Sent: Thursday, September 14, 2023 2:01 PM
To: Wooten, Will <Will.Wooten@fultoncountyga.gov>; Nathan Wade <nathanwade@lawyer.com>; Rood, Grant <Grant.Rood@fultoncountyga.gov>; Wakeford, FMcDonald <FMcDonald.Wakeford@fultoncountyga.gov>
Subject: Re: Brady Request

Counsel,

I write to follow up on my request below, and following up on the direction from the Court at today's hearing.

Although I believe all of the materials I have asked for already should be disclosed by the government as Brady, I am specifically asking if the Government has the "letter of invitation" dated January 1, 2021, relating to the events in Coffee County, and specifically referenced in media reports. If so, I am asking the District Attorney to transmit a copy of the letter to me as an attachment to this email.

I look forward to your prompt response to this request.

Brian
Brian Rafferty
Rafferty Law, LLC
1575 Johnson Road NE

Atlanta, Georgia 30306
(912)658-0912
Brian@raffertylawfirm.com

On Sep 11, 2023, at 10:21 PM, Brian Rafferty <brian@raffertylawfirm.com> wrote:

Counsel,

I write to follow up on my request for Brady disclosures from the government. To date, I have not received any response to my letter, and have not been provided any Brady material. While I remain steadfast in my belief you must provide all of the exculpatory materials identified in my August 30, 2023 letter, I wanted to pinpoint specific Brady material that I have been advised the government possesses and which the government has failed to produce.

It has come to my attention that the government is in possession of testimony, emails, documents, texts messaging and other evidence that an attorney other than Ms. Powell, Katherine Freiss, was in direct contact with members of the Coffee County Board of Electors, received written correspondence from a member of the Coffee County Board of Electors authorizing a forensic examination of the Coffee County voting machines, and forwarded that written correspondence to Sullivan Strickler requesting that Sullivan Strickler perform the forensic examination in Coffee County.

Moreover, it has come to my attention that the government is in possession of text messages internal to Sullivan Strickler, in which Sullivan Strickler employees discuss the authorization of Coffee County. In short, this evidence shows that it was not Ms. Powell, as the Indictment falsely alleges, who was the attorney behind the forensic examination in Coffee County, Georgia. Moreover, this evidence shows that regardless of who was responsible for the forensic examination in Coffee County, the Coffee County Board of Electors provided authorization for such an examination.

Last, it has come to my attention that the government is in possession of testimony, emails, documents, text messaging and other evidence that various individuals with whom Ms. Powell is accused of conspiring with, including but not limited to President Donald J. Trump, Katherine Freiss, Rudy Giuliani, Jenna Ellis and others, publicly and privately disavowed any connection to the work of Ms. Powell regarding the 2020 election.

These three categories of evidence represent just a small sliver of exculpatory Brady information in the possession of the government that have been intentionally withheld from the defense. This evidence is quintessential Brady material, as it demonstrates that Ms. Powell was not behind the forensic examination in Coffee County, that the forensic examination was authorized, and that she did not conspire with anyone to do anything, and certainly did not conspire with anyone to violate the law.

You have indicated an intention to disclose 8 terabytes of discovery on September 15. We are entitled to that discovery material, but we are also entitled to the immediate production of this kind of exculpatory material, as it establishes that Ms. Powell is an innocent person, wrongly accused of crimes she did not commit. There is no reasonable explanation for your delay in producing this material. As prosecutors, you are obligated to turn this material over to the defense, and to turn it over promptly. I am therefore demanding that you produce this material by the close of business on Wednesday, September 13, or I will have no choice but bring this issue to the Court's attention.

I look forward to your response.

Regards,

Brian
Brian Rafferty
Rafferty Law, LLC
1575 Johnson Road NE
Atlanta, Georgia 30306
(912)658-0912
Brian@raffertylawfirm.com

> On Aug 30, 2023, at 8:32 PM, Brian Rafferty <brian@raffertylawfirm.com> wrote:
>
> All,
>
> Please see attached.

Regards,

Brian

Brian Rafferty
Rafferty Law, LLC
1575 Johnson Road NE
Atlanta, Georgia 30306
(912)658-0912
Brian@raffertylawfirm.com

<Brady Request 8.30.23.pdf>

EXHIBIT C

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

Ernestine Thomas-Clark, Chairman
Wendell Stone, Vice-chairman
C.T. Peavy, Member

224 West Ashley Street
Douglas, GA 31533
(912) 384-7018
FAX (912) 384-1343
E-Mail: misty.hampton@coffeecounty-ga.gov

Eric Chaney, Member
Matthew McCullogh, Member
Misty Martin, Election Supervisor
Jil Ridlehoover Elections Assistant

December 10, 2020

House Governmental Affairs Committee
Elections Investigative Hearing
Shaw Blackmon – Chairman
401 State Capitol
Atlanta, Ga. 30334

We want to thank the Governmental Affairs Committee for allowing the Coffee County Board of Election's to express its dilemma regarding certifying the electronic recount performed in the November 3, 2020 General Election. As you know, the certification process requires the Election Supervisor to swear under oath and under penalty of perjury that the certified votes are a true and accurate reflection of the count, or recount. In the instant case, the Election Supervisor of Coffee County could not honestly make such an attestation given the inherent inconsistencies existing within the electronic summary report generated by the Dominion voting system.

The basis for the dilemma is simple the election summary report for the electronic recount tabulated votes in a manner that resulted in more collective votes being cast for the Presidential candidates than the total number of votes reflected within the report. The inconsistent count could not be reconciled.

This fact (inherent inconsistency) alone was grounds not to certify the election based on the Dominion data set and report. However, the reluctance to certify the electronic recount was compounded where those results were considered in context with the two prior vote count results.

As this committee knows, a hand count of the original General Election balloting occurred on November 16 – November 17. Coffee County's hand count yielded one more ballot than was reflected on the ballot count on election night. At the direction of the Secretary of State, if the hand count yields a net vote difference of less than five votes, the board was instructed to certify the original vote tally. Coffee County certified on the original elections results on November 9, 2020.

The election report used to certify the original election results was internally consistent, meaning that the sum of the votes for each presidential candidate equaled the total votes reflected on the report. The hand count also yielded the same internal consistency within the report. See Exhibit 5. It is worth noting that we believe Dominion election reports generated in prior elections were likewise internally consistent. The internal inconsistency of the election summary report stands in stark contrast to all other prior elections.

To this application we have attached the following exhibits:

Exhibit 1: Election Night Summary Report
Exhibit 2: Recount Data

Exhibit 3: Electronic Electron Summary Report
Exhibit 4: Letter to Secretary of State
Exhibit 5: Spreadsheet with results (corrected)
Exhibit 6: Certification Form

Exhibit 5 is a spreadsheet that summarizes the discrepancies thus far described. A review of Exhibit 5 illustrates the two glaring problems presented to the Coffee County Board of Elections. The report relating to the recount is patently inaccurate on its face. Moreover, if one is to consider the electronic recount in light of the two prior vote counts, there is no way the vote tally reflected in that report could be accurate. It is not credible to accept that the original count and the hand count, under counted the total ballots by material number of ballots. Considering the inherent inconsistency of the electronic recount data, and its unlikely accuracy when compared to the first two vote counts, the Coffee County Board of Elections refused to certify the electronic recount based on the mandate of the certification form.

The decision not to certify the electronic recount was the result of a unanimous vote by Coffee County Board of Elections. However, this decision was not made until the Board could first have the data reviewed and explained by its Dominion representative. The data reflected in this statement was presented to the representative. He had NO explanation for the inaccuracies. He could not reconcile the electronic recount report data or explain how it so dramatically differed from the two prior counts. Knowing this decision would certainly be scrutinized, the Board sent a letter explaining its dilemma, its decision and the supporting spreadsheet to the Secretary of State. This letter was sent to Brad Raffensperger, on Friday, December 4, 2020.

That same day, the Election Supervisor also communicated directly with Chris Harvey, Director of Elections about the findings and the decision. No one could explain what was wrong or what to do. No one from the Secretary of State's office came to help the Board determine if it made an error or if the inaccuracies are Dominion software related.

This committee must understand, in this same election cycle, we identified other problems with the Dominion System and reported the same to the Secretary of State. On November 13, 2020 a letter was written to the Secretary of State identifying other serious concerns. A copy of that letter and other relevant documents are attached as Exhibit 7. Our Board members and Election Supervisor have called the Secretary of State's office to both report these issues as well as ask for help to address those problems. All our concerns and requests for help have fallen on deaf ears.

One can understand why today, December 10, 2020, our Board is dismayed to learn that the Secretary of State has opened an "investigation" into our handling of the recount. We learned this not from the Secretary of State but through WALB News where Chris Harvey provided a statement for the media. Mr. Harvey did not show us the courtesy of a phone call.

The same is true as relates to a video created at a Coffee County Board of Elections meeting which is now widely distributed via the internet. This video demonstrates how the Dominion system can be manipulated to alter existing ballot results or create voter ballots out of thin air. This security issue was first discovered by the Coffee County Board of Elections supervisor in June, 2020. It was made known to some but not all of the Board members. Importantly however, the findings were reported to our State Representative Dominic LaRiccia on or about June 10, 2020, with the hope that someone unassociated with Dominion would scrutinize this problem. The board never heard a word from Mr. LaRiccia or anyone from the Secretary of State's office or state government.

After the Presidential election was over, national attention focused on whether Dominion software could be manipulated to impact election results. Having previously demonstrated this fact, the full Board wanted to have this process documented during an open meeting. The video that captured this demonstration, along with other documents were requested to be produced via an Open Records Request. The content became public knowledge through this third-party request.

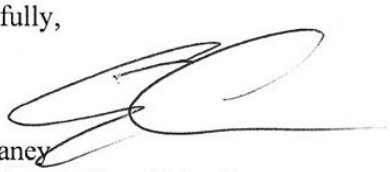
The Coffee County Board of Elections has for many months reported various aspects of these problems to the Secretary of State receiving no assistance in correcting these problems. As for the investigation, the Secretary of State chose not to assist us or help evaluate the root cause of the refusal to certify the election recount but certified the statewide election results despite our findings. The Coffee County Board of Elections took action which it believed accurately reflected the accurate vote of its citizens and certified that vote. If it has done so erroneously, it has been done, not nefariously or belligerently but honestly, humbly and with but one goal: to certify the true vote of the citizens of Coffee County.

This is particularly disappointing given that Eric Chaney personally called Chris Harvey and Dennis Carbone on November 13, 2020 to express his concerns over the Dominion System. Mr. Harvey nor Mr. Carbone returned this phone call. But the deafening silence from people in authority regarding our concerns go back to June 2020; their indifference is unfortunate.

As Exhibit 8 we have attached a list of individuals who, prior to Monday December 7, 2020, were made aware of some or all of the problems reflected in this statement. Not one person has offered any solution or explanation for these issues. The Secretary of State has been AWOL.

We look forward to our "investigation" which begins Friday. We stand ready to take any necessary action to correct any problems which are supported by the law and facts, even if we mistakenly erred in our decisions.

Respectfully,



Eric Chaney
Coffee County Board Member

EXHIBIT LIST

1. Election night summary report
2. Hand recount election summary
3. Electronic recount ESR
4. Letter to Secretary State (Dec. 4th, 2020)
5. Spread sheet summary election results (correction)
6. Certification form
7. Letter to Secretary of State (Nov 11th, 2020)
8. People aware of problems prior to Monday Dec 7th, 2020

EXHIBIT 1

Election Summary Report

General Election

COFFEE

November 03, 2020

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups

OFFICIAL AND COMPLETE

Precincts Reported: 6 of 6 (100.00%)

Registered Voters: 15,277 of 25,114 (60.83%)

Ballots Cast: 15,277

President of the United States (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,574	1,936	13	15,277 / 25,114	60.83%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Donald J. Trump (I) (Rep)		2,587	7,066	917	8	10,578	
Joseph R. Biden (Dem)		1,100	2,411	995	5	4,511	
Jo Jorgensen (Lib)		41	67	17	0	125	
Total Votes		3,728	9,544	1,929	13	15,214	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Loren Collins	WRITE-IN	0	0	0	0	0	
Gloria La Riva	WRITE-IN	0	0	0	0	0	
Unresolved Write-In		10	12	1	0	23	

US Senate (Perdue) (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,574	1,936	13	15,277 / 25,114	60.83%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
David A. Perdue (I) (Rep)		2,535	6,981	899	9	10,424	
Jon Ossoff (Dem)		1,067	2,298	913	3	4,281	
Shane Hazel (Lib)		85	155	46	0	286	
Total Votes		3,687	9,434	1,858	12	14,991	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		5	8	1	0	14	

Public Service Commission District 4 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Lauren Bubba McDonald, Jr. (I) (Rep)		2,375	6,662	871	7	9,915	
Daniel Blackman (Dem)		1,008	2,156	910	3	4,077	
Nathan Wilson (Lib)		87	144	37	1	269	
Total Votes		3,470	8,962	1,818	11	14,261	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		2	4	2	0	8	

US House District 12 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,574	1,936	13	15,277 / 25,114	60.83%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Rick W. Allen (I) (Rep)		2,483	6,909	916	7	10,315	
Liz Johnson (Dem)		1,054	2,247	938	4	4,243	
Total Votes		3,537	9,156	1,854	11	14,558	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		1	3	0	0	4	

State Senate District 7 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Tyler Harper (I) (Rep)		2,948	7,790	1,216	7	11,961	
Total Votes		2,948	7,790	1,216	7	11,961	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		54	166	51	0	271	

Sheriff (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Doyle T. Wooten (I) (Rep)		3,058	8,018	1,396	9	12,481	
Total Votes		3,058	8,018	1,396	9	12,481	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		49	124	44	0	217	

Tax Commissioner (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Shanda Henderson (I) (Rep)		3,132	8,175	1,412	9	12,728	
Total Votes		3,132	8,175	1,412	9	12,728	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		15	61	33	0	109	

Surveyor (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Adam H. Evans (I) (Rep)		3,004	7,933	1,350	9	12,296	
Total Votes		3,004	7,933	1,350	9	12,296	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		18	66	26	0	110	

County Commission District 5 (Vote for 1)
NP

Precincts Reported: 5 of 5 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	1,134	1,916	345	6	3,401 / 5,144	66.12%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Ted Osteen (I) (Rep)		946	1,604	255	1	2,806	
Total Votes		946	1,604	255	1	2,806	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		0	7	9	0	16	

Soil and Water - Altamaha (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Total Votes		0	0	0	0	0	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		412	938	178	0	1,528	

Constitutional Amendment #1 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,754	9,573	1,933	13	15,273 / 25,114	60.81%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
YES		2,520	6,513	1,342	5	10,380	
NO		827	2,133	399	3	3,362	
Total Votes		3,347	8,646	1,741	8	13,742	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		0	0	0	0	0	

EXHIBIT 2

Hand Recount Recap

######## BATCH RESULTS ########									
Jurisdiction	Batch Name	Batch Type	Trump	Biden	Jorgensen	Invalid Write-In	Valid Write-iin	Blank/Unde	Overvote
COFFEE	1	Absentee By Mail	441	1	17	0	0	0	0
COFFEE	2	Absentee By Mail	484	527	0	0	0	0	0
COFFEE	3	Absentee By Mail	0	474	0	0	0	0	0
COFFEE	10	Election Day	376	565	0	0	0	0	0
COFFEE	11	Election Day	879	185	95	0	0	0	0
COFFEE	12	Election Day	489	182	13	0	0	0	0
COFFEE	13	Election Day	625	0	0	0	0	0	0
COFFEE	14	Election Day	872	0	0	0	0	0	0
COFFEE	15	Election Day	966	0	0	0	0	0	0
COFFEE	16	Election Day	1071	430	0	0	0	0	0
COFFEE	17	Election Day	0	0	0	23	0	0	0
COFFEE	4	Election Day	393	8	0	0	0	0	0
COFFEE	5	Election Day	1046	7	0	0	0	0	0
COFFEE	6	Election Day	866	639	0	0	0	0	0
COFFEE	7	Election Day	461	592	0	0	0	0	0
COFFEE	8	Election Day	674	316	0	0	0	0	0
COFFEE	9	Election Day	935	585	0	0	0	0	0
		Election Day	9653	3509	17	23		13202	Total Votes
		Absentee By Mail	925	1002	108			2035	Total Votes

10578 4511 125

15,237 *

This total did not include the additional ballot (15,238) based on SOS guidance.

EXHIBIT 3

12/2/2020 5:24:08 PM

Election Summary Report

General Election

COFFEE

November 03, 2020

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups

OFFICIAL AND COMPLETE RECOUNT

Precincts Reported: 6 of 6 (100.00%)

Registered Voters: 15,327 of 25,114 (61.03%)

Ballots Cast: 15,327

President of the United States (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,379	0	1,948	0	15,327 / 25,114	61.03%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Donald J. Trump (I) (Rep)		9,671	0	926	0	10,597	
Joseph R. Biden (Dem)		3,519	0	1,001	0	4,520	
Jo Jorgensen (Lib)		119	0	17	0	136	
Total Votes		13,309	0	1,944	0	15,253	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Loren Collins	WRITE-IN	0	0	0	0	0	
Gloria La Riva	WRITE-IN	0	0	0	0	0	
Unresolved Write-In		5	0	0	0	5	

US Senate (Perdue) (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,379	0	1,948	0	15,327 / 25,114	61.03%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
David A. Perdue (I) (Rep)		9,525	0	906	0	10,431	
Jon Ossoff (Dem)		3,375	0	917	0	4,292	
Shane Hazel (Lib)		248	0	45	0	293	
Total Votes		13,148	0	1,868	0	15,016	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		13	0	1	0	14	

Public Service Commission District 4 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Lauren Bubba McDonald, Jr. (I) (Rep)		9,037	0	873	0	9,910	
Daniel Blackman (Dem)		3,167	0	912	0	4,079	
Nathan Wilson (Lib)		237	0	38	0	275	
Total Votes		12,441	0	1,823	0	14,264	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		6	0	2	0	8	

US House District 12 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,379	0	1,948	0	15,327 / 25,114	61.03%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Rick W. Allen (I) (Rep)		9,398	0	921	0	10,319	
Liz Johnson (Dem)		3,308	0	939	0	4,247	
Total Votes		12,706	0	1,860	0	14,566	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		4	0	0	0	4	

State Senate District 7 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Tyler Harper (I) (Rep)		10,743	0	1,219	0	11,962	
Total Votes		10,743	0	1,219	0	11,962	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		219	0	53	0	272	

Sheriff (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Doyle T. Wooten (I) (Rep)		11,081	0	1,396	0	12,477	
Total Votes		11,081	0	1,396	0	12,477	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		173	0	46	0	219	

Tax Commissioner (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Shanda Henderson (I) (Rep)		11,314	0	1,414	0	12,728	
Total Votes		11,314	0	1,414	0	12,728	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		76	0	35	0	111	

Surveyor (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Adam H. Evans (I) (Rep)		10,944	0	1,352	0	12,296	
Total Votes		10,944	0	1,352	0	12,296	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		84	0	28	0	112	

County Commission District 5 (Vote for 1)
NP

Precincts Reported: 5 of 5 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,066	0	350	0	3,416 / 5,144	66.41%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Ted Osteen (I) (Rep)		2,553	0	255	0	2,808	
Total Votes		2,553	0	255	0	2,808	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		7	0	9	0	16	

Soil and Water - Altamaha (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Total Votes		0	0	0	0	0	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		1,350	0	178	0	1,528	

Constitutional Amendment #1 (Vote for 1)
NP

Precincts Reported: 6 of 6 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	13,356	0	1,945	0	15,301 / 25,114	60.93%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
YES		9,041	0	1,342	0	10,383	
NO		2,961	0	399	0	3,360	
Total Votes		12,002	0	1,741	0	13,743	

		Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In		0	0	0	0	0	

EXHIBIT 4

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

Ernestine Thomas-Clark, Chairman
Wendell Stone, Vice-chairman
C.T. Peavy, Member

224 West Ashley Street
Douglas, GA 31533
(912) 384-7018
FAX (912) 384-1343
E-Mail: misty-hampton@coffeecounty-ga.gov

Eric Chaney, Member
Matthew McCullogh, Member
Misty Martin, Election Supervisor
Jil Ridlehoover Elections Assistant

12/04/2020

Brad Raffensperger
214 State Capitol
Atlanta, GA. 30334

Dear Mr. Raffensperger,

The Coffee County Board of Elections and Registration cannot certify the electronic recount numbers given its inability to repeatably duplicate creditable election results. Any system, financial, voting, or otherwise, that is not repeatable nor dependable should not be used. To demand certification of patently inaccurate results neither serves the objective of the electoral system nor satisfies the legal obligation to certify the electronic recount.

I am enclosing a spread sheet which illuminates that the electronic recount lacks credibility. NO local election board has the ability to reconcile the anomalies reflected in the attached. Accordingly, the Coffee County Board of Elections and Registration have voted to certify the votes cast in the election night report. The election night numbers are reflected in the official certification of results submitted by our office.

Respectfully,
Coffee County Board of Elections and Registration

Ernestine Thomas-Clark
Chairperson
Signed by Chairperson by expressed permission and consent of 100% of the board.

cc
Dominic LaRiccia
Tyler Harper

DISCREPENCIES IN THE NOVEMBER 3, 2020 GENERAL ELECTION AND RECOUNTS

Date	Activity	Action #	Trump	Biden	Jorgensen	Write-IN*	**No Vote***	Total Votes	Internal Delta	Total Delta	Net Discripency Between Total and Internal
11/3/2020	Election Day 1	1	10578	4511	125	23	40	15237			
11/17/2020	Hand Recount	2	10578	4511	126	NA	NA	15238			
	Compare 2 to 1		0	0	+1			+1	+1	+1	0
11/30/2020	Electronic Recount	3	10596	4518	13	0	15	15127			
	Compare 3 to 1		+18	+7	-112			-110	-87	-110	+23
	Compare 3 to 2		+18	+7	-112			-110	-88	-110	+22
11/30/2020	2nd uploaded 185 BALLOTS	4	NO CHANGE	NO CHANGE	NO CHANGE	0	74	NO CHANGE			
	The tabluated Electonic Recount revealed the above discrepencies										
	Investigation revealed we negelected to run 185 balltos: we then ran these ballots										
	we reviewed the resultsbut there was No Change in Vote Count Despite 185 Ballots Added										
	The on Site Dominion Rep could not explain why system would not update votes										
	The Dominion Rep directed the Board of Elections to make a decision about what to do.										
	FOR SOME REASON NO WRITE-IN COLUMN PRINTED ON THE RECOUNT SUMMARY										
	THERE WAS NO EXPLANATION OR SOLUTION TO THIS PROBLEM										
12/2/2020	Prepare to Certify	5	10597	4520	136			15236			
	Compare 5 to 1		+19	+9	+11			-1	+37	+16	+23
	Compare 5 to 2		+19	+9	+11			-2	+38	+16	+24
	There is a discrepency between Electronic Recount and total votes for both 1 & 2										
	Stated Differently after 3 counts a clear inconsistency exists as one compares the orgional election counts, the hand recount, and the electronic recount.										
	Anomilies in software recounts create irreconciable difference in vote count which leaves the Board with no clear guidance as to which count to certify.										
	*** Write-IN and NO Votes are NOT included in the Total Votes**										

EXHIBIT 5

DISCREPENCIES IN THE NOVEMBER 3, 2020 GENERAL ELECTION AND RECOUNTS

Date	Activity	Action #	Trump	Biden	Jorgensen	Write-IN*	Total Votes	Internal Delta
11/3/2020	Election Day 1	1	10578	4511	125	23	15237	
11/17/2020	Hand Recount	2	10578	4511	126	NA	15238	
	Compare 2 to 1		0	0	+1		+1	+1
11/30/2020	Electronic Recount	3	10597	4520	136	0	15258	
	Compare 3 to 1		+19	+9	+11			+39
	Compare 3 to 2		+19	+9	+12			+40
11/30/2020	2nd uploaded 185 BALLOTS	4	NO CHANGE	NO CHANGE	NO CHANGE	0	NO CHANGE	
	The tabluated Electonic Recount revealed the above discrepencies							
	Investigation revealed we negelected to run 185 balltos: we then ran these ballots							
	we reviewed the resultsbut there was No Change in Vote Count Despite 185 Ballots Added							
	The on Site Dominion Rep could not explain why system would not update votes							
	The Dominion Rep directed the Board of Elections to make a decision about what to do.							
	FOR SOME REASON NO WRITE-IN COLUMN PRINTED ON THE RECOUNT SUMMARY							
	THERE WAS NO EXPLANATION OR SOLUTION TO THIS PROBLEM							
12/2/2020	Prepare to Certify	5	10597	4520	136	5	15258	
	Compare 5 to 1		+19	+9	+11			+39
	Compare 5 to 2		+19	+9	+12			+40
	There is a discrepency between Electronic Recount and total votes for both 1 & 2							
	Stated Differently after 3 counts a clear inconsistency exists as one compares the orgional election counts, the hand recount, and the electronic recount.							
	Anomilies in software recounts create irreconciable difference in vote count which leaves the Board with no clear guidance as to which count to certify.							
	*** Write-IN and NO Votes are NOT included in the Total Votes**							

Revised 12/10/2020

EXHIBIT 6

CERTIFICATION OF RETURNS FOR:

NOVEMBER 3, 2020 GENERAL ELECTION **RECOUNT**

_____

(COUNTY)

Instructions: Prepare and print 4 copies of fhe Election Summary for the General Election (county consolidated vote totals report that is generated by EMS).
Attach copies of this consolidated certification report as follows:

1. White sheet is attached to Election Summary and returned to Secretary of State.
2. Yellow sheet is attached to Election Summary and maintained by Superintendent.
3. Pink sheet is attached to Election Summary and sent to Clerk of Superior Court.
4. Goldenrod sheet is attached to Election Summary and immediately posted at the Courthouse.

ELECTION SUMMARY MUST BE ATTACHED TO THIS FORM

We, the undersigned Superintendent/Supervisor of Elections and his/her Assistants, do jointly and severally certify that the attached Election Summary is a true and correct count of the votes cast in this County for the candidates in the General Election.
In TESTIMONY WHEREOF, We have hereunto set our hands and seals this _____ day of _____, 20 _____. SIGNED IN QUADRUPLICATE.

_____ Assistant

_____ Assistant

_____ Assistant

_____ Assistant

_____ Assistant

_____
Superintendent/Supervisor Of Elections

EXHIBIT 7

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

Ernestine Thomas-Clark, Chairman
Wendell Stone, Vice-chairman
C.T. Peavy, Member

224 West Ashley Street
Douglas, GA 31533
(912) 384-7018
FAX (912) 384-1343
E-Mail: misty-hampton@coffeecounty-ga.gov

Eric Chaney, Member
Matthew McCullogh, Member
Misty Martin, Election Supervisor
Jil Ridlehoover Elections Assistant

Brad Raffensperger
2 MLK Jr. Dr. S.E. Ste. 814
Floyd W Tower
Atlanta, Ga. 30334

November 11, 2020

Dear Mr. Raffensperger,

During the election conducted on 11/3/2020 the Coffee County Board of Elections and Registration discovered deficiencies in the current Dominion election system. We are writing to ensure you are aware of these and that they may be immediately rectified.

The adjudication process allows the ICC operator to choose how adjudication occurs, i.e. ambiguous marks, over vote, under vote, blank ballots, or ALL ballots. With the setting on "all ballots" we could adjudicate and change votes on all ballots, even if the ballot was correctly and cleanly voted. We believe a statewide standard would be appropriate.

Using the old Diebold system, absentee ballots by mail that have errors would duplicate the voter's intent on a new ballot on all races possible. A representative from the Democratic and Republican Party plus a board member, would all agree on the marking or duplicating the ballot. We, also, all 3 sign the top tab of the ballot that we attach to the void ballot so that we may recreate the process and see who was making the changes. We have proof it was agreed by all.

During the adjudication process with the Dominion system, no such trail can be created. This allows ANYONE to make a change to the vote so there

is no accountability. We also believe that the adjudication process may not be observed from any distance beyond that of the operator of the ICC. Given the computer screen it is not possible to observe the change being completed from any further distance.

In a Mockup election we were able to count ballot multiple times. It was during this mockup election we have verified and recreated the above deficiencies

Respectfully,

Ernestine Thomas-Clark

Wendell Stone

Matthew McCullough

Eric Chaney

Delivered by: Overnight and fax 404-656-0513

Transmission Log

Coffee Co Commission Friday, 2020-11-13 16:28 9123840291

Date	Time	Type	Job #	Length	Speed	Fax Name/Number	Pgs	Status
2020-11-13	16:27	SCAN	09289	0:32	14400	814046560513	1	OK -- V.17 AB31

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

224 West Ashley Street
Douglas, GA 31533
(912) 384-7018
FAX (912) 384-1343
E-Mail: misty-hampton@coffeecounty-ga.gov

Ernestine Thomas-Clark, Chairman
Wendell Stone, Vice-chairman
C.T. Peavy, Member

Eric Chaney, Member
Matthew McCullogh, Member
Misty Martin, Election Supervisor
Jil Ridlehoover Elections Assistant

Brad Raffensperger
2 MLK Jr. Dr. S.E. Ste. 814
Floyd W Tower
Atlanta, Ga. 30334

November 11, 2020

Dear Mr. Raffensperger,

During the election conducted on 11/3/2020 the Coffee County Board of Elections and Registration discovered deficiencies in the current Dominion election system. We are writing to ensure you are aware of these and that they may be immediately rectified.

The adjudication process allows the ICC operator to choose how adjudication occurs, i.e. ambiguous marks, over vote, under vote, blank ballots, or ALL ballots. With the setting on "all ballots" we could adjudicate and change votes on all ballots, even if the ballot was correctly and cleanly voted. We believe a statewide standard would be appropriate.

Using the old Diebold system, absentee ballots by mail that have errors would duplicate the voter's intent on a new ballot on all races possible. A representative from the Democratic and Republican Party plus a board member, would all agree on the marking or duplicating the ballot. We, also, all 3 sign the top tab of the ballot that we attach to the void ballot so that we may recreate the process and see who was making the changes. We have proof it was agreed by all.

During the adjudication process with the Dominion system, no such trail can be created. This allows ANYONE to make a change to the vote so there

USPS Tracking®

FAQs >

Track Another Package +

Tracking Number: EJ475214345US

Remove X

Scheduled Delivery by

MONDAY

16 NOVEMBER 2020 ⓘ by **3:00pm** ⓘ

Delivery Attempt

November 14, 2020 at 10:09 am
Delivery Attempted - No Access to Delivery Location
30334

Get Updates ⌄

Feedback

Text & Email Updates ^

Select what types of updates you'd like to receive and how. Send me a notification for:

Text	Email	
☐	☐	All Below Updates
☐	☐	Expected Delivery Updates ⓘ
☐	☐	Day of Delivery Updates ⓘ
☐	☐	Package Delivered ⓘ
☐	☐	Available for Pickup ⓘ
☐	☐	Delivery Exception Updates ⓘ
☐	☐	Package In-Transit Updates ⓘ

Proof of Delivery ^

EXHIBIT 8

The following 15 people have received calls or letters identifying the following cartological problems with the Dominion software and other issues.

1. The adjudication processes and the ability to manipulate votes
2. The absence of audit trail to identify who changed data in adjudication process and who witnessed to the adjudication of any given ballot.
3. Change by the SOS in the adjudication process changing the old system which required a rep from each party, plus a board member, to determine the voter's intent.

Under the Dominion adjudication process anyone can adjudicate change a vote with out any oversite or accountability from any neutral 3 party. A single ballot can be scanned and counted multiple times.

4. Multiple complaints and concerns have been logged over training, equipment failure and inexplicable software anomalies.

Secretary of State Brad Raffensperger

Gary Gainous _ Dominion Tech

Dominic LaRiccia – State House Representatives for Dist 169 6/10

Butch Miller – Senator 12/3

Mike Dugan – Senator 12/3

Steve Gooch – Senator 12/3

John Kennedy – Senator 12/3

Larry Walker – Senator 12/3

Dean Burke – Senator 12/3

Tyler Harper – Senator 12/3

Blake Tillery 12/3 & 12/4

Cardan Summers 12/3 & 12/8

Cathy Latham 12/7 & 12/8

Whitney Argenbright – Albany News - 12/7

Robert Preston 12/7 & 12/8

Brad Schrade with AJC 12/8

EXHIBIT D

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION MONTHLY BOARD MEETING November 10, 2020 – 9:30AM

1. Ms. Thomas-Clark called the meeting of the Coffee County Board of Elections and Registration to order at 9:30 a.m., and called the roll.

Present: Ernestine Thomas-Clark, Wendell Stone, Eric Chaney, Matthew McCullough, CT Peavy, Jil Ridlehoover, and Misty Martin

Guest: Ed Voyles

2. Mr. Chaney opened the meeting with prayer.

3. The Pledge of Allegiance to the United States flag was recited by all.

4. Mr. Chaney gave a motion to accept the Agenda and Minutes, Mr. McCullough gave the second, and it was carried by all.

5. The board did not have a year to date budget to review. Mr. Peavy asked what the status of the 2021 budget was. Mr. Peavy explained to the board that the hangup with the approval of the 2021 budget is the approval for raise for Ms. Martin and Mrs. Ridlehoover. Mr. Peavy asked Mrs. Martin to get the cost amounts for subbing out the Elections to Dominion for the election process. Mr. McMullough wanted to let the board know that he does not approve that the pay is not fair for a full time employee (Mrs. Ridlehoover) to make less than temporary works for poll workers. The Board is going to discuss during Executive Session the pay for the employees.

6. Mrs. Martin discussed the General Election results. Mrs. Martin also discusses the possibility of a recount, an audit, and getting ready for the December runoff all at the same time. Mr. Stone voiced his concern for the possibility of the system being manipulated and that the only way could be through the adjudication process. Mr. Stone asked "Can the person doing the adjudication manipulate the vote of the ballot." Mrs. Martin responded "Yes, very easily." Mr. Stone, asked how can the adjudication be accounted for? Is there a log of the adjudication; is there a log of who does the adjudication?" Mrs. Martin replied "No, there not a log of which ballots were adjudicated and who did the adjudicating." Mrs. Martin stated that Coffee County has one of the most secure ways of opening ballots that she knows of. Mrs. Martin stated "when I am sitting at the computer doing the adjudication, I make sure I have at least 3 people agreeing with the choices I am marking". Mrs. Martin stated "I do not t feel comfortable doing the adjudication and will not do the adjudication without at least 3 people watching, because it is as easy as the click of the mouse to change a vote." Mr. Chaney expressed his feelings of how the dominion system "SICKENS HIM of the possibility of fraud and the deception that can be manipulated by the adjudication process. Mr. Chaney also stated that he told his state representative that he was not trying to shoot the messenger but the Dominion system he felt was a piece of junk. Mr. Chaney went on to say he does not care who wins the election as long as the election is won fair manner. I don't have a problem with that, stated Mr. Chaney, but I do have a problem when I turn on the news and see people sitting at a table opening ballots with some kind of marking device in there hand weather it is an ink pens a marker or what have you. We know that when you are opening ballots that you do not have anything in your hand beside an envelope opener. Mr. Chaney asked "if we have a ballot that is marked for said candidate, and it is a valid ballot, we scan that ballot through the ICC, what keeps me from scanning that ballot twice? Mrs.

Martin responded with “Nothing” Mr. Chaney asked “So you can scan the same ballot two times, or multiple times. Mrs. Martin replied “Yes” Mr. Peavy said there are check points that have to match. Mrs. Martin replied “yes there are several check points for the honest person, but the honest person is not in every county. Mrs. Martin also stated that “all counties do not have the same check points that I have in place.” Ms. Thomas-Clark asked “if you have a ballot and you ran it twenty times, the system would count it 20 times.” Mrs. Martin replied “yes” Mrs. Martin said that during advance voting the number on the scanner never matched the number of ballots voted. But we did not leave each day without our check points matching. We make sure the number list of voters from Easy Vote and my number list of voters from ENET match Every DAY before Jil and I leave. Mrs. Martin expressed her concern that she did not know what the QR code on the ballot read, and the concern as to what the scanner was reading. Mrs. Martin stated “how do we know what the voter voted is actually what the QR code is reading”

7. Ms. Martin discussed the December 1, 2020 timeline. Ms. Martin also discussed the Jan 5 runoff.

8. Mr. Stone gave a motion to enter into Executive Session, Mr. Chaney gave the second and it was carried by all. Mrs. Chaney gave the motion to come out of Executive Session, Mr. Stone gave the Second and it was carried by all.

9. Mrs. Martin discussed getting improvements in the office and needing more storage.

10. Questions and comments were made by the board, staff, and quest. Mr. Ed Voyles thank the board for allowing him to come visit and ask some questions that is concerning to him. A few of the questions from Mr. Voyles were the certification date of the November 3 General Election, When is the runoff, and when will we know if there is going to be a recount. Mrs. Martin answered the question as well as she could. Mr Voyles mentioned maybe we need to draft a letter to the Secretary of State Brad Raffensperger expressing our concerns with the system. Mrs. Martin asked they board how did they feel if Mr. Voyles could draft the letter and bring it back for the board to approve, and the Board sends the letter to Brad Raffensperger. The board thought that was a great decision. Mr. Chaney made a motion to hold a called meeting on Thursday November 12, 2020 at 12:30, Mr. McCullough made the second and it was carried by all.

14. Mr. Chaney made a motion to adjourn, and Mr. Stone second, and the motion was carried by all.

12. Mr. Stone closed the meeting with prayer.

_____ _____

Ernestine Thomas-Clark – Chairman Wendell Stone –Vice-Chairman/Secretary

_____ _____

Date Date

EXHIBIT E

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL., Plaintiffs,	)	
vs.	)	CIVIL ACTION NO.
BRAD RAFFENSPERGER, ET AL, Defendants.	)	1:17-CV-2989-AT

VIDEOTAPED 30(b)(6) DEPOSITION OF ERIC B. CHANEY
(Taken by Plaintiffs)
August 15, 2022
10:20 a.m.

Reported by: Debra M. Druzisky, CCR-B-1848

Q. Do you recognize Exhibit 6?
A. Yes.
Q. And what is it?
A. There's quite a bit of information here, several different things.
Q. So let's start with the letter. The cover letter in Exhibit 6 is a letter that you sent on behalf of the Coffee County Board of Elections; right?
A. Yes.
Q. And you sent that to the House Governmental Affairs Committee; right?
A. Yes.
Q. And that was for the state of Georgia House Governmental Affairs Committee; right?
A. Yes.
Q. And what was the purpose of you sending this letter on behalf of the board?
A. I feel it's pretty self-explanatory with the language inside the letter. It gives our complaints.
Q. Well, was the idea to convey to the House Governmental Affairs Committee concerns that the Coffee County board had about the reliability of the Dominion Voting System?

MR. DELK: Object to the form.

You can answer.

THE WITNESS: We had issues in, that we've noted in this letter that we would have liked some clarity on and some guidance from the Secretary of State's office.

BY MR. CROSS:

Q. So then why did you send the letter to the House Governmental Affairs Committee instead of directly to the Secretary of State's office?

A. I think it addresses it here inside the letter, that we was having some issues and that we had contacted the Secretary of State's office and we had had -- you know, we'd not gotten anywhere with the Secretary of State's office by submitting, you know, any complaints or calls or so on and so forth.

Q. So the board over some period of weeks or months had in -- had raised certain concerns with the Dominion system with the Secretary of State's office and had not gotten a response; is that right?

A. As I recall.

Q. Okay. And so then the board decided to

turn to the House Governmental Affairs Committee for help; is that right?

MR. DELK: Object to the form.

You can respond unless I --

THE WITNESS: Okay.

MR. DELK: -- unless I instruct otherwise.

THE WITNESS: That's correct.

BY MR. CROSS:

Q. Okay. And what was the reason that you decided to include each of the exhibits to the letter?

A. It's just data. It shows some of our -- some of our issues we was having.

Q. Well, how did you think that data would be helpful to the committee?

A. I'm not sure.

Q. Do you still have a copy of this letter yourself?

A. I don't.

Q. Why not?

A. I don't know.

(Whereupon, Plaintiff's Exhibit 7 was marked for identification.)

R E P O R T E R D I S C L O S U R E

DISTRICT COURT) DEPOSITION OF
NORTHERN DISTRICT) ERIC B. CHANEY
ATLANTA DIVISION)

Pursuant to Article 10.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

I am a Georgia Certified Court Reporter. I am here as a representative of Veritext Legal Solutions.

Veritext Legal Solutions was contacted by the offices of Morrison & Foerster to provide court reporting services for this deposition. Veritext Legal Solutions will not be taking this deposition under any contract that is prohibited by O.C.G.A. 9-11-28 (c).

Veritext Legal Solutions has no contract or agreement to provide court reporting services with any party to the case, or any reporter or reporting agency from whom a referral might have been made to cover the deposition.

Veritext Legal Solutions will charge its usual and customary rates to all parties in the case, and a financial discount will not be given to any party in this litigation.

Debra M. Druzisky
Georgia CCR-B-1848

EXHIBIT F

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED DEPOSITION OF EMILY MISTY HAMPTON

DATE: November 11, 2022

TIME: 10:49 a.m. to 6:07 p.m.

LOCATION: Courtyard by Marriott Warner Robins
589 Carl Vinson Parkway
Warner Robins, Georgia 31088

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions
1250 Eye Street, N.W., Suite 350
Washington, D.C. 20005

BY MR. BROWN:

Q Why didn't you just put in a service order for the scanner?

MR. MILLER: Object to form.

THE WITNESS: Stating multiple times that the scanner was not working properly.

BY MR. BROWN:

Q Okay. So because the State was not responding to your request to get your equipment fixed, Coffee County elected to allow a company to come in and copy the software, correct?

MS. LAROSS: Objection as to form.

MR. MILLER: Concur.

THE WITNESS: I don't know how to answer that one.

BY MR. BROWN:

Q "Yes" is good. "Yes" is good.

MR. MILLER: Now, you're not going to -- it's a yes-or-no question.

THE WITNESS: Right.

Repeat the question.

MR. BROWN: Ms. Newland, if you could

repeat the question, please.

(The reporter read as requested.)

THE WITNESS: Coffee County wanted help.

BY MR. BROWN:

Q Right. I need you to answer the question. I understand they wanted help, and we can get to that, but I need you to answer the question.

And if this is that you -- you were not getting the help that you needed from the State, so you needed in a sense to -- to do it on your own, right?

MS. LAROSS: Objection as to form.

MR. MILLER: If it's the correct answer, then that's the correct answer.

THE WITNESS: Yes.

BY MR. BROWN:

Q And tell me what you did to try to get help from the State -- or the Secretary of State before deciding that you needed to try to get help on your own.

A There was e-mails sent to the Secretary of State liaison, there was phone calls made, there were letters sent from the Board.

Q And the subject of the communications with the liaison and the phone calls and the letters, was what specific mail functioning of the system?

A I'm sorry, you broke up on that.

Q Yeah. What specifically were you referring -- what was the precise issue that you were trying to have the Secretary address in your communications with the liaison, with the phone calls and with the letters?

A Why the scanner was not scanning the ballots. It was kicking them back or saying "not scanned." It would say a misread or so have you, and we would look at the ballot, there were no marks, stray marks that is, on the ballot, no reason for it not to be read.

Q And did you have an understanding with SullivanStrickler or with anybody else, that once -- that it was -- that they were going to fix

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing video-recorded deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

_____

FELICIA A. NEWLAND, CSR
Notary Public

My commission expires:
September 15, 2024

EXHIBIT G

1:29

SullivanStrickler
4w

Jan 1, 2021

Jennifer Jackson
Hi! Just handed back in DC with the Mayor. Huge things starting to come together!

Most immediately, we were just granted access -by written invitation! - to the Coffee County Systens. Yay! Putting details together now with Phil, Preston, Jovan etc. Want to give you a heads up for your team. Will be either Sat or Sun this

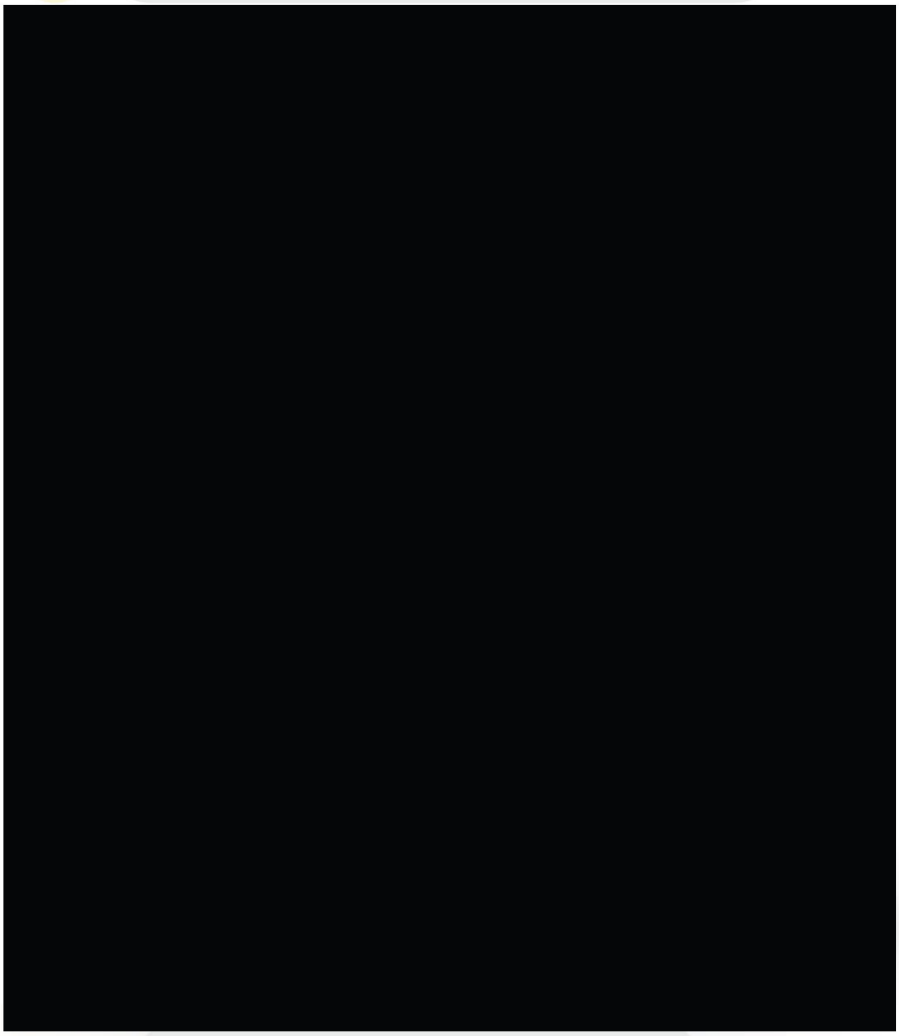
New Message

1:29

SullivanStrickler
4w

etc. Wan' Jan 1, 2021 a heads up for your team. Will be either Sat or Sun this weekend. More soon! :))

JJ This was from Katherine this am, of course not the official word but wanted to share as a potential heads up 2:18 PM



New Message

EXHIBIT H

STRATEGIC COMMUNICATIONS PLAN

GIULIANI PRESIDENTIAL LEGAL DEFENSE TEAM

We Have 10 Days To Execute This Plan & Certify President Trump!

GOAL: Nationwide communications outreach campaign to educate the public on the fraud numbers, and inspire citizens to call upon legislators and Members of Congress to disregard the fraudulent vote count and certify the duly-elected President Trump

TIMELINE: Dec 27th - Jan 6th

FOCUS OF CAMPAIGN:

SWING STATE REPUBLICAN SENATORS – AZ, GA, MI, NV, PA, WI

REPULBICAN MEMBERS OF THE HOUSE

REPUBLICAN MEMBERS OF THE SENATE

ISSUES:

MASSIVE CORRUPTION IN THE ELECTION PROCESS LED TO A VOTE TALLY THAT IS FRAUDULENT

- **Dead people voted**
- **Underage people voted**
- **Voters who voted numerous time**
- **Ineligible people voted**
    - Felons
    - Illegals
    - Those who were not Indefinitely Confined as defined by law (WI)
- **Overvote** – more people voted than were registered in their county – 400+% for example in one county
- **Vote Counting Illegalities**
    - Affidavits re: witnessed piles of the same ballots being counted repeatedly
- **Fraudulent Ballots**
    - Fulton County, GA, video of suitcases of fraudulent ballots
    - Affidavits re: witnesses noting pristine ballots – wrong paper type; not folded

- Affidavits re: witnesses seeing ballots being dropped at counting facilities from unauthorized vehicles

- **Mail-in Ballots Fraud**
  - No observation by Republican Officials to verify mail-in ballots' legitimacy
    - Requirements not verified: Name, Address, Signature, Date
  - Ballots counted that did not have a security envelope
  - Ballots counted before they were requested
  - Ballots counter before thew were available or requested
  - Illegal Ballot Harvesting via the Zuckerberg Boxes and elsewhere
- **Dominion Machines Fraud**
  - Error rate outrageously beyond what is acceptable under FEC rules
  - Rejection rate massively beyond standard levels
  - Adjudication rate almost 100%
  - Intentional Adjudication built into the software
    - "Adjudication" allows the machine algorithm or an Administrator to determine the "intent" of the voter and vote the ballot accordingly
      - Adjudication has:
        - No oversight
        - No accountability
        - No record (in many cases)
      - Coffee County, GA, Clerk has a video to show how fraud can be easily done through Adjudication
  - Dominion machines are live on the internet – per their own User Manual
  - Dominion machines are profoundly easy to hack
    - VPN access
    - No oversight over changes with USB drives
    - Software is virtually open
  - Proven Dominion fraud in Antrim County, MI
    - 61% Error Rate
    - 82% Rejection Rate
    - Non-existent records for Adjudication – only for 2020
    - Non-existent records for software security – only for 2020
    - Non-existent records for systems files – only for 2020
    - Votes PROVEN to have been moved throughout Central Lake Townships when ballots were re-run with a different software stick – VOTES CHANGED from the top of the ballot to the bottom
      - No explanation given to the Clerk for re-running the ballots
      - Proposition for the sale of marijuana changed from a loss to a win
  - Dominion CEO Poulos lied throughout his testimony before the MI legislature in December 2020

  - Dominion has a reputation for stealing elections around the world
    - Dominion contains software from Venezuelan firm Smartmatic
      - Smartmatic was founded and financed by Hugo Chavez to control voting out comes in Venezuela
      - We have affidavits of witnesses who met with Maduro family members who said that this vote-theft technology is used to control his elections as well
  - Dominion is a foreign-controlled and foreign-owned company
  - Smartmatic is a foreign-controlled and foreign-owned company
  - Dominion has been decertified for use by the State of Texas
  - Dominion machines have a "poison pill" in their software that automatically deletes the records within the voting machines
  - Live-feeds of Dominion vote tallies show vote tallies in percentages
- **Election Officials' Illegal Actions**
  - MI Secretary of State called for all Clerks to delete electronic voting data in violation of state law
  - No Chain of Custody for USB drives for voting machines
  - No Chain of Custody for mail-in ballots
  - No Chain of Custody for voting machines themselves
  - Election Official Ruby Freeman is seen surreptitiously & illegally handing off hard-drives ON CAMERA in the Georgia counting facility
  - Various Secretaries of State removed the public posting of results on their websites days after the election
  - Various officials have called for the destruction of ballots and/or envelopes in violation of record retention laws
  - Secretary of State in GA forced counties to certify their vote when they were not able to determine the true vote count and did not want to certify

WHAT WORKS TO PROVE THE ELECTION NUMBERS ARE RIGHT OR WRONG

- Doing a forensic examination of the machines' software will determine if there is fraud
- Doing an analysis of the scanned images of the ballots
  - This can show:
    - Illegal type of paper
    - Illegal type of ink
    - Mail-in ballots that were not folded (thus, not mailed)
- Signature verification by AI
- Envelope verification by AI
- Ballot vote counting by AI
  - Can provide a proper tally

  - Can detect if the ballot was filled in by a machine (illegal) vs. by hand
- Re-running ballots through the machines to see if the tallies match

WHAT DOES *NOT* WORK TO PROVE RIGHT OR WRONG VOTE COUNTS

- Hand recounts – they just recount fraudulent votes
- Signature verification by humans– very few can do this at a professional level
- Audits – they just take a percentage of total votes, and then recount the fraudulent votes
- Doing Nothing

MESSAGING:

- What do you elections officials have to hide?
- Why do you not want to have an investigation into a system that is known for vote fraud?
- How can you guarantee that no corruption of the vote took place?
- Why are American votes being counted by servers in foreign countries?
- Why are the voting machines not secure from hacking and manipulation by employees?
- Why is there no Chain of Custody record in place for mail-in ballots?
- How can you guarantee that corruption of the vote won't take place again?
  - Especially important for the GA Senate run-off
- Legislators:
  - What are you doing to prove no fraud happened?
  - How can votes be calculated in percentages? This is a clear indication of fraud.
  - Why do you not stand with the people of your state in demanding an investigation?
  - How can you certify an election that has PROVEN fraud in your state?
  - Why do you not stand up for America's founding principles?
  - Why are you not exercising your plenary powers, derived from the Constitution, to utilize your authority to vote the electors in the way you know the people of your state voted?
  - Why are you defending this corruption?
  - Why are you hiding this corruption?
- Citizens:
  - You must demand accountability from your state legislators
  - You must demand they exercise their plenary power to reverse this fraud
  - You must demand a thorough investigation of this corruption
  - You must Take Back Your Country from Corruption and Corrupt Officials
- Members of Congress:

    - You simply CANNOT certify electors who are represent a fraudulent vote count
    - You must vote the Will of the People
    - You must take into consideration the vast number of proven fraudulent votes and back those out of the reported totals
    - You simple cannot let America be stolen by a sophisticated plot to manipulate our vote totals by utilizing fraudulent and deceptive practices in our election
- EVERYONE:
    - ***YOU CANNOT LET AMERICA ITSELF BE STOLEN BY CRIMINALS – YOU MUST TAKE A STAND AND YOU MUST TAKE IT TODAY***

MESSAGING TYPES

Daily Talking Points and Specific Fraud Numbers with Citations

Pre-written Tweets – multiple per day

Posts for Instagram – multiple per day

Radio Ads – flood the local airways in AZ, GA, MI, NV, PA, WI

Local TV Ads - flood the local airways in AZ, GA, MI, NV, PA, WI

Other

CHANNELS TO DISSEMINATE MESSAGING

Presidential Tweets

Giuliani Team Tweets

Talk Radio

Conservative Bloggers

YouTube Influencers

Social Media Influencers

Local TV Stations `

- Targeting of local Legislators as most people watch their local news

Conservative Podcasts

Op/Eds in local papers - pre-written

OP/Eds for online publications

Conservative SM Influencers (see supporting document below for list)

College Republicans

Young Republicans

Trump Campaign Volunteers

Lawyers for Trump Members

Others

CONTENT

Giuliani Team Voter fraud numbers (see supporting document below for details)

- Backed up by
    - citations from Secretary of State's official numbers
    - Live data feed records from election day
    - Sworn affidavits from witnesses
    - Videos of fraud
    - Navarro Report on Dominion Voting Machines
    - Navarro Report: Immaculate Deception
    - Antrim County Report
    - Tech Team analyses
    - Fact Sheet on Dominion CEO lies during testimony

KEY TEAM MEMBERS

Rudy Giuliani– Strategic Communications Plan Run by BK and KF

Media Advisors – SB, BE

Serrano Public Relations Team

Research Team – CR and SP

Influencer Outreach – TF

Tech Team – PW

Peter Navarro Team

Local Legal Teams in AZ, GA, MI, NV, PA, WI

Identified Legislative Leaders in each swing state

Freedom Caucus Members

RALLIES AND PROTESTS

Organize Events in AZ, GA, MI, NV, PA, WI

Targets:

- Support for hearings
- Support for President Trump
- Protests at Local Officials Homes/Offices
- Protests at Governor's Mansions
- Protests at Lt. Governor's home
- Protests at Secretary of State's home
- Protests at weak Members' homes
- Protests in DC – Rally for Key House and Senate Members

SUPPORTING DOCUMENTS:

VOTER FRAUD HIGHLIGHTS FOR 2020 US ELECTION

Presented by the Giuliani Team

ARIZONA

Margin: 10,000 votes

- 12% of mail-in ballots were in need of adjudication
- Dominion said that the machines weren't connected to the internet, but we have an affidavit that says it was
- Illegals who voted – 36,400 estimated by pro-immigrant group (American Immigration Council estimates that 276,840 illegals are in AZ)
- Jury rolls, which would show illegals and felons, were pulled from public view within months of the election
- Uniform exclusion of Republicans from meaningful observation on mail-in ballots and adjudication
- 22,903 mail-in ballots received the day before the ballot was sent out
- 2000 voters registered to a vacant lot
- 150,000 people registered in Maricopa County after the registration deadline
- 103,000 ballots in Maricopa were sent for electronic adjudication – no Republican observation
- 50,000 votes loaded on ahead of the opening of the polls

GEORGIA

Margin: 10,000 votes

- Video of Ruby and Shay at midnight
  - That is the time of the 200,000 vote bump
    - Similar interruptions at same time in other states
  - No Watermain Break – a lie to get the Republican observers and media to leave at 10:30pm
- We are looking at machines in the Republican districts as the President ran 3-5% behind local legislators – and they do not believe that is possible
- Machines were connected at poll-pad and tabulator level, as we have testimony that the Denver help desk for Dominion worked on problems remotely
- Ware County demonstrated a 13%-point reduction from Trump with fractional votes and assigned to Biden for a 26% differential
- Coffee County Election Administrator shows how to manipulate cast ballots, change votes, and vote blank ballots as a function of the Dominion machine design and the electronic "Adjudication Process"
  - Coffee County could not replicate the ballot tallies after re-running them repeatedly, and thus did not certify their 15,000 votes
  - Gwinnett and Fulton County had a greater than 80% adjudication rate, where the administrator determines the voter "intent" with no oversight
    - 1 out of 250,000 is standard for inaccuracy
  - **2,560 felons** with uncomplete sentences registered to vote and cast their vote;
  - **66,247 underage** people registered to vote and illegally voted;
  - **2,423 unregistered** people voted;
  - **4,926** registered voters who **registered to vote in another state** after their Georgia registration date voted;
  - **395** people voted in Georgia and **also voted in another state**;
  - **15,700** people voted in Georgia but **changed their address** before the election;

  - **40,279** people voted who **failed to re-register** to vote in their new county in time after moving from one county to another;
  - **1,043** people voted who illegally said a **post office box** was their residence;
  - **98** people who **registered too late** to vote in the election;
  - **10,315** people who had **died** by the time of the election;
- No Chain of Custody – 600,000
- 726,560 have moved mailing addresses with no change of address card – voted where
  - 275,050 have filed as moving out of the state but are still registered in GA
  - 17,000 are living outside of GA and voted in GA
- 96,600 mail-in ballots with no return record were counted

WISCONSIN

Margin: 20,000 votes

"Indefinitely Confined" Voters

- Total is 226,000 for 2020
- Usual is 20,000 previous – standardized list
- No early voting – absentee voting is intentionally difficult
- Indefinitely Confined has always been strictly administered, and was designed for nursing homes and home confinement
- Secretary of State tried to expand IC to include COVID
- WI Supreme Court ruled that COVID does not count as IC
- Secretary of State convinced 200,000+ to claim IC status anyway
- Court ruled again that this is illegal, and asked that those falsely claiming IC status be identified
- Our team has found 1,000s of IC-claiming individuals with active lifestyles on FaceBook

MICHIGAN

Margin: 147,000 votes

- Wayne County originally rejected certifying their vote because 71% of their reporting precincts didn't balance – only certified after threatening & doxing the Republican Board of Electors Members who declined certification
    - This means that less than 30% of their votes were accurate
    - Even the UN would not accept this rate in a third world country
- Antrim County forensics report
    - shows a 68% error rate (FEC legal maximum error rate is 0.0008%)
    - 81% rejection rate
    - Adjudication and Security records missing – a violation of state retention laws requiring records to be maintained for 22 months
- Secretary of State Jocelyn Benson sent a Board of Electors directive on 1 December to all Country Clerks telling them to delete all electronic records – in violation of state law records retention
- Republican Speaker Lee Chatfield called for a subpoena in Wayne County to examine the voting machines – with a due date of January 6th
- 17,367 Dead Voters – first, middle, last, date, obit

OVERVOTE IN MICHIGAN BY TOWNSHIIP

Precinct/Township	% Turnout
City of North Muskegon	781.91%
Zeeland Charter Township	460.51%
Grout Township	215.21%
City of Muskegon	205.07%
City of Detroit	139.29%
Spring Lake Township	120.00%
Greenwood Township	100.00%
Hart Township	100.00%
Leavitt Township	100.00%
Newfield Township	100.00%
Otto Township	100.00%
Pentwater Township	100.00%
Shelby Township	100.00%
Shelby Township	100.00%
Weare Township	100.00%
City of Hart	100.00%
Grand Island Township	96.77%
Tallmadge Charter Township	95.24%
Fenton	93.33%
Bohemia Twp	90.63%
Zeeland Charter Township	90.59%

PENNSYLVANIA

Margin: 68,000 votes

- 682,777 mail-in votes were counted without a single Republican viewing and verifying the ballots, names, signatures, addresses, dates
- Secretary of State election results removed from the internet
- Primary – 1.98m mail-in votes sent out, 2.4m mail-in votes counted
- Mail-in Ballots Retuned: 1,462,302
- Mail-in Ballots Not Returned: 360,846
- Mail Ballots Returned Before Mailed Date: 22,686
- Mail Ballots Returned on Same Day They Were Mailed: 32,591
- Mail Ballots Processed for Confirmed **Dead**: 8,021
- Mail Ballots Mailed Before They Were Requested: 4,894
- Mail Ballots Processed Before They Were Requested: 735

TAKE-AWAYS:

- Give us access to the voting machines for forensics analyses to determine the accuracy of the vote, and the legitimacy of the ballots
    - Our review can determine valid paper, creases from folding for mailing, ink type, whether ballot was filled out by hand or machine
- Help educate Governors and Legislators as to the extent of the proven fraud
- Support citizens' protests coming in the next two weeks against state officials
- Support our duly-elected President – we WILL win this battle against fraud!

SM CONSERVATIVE INFLUENCERS
Compiled by Christos Makridis and Soula Parassidis

Big names:
1. Candace Owens (YouTube 747k, Instagram 3 million, Twitter 2.8 million)
2. Charlie Kirk (YouTube 356k, Twitter 1.9 million, Instagram 1.5 million)
3. Hodge Twins (YouTube 1.69 million subs, Instagram 2.3 million)
4. Officer Tatum (YouTube 1.43 million, Instagram 748k, Twitter 611k)
5. Ben Shapiro (YouTube 2.5 million, Instagram 2.5 million)
6. PragerU (YouTube 2.85 million, Instagram 1.5 million)
7. Dave Rubin (YouTube 1.46 million, Instagram 176k)
8. Daily Wire (YouTube 2.44 million, Instagram 1 million)
9. Students for Trump - Ryan Fournier, (Twitter 1.1 million, Instagram 318k)
10. The Majority Report (Sam Seder) (YouTube 993k, Twitter 168k)
11. Steven Crowder (YouTube 5 million, Twitter 1.3 million)
12. Mark Levin (Twitter 2.8 million)

Medium:
10. Eric Metaxas (YouTube 186k, Twitter 129k, Instagram 16k)
11. Brandon Straka - "Walk Away" (YouTube 219k, Personal Twitter 665k, Instagram 191k)
12. Michael Knowles (YouTube 370k, Instagram 158k)
13. Ron (@codemonkeyZ) (475k Twitter)

Small:
13. Stop the Fraud (Rod) - (Twitter 135k)
14. Hey Jude (Twitter 148k)
15. AMErikaGIRL (Twitter 205k)
16. Bradley Scott (Twitter 281k)
17. Juanita Broaddrick (Twitter 484k)
18. Melissa Tate (Twitter 524k)
19. John Kiss my Bot (Twitter 199k)
20. Adam Corolla (YouTube 142k)
21. Trish Regan (YouTube 26.4K, Twitter 745.3K)

Micro:
22. Sara Eaglesfield (Twitter, 24k)
23. Cultural Husbandry (Twitter 30k)
24. Alison Morrow (YouTube 78K, Twitter 3.5K)

TIKTOK*** WE have to use TIKTOK!! Content goes VIRAL here like no other platform!!!!! And there are MILLIONS of Trump supporters! It would be amazing if POTUS would use the platform actually - he'd have the biggest account EVER
20. Conservative Ant (Vito) (574k followers)
21. Conservative Barbie (846k followers)

22. Republican Hype House (1.5 million)
23. Dr. Sara Lorei (86k - fewer followers but she does an amazing Kamala Harris impression)
24. Matt Convard (young guy, very logical and articulate, 190k followers)
25. Adam Calhoun (949k) (musical artist, hilarious but swears a lot, rough persona but I think it will connect with many people)
26. Bryson Gray (213k TIKTOK, 111k YT) - "Donald Trump is your President" - amazing song!!! All his songs for Trump are incredible!
27. Emmanuel Harouno (279k) - he uses green screen a lot to simply react to facts that are put out, very high engagement and super sympathetic.
28. The Republican Girls (367k)
29. Damani Bryant Felder (239k, very funny and extremely high engagement)

TOP 10 WORST FRAUD INCIDENTS BY STATE
Prepared by JaNelle Cobb, TX Attorney, Lawyers for Trump, as of 12/19/20

ALL States with Dominion Voting Systems ("DVS"):

Colonel Phil Waldron [*state credentials*] - Expert testimony and IT data for evidence of increased Internet traffic on (11/03/20) between US and Germany, Spain, Canada [*need to confirm countries*] and connectivity of Dominion Voting Systems to Internet.

Dr. Shiva Ayyadurai [*state credentials* - MIT PhD (multiple degrees), inventor of email] - Expert testimony with mathematical analysis and graphs proving statistical certainty of algorithm used to automatically steal percentage of votes from Trump and given to Biden, emphasizing mathematical impossibility to have decimal point totals in a "one person, one vote" calculation.

Stopped Count - All swing states stopped counting at approximately the same time on the night of Election Day (11/03/20), which correlates to time of "ballot stuffing" based on evidence and supports expert findings that preset algorithm in DVS machines were broken by underestimated large turnout of Trump voters.

AZ, GA and PA:

Bobby Piton [*state credentials* (mathematician and chartered financial analyst)] - Expert testimony and mathematical calculations to confirm blatant voter fraud based on incontrovertible evidence in statistical analyses of official government records on voter data.

According to Twitter post, as of 12/18/20, Piton has statistical findings for AZ, GA and PA. Needs contact of person to perform the same for MI and WI).

Top 10 Worst Fraud Incidents

ARIZONA

1. **Dominion Voting Systems** - Based on results of the forensic audit of DVS machines in Antrim County, Michigan, the AZ state legislature obtained a subpoena for ALL DVS machines in Maricopa County, AZ to be confiscated and forensically audited with results due on (12/18/20). Board of Supervisors refused to comply and is attempting to quash subpoena to prevent the results to be shown to We The People, who are *entitled* to the results as those in authority over the Board of Supervisors AND the state legislatures per the US Constitution.

   Please Note **-** AZ state legislature may be reminded of authority via Article II, Section 2, Clause 2 of US Constitution to decertify votes NOW, as Board of Supervisors' refusal to comply with subpoena and efforts to quash are evidence of guilt, essentially an admission (as will be true if WHEN the machines are audited information on the machines has been deleted).

2. **"Glitches" Reported** - [See: https://www.breitbart.com/politics/2020/11/07/rep-gosar-calls-on-az-officials-investigate-the-accuracy-of-the-dominion-ballot-software-after-reports-of-glitches/].

3. **Bobby Piton** - Analyzed official government records on voter data in AZ and found up to 300,000 fake people voted in AZ. [See: https://welovetrump.com/2020/12/01/twitter-suspends-bobby-piton-while-he-gave-his-witness-report-at-legislature-hearings-in-arizona/].

4. **Poll Challenger Exclusion** - On (11/04/20), morning after Election Day, GOP (and possibly Independent) Poll Challengers (or Watchers depending on title in PA) were prohibited entry into counting location and corralled.

5. **"Sharpie Gate"** - Voters told to use sharpies and not pens to ensure votes did not count. [See Video: https://www.youtube.com/watch?v=R-2YZqAzw2A&feature=youtu.be and Receipt: https://www.dropbox.com/s/d4x38y8oot7phsc/123669205_786112478612590_2104420771591550005_o.jpg?dl=0].

6. **Ballot Harvesting -** AZ woman investigated for voter fraud after video shows offering to mail ballots [See: https://www.msn.com/en-us/news/crime/arizona-woman-investigated-for-voter-fraud-after-video-shows-her-offering-to-mail-people-s-ballots/ar-BB1akHlA].

7. **Dead "Voted"** - Applies to ALL swing states. [See:https://www.thegatewaypundit.com/2020/11/searching-voter-rolls-dead-voters-try-social-security-death-master-file/]

Nos. 8 to 10 - to be supplemented **MICHIGAN**

1. **Audit Results of Antrim County** - 68% error rate of DVS machines. DVS designed to commit election fraud [See: video of GA demonstration of DVS machines as evidence of intentional design for error rate to easily manipulate ballots in adjudication process].

2. **Ballot Dump** - On (11/04/20), at or around 4 AM the morning after Election Day, multiple eyewitnesses observed vans pull up and unload approximately multiple boxes of ballots, totaling about 138,000 ballots, all reportedly for Biden (many without down-ballot votes), which were placed in the tabulation machines and counted without the requisite attendance of GOP Poll Challengers and received AFTER the cutoff period as required by state legislature - 8 PM (or 9 PM if include grace period) on Election Day (11/03/20).
[See Chart: 138,339 Biden Votes Found - No Votes for Trump:
https://www.dropbox.com/s/gh6wo8kduhu5nw1/123635090_10102264646138494_4797909069374599873_n.jpg?dl=0]

3. **#DetroitLeaks** - Video taken of training by state employee to Poll Workers on how to lie to voters, destroy ballots, and stop Poll Challengers, evidence of pre-planned coordinated effort to commit voter / election fraud [See FULL VIDEO: https://rumble.com/vaxwob-detroit-leaks-video-was-taken-down-from-screwtube.html]. Publisher of video, reporter Shane Trejo, threated with Cease and Desist Order and criminal prosecution by AG Nessel if video was not scrubbed from Internet [See:https://www.thegatewaypundit.com/2020/11/crazed-vicious-michigan-ag-threatens-criminally-charge-gop-lawmakers-meeting-trump-stolen-election/].
4. **Multiple Ballots with Same Signature** - Video of MI SOS official directing volunteers to count "multiple ballots with very same signature" during "audit" of votes in Antrim County, MI. [See:https://www.thegatewaypundit.com/2020/12/mi-sec-state-official-caught-video-telling-volunteers-count-multiple-ballots-signature-audit-votes-antrim-county/]

5. **Poll Challenger Exclusion** - On (11/04/20), morning after Election Day, at TCF Center (locally a/k/a, "Cobo Hall"), GOP and Independent Poll Challengers were prohibited entry by threats, violence (some pushed, one GOP Poll Challenger arrested - ***SHOW video of James Frego arrested while Poll Watchers cheered, as posted on Twitter and shown on Hannity***) and deception (told

maximum reached when only or most Poll Challengers inside were Democrats). The few GOP and Independent Poll Challengers inside TCF Center for limited time permitted were not permitted to be within 6 feet of ballot counting, in direct violation of recent MI court case overriding COVID-19 as excuse, which was known by Poll Workers but trained to ignore.

6. **Back Dating** - Poll Workers, including Jessy Jacob, provided affidavits of supervisor(s) ordering Poll Workers to backdate documents on or before Election Day (11/03/20). USPS Whistleblower ordered to backdate by Supervisor.
   [Poll Workers - See Videos: https://www.newsmax.com/t/newsmax/article/996212/18 and https://justthenews.com/politics-policy/elections/lawsuit-filed-michigan-alleges-election-fraud-including-backdating and https://justthenews.com/politics-policy/elections/detroit-city-worker-blows-whistle-claims-ballots-were-ordered-backdated].
   [USPS- See Video: https://twitter.com/JamesOKeefeIII/status/1324174186366074880?s=20]

7. **Canvasser Threatened** - Monica Palmer (GOP Canvasser) and children were threatened by Democrats if Palmer and GOP colleague did not certify votes. GOP Canvassers reluctantly certified subject to audit by MI SOS Benson, who later stated not bound to condition to which GOP Canvassers filed affidavits of threats.

8. **Dead "Voted"** - [*enter amount*] dead people "voted," according to witnesses who provided affidavits on findings of official government records on MI SOS website for deceased in MI as correlated to electronic poll books and/or supplemental books [*need confirmation of witnesses and evidence. One witness with videos is not responding to calls but I have video evidence*].
   [See: https://charliekirk.com/news/graveyard-vote-check-out-the-massive-list-of-joe-bidens-dead-supporters-in-michigan/?fbclid=IwAR3DArBfABWmu1lu1t6feNU3c_lTtyPc1KxKyvdoi5_HIkps3GtMT8geNzU]

9. **Same Old Birth Date** - January 1, 1900 entered as birth date on a large number of ballots.

10. **Electioneering** - On (11/04/20), Poll Workers at TCF Center wore masks stating "Biden / Harris," shirts stating "BLM / Black Lives Matter," an organization directly associated with Democrat Party, in direct violation of electioneering rules enacted by state legislature.

GEORGIA

1. **"Suitcase Gate"** - Video of "ballot stuffing" when "suitcases" (container type) filled with ballots (approximately 6,000 in each container) were rolled out from under table at GA arena and placed in tabulation machines (one batch repeatedly tabulated at least 3 times) by [X number] of poll workers who remained AFTER all Poll Watchers (GOP and the like), press and all third parties were required to leave the premises per announcement at or about [___ AM] until [___ AM] in violation of election laws enacted by GA state legislature. Ruby Freeman (woman in purple shirt on video), now under arrest and providing evidence against GA SOS Stacey Abrams and DNC on advanced coordinated effort to commit voter / election fraud [*need confirmation of arrest and evidence*].

2. **Dominion Voting Systems** - Per analyses of Dr. Shiva, similar or same algorithm likely used in DVS machines in GA as in Antrim County, MI, resulting in fractional votes weighted to favor Biden.

3. **Pristine Ballots** - Per testimony and affidavit of [*enter name*], [*enter amount*] of '"returned" absentee and/or mail-in ballots were in pristine condition (not folded), all with identical markings for Biden (with white speck in same location on all ballots - i.e., apparent copies of same ballot).

4. **Poll Challenger Exclusion** - On (11/04/20), morning after Election Day, GOP (and possibly Independent) Poll Challengers (or Watchers depending on title in PA) were prohibited entry into counting location and corralled.

5. **Water Leak** - Basis to stop calculation of votes on (11/03/20) for water leak later proved false as merely a toilet leak remedied within [*enter time*] minutes (clear attempt at cover up).

6. **Dumped Military Ballots** - Mail-in ballots by military found in GA dumpster.
[See Video: https://twitter.com/KimonaO/status/1324867267927158786?s=20]

7. **Dead "Voted"** - 10,315 dead people "voted, in violation of election laws enacted by GA state legislature, per Ray Smith, GA attorney [See: https://djhjmedia.com/rich/trump-lawyer-reads-long-list-of-voter-fraud-allegations-in-georgia-will-ask-court-for-new-election-have-legislature-select-electors-video/]

8. **Felons Voted** - 2,506 voted, in violation of election laws enacted by GA state legislature.

9. **Unregistered Voted** - 2,423 unregistered people voted, in violation of election laws enacted by GA state legislature.

10. **Underaged Registrations** - 66,248 underaged people were registered to vote, in violation of election laws enacted by GA state legislature.

PENNSYLVANIA

1. **Dominion Voting Systems** - Per analyses of Dr. Shiva, similar or same algorithm likely used in DVS machines in GA as in Antrim County, MI, resulting in fractional votes weighted to favor Biden.

2. **PA Constitution Violation** - PA state legislature arguably violated own PA Constitution, which prohibits mail-in ballots with minor exceptions.

3. **SCOTUS Violation** - PA governmental officials REFUSED to comply with TWO Orders issued by Justice Samuel Alito of SCOTUS to segregate ALL ballots received after 8 PM on Election Day

(11/03/20), as required by election law enacted by PA state legislature. ALL ballots received after this time and date, totaling over [*enter number*] hundred thousand, are invalid by law.

4. **Back Dating** - USPS Whistleblower admits supervisor ordered backdate of ballots.
   [See Video: https://twitter.com/bennyjohnson/status/1324850528279474176?s=20]

5. **Poll Challenger Exclusion** - On (11/04/20), morning after Election Day, GOP (and possibly Independent) Poll Challengers (or Watchers depending on title in PA) were prohibited entry into counting location and/or corralled at great distance where Poll Challengers used binoculars.
   [See Video: https://twitter.com/matthewtyrmand/status/1324786382733254658?s=21].

6. **Ballots Returned Before Day Mailed** - Tens of thousands of ballots were "returned" earlier than day ballots were mailed [See: https://www.theepochtimes.com/pennsylvania-100000-ballots-with-implausible-return-dates_3572942.html].

7. **Trump Ballots Tossed** - Democrats caught throwing out Trump votes.
   [See:https://thenewamerican.com/voter-fraud-pennsylvania-democrats-caught-throwing-out-trump-votes/]

8. **Statistical Anomalies** - S. Stanley Young, PhD, FASA, FAAAS, provided PA County Voting Anomaly Analysis, revised (11/08/20) [See: https://thenationalpulse.com/politics/pennsylvania-vote-anomalies/].

9. **Military Ballots Dumped** - Military mail-in ballots were found in PA dumpster, mostly Trump votes. [See:https://pjmedia.com/election/matt-margolis/2020/09/24/military-ballots-found-in-the-trash-in-pennsylvania-all-were-trump-votes-n964614?fbclid=IwAR38rNPjbNxK8odDGWPu7KuRSrH4hrf_gebcL4C22JaslRRP1v3MRsJfD1E]

10. **Multiple Votes** - PA voter admits to voting twice.
    [See: https://www.bitchute.com/video/iCb3m8GGx5Yk/]

See also: https://ifapray.org/blog/voter-fraud-across-the-nation-state-by-state-examples/
See also: https://worldpopulationreview.com/state-rankings/number-of-registered-voters-by-state

EXHIBIT I

MINUTES OF THE ELECTION LAW STUDY SUBCOMMITTEE OF THE STANDING SENATE JUDICIARY COMMITTEE

SECOND HEARING
DECEMBER 30, 2020

Honorable William T. Ligon, Chairman
Senator, District 3
Honorable John Kennedy
Senator, District 18
Honorable Bill Heath
Senator, District 31
Honorable Blake Tillery
Senator, District 19
Honorable Michael Rhett
Senator, District 33
Honorable Elena Parent
Senator, District 42

The Election Law Study Subcommittee of the Standing Senate Judiciary Committee met again on December 30, 2020 to take further evidence of the issues arising from the November Presidential election and the ongoing recounts and litigation (the "General Election"), ongoing issues in the upcoming runoffs for Senate and Public Service Commissioner on January 5, 2020 (the "Runoff Election"), the recounts and audits of the process, the current investigations taking place, the litigation that is moving forward, as well as to address issues relating to the upcoming runoffs.

The Chairman opened the meeting with a prayer for truth.

The Chairman asked for comments on the Report of the Election Law Study Subcommittee of the Standing Senate Judiciary Committee on the December 3, 2020 hearings. The Report had been previously distributed to the Subcommittee. Upon motion and second, the Report was unanimously approved by the quorum present. During the meeting, Senator Rhett asked that he be recorded as voting against the approval of the Chairman's Report, and the Chairman noted that his dissent would be recorded in the minutes of the meeting.

Members of the committee present were Senator William Ligon, Senator Bill Heath, Senator Blake Tillery, and Senator Michael Rhett. Senator Brandon Beach and Senator Burt Jones also joined the meeting.

Receipt of Further Oral Testimony

Cathy Latham

The Chairman called Ms. Cathy Latham to testify. Ms. Latham identified herself as the Chair of the "Under 80,000 Caucus," covering 129 counties in the state of Georgia. She is also the Chair of Republican Party of Coffee County Republican Party.

Ms. Latham noted that there were problems with the Dominion Voting machines "from the git-go." The problems ranged from non-functioning scanners to a complete breakdown requiring a delivery from another county under police escort on an emergency basis.

Ms. Latham reported that the Secretary of State and the Secretary of State's office had spoken as if they would support the county but had been non-responsive. After "a couple of Zoom calls" with the Secretary of State, the office offered a new scanner, and referred her to Gabriel Sterling. Even though she was experienced, we had nothing but problems. Finally, the scanning had to be completed with unreliable scanners, and then only in batches.

Ms. Latham noted that between the June primary and the November election, her team discovered that the machines could be used to manipulate the ballots during an "adjudication."

Ms. Latham then presented a video, available on YouTube[1], showing an election official using a Dominion voting machine to assign votes randomly in an adjudication procedure.

After the video, Senator Ligon asked her to define an "adjudication." Ms. Latham noted that adjudications occur when a ballot has been rejected by the machines for a number of reasons – for example, a stray mark on a ballot could cause there to be a need for an adjudication. Anything that causes a machine to reject a ballot will lead to an adjudication. [There has been some discussion that the Dominion Voting machines permit ballots to be marked for adjudication.]

In an adjudication, the operator must determine "voter intent" in reviewing the ballot. But it is impossible to see voter intent when the operator is reading a "QR code." In that instance, the machine determines voter intent with a process that she related to an "auto-correct" function on a computer – it is hard to otherwise determine voter intent on a machine-marked ballot.

Senator Tillery asked Ms. Latham if she was part of the recount process. She said she was and Senator Tillery asked if the numbers in the recount matched.

Ms. Latham noted that there was some variance in the machine counts, but the big difference came in the recount. She noted that Coffee County could never reproduce Election Night results. She said they re-ran 15,000 ballots five times and received different numbers each time, with a variance of around 50 – at one time the variance was over 100 ballots for the Libertarian candidate.

Senator Heath asked if there was any way to know if a ballot had been adjudicated. Ms. Latham testified that she was not an expert, but that she had been told there was no way to know and that adjudicated ballots were not separated. She noted that, in some cases, if a ballot had a memorable entry,

[1] Tim Hains, Election Workers in Coffee County, Georgia demonstrate Dominion Voting Machine Flaw, Real Clear Politics (Dec. 10, 2020) at https://youtu.be/46CAKyyObls (retrieved December 30, 2020).

a poll worker could remember a ballot and that it had been adjudicated. But there is generally no way of recording that a ballot has been adjudicated and no way of auditing the adjudication.

The Chairman recognized Mr. Preston Halliburton, counsel of record for the Giuliani legal team and counsel for Ms. Latham. Mr. Halliburton noted that Ms. Latham was claiming whistleblower status.

Mr. Halliburton asked if the vote from Coffee County had been certified after the recount. Ms. Latham stated they had been certified from Election night, but not from the recount.

Mr. Halliburton asked Ms. Latham to explain the process that led to the failure to certify. Ms. Latham said that ballots were run in batches of four, and the system would identify ballots to be pulled and those were set aside. At the end of the day, those ballots were separately processed. The ballots that had jammed the system were those with QR codes, not the mail-in ballots.

Mr. Halliburton asked if there were other counties that had experienced the same problems. Ms. Latham said he knew of at least eight others counties, one off by a factor of 2.3%, and that six county officials had said they were "forced to certify" by the Secretary of State's office. One other county could not certify but uploaded their data to the Secretary of State's office and were told that the Secretary of State had found a missing batch that "magically matched." She said that each of those counties had indicated they would be willing to sign an affidavit.

Mr. Halliburton asked about the response of the Secretary of State when Coffee County refused to certify. Ms. Latham responded as follows:

> "When they came to Coffee County, they came down on a Friday. They told them that Thursday, I believe, it may have been late Wednesday, that they were coming. Three people from the Secretary of State showed up with guns and badges and handcuffs and two Dominion Tech reps. They came with the intent of intimidation. Luckily, the county attorney stayed with a supervisor so that she wasn't by herself. And basically he said, "You want to recount? We'll do a recount." There were no Democrats and no Republicans there, to watch this recount. And the attorney called to an area private school, got a group of Sophomores. They sat there and divided the ballots into 100 count batches, and they proceeded to scan them and they wouldn't scan. The Dominion Tech, ran into the problems that Coffee County ran into. The Dominion Techs, sat on the floor for two hours with a manual, trying to figure out why they couldn't get the machines to do what they needed to do."

Mr. Halliburton asked if the Secretary of State was responsive or helpful? Ms. Latham said he was "on it" or that Mr. Sterling was "on it," but emails to Mr. Sterling would be met with no response.

Senator Jones asked Ms. Latham if Coffee County have a technician on site from Dominion. Ms. Latham said that there was a Dominion technician but that he had many problems. He did not know that he was supposed to clean the machines after a certain number of scans. Senator Jones asked if the contractors were being paid by the Secretary of State or Dominion. Ms. Latham said she would "love to know" how they were being paid in every county because "That's a lot of people."

Anne Dover

Chairman Ligon called Ms. Anne Dover to speak over a Zoom call. Ms. Dover is the Interim Director for Cherokee County Elections. Ms. Dover identified two problems with the E-Net system, which is the system used for registering voters, and checking in ballots. First, Ms. Dover noted that many voters were receiving ballots that were not their ballots. She said that a Cherokee County ballot was sent to a Cobb County address that was not the address of the voter. She estimated that 18 such instances were identified to her office. She believed that for some reason the E-Net system was recording an address that did not belong to the voter. She said that the Secretary of State's office has been made aware of this problem.

The second problem she explained as an issue with a mismatch between the barcode and the identified voter. A barcode may populate a voter other than the voter identified on the ballot.

When the county identified the problem to the Secretary of State's office, Mr. Sterling dismissed the inaccuracies as being a local issue based on problems with the local scanners or labels, but Ms. Dover believed the problem resulted from some other error. She noted that the problem seemed to have been corrected over time in the Runoff Election. But Ms. Dover said that she was still not confident that the portal is correct or that the scanning of the absentee ballots is correct.

John Cochran

Mr. Cochran identified a statement he had provided to the Subcommittee, which is attached. Mr Cochran identified himself as an automation engineer with extensive experience in data validations and familiar with complex software applications designed to control "items" in U.S. industry – Mr. Cochran said that each ballot is an "item." He has authored and executed hundreds of documents related to the validation of manufacturing process systems and equipment. He expected to see documentation around the validation of the "purported risk limiting audit" in November; he saw "saw very little evidence of such documentation." He noted that he would refer to the audit as a "purported risk limiting audit" because he did not view what happened as a real risk limiting audit.

During his three days working as an observer and monitor (November 14, 16, and 17), Mr. Cochran witnessed the data collection and reporting for 410,000 ballots in Gwinnett County during the statewide risk limiting audit. Mr. Cochran noted that he made specific observations regarding the "Arlo" system – the system that was used for the "purported risk limiting audit." The Arlo software had never been used in Georgia before. We had no experience with it.

Mr. Cochrane noted that the Arlo system was purported to be an independent auditing system that was used to compare manual vote counts to the Dominion system count in Georgia. Mr. Cochran noted that the Arlo system is owned by Voting Works, a non-profit company of approximately 10 employees based in California that is primarily funded and sanctioned by the Department of Homeland Security (DHS) and the Cybersecurity and Infrastructure Security Agency (CISA). The former director of CISA, Chris Crebbs, described the Arlo software as being "open source" in order to enhance security.

Mr. Cochran described how the Arlo system was used with tallying computers in each county, and how the data was uploaded and tabulated centrally. Mr. Cochran noted all the information was "phoning home to the mothership, and … connected to the internet via local wireless network." Mr. Cochran noted that he asked a visiting consultant at the Gwinnett site, who was very familiar with Arlo, and was obviously responsible for the training of the workers there, about the location of a local Arlo server, and if local backup tallies were being kept. She responded that there were no central collection

server computer or local tallying application located in Gwinnett County or any other County in the state, as far as she was aware.

Chairman Ligon interrupted to confirm that there were no local records of the counts being kept, and that the Secretary of State's office was responsible for confirming its own results. Mr. Cochran confirmed that was his understanding.

Mr. Cochran referred to that process as a "top-down" auditing process, and it's not a preferred method of formalized validation, which deploys a bottom up approach. that whereas an audit system should be a "bottom up" system. As Mr. Cochran put it, "The numbers from the bottom challenge the numbers at the top, not the numbers at the top tell the bottom what they counted. That's just backwards."

Mr. Cochran also noted that since the software was "open source," it could be seen and analyzed by outside sources or be easily intercepted. He also noted that the Voting Works webpage contained at least one code example that could be used to hack Arlo applications. That example includes information on how to set a programming variable to grant administrative access to any user who turns that access on.

Mr. Cochran noted that he did not believe that a bonafide audit was actually performed. A true audit would collect additional validation data in the form of independent backup data from the 159 counties. He noted that the information for such an audit was required by law to be retained and that Georgians will have the opportunity for the next 23 months to perform a more formalized, actual validation of the presidential race vote count that would be a far less intensive data validation process than counting every vote again. He noted that his affidavit contained a suggested procedure at the end of his written statement.

Finally, Mr. Cochran asked the following questions:

1. Is there a record of who actually performed the final tally at the Secretary of State's office using the central servers cloud application?
2. Were any of these central server administrators connected to Dominion as employees or consultants?
3. Were there any electronic connections to Dominion systems or Dominion data in any way during the Arlo audit counts?
4. Were the Arlo server administrators comprised of properly trained elections officials who were employees of the state of Georgia, or appointees?
5. Were any Arlo server administrators outside consultants whose names and credentials can be shared with the public?
6. What was the process of collecting the Arlo data at the Secretary of State level?
7. Was that process witnessed by Democratic and Republican monitors?

Mr. Cochran noted that the Arlo audit could have been compromised and the fact that it was web-based and centrally tallied made it an unreliable audit. He implored the Subcommittee to obtain proof that there were no attempts to hack or manipulate the Arlo vote totals in each county or at the state's server and to share the results of a real audit publicly.

Marci McCarthy

The Chairman called Ms. Marci McCarthy, who identified herself as a successful business woman in the cybersecurity industry. In 2020, Ms. McCarthy served on the voter review panels (VRPs) in Dekalb County during the presidential primary in June, the August runoffs, and the General Election. She shared her belief that the processes and controls were either altered or removed entirely for the General Election, even when they had been in place in the June presidential primary and in the August runoff. Ms. McCarthy noted that the process changed from being a two-person bipartisan panel to a four-person non-objective panel, which resulted in two pairs of VRPs operating independently.

Ms. McCarthy also noted that, when adjudicating ballots via scanned images on the computer workstations, there were no system or physical controls and no audit capabilities either. She noted that as members of the VRPs during the General Election aftermath, they could not protect the changes that we were making to the General Election sections of the ballot. She also observed lax security, such as computer IDs being shared amongst election personnel that made it impossible to track and audit the work and the personnel responsible. Finally, she noted that the duplication of the absentee ballots and the military ballots did not have witnesses as required by Georgia election code.

Chairman Ligon asked if a new ballot was created for each absentee ballot, and Ms. McCarthy said that a new ballot was created through the system using the scanner. These ballot duplications were done by County Officials in a separate location and at a separate time, independent of VRP oversight.

She believed the Runoff Election VRPs will be conducted in the same manner. Ms. McCarthy noted that, while observing the process, she found it "troubling" that the purportedly "nonpartisan" VRPs were operating independently for five days, and the most common error was an over-vote of all five Democrat candidates. There will be no audit trail to show the changes, who made the changes, and when the changes were made.

Ms. McCarthy again repeated that there were no controls on the computers because of the common and shared passwords. As a result, there was no way to track who actually logged onto these computers, who used them, what time, when the work was performed, and how long the work was being done. Ms. McCarthy concluded that, "[w]hether intentional or plain incompetent, this effectively made it impossible to audit the work of these individuals to detect fraud and adhere to Georgia's election code."

With respect to the absentee, military, and UOCAVA ballots, those ballots had been transcribed under the supervision of the VRPs in the earlier elections, but were duplicated by unsupervised election workers in the General Election. 1,878 out of 2,500 military ballots were "transcribed" by those officials without bi-partisan supervision.

It is her understanding that this process will also be used in the Runoff Elections.

Ms. McCarthy expressed her concern that there are no checks and balances in the absentee ballot authentication process, and no defined escalation procedure. She said all decisions were "ad hoc" decisions by a County official. She also noticed other basic errors that led to vote miscounting – the wrong ballots being used and tabulated, even after discovery. Finally, because outside organizations that were aligned with the Democrat party were allowed to participate in the VRPs, any decision was voted with many votes aligned against the Republican. She concluded that there was significant bias towards Democrat votes in this configuration.

Ms. McCarthy said that, as a cybersecurity professional, she was appalled at the lack of system and physical controls that are not in place protecting the right to vote. She said that she believed that if an audit were to be performed on the process, it would receive an "F" because it failed to protect voter's intent.

The Story that the Data and Data Charts Reveal about the 2020 Election

Jovan Hutton Pulitzer

Mr. Jovan Hutton Pulitzer identified himself as an inventor and pattern recognition expert, and part of the Gold Institute for International Strategy out of Washington, D.C. Mr. Pulitzer noted his patents in the development of "machine readable code" and discussed how to "read" the ballots without needing to understand the code. Mr. Pulitzer noted that he had a basic patent on machine reading QR codes or other patterns and about 200 patents in a portfolio stemming from his basic inventions. His patents are licensed on all mobile devices (except Huawei) on approximately 12 billion devices globally. The Dominion Voting machines could tell one story, but Mr. Pulitzer noted that his system would permit him to read the ballots and confirm whether there were inaccuracies in the tabulation.

Mr. Pulitzer noted that any time a paper was bent, folded, pushed or written on by hand, a "kenematic artifact" was created that could be read by machines. If a ballot does not have the proper kenematic artifacts, it should be considered counterfeit. He noted that this is not new science, and if applied to detect counterfeit ballots, it would give more confidence to the people.

Senator Brandon Beach asked if the Mr. Pulitzer could assess whether ballots were counterfeit by looking at them. Mr. Pulitzer replied that he could tell if they had been folded, if they were counterfeit, whether they were filled out by a human hand, whether they were printed by a machine, or whether they were batch fed continually over and over.

Mr. Pulitzer noted that every mail-in ballot involves the printing and folding of the ballot. It is tracked through the post office, and sent to houses, where it is imprinted with a pen mark. Each imprint creates a breaking of the fiber, and a kinematic artifact, which can be read by a computer in ways that a human eye cannot see.

Mr. Pulitzer described the differences in the imprints made by a human hand and an imprint made by a machine. Each different action on a ballot creates a trail that can be traced.

But Mr. Pulitzer noted that when a ballot is "adjudicated," it eliminates the paper trail, and prevents an audit. He noted that it was "sad" that the process of protecting voters was not even up the standards that we expect from retail merchants. He asked why the Secretary of State was playing "hide and seek" with documents that are the property of the taxpayers, and subject to inspection for at least 22 months under Federal law.

Mr. Pulitzer said that possession of the ballots would show the "artifact" that the voter intended – he noted that all prior testimony had showed that the Q-code was preventing the machines from reading the ballots. He noted that the Q-code should not ever fail, but he suspected that the Q-codes may have been printed in a way that made them fail.

Mr. Pulitzer posted a picture of two ballots – both Fulton County – one with a bar code and one without. Ballots without a bar code, a key material difference between the two, are suspect. It was

unclear why a ballot would not have a bar code, but he observed that the rejections were more common in certain areas – he noted that was a "trick" that he had seen before.

In addition to the bar code, Mr. Pulitzer noted that there were different codes at the top of the ballots. He also noted that the machines that were reading the ballot were calibrating their reading by reference to a single point in the middle of a crosshair. He noted that the scanning by the machines were calibrated from a single point that was the signaling device for the ballot. Due to the material differences on the ballots, it was evident why so many ballots were rejected by the machines and sent to adjudication.

Senator Bill Heath asked Mr. Pulitzer about the "fiducials" (the boxes printed on the sides of the ballots), and Mr. Pulitzer described his view of what they added to the tabulation process. Mr. Pulitzer noted that if the machine was not calibrated correctly, it would perform a different function.

But Mr. Pulitzer noted that it would be difficult to audit the ballots that had been "adjudicated," but the original ballots could be reviewed. With his process, he would be able to determine with 100% accuracy what the voter intent on the ballot was and if the ballot was legitimate.

Mr. Pulitzer noted that he had a problem with the extraordinarily high adjudication rate. Fulton County reported 106,000 adjudications out of 113,000 ballots. He noted that was a failure in the process of operating the Dominion voting machines. He noted that the adjudication rate for the entire nation in 2016 was about 1.2%, but Fulton County was reporting adjudication rates of 93.6%. He suspected that those rates may be high because of the mismarked printing on the ballots.

Senator Beach commented that he believed there was a well-coordinated effort with several groups to commit widespread and systemic fraud from out of state voters, felons voting, and drop boxes change of custody. He noted that the video of State Farm Arena and the ballot shuffling made it hard to imagine that something fraudulent was not in evidence. He asked Mr. Pulitzer if he could identify the counterfeit ballots if the ballots from State Farm Arena were subpoenaed.

Mr. Pulitzer said that he would be able to tell which ballots were fraudulent with 100% accuracy. The more ballots he could process, the more accurate he could be in his assessment. Mr. Pulitzer noted that there is a forensic difference between a ballot that was officially printed and something that ran on a high-speed press – between a ballot completed by a human or one completed by a machine. With the ballots, a lot of information would become clear.

Senator Rhett questioned whether the information being discussed was based on personal experience working with election machines. Mr. Pulitzer responded that his techniques had not been used on ballots before, but it is exactly how counterfeit money is detected. He said that his techniques could determine if the ballots were printed in China, or if the person handling it was a smoker. He believed that this technology would be useful if applied to the physical ballot.

The Chairman thanked him for his testimony. Mr. Pulitzer said that he would donate his time to determine the authenticity of the physical ballots for the State of Georgia.

Later in the day, Mr. Pulitzer was given a couple of minutes extra time to provide a real-time announcement. He stated that some white-hat hackers had been able to get into the poll-pad system while the Run-Off Election was taking place at two different locations. It was wi-fi enabled and was

sending and receiving data. He noted that it only took one device to be connected and that other devices could daisy-chain off that connection.

He stated that this could allow data to be exchanged or that data could be siphoned-off, or that data could be modified and fed right back into the system, what he referred to as a "pump and dump in real time."

Garland Favorito

Garland Favorito identified himself as career professional in information technology, with 40 years of experience. Sixteen years ago he co-founded the non-partisan VoterGA, and has been working on election integrity effort Georgia ever since. Mr. Favorito discussed the litigation history that led to the new voting systems that hide the votes in QR codes. While the Secretary of State purchased Dominion Democracy Suite 5.5, the BMD (ballot marking device) system, U.S. District Court (Judge Totenberg) found deficiencies in such a system.

In response to Senator Beach's question, Mr. Favorito noted his group is currently seeking a motion to compel Fulton County to produce the ballots in question. Mr. Favorito was a State Farm Arena tabulation observer, an audit monitor, and a recount monitor. In his role as the elections director of the Constitution Party of Georgia, he helped coordinate hundreds of volunteers in dozens of counties to monitor the recount and the audit.

In Fulton County on Election Day, Mr. Favorito noticed an abnormal spike of 20,000 votes for Biden. He has not received a response to his Open Records Request for the interim results explaining that spike.

After the election, as an Audit Monitor, he noticed three boxes and stacks on tables of 100% Biden ballots. That is mathematically improbable beyond the eighth degree, if not impossible. He testified that four auditors detected potentially fraudulent ballots – not creased from being mailed, not marked with writing instruments, and of a different paper stock. Mr. Favorito immediately filed an Open Records Request to view those ballots in the custody of the elections department. His request has so far been ignored.

Mr. Favorito noted that the original election results accumulated votes that were hidden in a barcode. That barcode is 100% unverifiable to the voters in the state of Georgia. A recount is effectively meaningless in Georgia, because it simply rescans the same bar codes.

Mr. Favorito also pointed out three fatal flaws to the so-called "hand count" audit: First, there was no independent monitoring of the count. Second, the data upload was not monitored at all – some counties, such as Fulton, actively prevented observation of the data upload. Third, as Mr. Cochran testified, the counties were simply forced to enter data into the Secretary of State's Arlo system, which then reported to them what the results were. The counties did not have the tools for a bottoms-up audit.

Mr. Favorito discussed other issues that called the audits into question. He also discussed the Dominion system anomalies. In Spalding County, an upload to the Dominion voting machines on the eve of Election Day caused a two-hour delay in opening of the polls. There was no audit trail of that upload.

Mr. Favorito has asked for a forensic exam on the KnowInk poll books. In response, the Secretary of State has resisted any requests for independent audits – or independence by the county officials they have tried to get fired or whom they have intimidated.

Mr. Favorito repeated the issues that led to five different totals in Coffee County, in ways that even Dominion voting techs could not explain. Mr. Favorito requested an independent forensic exam; the Secretary of State has opened an investigation.

Mr. Favorito noted that the Dominion machines flipped 37 votes from President Trump to former Vice President Biden. Mr. Favorito recited the documentation supporting that finding.

The results were in an unrebutted affidavit from the elections director of Ware County. Again, there is a need for a forensic exam. A fact check by *USA Today* was not done with any input from Mr. Favorito. *USA Today* offered to print his rebuttal and then reneged on that.

Mr. Favorito was at State Farm Arena, where he saw multiple violations of Georgia law. Monitors were not in places where they could monitor the room; it is curved and impossible to see around the corner. There was a skirted table, hidden ballot bags, starting and stopping the scanning without notice. All these are violations of state law.

Immediately after the unwatched ballots were scanned, Vice President Biden's tallies jumped by 136,000 votes with only 29 votes added for President Trump. Mr. Favorito noted that the change was statistically improbable and noted that David Cross, a later witness, would discuss that.

Mr. Favorito noted that the Secretary of State had tried to debunk the video of State Farm Arena with statements. But the statements have not been verified; meanwhile the video shows the workers repeatedly stuffing the same ballot stacks through counters, scanning continuing after the monitors left. Ballots are not usually held behind skirted tables; the ballots had already been separated from the signed envelopes. Mr. Favorito noted that the unlawful scanning involved tens of thousands of thousands of ballots. The evidence has been presented and not rebutted.

Mr. Favorito's group has filed suit against Fulton County to inspect the ballots. We want the independent forensic exam that Mr. Pulitzer has described, and we want the digital ballot images and the election reports. All of that should be public, but it is not, because Georgia does not operate transparent elections. That has got to change.

Mr. Favorito observed that the Secretary of State seems determined to "cover up" for Fulton County. He noted his disgust with the cover-up, the actions, and HB 316 that created the new voting systems.

David Cross

Mr. Cross identified himself as a person who has been doing investment planning and management in Duluth, Georgia for 30 years. He identified himself as a private citizen who has been exploring the facts about what happened. He asked why he was taking time from running his business to do the work of the Secretary of State? That's inexcusable.

Mr. Cross noted that he downloaded the entire data feed from election night from the Edison feed, which comes from Scytl, which is then reported by the Secretary of State. Using his charts, Mr.

Cross identified the spikes in four states that created the margin of Vice President Biden's claim of victory in those states.

In Georgia, Mr. Favorito had noted a spoke of 136,000 votes for Biden and 29 or Trump. At around the same time, an upload of Michigan data attributed 141,000 votes for Biden, and 5,900 for Trump. In Wisconsin about the same time of night, 143,000 votes were attributed to Biden, and 25,000 for Trump. All of these numbers are statistically impossible and should be verified. Mr. Cross noted that the Secretary of State has refused to release original timestamped data. Mr. Cross observed there was no transparency from the Secretary of State.

He also testified there was no transparency in the second recount at the Georgia World Congress Center. While 13 scanners were set up, the monitors could not see anything because the scanners were running too fast, and the font on the machines was too small for anyone to read. When he noticed a bag of unsecured ballots and called witnesses over to observe what he had seen, he was removed by armed guards from the GWCC; the official alleged that he had kicked a bag because he had pointed to it with his shoe. Fortunately, a reporter took a picture of the unsecured bags.

Mr. Cross said he saw nine unsecured bags that day and believes those bags averaged about 1700 ballots per bag, which therefore may have totaled over 15,000 unsecured ballots, enough to have caused Fulton County to be de-certified. Those ballots alone likely accounted for more than the difference separating the presidential candidates.

Mr. Cross showed a photo of Bernard Talmadge, a known ballot harvester who is operating in Georgia. He was arrested in Indiana, but charges were dropped because his known harvesting could not have affected any elections there. But he has issued hundreds of checks for $75 from his companies – The Operations Group, The Ardleigh Group, and maybe others. Copies of checks had been discovered by Mr. Cross and were presented to the Subcommittee; he was caught in Indiana, and charges were brought against people that worked for him, but they were ultimately dropped because the authorities said it couldn't have really affected anything.

Mr. Cross noted that an investigative reporter named Tom Lauder reported that people who had worked for the Operations Group and the Ardleigh Group were paid $15 per hour to produce ballots, with a quota of 10 ballots per hour, which works out to one every six minutes. Mr. Cross reported on how improbable it was – even in an apartment building – to obtain six registrations every six minutes.

Mr. Cross reported that, according the Federal Election Commission, Mr. Talmadge's companies have taken in $9.1 million for field operations, which could harvest more than 6 million ballots at the known rates above.

Mr. Talmadge's companies have taken in funds from multiple entities. Mr. Cross pointed out that the Maine Democratic Party gave Mr. Talmadge's companies $3 million – but the Maine Democrats did not even raise $3 million during the 2019/2020 election.

Since Mr. Talmadge is known to be operating in Georgia, Mr. Cross solicited information from 400 checks cashing companies and liquor stores – two called him back and sent him copies of checks from companies associated with Mr. Talmadge, using different names, such as McDream Enterprises, but having the same bank account numbers. Mr. Cross asked why other law enforcement agencies were not interested.

Mr. Cross also called the Subcommittee's attention to a video circulating on the internet of a discussion with a Chinese printer supposedly printing ballots for the General Election in Georgia. The authenticity of the video could not be proven. But the printer alleges in the video that it would be difficult to produce a ballot using magnetic ink. Mr. Cross suggested that an independent forensic review of the ballots should review the paper stock, but also look for any traces of magnetic ink.

Finally, Mr. Cross noted that, by simply doing his own investigation, he had been able to find states with more voters than persons of voting age in the population of that state. Mr. Cross noted other areas of voter fraud being solicited in other states. Mr. Cross presented other information to the Subcommittee that would demonstrate that laws were being ignored or deliberately broken.

Debbie Fisher (Military Votes)

Debbie Fisher testified that she was from Cobb County and part of a VRP during the General Election. She has also served as a monitor during the recount, the hand recount, and the last recount. She was currently monitoring the absentee ballot processing in Cobb County at Jim Miller Park.

On November 16th, during the recount, Ms. Fisher was serving on a VRP and reviewed the recount of 298 military ballots on one day. Each was neatly filled out in "perfect bubbles" with no stray marks, no X's, and no check marks. It appeared that about 90% of them had no paper folds. She also noticed that there were only two of the 298 that had blue ink versus black ink.

The watermarks were supposed to be transparent, but appeared to have been copied on some of the ballots. Based on all of these out of the ordinary features, she challenged the ballots as inauthentic.

Ms. Fisher also observed that 80% to 90% of the military ballots were being marked for Vice President Biden. She surmised that the percentage rate was out of the ordinary for military personnel from Cobb County and would have expected it to be closer to the actual allocation of votes in Cobb County, which had traditionally been more evenly divided between parties.

Upon further investigation, she determined that only Fulton County reported military ballots as a separate category, and had reported that 93% of the transcribed military ballots were cast for Vice President Biden. Ms. Fisher found that statistically improbable.

As she has gone through three processes, the number of ballots reported as military ballots has shifted. Between the first recount and the latest recount, the number of military ballots recorded decreased by 300. She also noted that she was told that the military ballots had been received "electronically" but had not been able to see an actual ballot with a signature for those ballots. Thus, it was impossible to verify if the ballots were real or not.

Senator Rhett asked if she was aware that Cobb County has passed several audits, including just recently a signature audit where they received a 99.99% accuracy rate? Ms. Fisher responded that she was aware of that claim.

Senator Rhett asked if she was aware that the audit was supervised by the Secretary of State and the Georgia Bureau of Investigation. Ms. Fisher responded that she was aware when the GBI brought the boxes full of ballots including an unmarked box that wasn't the envelopes. She guessed that box contained the military ballots that she complained about. Ms. Fisher noted that the audits, including the last signature audit, were conducted without oversight and noted that she did not believe them.

Senator Beach asked if she had reported what she had seen to the Secretary of State. Ms. Fisher responded that she had reported her observations to the Secretary of State on three separate occasions and had not received any response except acknowledgement that her comments had been received.

Ms. Fisher took the liberty of amending and clarifying her comments in response to Mr. Beach. She noted that, with respect to the signature audit, she had observed some of the early voting and she knew that many mail-in ballots lacked the necessary "red ink" initials that would indicate that a poll worker had verified the signature.

Senator Beach thanked her for her submission but noted that a common theme was that everyone who had presented testimony had said they had reached out to the Secretary of State's office and got little to no response.

Irregular Activities by Election Workers

Sandra Metts

Sandra Metts worked as a poll worker in the last two elections in Clark County, Athens, Georgia on November 3rd and in a subsequent runoff at two different polling stations. While at those locations, she witnessed poll workers attempting to register out-of-state voters, poll workers actually registering voters on the same day of the election, in violation of state law, poll workers requesting favors or bribes for registering voters, and other voting irregularities.

Ms. Metts said she had called the Secretary of State's office to report these issues and has still not heard back. However, she was threatened with not being re-hired because the Secretary of State reported that she had complained. She tried to call the Secretary of State to report that her complaints were being used against her, but she did not receive any response.

Ms. Metts also reported that she has seen poll workers appearing to "find" ballots in the back room, and voters who requested same-day ballots when they had already been recorded as having cast an absentee ballot. Ms. Metts also described how easy it would be to obtain an absentee ballot under the name of another voter.

Salleigh Grubbs

Ms. Salleigh Grubbs identified herself as being from Marietta, Georgia. Ms. Grubbs said she was present for the recount at Jim Miller Park on the 13th of November, and she had already submitted two affidavits.

But she noted a "recurring theme" – the Secretary of State's office. She said she was present when the calls came in about shredding at Jim R. Miller Park. Ms. Grubbs said she had lots of details, but that the details were being dismissed. When the observers and citizens she was working with started asking questions, those questions were being dismissed – she referred to the prior question from Senator Rhett. She said that it did not matter how much evidence they presented, they were being met with questions like, "Were those actual ballots in there?"

Ms. Grubbs noted that, in an election, all the boxes, including the boxes in question, were sealed with "evidence tape," which is called evidence tape because those papers are potential evidence. In her view, anything that goes in the evidence box is evidence. There should have been no shredding.

She noted that Jim R. Miller Park is a fairground with differing exhibit halls – A, B and C. When she went to observe, she was kept from going into Exhibit Hall B and was told that no election related activity was going on in there.

She stated that monitors were relegated to areas six feet away and "scolded, …. "yelled at," … "belittled" and "harassed" by the County officials.

Jim R. Miller Park is not a government facility – it was only being used for election purposes in this election cycle. There could not have been election material from prior elections being shredded from that location.

There were two days of voter review panel activity going on in Exhibit Hall B with no Republican representation at all. She was purposely told not to go in there. When she heard that documents were being shredded at Jim R. Miller Park, having served there as a poll watcher, she left work and followed the shredding truck.

She called 911 and went to the police to make a report of the election fraud, but was told that the police would not even take an incident report. Protocols had been changed 10 minutes before they reported the shredding incident and that protocol suddenly required all election fraud to be reported to the Secretary of State. The Secretary of State reported that the shredding was "routine."

Grubbs noted that the Secretary of State's office was doing nothing but obstruct the drive for transparency for the election. She specifically mentioned Gabe Sterling and Jordan Fuchs. She noted that Gabe Sterling had posted on Facebook that "Iran has worked to foment division in our nation. Those continuing to claim the election was stolen are supporting the tactical actions of Iran."

"When we have seen the fraud, we have been lied to, we have been distracted, we've been held up and we're tired of it. And it's time that you people stand up."

Ms. Grubbs said she has emailed legislators. She has formed an activist group called the Angry Patriots of Georgia. She said she has begged the Legislature to come into session and noted that several people had given time and dollars to try to get the points about the fraud across to the legislature.

She noted that she had sent every legislator a DocuSign document – many in the legislature did not even bother to open it. She asked if anyone cared and if anyone was listening to the people.

Ms. Grubbs said she had backed her phone up in five different places to preserve what is on it. She is afraid it will be stolen. But she noted that she is now banned from taking her personal phone into Jim R. Miller Park. She asked if the election is so clean, why is it impossible to record the tabulation? State law does not mandate that voters give up their phone to watch tabulation. Ms. Grubbs said that the cover-up indicated fraud, and she believed the Runoff Election was being operated in a fraudulent way and should be stopped.

Testimony of Rudy Giuliani, former mayor of New York City, former U.S. Attorney

Mr. Giuliani noted that he had testified before the Subcommittee in the prior meeting on December 3, 2020. He noted that he had listened to some prior testimony and found it credible.

Mr. Giuliani noted that the Secretary of State had said that this election was the cleanest election in history; Mr. Giuliani submitted that this was the dirtiest election in history.

Mr. Giuliani noted that, based on the evidence he had seen, "Whatever the result, this election is going to live in history. This is going to be the election that will be the dirtiest election, the most crooked election, the most manipulated election in American history." Mr. Giuliani noted that more evidence would be gathered and that it would involve "international connections." Mr. Giuliani concluded his introduction by stating:

> "[P]eople are going to look back on this and they're going to say, 'What did you do about it?' I mean, a year from now, and two years from now, people can look back on it and say, 'What did you do about the fraud? Did you just sit by and let it happen?'"

Mr. Giuliani made the following observations in the course of his testimony:

- The activity in Georgia was organized and appeared to be coordinated with activity in other states at the same time that Fulton County election officers were unlawfully scanning ballots at the State Farm Arena.

- With respect to the tabulation and recounts, Mr. Giuliani noted that the counting of ballots had to be public and had to allow inspectors but that the inspectors were being thrown out in violation of law. Mr. Giuliani suggested that ballots that were counted without inspectors present were illegal votes and should be thrown out.

- Mail-in balloting is subject to fraud, as had been predicted in the bi-partisan report authored by former President Jimmy Carter and former Secretary of State James A. Baker. 76% of European countries do not allow mail-in ballots.

- The violations are occurring in the current Runoff Election. Unless corrective action is taken by the Legislature, the violations will recur.

Mr. Giuliani noted that the U.S. Constitution gives the plenary authority over the federal election to the State Legislature: "the buck stops here." The "consent decree" negotiated by the Secretary of State was an unlawful usurpation of the State Legislature's authority. Mr. Giuliani asked whether there was anyone who believes that Georgia submitted the correct votes. Mr. Giuliani noted that, as a lawyer, he would not counsel a client to certify those numbers because they were not true and correct. He referred again to the videotape of illegal ballot stuffing at State Farm Arena and noted that alone should convince anyone that the certified numbers were not correct.

Mr. Giuliani noted that:

> 2,560 felons voted in Georgia unlawfully.
> 15,700 voters had changed their address before the election.
> 40,000 voters failed to register before they voted.
> 10,315 voters were dead before they voted, based on their obituaries.

Based on his observations, Mr. Giuliani noted that the number submitted to Washington was a lie. And he noted his belief that the Secretary of State was engaged in an unlawful coverup.

Finally, Mr. Giuliani noted that his team had tested the Dominion voting machines in Michigan and they were insecure:

> "Those machines are like Swiss cheese. You can invade them. You can get in them. You can change the vote. You can fractionalize the vote. Why would you ever fractionalize a vote? There's not such a thing as half a vote or a quarter of a vote. Why would you have an election machine where you can change the vote? The liars who run Dominion have said, you can't change the vote. …. Read their manual. Their manual says you can change the vote. Why should you be allowed to change a vote in a voting machine? Once that vote goes in there, that's it. You shouldn't be able to change it. You shouldn't be able to move it from Trump to Biden or from Biden to Trump. Well, you can do that in the Dominion machine. Our people have inspected 22 Dominion machines."

Mr. Giuliani noted that his legal team had submitted affidavits from ex-military experts who had examined the machines all of whom had worked or the National Security Agency or the United States government. He noted that there were no consistent vote counts based on numerous uses of the machines. He noted that operators of the Dominion Voting machines are able to change votes between candidates. In the 22 machines examined so far, his inspectors have identified 6,000 votes that were transferred from Vice President Biden to President Trump.

Mr. Giuliani noted that every time his team would count using the machine, they would get a different count. They were able to change votes, massive number of votes, from one side to the other. He noted that his team had identified 6,000 vote changes on 22 machines, how many more machines needed to be observed? He also questioned why the Secretary of State would not allow a transparent review: "We'll find out really fast if this was the cleanest election in history, or the biggest scandal in terms of voting in the history of our country."

Mr. Giuliani called the prior recount efforts a "joke" and an "insult." He noted that counting the same phony ballots over and over would always produce the same result. Examining the ballots was the only way to verify the actual process, and that was being inexplicably barred by the Secretary of State. He asked why there would be any reason to not permit the review unless the Secretary of State was actually uncertain as to whether there were votes created by one party and submitted in the manner documented in the State Farm Arena video.

Mr. Giuliani noted that Vice President Biden gained a 138,000 vote advantage during the period of unmonitored counting at State Farm Arena.

Mr. Giuliani concluded by noting the constitutional implications of not following the State Legislature's mandated Election Law. He noted that the Founding Fathers envisioned disputed elections, cheating, stealing, and they made a choice. They made a choice of where to put the responsibility in a difficult situation like that. He noted that Article I, Section 4 of the U.S. Constitution made the State Legislature the sole entity responsible for determining the manner of election contests –

"not the Governor, not your Secretary of State who's covering up everything he can cover up, not anybody else, but you."

Mr. Guiliani asked that the Legislature use its power under the U.S. Constitution. He noted that the Constitution takes the Governor out of the process, and that the Legislature could call a Special Session at any time to correct the imbalances created by the fraud and irregularities. He also noted that it was the responsibility of the Legislature to stop the improper conduct of the election.

Mr. Giuliani noted that there was more than sufficient evidence of the impropriety -- dead voters, felons, phony ballots, phony mail-in ballots. He noted that the President ran behind the State legislators in Georgia by 4%-6%, despite his popularity, and ran ahead of state legislators in other states.

Mr. Giuliani said it was a question of courage and challenged the Georgia Legislature:

> "Do you have the courage to [fulfill your obligations under] the Constitution of the United States put on you to save our people from fraud? To save the reputation of the State of Georgia from … certifying a phony vote that led to the wrong result in an election -- which will be the verdict of history. Or, do you have the courage to put up with what's going to happen if you, in fact, change that certification and do the right thing? You'll be attacked. You'll be pilloried. You'll be described in all sorts of horrible ways, but you will wake up the next morning and look in the mirror and you'll be able to say, 'I did the right thing.'"

Christine McKinnell

Christine Mckinnell identified herself as a resident of Cobb County and asked the Subcommittee to look into the "poll pads" and the software that accompanied them. Ms. McKinnell noted that during the election, she was a poll manager in Cobb County. Ms. McKinnell confirmed that poll books were always wifi-enabled, syncing in real time with local boards of elections. They would scan voter identification and reveal to the poll worker the voter's party of choice.

When she went to her assigned precinct, she found that a technician named Lucas was in her "enclosed area for the entire day," despite the fact that she was not told in advance that he would be there, which was most unusual. She did not know whom he worked for either. Cobb County had its own technicians. He sat in one position down the line of poll pads most all day and was constantly using his cell phone even though cell phones were not supposed to be used in that area. Lucas did not know how to remedy the errors when they arose. There seemed to be no consistent way of dealing with the issues.

Ms. McKinnell described issues with the poll pads, ballot cancellations, and default error screens that she had not previously seen and were not in the training manuals. Though not entirely clear in her testimony, she was sharing how the poll pads would almost immediately show that the voter had voted even though they had not even had time to place a vote. She saw that same screen multiple times. Later, when she was working the "voter fraud line" in Buckhead, she received multiple calls from poll workers, managers, and assistant managers who had gotten the same screen she had seen. She noted that the error screen appeared to be associated with Republican voters only. She reported that one specific poll manager who called said that he received this screen on over 20 voters. It stuck out to him

because the voters all were young. They seemed to be first-time voters. They were in their late teens, early twenties.

She also reported on voters who found out after voting that their votes had not been recorded.

Ms. McKinnell reported that one caller noted a difference in the QR codes in Dunwoody -- Democrat ballots had one QR code on them, and Republican ballots had two QR codes. And that they were directed to different scanners.

Ms. McKinnell noted that she had "logged in a lot of issues" and she wanted to make sure that the poll managers were following the law. She was concerned that the election process was lawless.

Issues Involving Retaliation

Dana Smith

Dana Smith is from Hartwell, Hart County and was a poll worker in the last election. She previously testified to the committee on December 3, 2020, but returned to share that she has been retaliated against in her community by an editorial. Her husband heard from people at work who asked him, "Wow, are you comfortable with your election office really slandering your wife in the newspaper like that since she testified?"

She shared that she was not invited back as a poll worker again for the January 5th election. "So I'm pretty sure I'm not really in great standing in my own County where I live, which has been pretty difficult. I came to you as just a concerned citizen. That's who I am, who happened to work as a poll worker, and then a poll watcher. And I'm feeling a lot of repercussions for doing that."

Nonetheless, Ms. Smith then further testified to the committee that the signature verification process was broken and that poll workers were not trained to adequately verify signatures. Considering the fact that many people were registered to vote via an electronic signature provided through the driver's license process, such signatures present challenges to in the verification process. Furthermore, people's signatures change over time. Why should voters trust one person with no training and no oversight to be able to verify signatures and thus have so much power in the election process.

Suzi Voyles

Ms. Voyles previously testified at the December 3, 2020 Subcommittee hearing. She reminded the Subcommittee of her 20-year track record serving at polling stations in Fulton County and as a poll manager at a Sandy Springs precinct. Ms. Voyles previously testified that she had seen the extra large batch of pristine ballots in the first recount. Because of her testimony to the Subcommittee, she has been released of her job as a poll manager. Ms. Voyles asked the Subcommittee to do its job and to prevent retaliation against poll workers who come forward to testify.

Preston Haliburton

Mr. Haliburton noted that he was representing several plaintiffs, including persons who have been terminated simply because they appeared before the subcommittee to testify. He stated that President Trump apparently lost major cities in the middle of the night in certain swing states through improper conduct by election officials and others. He said he is still researching the issues, but he could not make it public now for fear of retaliation as well.

Mr. Haliburton said that we have a major problem in the Secretary of State's office, which might not be impropriety, but that smart people had to come together to solve the problem. He noted that no state had ever seen an administration error this massive in a presidential election. He noted that the Giuliani team was comprised of top notch people who were trying to get it right. He said this was not a farcical conspiracy, but a group trying to come up with solutions.

Bobby Pitton

Mr. Bobby Pitton identified himself as coming from the suburbs of Chicago, Illinois with a background in finance economics. Mr. Pitton has an MBA from Northwestern University, Kellogg School, and working on a degree in financial engineering. Mr. Pitton analyzed the number of unique first names and unique last names in the Fulton County data sets and concluded that the number of people with unique first names and the number of people with unique surnames is so out of kilter that the only explanation could be that many people in the voter rolls are "fake" names. The voter rolls should be cleaned up and verified.

Mr. Pitton reviewed the data in Fulton County and six other surrounding counties: Cherokee, Clayton, Cobb, Fayette, Forsyth, and Gwinnett. Mr. Pitton noted that there were 66,363 first names in his dataset of people in Fulton County. Of those names, 46,796, or 70%, have one instance, only one instance of that first name.

There are 105,558 surnames in Fulton County, but 46,000, or 43%, have only one instance. So 70% of all the names that are available for people in Fulton are unique. They have one instance of that first name, and 43% of the surnames.

Mr. Pitton noted that nationwide, there are about 150,000 last names that account for about 90% of the U.S. population. 150,000 total last names are 90% of the country. On average, each of those last names have about 2,000 persons with that last name – obviously some have significant more names, some have less.

Mt. Pitton noted that the nationwide ratio of first names to last names is about 33 to one or so. But in Fulton County, the average is more like 3 to one.

Mr. Pitton is still analyzing the data but he considered whether the surrounding counties might have additional relatives that could account for this discrepancy. But the number of unique first names jumps up, which is counterintuitive. Based on the discrepancies, he has concluded that there are many fake names, and thus these can account for many of the phantom votes.

Lynda McLaughlin.

Ms. Lynda McLaughlin has a background in politics and media and an MBA in business, and she is a part of the Data Integrity Group. She and her group provided some data analysis and an explanatory video to assist in understanding voter irregularities. Her analysis suggested that the Secretary of State's office is certifying with the same data that the *New York Times* reported via its Edison feed. Lynda McLaughlin stated that the certification of votes and the votes that were submitted for the State of Georgia have negative swings in them. As such, they are in error and they are not representative of the State of Georgia and how the State of Georgia's voters voted. Thus the Secretary of State's office is recording and certifying results that have negative errors and fraudulent votes in them.

Justin Mealey

Justin Mealey, also part of the Data Integrity Group, is a a nine and a half year veteran of the U.S. Navy where he worked as a electronic warfare technician and Arabic linguist, four years of which being spent at Fort Gordon in Augusta. Mr. Mealey also spent time as a CIA contractor as a data analyst and programmer for the National Counterterrorism Center. He currently works for a big four accounting firm.

Mr. Mealey focused on three separate data sources. The first data source is the Edison Data Source, a time-series based data. The second source is the Scytl data source. That Scytl data source bifurcates that data and sends the data to the Edison data feed which then sends that to the Secretary of State. The Secretary of State's data is actually basing the certification process off of Scytl data, for all intents and purposes. Now because the Secretary of State data gets it after the Scytl server, what happens then is the Secretary of State could possibly change that. Thus, the group also uses a third data source as well.

Mr. Mealey stressed the point that an adjudicated ballot completely destroys the ability to recreate voter intent in an audit. He noted that in Fulton County, Richard Barron said that 113,000 votes were cast, and, of those, 105,000 were adjudicated, an abnormally high number. The original ballot is replaced with a new image. With no metadata, no trail, and even from an audit perspective, it would fail because from an audit perspective they're all using the same account to audit. So one cannot know who made that change. One cannot know how many times that change was made in the past. Mr. Mealey noted that a group that changed the ballot image and then adjudicated that exact same ballot the only thing someone would see from the end perspective data-wise is that final adjudication.

Dave Lobue

Dave Lobue identified himself as a data scientist with over a decade of experience, working directly with structured and unstructured data across a number of industries, specialized in machine learning and more recently artificial intelligence. He has worked with a multitude of data structures in the financial services, telecommunications, and in primary research consulting industries.

Based on his review, his team identified over 40 data points where negative voting or outright vote switching across candidates has totaled over 200,000 votes. Using machine learning algorithms that are regularly used for anomaly detection of fraud and financial services, his team identified over 500 precincts with over 1 million corresponding votes that exhibited suspicious activity.

Mr. Lobue based his analysis on the fact that vote tallies were being split and transferred up and down through the evening. Votes summations should not decrease, since new votes are constantly being added, but they did.

Mr. Lobue presented videos to the Subcommittee to show patterns in Georgia and Michigan. In Fulton County, over 150 precincts voted 90% or more for Vice President Biden. That is statistically unlikely to be true. In the statewide race that was decided by less than 13,000 votes, these 150 Fulton precincts alone accounted for 152,000 Biden votes. This is a clear indicator of suspicious or outright fraudulent activity.

In DeKalb County, 94 precincts voted 90% or more for Vice President Biden. That is also statistically unlikely to be true.

Mr. Lobue noted that recorded vote totals for President Trump decreased at certain points during election night. He asked "Why are any bars going negative?" Since there are no such things as negative votes, this has no valid explanation other than fraud. Unbeknownst to the general public, votes for Donald Trump were being switched and removed from his total, which often coincided with other precinct updates, but simultaneously offset deductions so that they appeared to remain neutral to outside observers.

Mr. Lobue presented a video showing the many places in the election process where fraud could easily occur on a grand electronic scale. Drilling down into the numbers in three counties, he concluded that President Trump had over 30,000 votes simply disappear in Dodge, Dougherty, and Putnam counties.

At 9:11p.m. EST on Election Night in Bibb County, President Trump reported 29,391 votes, and Vice President Biden was reported to have 17,218 votes. Minutes later, those tallies had switched.

Because there was a time lag between each state reported aggregation of county results, this type of switch can go undetected in state reporting, as long as it falls after the latest state refresh and before the next state update.

According to the Georgia Secretary of State website, President Trump lost Georgia by 12,670 votes. Mr. Lobue's videos presented evidence that the Dominion voting systems could be programmed to react in real time to manipulate data overall so that reporting seemed fluid. No figures should go negative, but they did. The results of the election were not consistent with how the data is structured and what would be consistent with normal or routine legal voting.

Ray Smith

Ray Smith represented himself as co-counsel for the President of the United States, Donald J. Trump. He noted that the President has a lawsuit pending in Fulton County before the Superior Court. The certification by the election by the Secretary of State relied on a slim margin a margin of 11,700 votes. But yet the Coffee County testimony alleges that various counties were forced to certify the results.

Ray Smith discussed the basis for various ongoing challenges – letters being sent to out-of-state voters, and 8,000 voters who had moved out-of-state and voted illegally in the General Election. That is 3/4ths of the difference between the candidates alone.

The Secretary of State also admitted 74 felons voted who should not have. So right there, how can they possibly certify the election? They also admitted that the 15,700 NCOA votes were voted by persons who had left the state.

Mr. Smith asked that the Senate and the House not stand by the Secretary of State's certification.

Sen. Brandon Beach

Senator Beach thanked the Chairman and Senator Heath. He also added that the testimony was unbelievable and an embarrassment for our state. He said he was "more and more convinced now that this was a well-orchestrated, well-coordinated effort by several groups to commit widespread and systemic fraud."

Senator Beach noted that Gabe Sterling has admitted that a lady from Maryland used his address to vote in our election. He works for the Secretary of State's office. Senator Beach noted that there were double votes cast, but no action. He noted that, after the primary, the Secretary of State had a press conference, said he was going to investigate and prosecute over 1000 people that double-voted in the primary. As of December 23rd, there has not been one investigation or one prosecution.

Senator Beach noted that felons voted illegally and dead voted. At least 37,500 ballots appeared and were counted with no supervision. Mr. Beach also discussed chain of custody failures which could lead to unknown errors.

Mr. Beach noted that people are mad. People are angry. Mr. Beach suggested that the Legislature take action and do something about this fraud. He suggested that the subcommittee focus on Fulton County and the State Farm Arena.

Senator Beach made a motion to request that the Fulton County Board of Elections make absentee ballots from State Farm Arena from 10:30 PM to 1:30 AM on Election Night available to the Cheeley Law Group and Mr. Pulitzer to validate if those are legitimate ballots.

Sen. Tillery seconded the motion. Chairman Ligon noted that this was not a formal committee motion, but discussed recasting the motion, which Senator Beach accepted.

Senator Tillery asked if all the ballots were needed, and Bob Cheeley responded that they were.

Senator Tillery, as one of the official subcommittee members, restated the motion to request that the Fulton County Board of Elections make the absentee ballots cast in Fulton County for the November 3rd General Election available for inspection by the Cheeley group through the process that Mr. Pulitzer outlined earlier in the day. As restated, the motion was then adopted.

Chairman Ligon

Chairman Ligon provided closing remarks, acknowledging the many people across the state who had sent him affidavits and letters and emails describing all the irregularities and fraud that they had observed, along with the ways that many had been treated with hostility. He noted that people had been barred from observing, had been belittled, and were not treated with dignity and respect as they sought to perform their civic duty as participants in the election process, a duty which is at the heart of being an American.

He made an analogy of what they had endured. It was as if a person had gone to a bank and asked to see how much was in his own account and being told that he could not see his own transactions, or even ask to see them, and further, if he asked again that a sheriff would be called to have him removed. Senator Ligon noted that the vote was more important than money because the vote determines the type of country people live in, with all of the God-given rights and liberties that the forefathers enshrined in the nation's founding documents.

He acknowledged that people know and understand that and want to see their heritage "jealously guarded and vigorously defended. And when there's an offense to it, they want to see it aggressively prosecuted and they want it corrected, and they want it set right."

He further stated, "I believe that we should come together as a [legislative] body to meet and to look into these things and to consider what should be done for this past election and what should be

done for future elections." He expressed his hope that the work of the committee and its recommendations would be considered by the next legislature which meets and that serious steps would be taken to ensure that Georgians never find themselves in a position like this again. He looked forward to the day when Georgia would have a system of voting that everyone could be proud of and have confidence in so that citizens would know that the results of elections do in fact reflect the will of the people.

After thanking the members of the subcommittee, Senator Ligon adjourned the meeting.

EXHIBIT J

1:29

SullivanStrickler
4w

Jan 1, 2021

Jennifer Jackson
Hi! Just handed back in DC with the Mayor. Huge things starting to come together!

Most immediately, we were just granted access -by written invitation! - to the Coffee County Systens. Yay! Putting details together now with Phil, Preston, Jovan etc. Want to give you a heads up for your team. Will be either Sat or Sun this

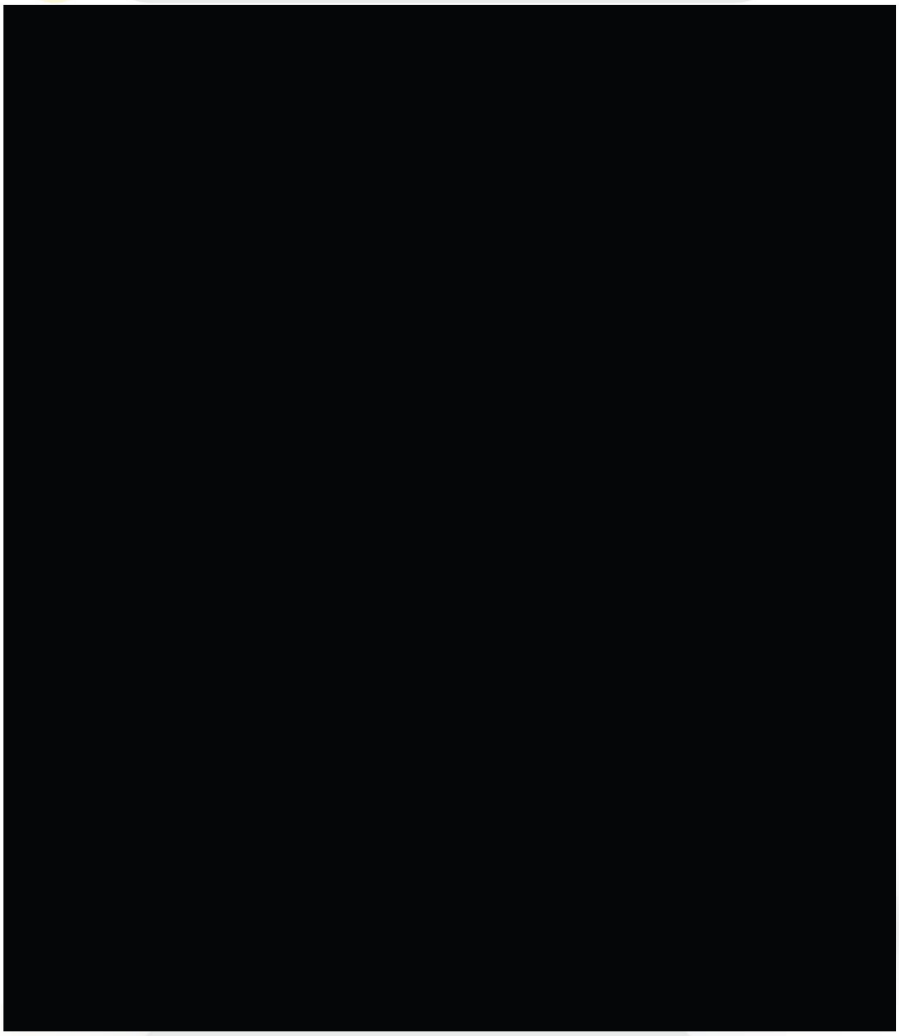
New Message

1:29

SullivanStrickler
4w

etc. Wan' Jan 1, 2021 a heads up for your team. Will be either Sat or Sun this weekend. More soon! :))

JJ This was from Katherine this am, of course not the official word but wanted to share as a potential heads up 2:18 PM



New Message

1:29

SullivanStrickler
4w

[redacted]

Greg Freemyer
Would this be a 3? 4? 5? person response team?

Should we reach out to Penrose for potential guidance?

GF 3 hrs from the vault 2:36 PM

Paul Maggio
Let's wait for the request. If they need us, they will call
2:37 PM

PM

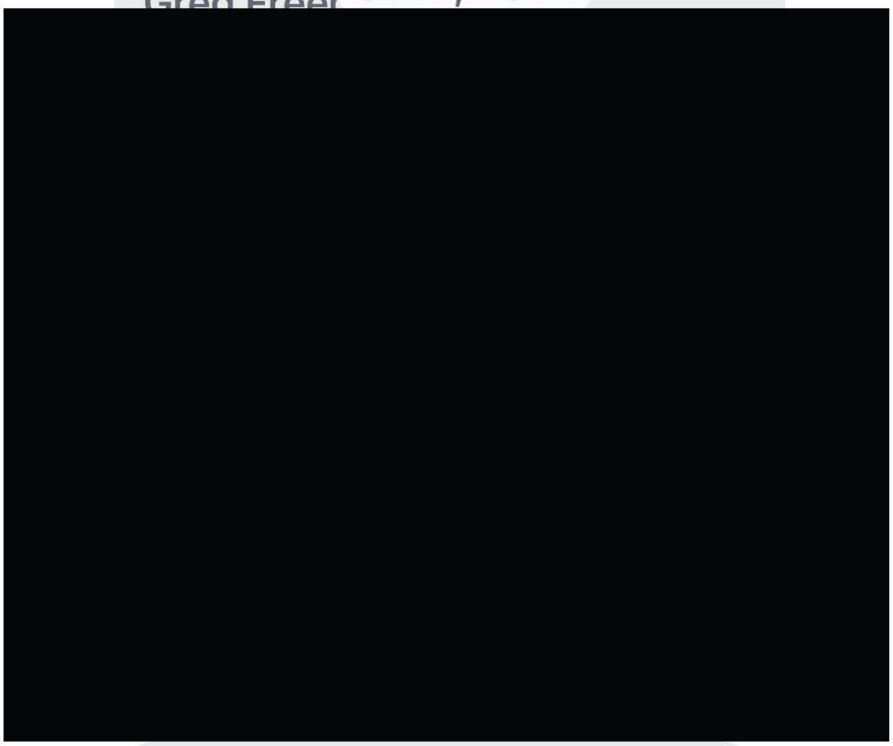
[redacted]

New Message

1:29

SullivanStrickler
4w

Jan 1, 2021



Greg Freemyer
Todd just gave me a heads up about Coffee County- just said this weekend
3:12 PM

GF

Paul Maggio
Ok 3:13 PM

PM

Greg Freemyer
Todd says information is coming in slowly, so the team is leaning towards

New Message

1:29

SullivanStrickler
4w

PM

Ok 3:13 F

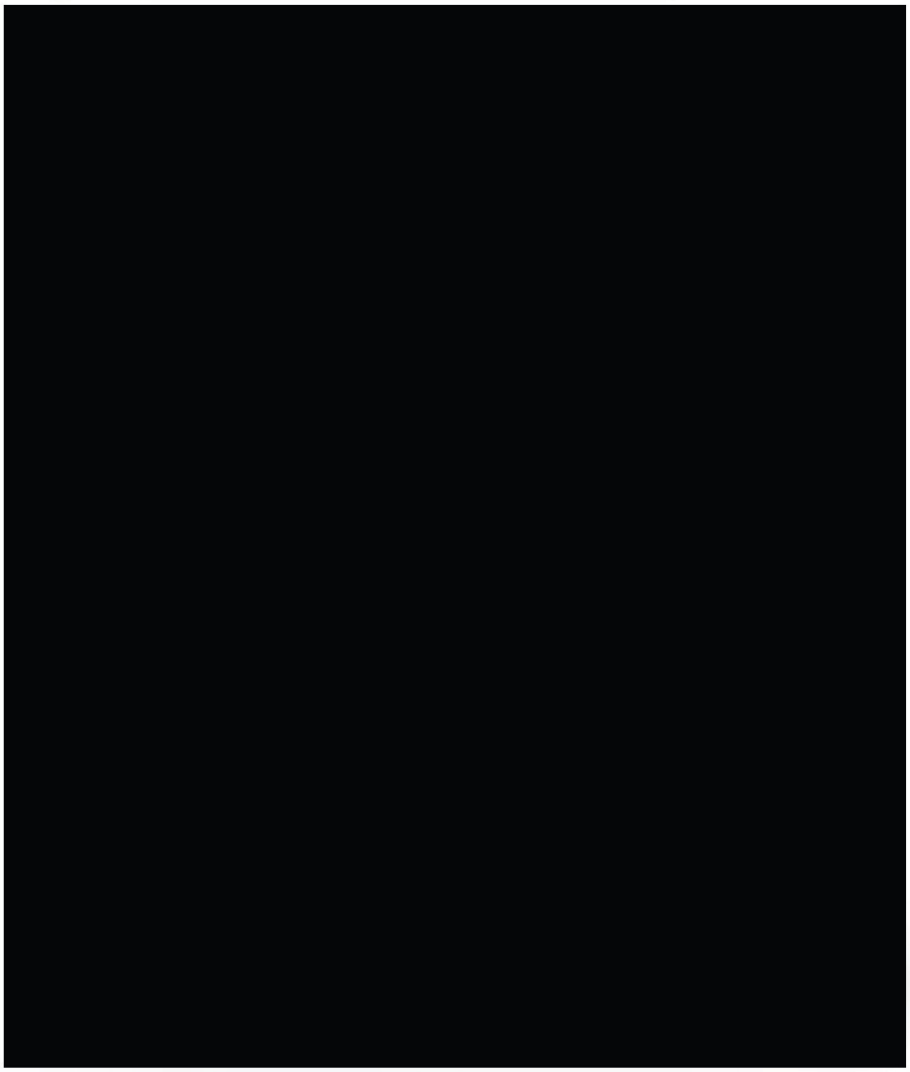
Jan 1, 2021

Greg Freemyer

Todd says information is coming in slowly, so the team is leaning towards Sunday for the work.

4:18 PM

GF



New Message

1:30

SullivanStrickler
4w

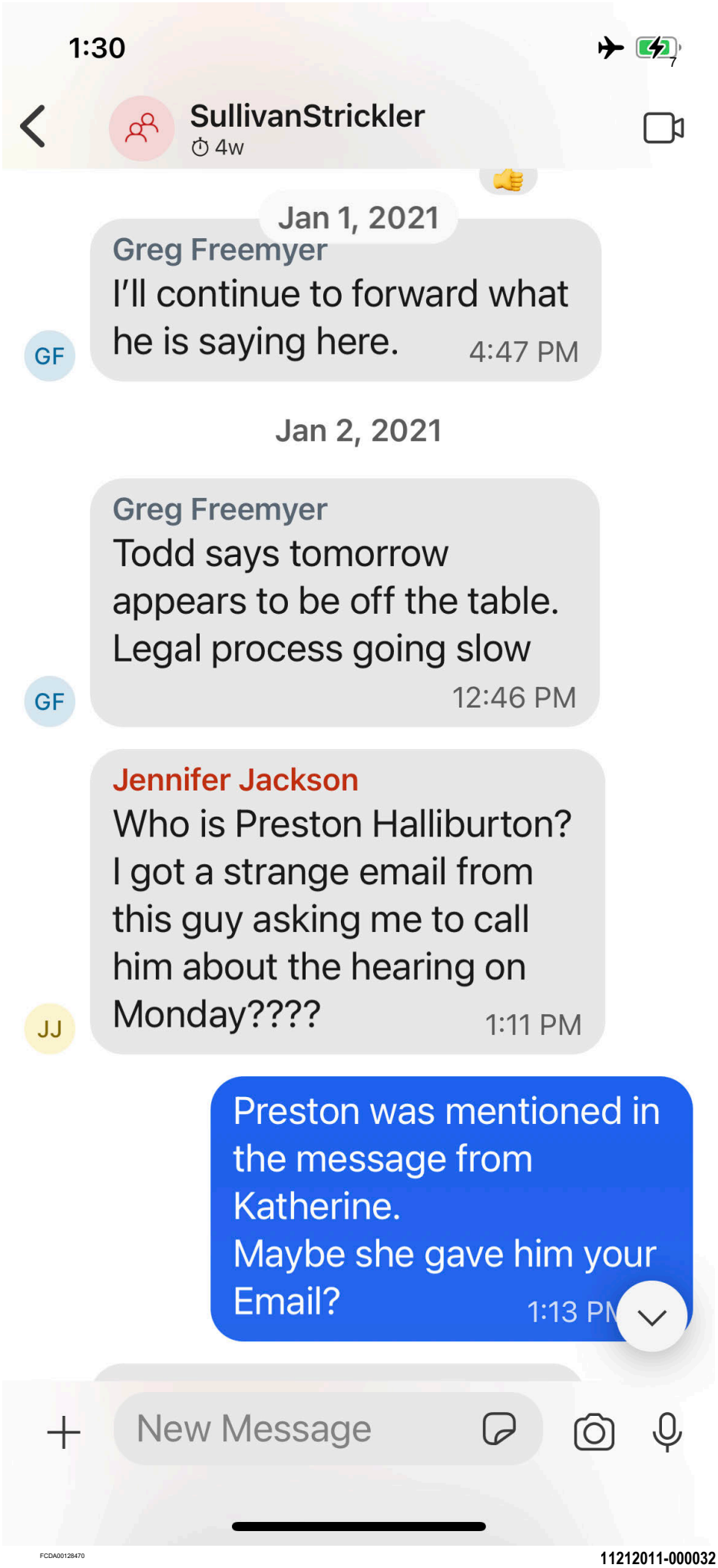
GF
Is anyone beside me in the Wicr Pro group Todd is posting to? 4:41 PM

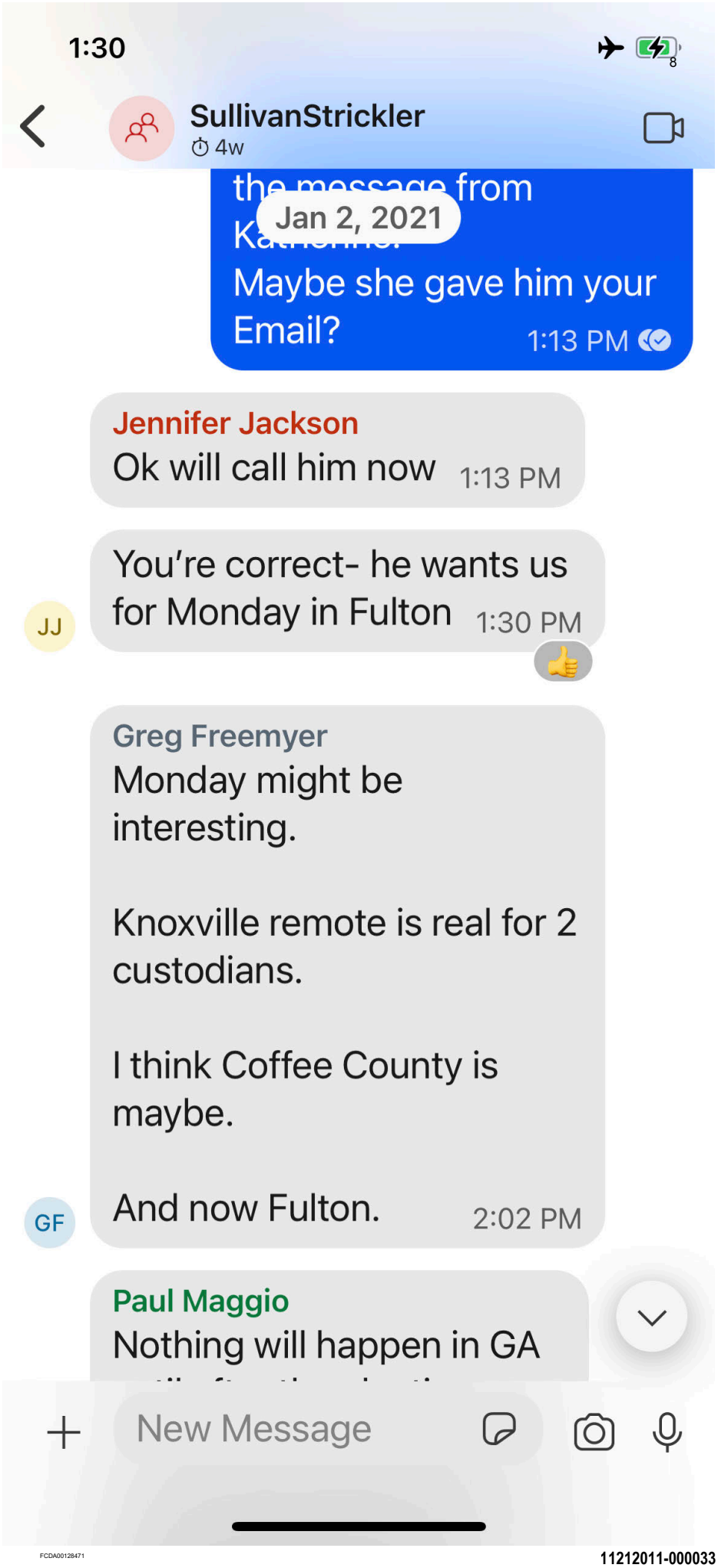
Not I as expected 4:42 PM

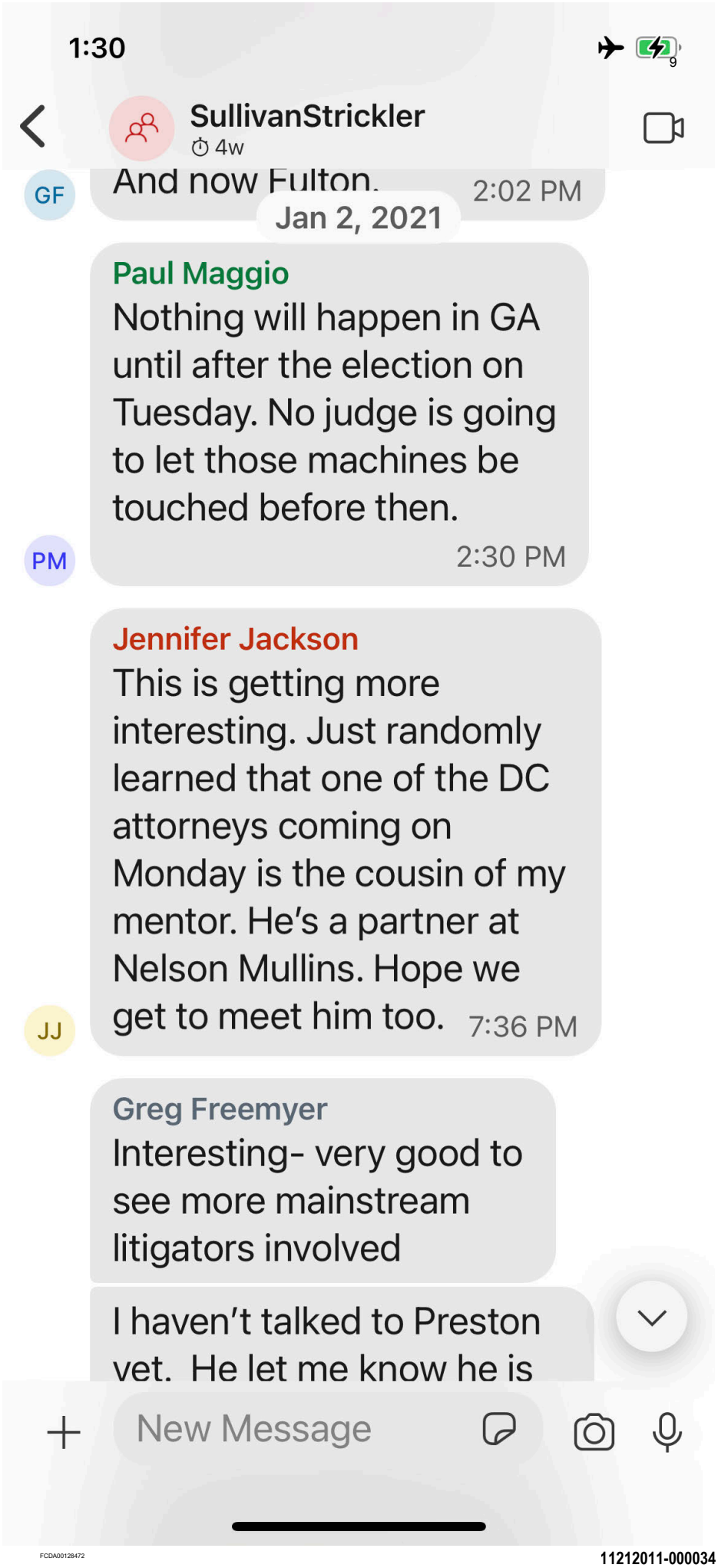
JJ
Jennifer Jackson
Not in that group 4:45 PM

Greg Freemyer
I'll continue to forward what he is saying here

New Message


1:30
SullivanStrickler
4w
Jan 1, 2021
Greg Freemyer
I'll continue to forward what he is saying here.
4:47 PM
GF
Jan 2, 2021
Greg Freemyer
Todd says tomorrow appears to be off the table. Legal process going slow
12:46 PM
GF
Jennifer Jackson
Who is Preston Halliburton? I got a strange email from this guy asking me to call him about the hearing on Monday????
1:11 PM
JJ
Preston was mentioned in the message from Katherine.
Maybe she gave him your Email?
1:13 PM
New Message


1:30
SullivanStrickler
4w
Jan 2, 2021
Maybe she gave him your Email?
1:13 PM
Jennifer Jackson
Ok will call him now
1:13 PM
JJ
You're correct- he wants us for Monday in Fulton
1:30 PM
Greg Freemyer
Monday might be interesting.
Knoxville remote is real for 2 custodians.
I think Coffee County is maybe.
GF
And now Fulton.
2:02 PM
Paul Maggio
Nothing will happen in GA
New Message


1:30
SullivanStrickler
4w
GF
And now Fulton.
2:02 PM
Jan 2, 2021
Paul Maggio
Nothing will happen in GA until after the election on Tuesday. No judge is going to let those machines be touched before then.
PM
2:30 PM
Jennifer Jackson
This is getting more interesting. Just randomly learned that one of the DC attorneys coming on Monday is the cousin of my mentor. He's a partner at Nelson Mullins. Hope we get to meet him too.
JJ
7:36 PM
Greg Freemyer
Interesting- very good to see more mainstream litigators involved
I haven't talked to Preston vet. He let me know he is
New Message

1:30

SullivanStrickler
4w

litigators

Jan 2, 2021

GF I haven't talked to Preston yet. He let me know he is trying to organize a zoom call with the legal team and he wants me to join. That's all the detail I have. 7:39 PM

Jennifer Jackson

JJ 8:03 PM

Jan 3, 2021

Greg Freemyer
Fyi: I emailed Preston yesterday afternoon. He said he wanted to have me join a legal team conf call either last night, or this morning.

Neither happened.

New Message

1:30

SullivanStrickler
4w

morning.

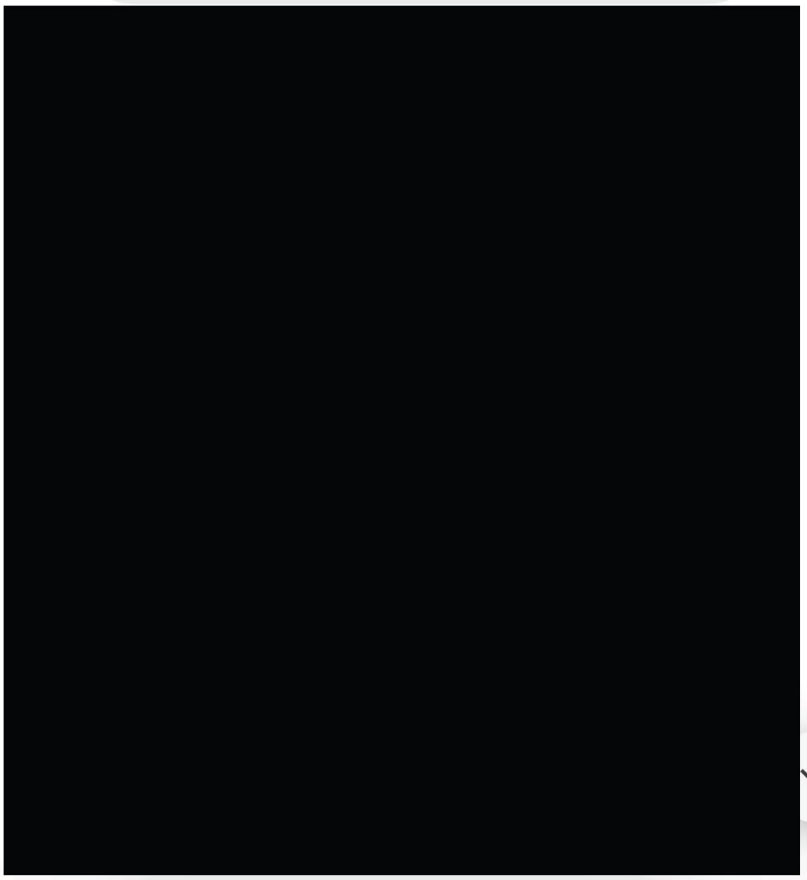
Jan 3, 2021

Neither happened.

I have clarity as to what the request is for tomorrow.

Maybe he just needs me to join a zoom hearing at some point?

"I have NO clarity ..." 1:06 PM



New Message

1:30

SullivanStrickler
4w

GF

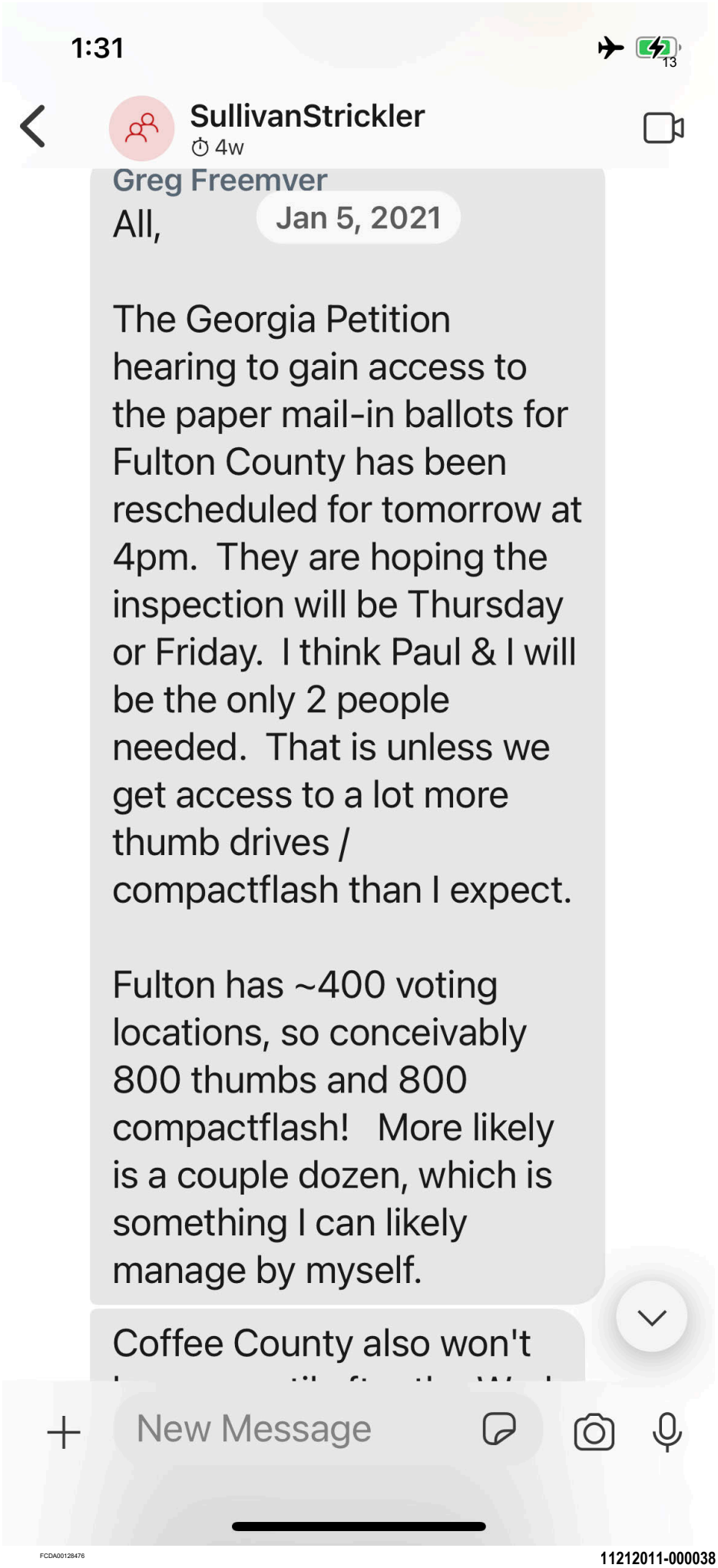
I just talked to the legal team. Coffee County is NOT in play for tomorrow. Fulton County may be, but it will be a smaller scale. Maybe Paul & I. 5:42 PM

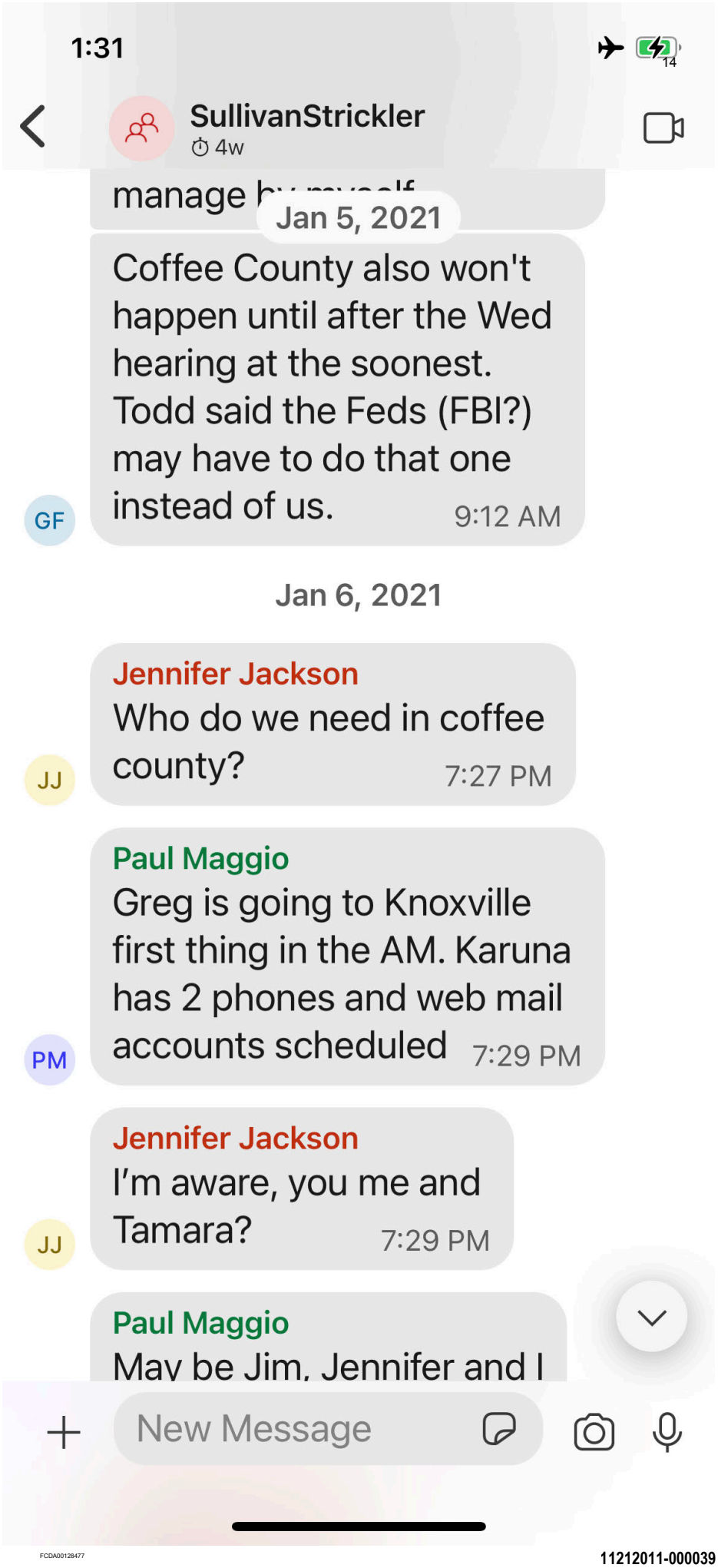
Jan 5, 2021

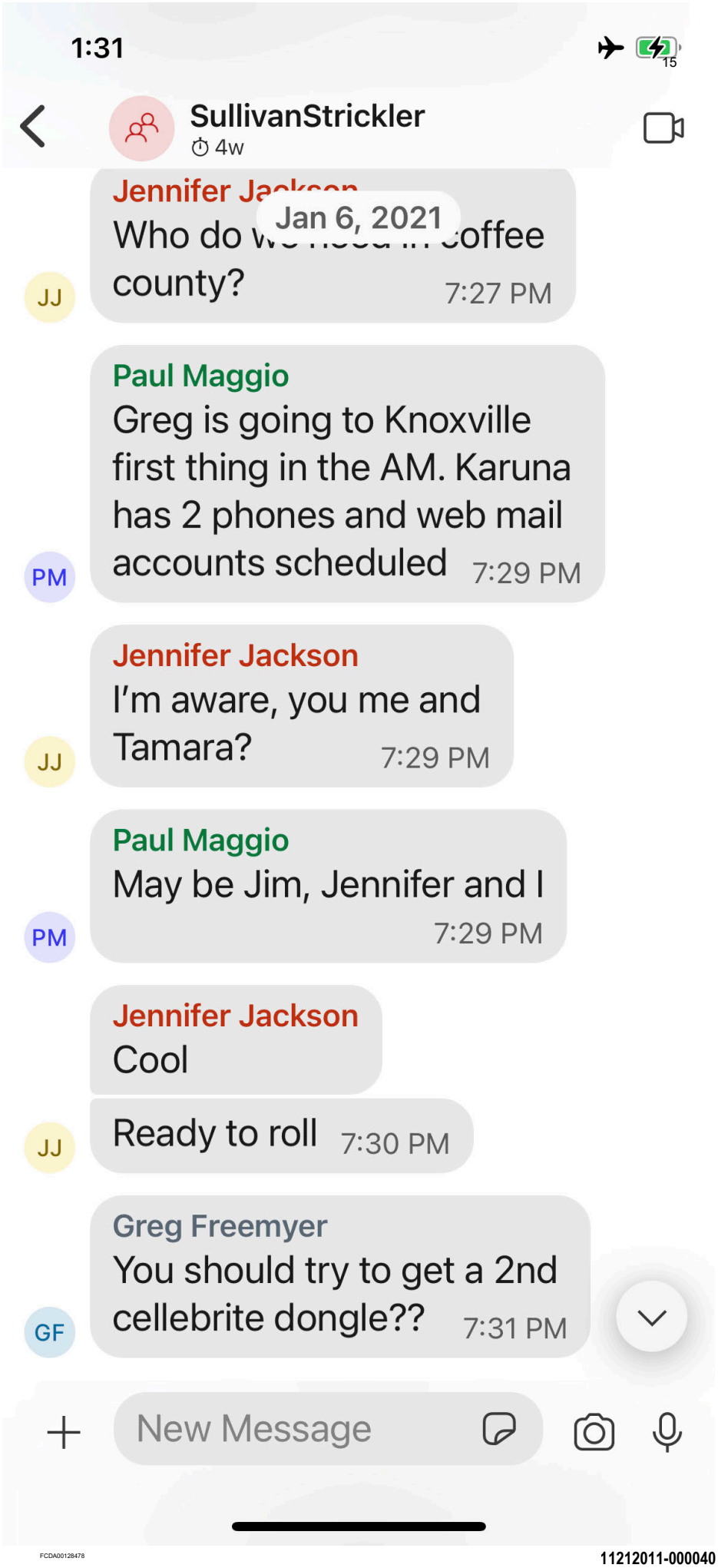
Greg Freemyer
All,

The Georgia Petition hearing to gain access to the paper mail-in ballots for Fulton County has been

New Message


1:31
SullivanStrickler
4w
Greg Freemver
All,
Jan 5, 2021
The Georgia Petition hearing to gain access to the paper mail-in ballots for Fulton County has been rescheduled for tomorrow at 4pm. They are hoping the inspection will be Thursday or Friday. I think Paul & I will be the only 2 people needed. That is unless we get access to a lot more thumb drives / compactflash than I expect.
Fulton has ~400 voting locations, so conceivably 800 thumbs and 800 compactflash! More likely is a couple dozen, which is something I can likely manage by myself.
Coffee County also won't
New Message


1:31
SullivanStrickler
4w
manage by myself
Jan 5, 2021
Coffee County also won't happen until after the Wed hearing at the soonest. Todd said the Feds (FBI?) may have to do that one instead of us.
9:12 AM
GF
Jan 6, 2021
Jennifer Jackson
Who do we need in coffee county?
7:27 PM
JJ
Paul Maggio
Greg is going to Knoxville first thing in the AM. Karuna has 2 phones and web mail accounts scheduled
7:29 PM
PM
Jennifer Jackson
I'm aware, you me and Tamara?
7:29 PM
JJ
Paul Maggio
May be Jim, Jennifer and I
New Message


1:31
SullivanStrickler
4w
Jennifer Jackson
Jan 6, 2021
Who do we need in coffee county?
7:27 PM
JJ
Paul Maggio
Greg is going to Knoxville first thing in the AM. Karuna has 2 phones and web mail accounts scheduled
7:29 PM
PM
Jennifer Jackson
I'm aware, you me and Tamara?
7:29 PM
JJ
Paul Maggio
May be Jim, Jennifer and I
7:29 PM
PM
Jennifer Jackson
Cool
Ready to roll
7:30 PM
JJ
Greg Freemyer
You should try to get a 2nd cellebrite dongle??
7:31 PM
GF
New Message

Coffee_County_Forensics

6 members

Jan 6, 2021

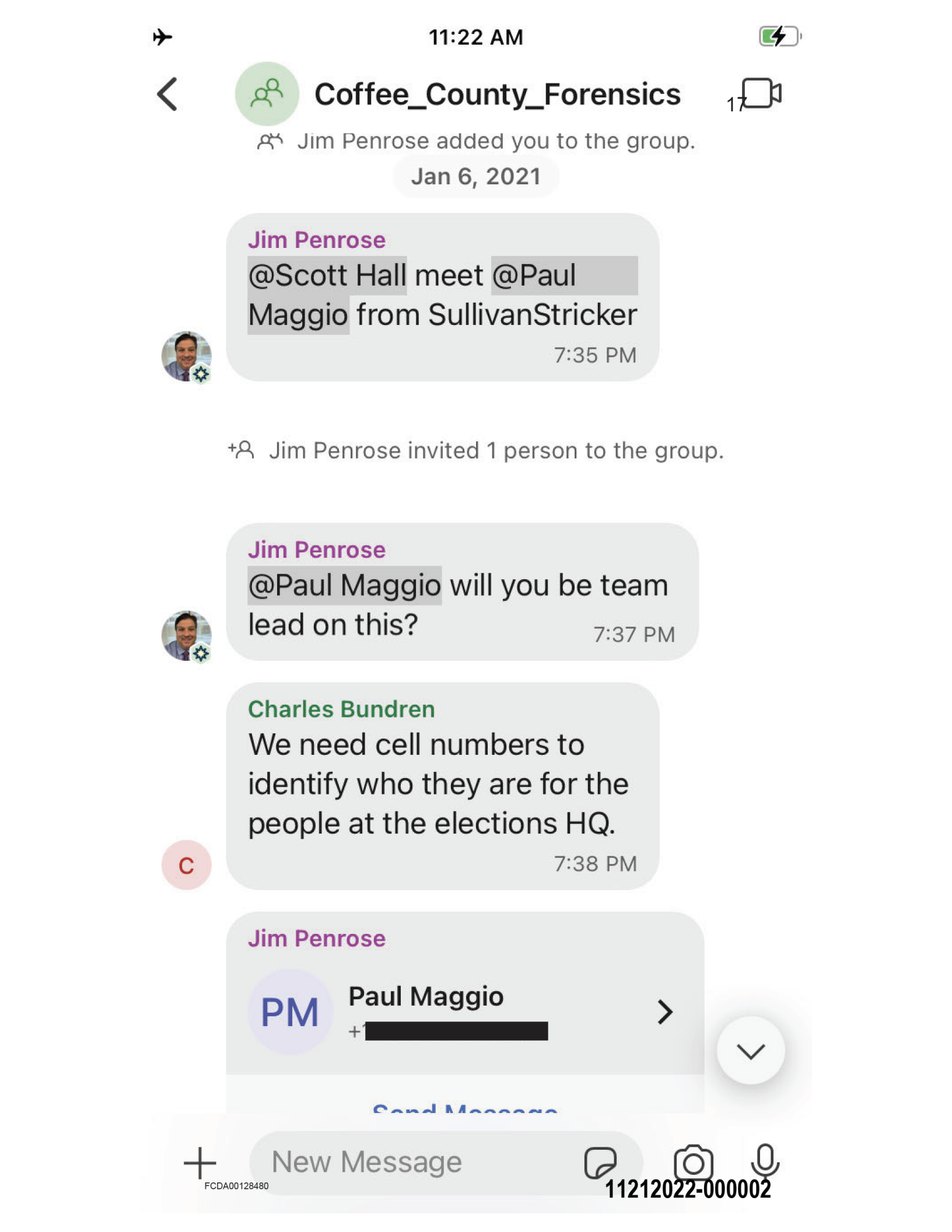
Jim Penrose added you to the group.

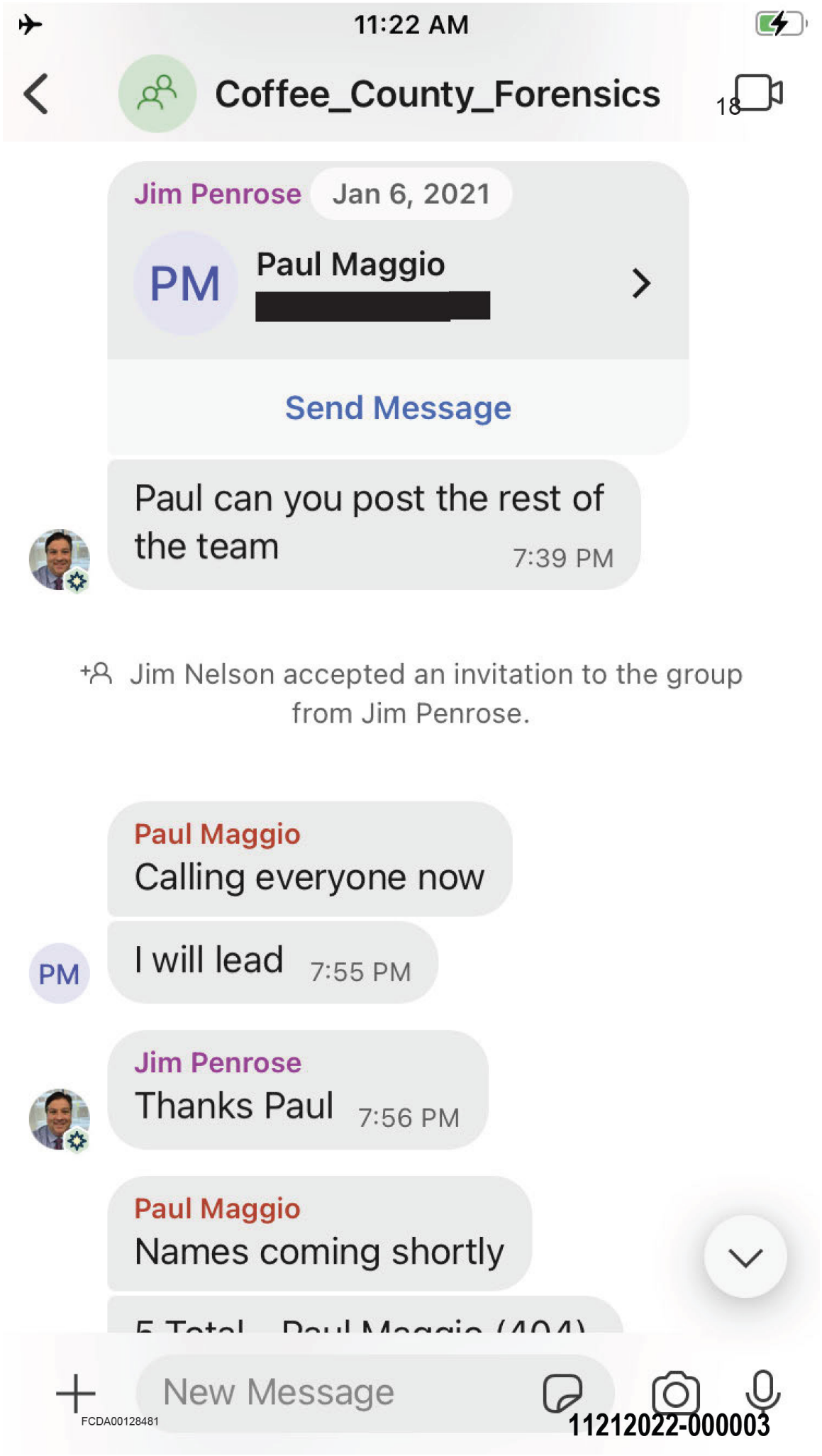
Jim Penrose

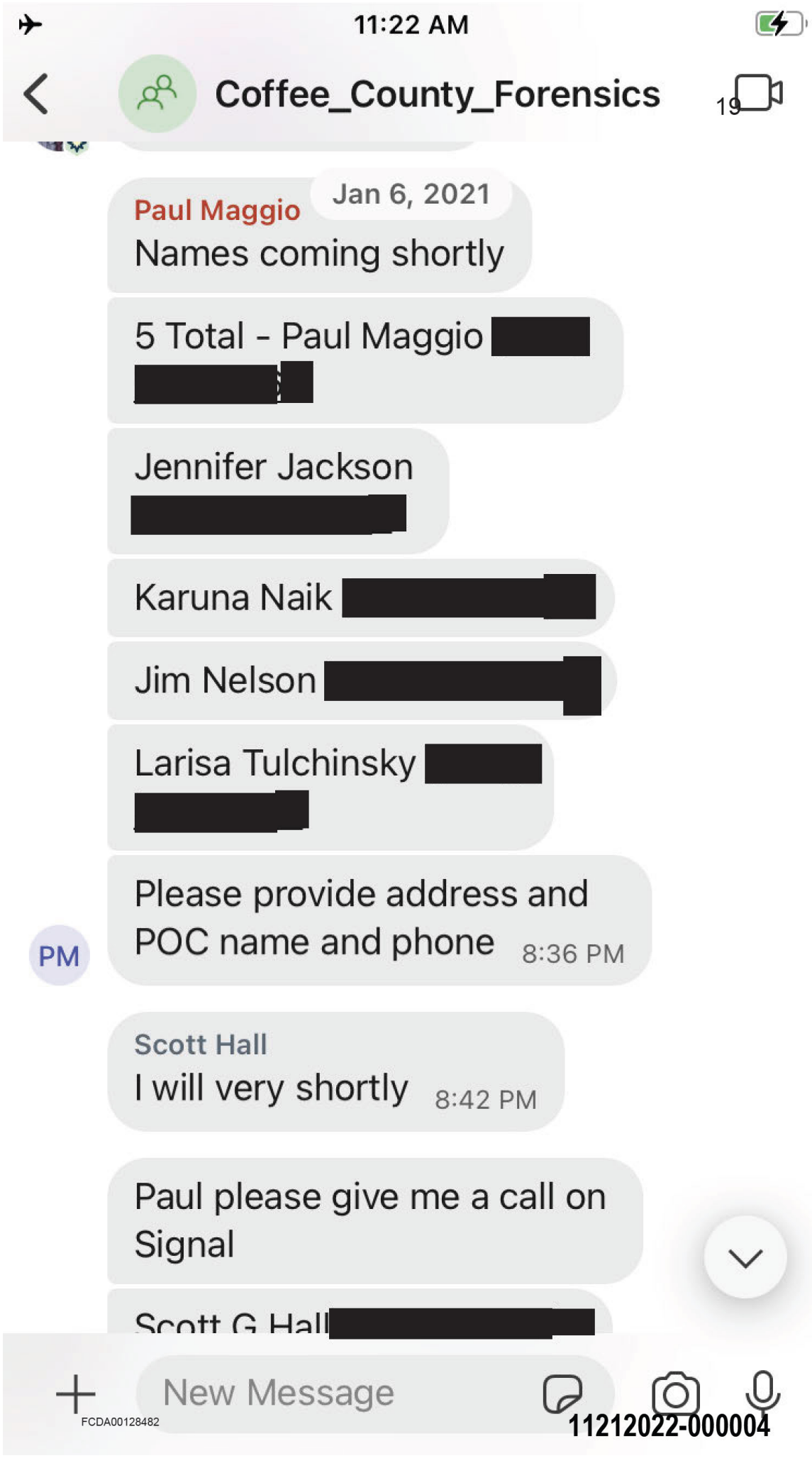
@Scott Hall meet @Paul Maggio from SullivanStricker

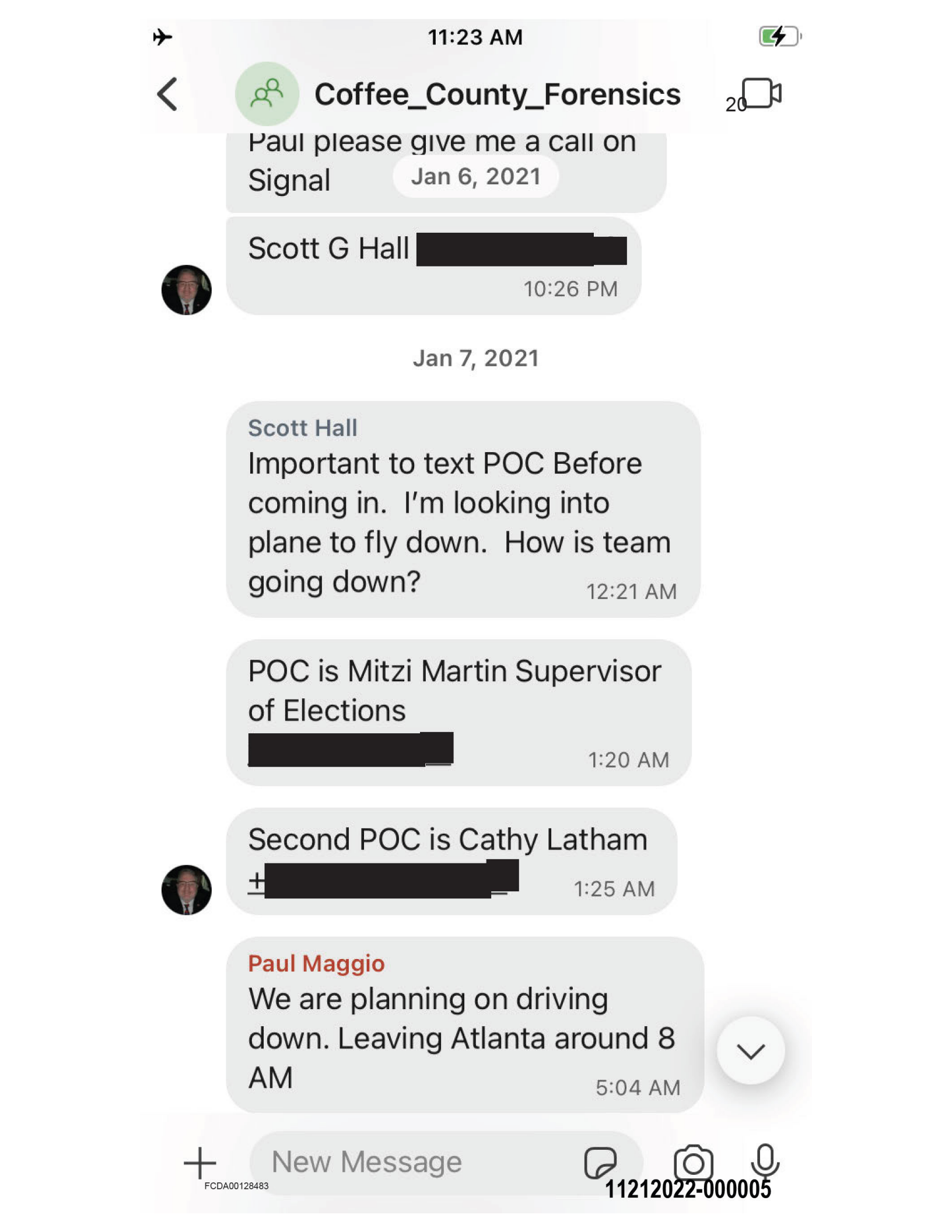
7:35 PM

New Message


11:22 AM
Coffee_County_Forensics
17
Jim Penrose added you to the group.
Jan 6, 2021
Jim Penrose
@Scott Hall meet @Paul Maggio from SullivanStricker
7:35 PM
Jim Penrose invited 1 person to the group.
Jim Penrose
@Paul Maggio will you be team lead on this?
7:37 PM
Charles Bundren
We need cell numbers to identify who they are for the people at the elections HQ.
C
7:38 PM
Jim Penrose
PM
Paul Maggio
+1 [redacted]
New Message


11:22 AM
Coffee_County_Forensics
18
Jim Penrose
Jan 6, 2021
PM
Paul Maggio
[redacted]
Send Message
Paul can you post the rest of the team
7:39 PM
Jim Nelson accepted an invitation to the group from Jim Penrose.
Paul Maggio
Calling everyone now
PM
I will lead
7:55 PM
Jim Penrose
Thanks Paul
7:56 PM
Paul Maggio
Names coming shortly
New Message


11:22 AM
Coffee_County_Forensics
19
Jan 6, 2021
Paul Maggio
Names coming shortly
5 Total - Paul Maggio [redacted]
Jennifer Jackson [redacted]
Karuna Naik [redacted]
Jim Nelson [redacted]
Larisa Tulchinsky [redacted]
PM
Please provide address and POC name and phone 8:36 PM
Scott Hall
I will very shortly 8:42 PM
Paul please give me a call on Signal
Scott G Hall [redacted]
New Message


11:23 AM
Coffee_County_Forensics
20
Paul please give me a call on Signal
Jan 6, 2021
Scott G Hall [redacted]
10:26 PM
Jan 7, 2021
Scott Hall
Important to text POC Before coming in. I'm looking into plane to fly down. How is team going down?
12:21 AM
POC is Mitzi Martin Supervisor of Elections
[redacted]
1:20 AM
Second POC is Cathy Latham
+[redacted]
1:25 AM
Paul Maggio
We are planning on driving down. Leaving Atlanta around 8 AM
5:04 AM
New Message

down. Leaving Atlanta around 8 AM

Jan 7, 2021

5:04 AM

Scott, let me know when you are up. I will call you. 5:44 AM

PM

The S2 team is about 30 minutes from Douglas Ga. @Scott Hall let us know when you land and where to meet.

11:03 AM

Scott Hall

Just landed 11:08 AM

Paul Maggio

20 minutes out

Our vehicle is full. Cathy sent someone to pick you up.

11:12 AM

Collection is going well. No real issues at this point. Looking to be here until 6-7 PM this

Jan 7, 2021

PM Collection is going well. No real issues at this point. Looking to be here until 6-7 PM this evening. 2:56 PM

C **Charles Bundren**
Thanks 3:08 PM

PM **Paul Maggio**
We just finished up at Coffee County and are on our way back to Atlanta. Everything went well with no issues. 7:47 PM

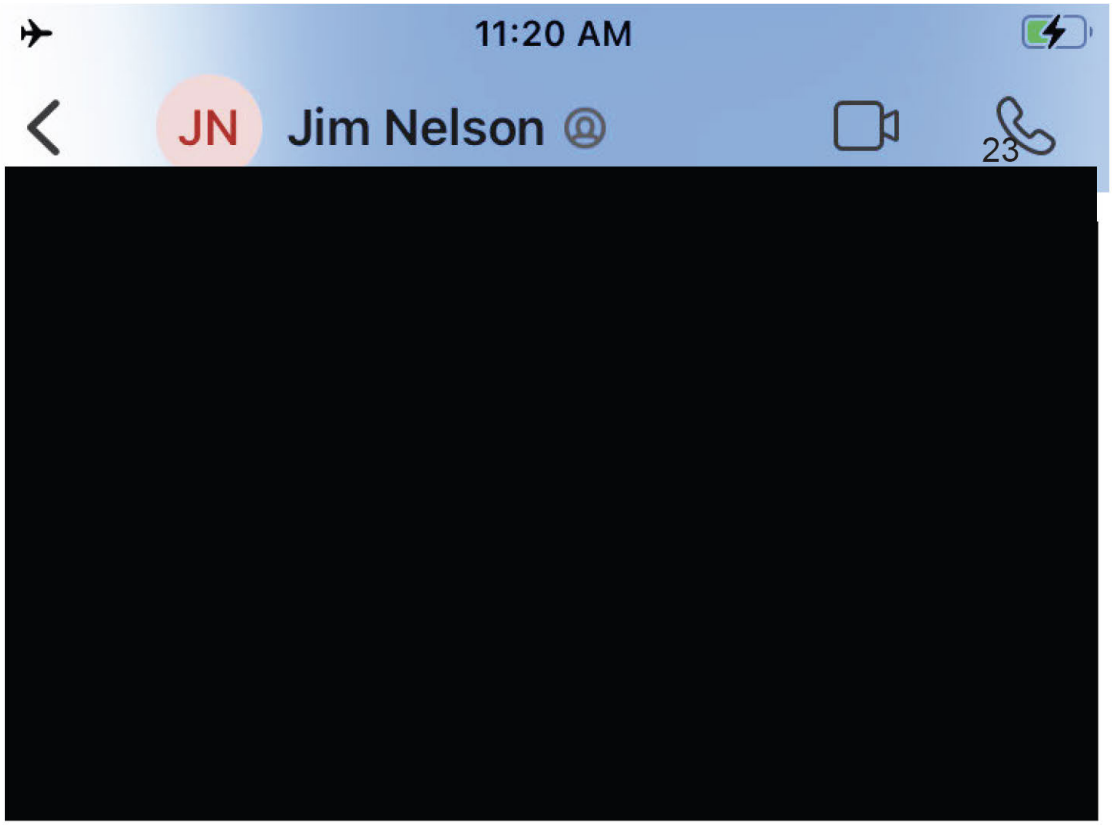
C **Charles Bundren**
Thanks 7:51 PM

Scott Hall

🙏 🇺🇸

8:05 PM

New Message



Jan 7, 2021

Missed call · Jan 7, 2021 2:27 PM

Call Back

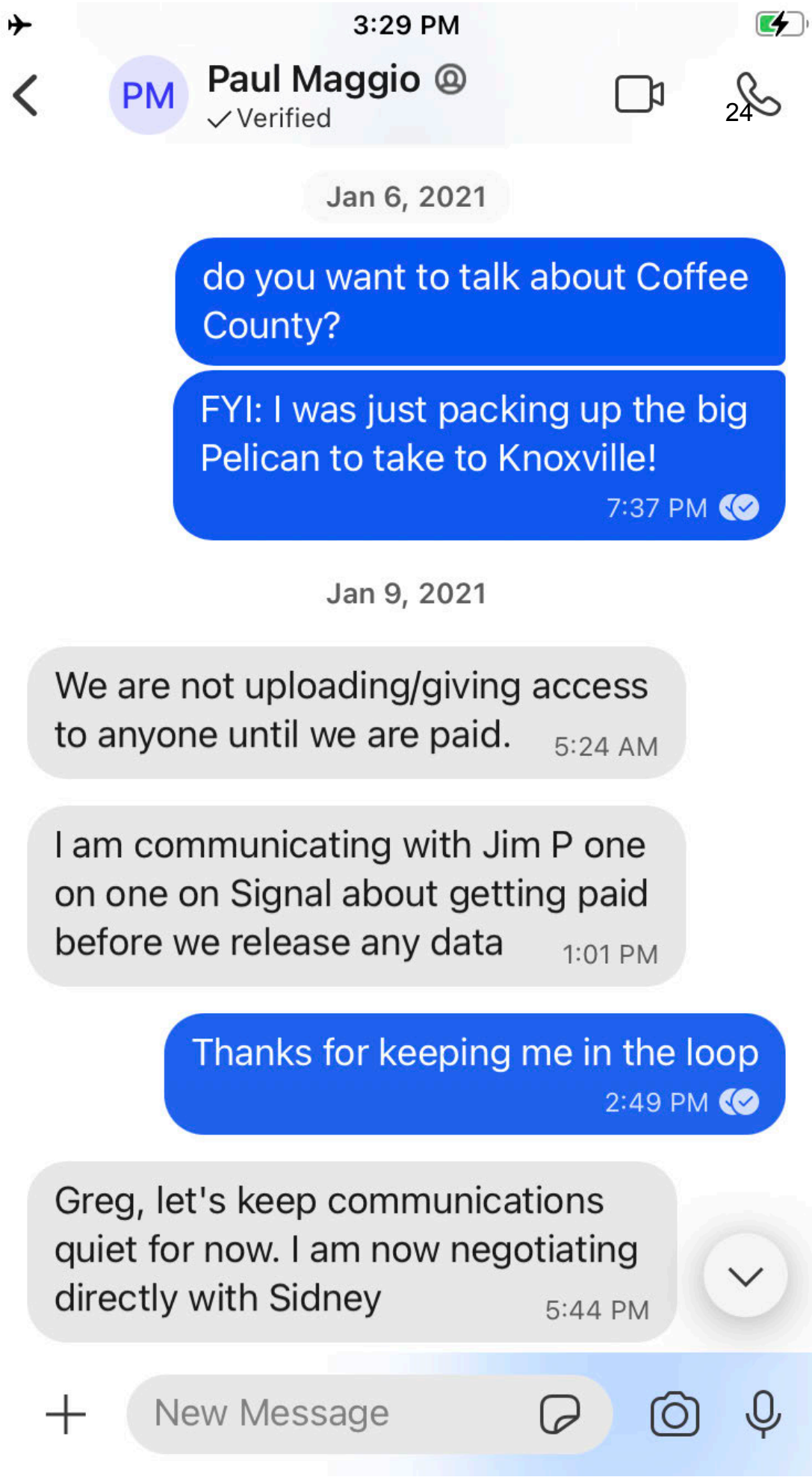
Do you still need to talk?

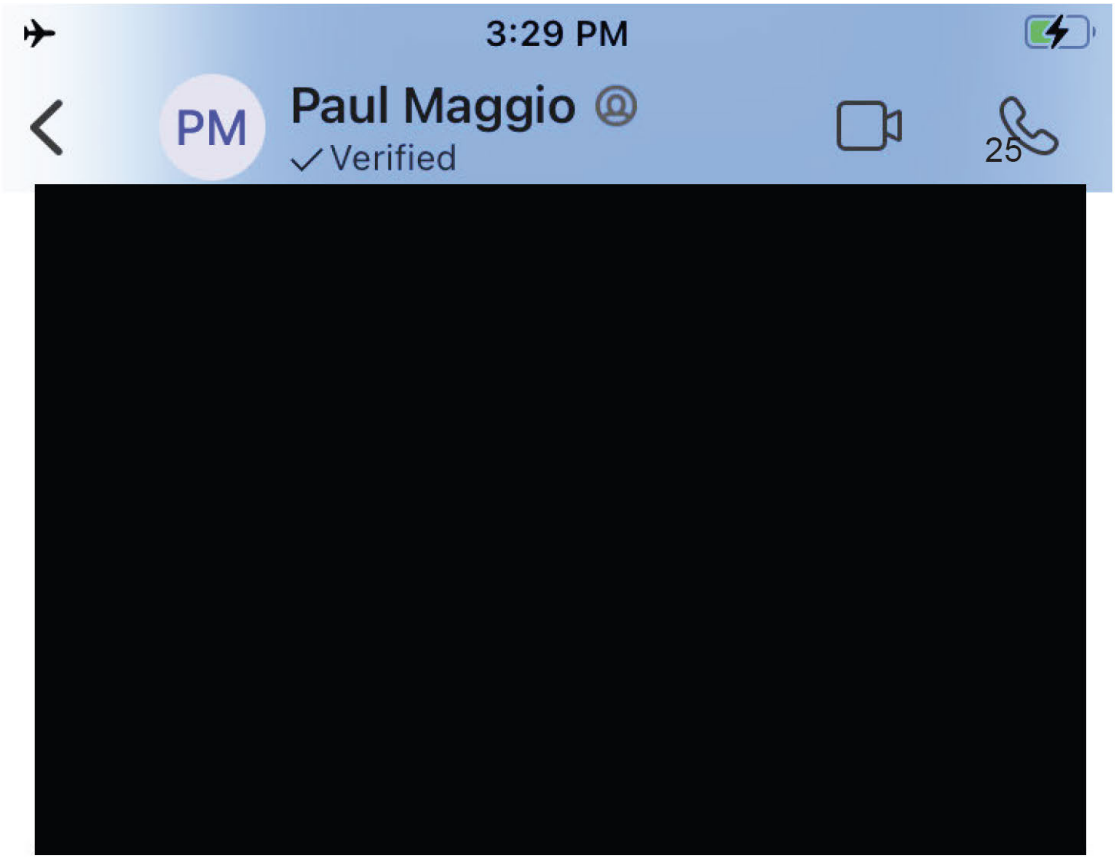
Been busy 3:09 PM

No I'm good. 3:10 PM

Great 3:10 PM

New Message


3:29 PM
PM
Paul Maggio
Verified
24
Jan 6, 2021
do you want to talk about Coffee County?
FYI: I was just packing up the big Pelican to take to Knoxville!
7:37 PM
Jan 9, 2021
We are not uploading/giving access to anyone until we are paid.
5:24 AM
I am communicating with Jim P one on one on Signal about getting paid before we release any data
1:01 PM
Thanks for keeping me in the loop
2:49 PM
Greg, let's keep communications quiet for now. I am now negotiating directly with Sidney
5:44 PM
New Message



Sep 28, 2021

Was the contract with Sidney personally, or Defending the Republic? 7:07 PM

Sep 29, 2021

Defending the Republic 6:02 AM

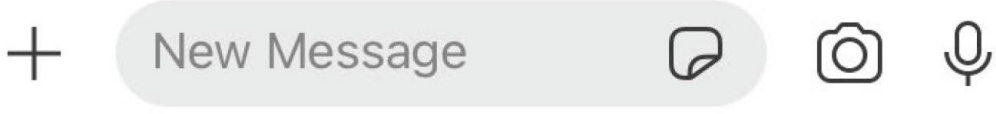


EXHIBIT K

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL., Plaintiffs,	)	
vs.	)	CIVIL ACTION NO.
BRAD RAFFENSPERGER, ET AL, Defendants.	)	1:17-CV-2989-AT

VIDEOTAPED 30(b)(6) DEPOSITION OF ERIC B. CHANEY
(Taken by Plaintiffs)
August 15, 2022
10:20 a.m.

Reported by: Debra M. Druzisky, CCR-B-1848

Q. Do you know Stephanie Lambert?
A. I do not.
Q. Do you know if she's ever been in the Coffee County election office?
A. I do not.
Q. Do you know Sidney Powell?
A. I've heard the name.
Q. Have you met her?
A. I have not.
Q. Do you understand that she represented the Trump campaign in some election litigation?
A. Correct.
Q. Did you ever have any communications with her?
A. I did not.
Q. Has she ever been in the Coffee County election office?
A. Not to my knowledge.
Q. Do you know Patrick Byrne?
A. I do not.
Q. Ever communicated with him?
A. No, sir.
Q. Has he ever been in the Coffee County election office?
A. Not to my knowledge.

R E P O R T E R D I S C L O S U R E

DISTRICT COURT) DEPOSITION OF
NORTHERN DISTRICT) ERIC B. CHANEY
ATLANTA DIVISION)

Pursuant to Article 10.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

I am a Georgia Certified Court Reporter. I am here as a representative of Veritext Legal Solutions.

Veritext Legal Solutions was contacted by the offices of Morrison & Foerster to provide court reporting services for this deposition. Veritext Legal Solutions will not be taking this deposition under any contract that is prohibited by O.C.G.A. 9-11-28 (c).

Veritext Legal Solutions has no contract or agreement to provide court reporting services with any party to the case, or any reporter or reporting agency from whom a referral might have been made to cover the deposition.

Veritext Legal Solutions will charge its usual and customary rates to all parties in the case, and a financial discount will not be given to any party in this litigation.

Debra M. Druzisky
Georgia CCR-B-1848

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED DEPOSITION OF EMILY MISTY HAMPTON

DATE: November 11, 2022

TIME: 10:49 a.m. to 6:07 p.m.

LOCATION: Courtyard by Marriott Warner Robins
589 Carl Vinson Parkway
Warner Robins, Georgia 31088

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions
1250 Eye Street, N.W., Suite 350
Washington, D.C. 20005

Did he tell you that?

A No, sir.

Q Okay. How did you know to allow Mr. Lenberg and Mr. Logan to have access to the election equipment on the 17th and 18th?

A I don't know how to answer that. It was a continuation, I guess. I mean, I -- that's an assumption but ...

Q Well, who told you that they were coming?

A I don't recall that.

Q Was it Sidney Powell?

A As I've stated before, I've never spoken with Sidney Powell.

Q Was it Mr. Chaney?

A I don't recall.

Q Okay. So these two gentlemen showed up, you don't recall -- you recall having been given the direction to allow them to have access to your equipment, you just simply can't remember specifics. Is that right?

A Correct.

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing video-recorded deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

_____

FELICIA A. NEWLAND, CSR
Notary Public

My commission expires:
September 15, 2024

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

DONNA CURLING, et al.,	:	
Plaintiffs,	:	
vs.	:	Civil Action No.
BRAD RAFFENSPERGER, et al.,	:	1:17-cv-02989-AT
Defendants.	:	

VIDEOTAPED VIRTUAL DEPOSITION OF

BLAKE EDWARD VOYLES

Atlanta, Georgia

Wednesday, November 16, 2022

9:52 a.m.

Job No: 5584994

Pages 1 - 196

Reported by: Cappy Hallock, RPR, CRR

BY MR. BROWN: 10:58:08

Q Mr. Voyles, in the November 3rd to January 7 time frame -- November 3rd is the election date, January 7 is the day that the people came from Sullivan|Strickler and copied the election equipment -- during that time frame did you communicate with Sydney Powell? 10:58:09 10:58:11 10:58:15 10:58:19 10:58:24 10:58:26

A No, sir. 10:58:30

Q Did you communicate during that time frame with Rudy Giuliani? 10:58:31 10:58:34

A No, sir. 10:58:37

Q Did you communicate at that time frame with Dave Shaffer? 10:58:37 10:58:39

A No, sir. 10:58:43

Q Do you know David Shaffer? 10:58:44

A I do not know him. I know who he is. He has held different positions, elected positions, I think. And I believe he was chair of the Republican party or some role in the Republican party. 10:58:46 10:58:49 10:58:51 10:58:54 10:58:57

Q But you do not recall communicating 10:58:59

UNITED STATES OF AMERICA)
STATE OF MARYLAND)

I, CAPPY HALLOCK, the reporter before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was sworn by me; that said deposition is a true record of the testimony given by said witness.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially or otherwise interested in the outcome of this action.

_____

Cappy Hallock, RPR, CRR

My Commission expires January 19, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION
CASE NO.: 1:17-cv-2989-AT

DONNA CURLING, et al.,
Plaintiffs,
vs.
BRAD RAFFENSPERGER, et al.,
Defendants.
_____/

VIDEOCONFERENCE
VIDEOTAPED
DEPOSITION OF: DOUG LOGAN
DATE: FRIDAY, NOVEMBER 18, 2022
TIME: 9:02 A.M. - 3:54 P.M.
PLACE: VIA VIDEOCONFERENCING TECHNOLOGY
STENOGRAPHICALLY
REPORTED BY: JAZZMIN A. MUSRATI, RPR, CRR
Registered Professional Reporter
Certified Realtime Reporter

Q. No, I under --
A. So I don't know how I can give any more additional context than that.
Q. I appreciate that.
Then on -- a minute later he says, "I'm not going to brief Sidney on these findings yet."
Do you see that?
A. Yes, sir.
Q. And that -- and that would have been Sidney Powell?
A. That would be my understanding.
But I -- I was surprised by that because when I -- when the audit happened and I reached out to Greg and asked him, I was like who even signed the contract? I remember being very surprised that it was Defending the Republic. So any involvement she had was minimal in this, at best. So I don't know if I knew or didn't know she was involved in this at that time, obviously. I must have known based on that message, but I don't recall that.
Q. Okay. If you go down, this is still on Special_Report, but it's one -- January 20th at 18:11.
A. Okay.
Q. Do you see where you say, "Also I'm making a revisit plan to really nail all of this down"?

CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF ORANGE:

I, Jazzmin A. Musrati, RPR, CRR, Notary Public, State of Florida, certify that I was authorized to and did stenographically report the deposition of DOUG LOGAN; that a review of the transcript was requested; and that the foregoing transcript, Pages 1 through 229, is a true and accurate record of my stenographic notes.

I further certify that I am not a relative, employee, or attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED: December 2, 2022.

_____

Jazzmin A. Musrati, RPR, CRR
Registered Professional Reporter
Certified Realtime Reporter

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED VIDEOCONFERENCE DEPOSITION OF

ALEX ANDREW CRUCE

DATE: November 22, 2022

TIME: 10:03 a.m. to 3:49 p.m. CDT

LOCATION: Witness location

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions

1250 Eye Street, N.W., Suite 350

Washington, D.C. 20005

A I can't remember.

Q I'll come back to some of the names.

Did anybody take minutes or notes of these meetings, to your knowledge?

A No, I didn't.

Q And then why did you stop having these video meetings in May of 2022? It just sort of petered out?

A Yeah.

Q I'm going to ask you, just since we're on the topic of different people involved, about a number of different names. With each -- with respect to each of these, I want to know if you've met or communicated with them in any way, that includes e-mail, video, anything at all. And then we can -- a lot of these people may be an easy no and then some of them I may come back to and drill down a little bit.

Have you met or communicated with Sidney Powell?

A No.

Q In video chat or anything?

A No.

Q How about Michael Flynn?

A No.

Q Have you met or communicated with Rudy Giuliani?

A No.

Q How about Jenna Ellis, have you met or communicated with Jenna Ellis?

A I'm not sure.

Q Do you know who she is?

A Not really. The names, I just -- I don't really have a -- I don't really remember names that well, but I don't want to say it's impossible that I haven't met her.

Q Fair enough.

What about Phil Waldron, have you met or communicated with Phil Waldron?

A No.

Q How about Doug Logan, have you met or communicated with Doug Logan?

A No, I don't believe. I just don't know these names, but . . .

their names.

Q And what other communications did you have with Sidney Powell or her organization or people who worked with her prior to going to Coffee County?

A I don't -- I don't recall any.

Q How about after you went to Coffee County?

A I don't recall anybody with Sidney Powell.

Q When you were -- when you had these video meetings with the group that we discussed, how did you share documents with the group?

A E-mail.

Q Would you -- did you use Slack?

A Slack?

Q Yeah. It's a type of communication program application.

A Not -- I didn't use it.

Q Do you recall meeting or communicating with a man named Greg Freemyer?

A Greg Freemyer? That doesn't ring a

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing video-recorded deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

FELICIA A. NEWLAND, CSR

Notary Public

My commission expires:

September 15, 2024

EXHIBIT L

CONFIDENTIAL

ThreadName	Message From	phone	Sent Time	Message Text
Special_Report	Jim Penrose	+12******883	1/20/2021 13:18	if you can draft a report for review on Friday morning with Charles Bundren that would be best - we only have until Sat to decide if we're going to use this report to try to decertify the Senate runoff election - or if we hold it for a bigger movement later
Special_Report	Jim Penrose	+12******883	1/20/2021 13:18	I'm not going to brief Sidney on these findings yet
Special_Report	Jim Penrose	+12******883	1/20/2021 13:18	I'd ask you do the same
Special_Report	Jim Penrose	+12******883	1/20/2021 13:18	so that we maintain our agility on how to use it

Jeff Lenberg	Doug Logan	+19******360	4/20/2021 16:26	Talk to Jim to get Charle's approval
Jeff Lenberg	Doug Logan	+19******360	4/20/2021 16:26	ANd tell him Sullivan STricker can add you to my vm folder for it.
Jeff Lenberg	Jeff Lenberg	+15******000	4/20/2021 16:27	Got it.

EXHIBIT M

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION
CASE NO.: 1:17-cv-2989-AT

DONNA CURLING, et al.,
Plaintiffs,
vs.
BRAD RAFFENSPERGER, et al.,
Defendants.
_____/

VIDEOCONFERENCE
VIDEOTAPED
DEPOSITION OF: DOUG LOGAN
DATE: FRIDAY, NOVEMBER 18, 2022
TIME: 9:02 A.M. - 3:54 P.M.
PLACE: VIA VIDEOCONFERENCING TECHNOLOGY
STENOGRAPHICALLY
REPORTED BY: JAZZMIN A. MUSRATI, RPR, CRR
Registered Professional Reporter
Certified Realtime Reporter

is that right?

A. Well, it -- we -- I think that's a poor question. I mean, the goal was always to have it be authorized, but it was not successful because we had not gotten authorization. And in this particular case, there -- there was authorization.

Q. And Mr. Penrose -- or your -- to the best of your recollection, Mr. Penrose told you that it had been cleared by members of the board or people of authority, correct?

A. Correct. And I even asked who the attorney was, you know, and I was told that, you know, Charles Bundren was the primary attorney working on it.

Q. And who -- who was his client?

A. I -- I don't remember. I probably knew at the time.

Q. Did you have an -- an understanding, when Mr. Penrose called you, as to the purpose of capturing these images, now that the election was -- had been decided?

A. I -- I don't remember. I can tell you that after the election happened, you know, our goal was to make sure that the elections were secure going forward, and that's always been -- at least that's always been my personal goal. I can't speak for everybody.

A. No, sir.
Q. Did you know it was happening at the time?
A. I don't believe I knew about it at the time.
Q. And then shortly thereafter, we'll get to the documents, but shortly thereafter, Penrose told you, and you obtained access to the data on -- on SullivanStrickler's ShareFile, correct?
A. Yeah. When Jim called me up to tell me about it, I recall being very surprised that -- that it had even happened, so...
Q. And before going to Georgia, did you speak to anyone else about going to Georgia in mid January, other than Jim Penrose?
A. Yeah, Jeff Lenberg.
Q. Who else?
A. I don't remember exactly where in the time line I talked with Charles Bundren, but I think one of the times was before I went there.
Q. And Bundren -- was Bundren your attorney at that time?
A. He was the attorney that -- yeah, that we were doing work under. Jim told me he was engaged specifically, you know, for this stuff, and he was the main attorney on this work.
Q. And I just need to ask it again: You were not

Q. No, I under --
A. So I don't know how I can give any more additional context than that.
Q. I appreciate that.
Then on -- a minute later he says, "I'm not going to brief Sidney on these findings yet."
Do you see that?
A. Yes, sir.
Q. And that -- and that would have been Sidney Powell?
A. That would be my understanding.
But I -- I was surprised by that because when I -- when the audit happened and I reached out to Greg and asked him, I was like who even signed the contract? I remember being very surprised that it was Defending the Republic. So any involvement she had was minimal in this, at best. So I don't know if I knew or didn't know she was involved in this at that time, obviously. I must have known based on that message, but I don't recall that.
Q. Okay. If you go down, this is still on Special_Report, but it's one -- January 20th at 18:11.
A. Okay.
Q. Do you see where you say, "Also I'm making a revisit plan to really nail all of this down"?

CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF ORANGE:

I, Jazzmin A. Musrati, RPR, CRR, Notary Public, State of Florida, certify that I was authorized to and did stenographically report the deposition of DOUG LOGAN; that a review of the transcript was requested; and that the foregoing transcript, Pages 1 through 229, is a true and accurate record of my stenographic notes.

I further certify that I am not a relative, employee, or attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED: December 2, 2022.

_____

Jazzmin A. Musrati, RPR, CRR
Registered Professional Reporter
Certified Realtime Reporter

EXHIBIT N

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED DEPOSITION OF ROBERT A. SINNERS

DATE: September 28, 2022

TIME: 9:21 a.m. to 4:29 p.m. EDT

LOCATION: Krevolin & Horst LLC
1201 West Peachtree Street, NW
Suite 3250
Atlanta, GA 30309

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions
1250 Eye Street, N.W., Suite 350
Washington, D.C. 20005

A No.

Q Have you ever had any communications with Sidney Powell?

A No.

Q Throughout your entire time working with the Trump Campaign, you never communicated with her at all?

A She was nuttier than a fruitcake. No.

Q Well, she was a prominent spokesperson for the campaign you worked with.

A I would dispute that categorization -- or that characterization.

Q In what way?

A I was not familiar that she was working for "the campaign" in any capacity.

Q What is your understanding of what Sidney Powell's role was with respect to the effort to have Donald Trump named as the winner of the 2020 election?

A She was one of these auxillary personalities that I think Trump liked. But yeah,

I mean, I don't believe she had any role with the actual campaign, with the Donald J. Trump For President, Inc., but she was one of these peripheral characters doing her own thing.

Q When you say "doing her own thing," are you -- you're not suggesting that what she was doing was not -- was -- was somehow done not at the direction of Trump or other senior folks in the campaign, are you?

A Trump, perhaps. You know, maybe Mark Meadows or, you know, these folks. But like I -- my understanding is that Justin Clark and, you know -- who's -- I'm missing a name, but like Justin Clark and, you know, the campaign manager -- I'm blanking right now -- thought she was crazy, you know. Every -- a lot of people did.

Q Have you ever had any communications with Rudy Giuliani?

A No.

Q But he was also someone who was involved with the campaign and trying to change the outcome of that election, right?

Curling, Donna v. Raffensperger, Brad

Robert A. Sinners (#5468186)

ACKNOWLEDGEMENT OF DEPONENT

I, Robert A. Sinners, do hereby declare that I have read the foregoing transcript, I have made any corrections, additions, or changes I deemed necessary as noted above to be appended hereto, and that the same is a true, correct and complete transcript of the testimony given by me.

[signature] 10/31/22

Robert A. Sinners Date

*If notary is required

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30 DAY OF October, 2022.

[signature]

NOTARY PUBLIC

My Commission Expires May 24, 2024

EXHIBIT O

COFFEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

Ernestine Thomas-Clark, Chairman
Wendell Stone, Vice-chairman
C.T. Peavy, Member

224 West Ashley Street
Douglas, GA 31533
(912) 384-7018
FAX (912) 384-1343
E-Mail: misty.hampton@coffeecounty-ga.gov

Eric Chaney, Member
Matthew McCullogh, Member
Misty Martin, Election Supervisor
Jil Ridlehoover Elections Assistant

12/31/2020

We have received your open record request, and I will be speaking with my board, and per Georgia Law I do not see any problem assisting you with anything y'all need accordance to Georgia Law. Y'all are welcome in our office any time. Coffee County Board of Elections and Registration and myself, are willing to work with anyone with accordance to the Georgia Law.

Misty Martin

Election Supervisor

Coffee County Board of Elections

224 West Ashley St

Douglas, Ga. 31533

912-384-7018 - Office

912-393-7181 - Direct

EXHIBIT P

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED DEPOSITION OF EMILY MISTY HAMPTON

DATE: November 11, 2022

TIME: 10:49 a.m. to 6:07 p.m.

LOCATION: Courtyard by Marriott Warner Robins
589 Carl Vinson Parkway
Warner Robins, Georgia 31088

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions
1250 Eye Street, N.W., Suite 350
Washington, D.C. 20005

those equipments -- equipment from you?

A I take the Fifth.

Q I'm going to refer to what I just described in my questions, and that is the copying of the election equipment in Coffee County as "SullivanStrickler's work."

Do you follow me?

A Okay.

Q Did you give SullivanStrickler permission to do their work on January 7, 2021?

A I did not do anything without the direction of the Board.

Q And who specifically on the Board gave you the Authority to give SullivanStrickler the permission to do their work?

A Eric.

Q Who else?

Is that Eric Chaney?

A Correct.

Q Anybody else on the Board?

MR. MILLER: Just tell him the truth.

THE WITNESS: Ernestine.

BY MR. BROWN:

Q Who else?

A Matthew.

Q Who else?

A I can't recall.

Q So those three, you told -- well, describe for me the circumstances in which you received authority from these three board members to give authority to SullivanStrickler to come into the election county offices and Coffee -- and copy the election system?

A I don't understand your question.

Q Did you have a meeting to talk about it? Did you text them? Did you call them? Did you all meet there?

How did they convey to the authority to allow SullivanStrickler to do their work on January 7?

A I don't really recall.

Q Okay. If someone were to say to doubt you and to say, "No, you did this all on your own, you did not have the authority of the Board,"

what would you point to or is there any evidence that you're aware of that these board members did give you this authority or direction?

MR. MILLER: Object to form.

THE WITNESS: I don't remember the actual way that Eric told me about it.

BY MR. BROWN:

Q Did -- did Eric -- did Ernestine tell you directly or was this secondhand through Eric?

A Through Eric.

Q What about Matthew, did Matthew tell you directly or was it through Eric?

A Through Eric.

Q And so Eric Chaney told you in effect that these board members want you to allow someone to come in and copy the election software, correct?

MR. MILLER: Object to form.

THE WITNESS: Yeah.

BY MR. BROWN:

Q And when in relation to January 7, which is the day they got there, did Mr. Chaney convey that to you?

A Authority was given, yes.

Q Okay. By the -- by Eric Chaney to you and from you to the people who came to do the work, correct?

A Correct, because I did as Eric, as a board member, directed.

Q Okay. And what was your understanding of the purpose of doing this work?

MR. MILLER: Object to form.

THE WITNESS: The purpose, is that what you asked?

BY MR. BROWN:

Q Yes.

A To see why the scanner would not function properly, I guess is the right technical term.

Q And how was copying the entire election management system going to achieve the purpose of seeing why the scanner would not function properly?

MR. MILLER: Object to form.

THE WITNESS: I do not know.

BY MR. BROWN:

Q Why didn't you just put in a service order for the scanner?

MR. MILLER: Object to form.

THE WITNESS: Stating multiple times that the scanner was not working properly.

BY MR. BROWN:

Q Okay. So because the State was not responding to your request to get your equipment fixed, Coffee County elected to allow a company to come in and copy the software, correct?

MS. LAROSS: Objection as to form.

MR. MILLER: Concur.

THE WITNESS: I don't know how to answer that one.

BY MR. BROWN:

Q "Yes" is good. "Yes" is good.

MR. MILLER: Now, you're not going to -- it's a yes-or-no question.

THE WITNESS: Right.

Repeat the question.

MR. BROWN: Ms. Newland, if you could

repeat the question, please.

(The reporter read as requested.)

THE WITNESS: Coffee County wanted help.

BY MR. BROWN:

Q Right. I need you to answer the question. I understand they wanted help, and we can get to that, but I need you to answer the question.

And if this is that you -- you were not getting the help that you needed from the State, so you needed in a sense to -- to do it on your own, right?

MS. LAROSS: Objection as to form.

MR. MILLER: If it's the correct answer, then that's the correct answer.

THE WITNESS: Yes.

BY MR. BROWN:

Q And tell me what you did to try to get help from the State -- or the Secretary of State before deciding that you needed to try to get help on your own.

did you testify in front of the grand jury?

A Yes.

Q Okay. When was that?

A Last month.

Q Okay. I need to ask this just for formality, but -- I should have asked it at the beginning, but are you under any medication that would prevent you from testifying accurately today?

A No, sir.

Q Okay. I asked you if you knew that Sidney Powell was paying for SullivanStrickler's work, and I believe your response was you did not know that one way or the other, correct?

A That's correct.

Q Did you -- did you have any idea of who was paying for the work?

A No, sir.

Q Okay. We were talking about the malfunctioning scanner at Coffee County that was at issue. Was that the ICC scanner?

A I don't remember the technical terms of them. I'm sorry.

Did he tell you that?

A No, sir.

Q Okay. How did you know to allow Mr. Lenberg and Mr. Logan to have access to the election equipment on the 17th and 18th?

A I don't know how to answer that. It was a continuation, I guess. I mean, I -- that's an assumption but ...

Q Well, who told you that they were coming?

A I don't recall that.

Q Was it Sidney Powell?

A As I've stated before, I've never spoken with Sidney Powell.

Q Was it Mr. Chaney?

A I don't recall.

Q Okay. So these two gentlemen showed up, you don't recall -- you recall having been given the direction to allow them to have access to your equipment, you just simply can't remember specifics. Is that right?

A Correct.

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing video-recorded deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

_____

FELICIA A. NEWLAND, CSR
Notary Public

My commission expires:
September 15, 2024

EXHIBIT Q

SPEAKERS
Scott Hall, Marilyn Marks

Scott Hall 00:00
And, and I haven't, you know, I'm the guy that chartered the jet to go down to Coffee County to have them inspect all of those computers. And I've heard zero. Okay. I went down there, we scanned every freaking ballot. And the elections director and her assistant lost their job. Okay, and have yet learned zero, all of that effort.

Marilyn Marks 00:32
Well, well, well, why did they not give you any information?

Scott Hall 00:38
That's a great question. As to why, all of that data, we haven't had a report from anybody. And I keep saying, "guys, all that effort," you know, the same people that went up to Michigan, okay, and did all that forensic stuff on the computers. And they sent their team down to Coffee County, Georgia, and they scanned all the equipment, imaged all the hard drives, and scanned every single ballot, you know, absentee in person, in person, and absentee by mail, and have gotten no feedback.

Marilyn Marks 01:17
They imaged the hard drives?

Scott Hall 01:20
Yes.

Marilyn Marks 01:20
How in the world did you get permission to do that?

Scott Hall 01:24
We basically had the entire Elections Committee there. Okay. And they said, "We give you permission, go for it." So they went in there and imaged every hard drive of every piece of equipment, you know, all the poll pads, everything. And it was there where Misty, and I said, "Misty, they're telling me these poll pads don't have internet access." She turned one on right in front of me. And she said, "here's the poll pad." She said, "You see this big icon, the Secretary of State." I said, "well, so that means it's just got worst case encrypted connection back to the SOS voter database." She swiped the screen to the left. And she said,"there's a safari icon that my daughter watched Netflix on."

Marilyn Marks 02:12
Now, I'm not surprised about that.

Scott Hall 02:17

And, and then, you know, as recently as I think yesterday, I'm getting images from Fulton County. I've got people that are still dumpster diving. Near the English Street warehouse. Yeah, they're throwing away poll pad boxes. Yeah.

EXHIBIT R

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

Civil Action No. 1:17-cv-02989-AT

DONNA CURLING, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, et al.,

Defendants.

VIDEOTAPED DEPOSITION OF DEAN M. FELICETTI

DATE: September 2, 2022

TIME: 9:12 a.m. to 4:28 p.m.

LOCATION: Witness location

REPORTED BY: Felicia A. Newland, CSR

Veritext Legal Solutions

1250 Eye Street, N.W., Suite 350

Washington, D.C. 20005

what you've learned since, that the individuals who engaged SullivanStrickler for the Coffee County work, in fact, did not have the legal authority or permissions to do what they asked you to do?

A No.

Q What is your understanding about that?

A That the direction provided by us was under a legal umbrella of a directing attorney.

Q Okay. And sorry, let me -- let me try to break that down a little bit.

A Sure.

Q Is the view today of SullivanStrickler that the work that it did did not violate any laws? Is that fair?

A Yes, sir.

Q And that view is based, in part, on the assurances received from the customer who engaged the firm for that work and the direction that the firm received on-site from election officials in Coffee County. Is that fair?

A Yes, sir.

Q Do you have any understanding today -- let's -- let's put aside for a moment the election officials.

A Sure.

Q Do you have any understanding today that the customer that engaged SullivanStrickler to do the work in Coffee County, that that customer actually did not have the legal rights or permissions to ask SullivanStrickler to do the work it did in Coffee County?

A No, sir.

Q That's not something you've heard before today?

A No.

Q Okay. And do I understand correctly that even though the Binnall Agreement specifically discusses the Georgia work, the work that was done in Coffee County was done pursuant to a separate agreement?

If you don't know, that's fine.

A I believe so, yes, sir.

Q Okay. And that's based on

discussions with Mr. Maggio and others?

A Yes.

Q The work that was done in Coffee County, was that done -- was the customer for that work Sidney Powell?

A Sidney Powell paid the bills.

Q What's your understanding of who the customer was for the purpose of the engagement agreement for the Coffee County work?

A Sidney Powell. Very good.

Q So is it SullivanStrickler's understanding still today that Sidney Powell had all of the necessary legal rights and permissions for the work that she engaged SullivanStrickler to do in Coffee County?

A Yes, sir.

Q What is the basis for that understanding?

A Borrowed license at the time -- no, see, I don't -- I don't know.

Q That's okay.

A Yeah, sorry.

Q No, that's okay.

If you -- sticking to the agreement --

A Yeah.

Q -- turn to the page that has -- it's two pages later.

A Sure.

Q -- heading 12, "Indemnification of Company."

A Yep.

Q Is this another standard provision in your agreements generally?

A Yes, sir.

Q And the idea here is that if SullivanStrickler incurs any kind of cost with respect to liability claims, for example, arising out of the work, the customer will indemnify and hold SullivanStrickler harmless for that?

A Yes, sir.

Q Has SullivanStrickler raised any indemnification claim with respect to the Coffee County work with the customer that retained the

CERTIFICATE OF NOTARY PUBLIC

I, FELICIA A. NEWLAND, CSR, the officer before whom the foregoing videotaped deposition was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me in stenotype and thereafter reduced to typewriting under my direction; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

FELICIA A. NEWLAND, CSR

Notary Public

My commission expires:

September 15, 2024