

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Amber Feng
UNITED STATES DIGITAL RESPONSE

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
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THE STATE OF WISCONSIN TO:

Amber Feng

UNITED STATES DIGITAL RESPONSE

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

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SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for USDR.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

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2021–2022 Regular Session

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State of Wisconsin)
)ss
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Amber McReynolds

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BY: _____
EDWARD BLAZEL, Chief Clerk
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Wisconsin on this _____ **DAY** of
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Amber McReynolds
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PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

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SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

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2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
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 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your personal capacity and as an owner, officer, director, employee, former employee, subsidiary, or any entities that have previously acted or are presently acting on behalf of **National Vote at Home Institute**.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Hillary Hall
- f. Michael Sptizer Rubenstein
- g. Any person or entity with the domain or email address containing “@voteathome.org”
- h. The Center for Tech and Civic Life, Inc. ("CTCL")
- i. Tiana Epps-Johnson
- j. Dennis Granadas
- k. Quickbase, Inc.
- l. Harrison Hersch
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. States United Democracy Center, Inc.
- o. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- p. Power the Polls
- q. Any person or entity with the domain or email address containing “@powerthepolls.org”
- r. The Elections Group
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Ann Jacobs, Commissioner
WISCONSIN ELECTIONS COMMISSION

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the SPECIAL COUNSEL and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Ari Steinberg
AIR BnB

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Ari Steinberg
AIR BnB

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary participating in any form or manner with or in a Wisconsin election.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Natalia Espina
VOCES DE LA FRONTERA ACTION, INC.
VOCES DE LA FRONTERA, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the SPECIAL COUNSEL and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Natalia Espina
VOCES DE LA FRONTERA ACTION, INC.
VOCES DE LA FRONTERA, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, **Speaker**
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, **Chief Clerk**
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

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8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **Voces de la Frontera Action, Inc.**, and/or **Voces de la Frontera, Inc.**

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

COMMAND CENTRAL, LLC
c/o Lee Storbeck or Chad Trice, Registered Agents
1265 Kuhn Drive, STE 140
St. Cloud, MN 56301

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to Command Central, LLC's, election related activities in Wisconsin to be and appear before the Wisconsin State Assembly's designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

COMMAND CENTRAL, LLC
c/o Lee Storbeck or Chad Trice, Registered Agents
1265 Kuhn Drive, STE 140
St. Cloud, MN 56301

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME,

SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.
15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify

where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means **Command Central, LLC**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,** leased," and/or "**used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.

- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
- a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;

- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns

- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
- f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.

3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from

- a. National Vote at Home Institute to you or an entity owned or controlled by you.
- b. Fireside Campaigns to or from you or an entity owned or controlled by you.
- c. Power the Polls to or from you or an entity owned or controlled by you.
- d. The Elections Group to or from you or an entity owned or controlled by you.
- e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
- f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
- g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

COMMAND CENTRAL, LLC
c/o Lee Storbeck or Chad Trice, Registered Agents
1265 Kuhn Drive, STE 140
St. Cloud, MN 56301

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 13, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:
Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE,

ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means **Command Central, LLC**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.
- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals,

pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or **used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms "**concerning,**" **associated with,**" **relate to,**" **related to,**" and **relating to**" mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising,

evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.

- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

- 1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by Command Central, LLC, and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested Period (**"Subject Devices"**), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
- 2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by Command Central and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type,

software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.** that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Election Systems and Software, LLC**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.
9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. Any list or roster, or if a list does not exist, the names or employment documents, of Command Central employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
11. Any and all virtual private network log data from the Requested Period for networks and enclaves owned, operated, or leased by Command Central for the purpose of support to Wisconsin elections.

12. Any and all network flow log data from the Requested Period for networks and enclaves owned, operated, or leased by Command Central for the purpose of support to Wisconsin elections.

13. Forensic images of the computer system(s) or server(s) containing any election project files including but not limited to any system containing Dominion Voting Systems .DVD files used to configure tabulators and associated removable media. This request includes, but is not limited to, any server, desktop, laptop, storage devices, or cloud resource that contains repository or directory structure containing election project files used in the 2020 general election in Wisconsin. This request also includes but is not limited to images of the backups for the same systems.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA DUCES TECUM

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: Hon. Cory Mason
 Mayor, City of Racine
 730 Washington Ave
 Racine, WI 53403


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO APPEAR in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony with regard to the November 2020 General Election in Wisconsin (the "Election") including, *but not limited to*, potential irregularities and/or illegalities related to the Election.


You are further commanded to bring with you originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit A, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Plano, Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 
REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 
EDWARD A. BLAZEL, JR. MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
 14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
 15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
16. Documents shall be produced in their native format with all meta-data intact.
 17. Documents produced shall be organized, identified, and indexed electronically.
 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “Election” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TO SUBPOENA DUCES TECUM

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Racine or Vicky Selkove.
2. All documents and communications between the Office of the Mayor of the City of Racine with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between the Office of the Mayor of the City of Racine and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between the Office of the Mayor of the City of Racine and officials or employees of the Cities of Green Bay, Kenosha, Madison and Milwaukee and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Racine and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between the Office of the Mayor of the City of Racine and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
CENTER FOR TECH AND CIVIC LIFE, INC.
c/o Incorp Services, Inc.
901 2d Street, STE. 201
Springfield, IL 62704

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your personal capacity, as an agent, employee, or officer of **Center for Tech and Civic Life, Inc.**, and **Center for Tech and Civic Life, Inc.**, itself, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. Tiana Epps-Johnson
- j. Dennis Granadas
- k. Quickbase, Inc.
- l. Harrison Hersch
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. States United Democracy Center, Inc.
- o. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- p. Power the Polls
- q. Any person or entity with the domain or email address containing “@powerthepolls.org”
- r. The Elections Group
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
DOMINION VOTING SYSTEMS, INC.,
c/o National Registered Agents, Inc.
5601 South 59th Street
Lincoln, NE 68516

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to Dominion Voting System, Inc.'s, election related activities in Wisconsin to be and appear before the Wisconsin State Assembly's designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
DOMINION VOTING SYSTEMS, INC.,
c/o National Registered Agents, Inc.
5601 South 59th Street
Lincoln, NE 68516

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME,

SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.
15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify

where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means **Dominion Voting Systems, Inc.**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or "**used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.

- H. The terms “concerning,” “associated with,” “relate to,” “related to,” and “relating to” mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
 - I. The terms “any” and “all” are to be construed to mean both any and all.
 - J. The terms “and” and “or” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
 - K. The term “including” is to be construed to mean without limitation.
 - L. The term “number.” The use of the singular form of any word includes the plural and vice versa.
 - M. The term “third party” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
 - N. The terms "machine(s)," "computer(s)," and "electronic device(s)" mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

- 1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;

- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Election Systems & Software, LLC
- ff. Any person or entity with the domain or email address containing “@essvote.com”
- gg. Fireside Campaigns
- hh. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ii. Center for Election Innovation & Research
- jj. @electioninnovation.org

2. Any and all documents concerning or related to:
 - a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
 - b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
 - e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.

- b. Fireside Campaigns to or from you or an entity owned or controlled by you.
- c. Power the Polls to or from you or an entity owned or controlled by you.
- d. The Elections Group to or from you or an entity owned or controlled by you.
- e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
- f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
- g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
DOMINION VOTING SYSTEMS, INC.,
c/o National Registered Agents, Inc.
5601 South 59th Street
Lincoln, NE 68516

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, *Speaker*
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, *Chief Clerk*
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:
Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE,

ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means **Dominion Voting Systems, Inc.**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.
- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals,

pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or **used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms "**concerning,**" **associated with,**" **relate to,**" **related to,**" and **relating to**" mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising,

evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.

- I. The terms “**any**” and “**all**” are to be construed to mean both any and all.
- J. The terms “**and**” and “**or**” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “**including**” is to be construed to mean without limitation.
- L. The term “**number.**” The use of the singular form of any word includes the plural and vice versa.
- M. The term “**third party**” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms “**machine(s),**” “**computer(s),**” and “**electronic device(s)**” mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

- 1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested Period (“**Subject Devices**”), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
- 2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name,

software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Election Systems and Software, LLC**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.
9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed to **Dominion Voting Systems, Inc.**, machines located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update

deployment, and what employee deployed the update along with the means it was deployed.

12. List of all points of contact at Command Central LLC.
13. Any list or roster of **Dominion Voting Systems, Inc.**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
14. Forensic images of the computer system(s) or server(s) containing any election project files including, but, not limited to, any system containing Dominion Voting Systems .DVD files used to configure tabulators and associated removable media used for the Wisconsin 2020 general election. This request includes but is not limited to any server, desktop, laptop, storage devices, or cloud resource that contains repository or directory structure containing election project files used in the 2020 general election in Wisconsin. This request also includes but is not limited to images of the backups for the same systems.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

The Elections Group

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your personal capacity, as an agent, employee, or officer of **The Elections Group**, and **The Elections Group** itself, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Trina Zanow, Administrator and CIO
Wis. Department Of Administration
DIVISION OF ENTERPRISE TECHNOLOGY

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, *Speaker*
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, *Chief Clerk*
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Trina Zanow, Administrator and CIO
Wis. Department Of Administration
DIVISION OF ENTERPRISE TECHNOLOGY

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 14, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as Administrator and CIO, you in your capacity as an agent, officer, or employee of the Division of Enterprise Technology, and the Division of Enterprise Technology itself, including the Division's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners,

members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D.** The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E.** The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F.** The term "**owned, leased, and/or used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term “**entity**” means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms “**concerning,**” “**associated with,**” “**relate to,**” “**related to,**” and “**relating to**” mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms “**any**” and “**all**” are to be construed to mean both any and all.
- J. The terms “**and**” and “**or**” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “**including**” is to be construed to mean without limitation.
- L. The term “**number.**” The use of the singular form of any word includes the plural and vice versa.
- M. The term “**third party**” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms “**machine(s),**” “**computer(s),**” and “**electronic device(s)**” mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

Items to be Produced

1. A forensic image of any and all servers, computers, hard drives, electronic storage devices, or any other electronic medium which stores, houses, contains, or maintains data for:

- A. The Wisconsin Election Commission
 - B. City of Green Bay, Wisconsin.
 - C. City of Kenosha, Wisconsin.
 - D. City of Racine, Wisconsin.
 - E. City of Milwaukee, Wisconsin.
 - F. City of Madison, Wisconsin.
2. All documents or items in any form that are related to and/or concerning a Wisconsin election for the Requested Period or a candidate for a past, present, or future Wisconsin election.
 3. All activity reports from the Requested Period which reference or relate to and/or concerns all modifications and updates made on any web or internet application owned, leased, controlled, or used by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison**, and/or in use for the 2020 election as well the IP (internet protocol) addresses from which the modifications and/or updates originated and the IP (internet protocol) addresses to which the modifications and/or updates were destined.
 4. All outgoing and incoming file transfers that occurred during the Requested Period on any servers that were owned, leased, controlled, or used by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison**, including all details of the file including content, file type, and time stamp of transfer.
 5. Records of all individual and/or group file updates and modifications that during the Requested Period on any servers owned, leased or in use by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison** including content and file type of any archived version as well as content, file type, and timestamp of the updated version.
 6. All backups of all programs related or referenced to or concerning a Wisconsin election or a candidate for a past, present, or future Wisconsin election during the Requested Period.
 7. All backups of all programs related or referenced to or concerning a Wisconsin election or a candidate for a past, present, or future Wisconsin election during the Requested Period.
 8. All documents, letters, papers, electronic information, electronic data, or tangible items associated with the active directory for **WisVote** during the Requested Period.

9. A list, or if a list does not exist, all data related to, all persons on **WisVote** Systems who were reactivated as a voter or a person eligible to vote from a deactivated or inactive status during the Requested Period.
 - A. For all such persons, provide all documents, letters, papers, electronic information, electronic data, tangible objects, and/or source code related to or concerning the reactivation.
10. A list, or if a list does not exist, all data related to or concerning, all persons on **WisVote** Systems detailed in number two who were deactivated as a voter or person eligible to vote during the Requested Period.
 - A. For all such persons, provide all documents, letters, papers, electronic information, electronic data, tangible objects, and/or source code related to or concerning the deactivation.
11. A list, or if a list does not exist, all data related to or concerning, all persons on **WisVote** Systems who were activated (as opposed to reactivated) as a voter or a person eligible to vote during the Requested Period.
 - A. For all such persons, provide all documents, letters, papers, electronic information, electronic data, tangible objects, and/or source code related to or concerning the activation.
12. A list, or if a list does not exist, all data related to or concerning, all persons on **WisVote** Systems detailed in number four who were deactivated as a voter or person eligible to vote for the time period during the Requested Period.
 - A. For all such persons, provide all documents, letters, papers, electronic information, electronic data, tangible objects, and/or source code related to or concerning the deactivation.
13. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison** and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested Period ("**Subject Devices**"), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

14. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison** and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
15. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
16. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
17. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
18. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
19. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
20. Any and all security logs for the Subject Devices pertaining to the Requested Period.
21. Any and all software updates that were sent to, received by, or installed on the Subject Devices for the Requested Period.

22. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
23. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
24. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **Election Systems and Software, LLC, Dominion Voting Systems, Inc., and/or Command Central, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
25. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Command Central LLC, Dominion Voting System, and Election Systems and Software, LLC**, machines deployed in Wisconsin.
26. Any and all emails, phone logs, text messages, or other types of communications with **Command Central LLC, Dominion Voting System, and Election Systems and Software, LLC**, personnel on either corporate email accounts or personal accounts.
27. Forensic image of the election management system (EMS) for **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison** and any associated storage devices or workstations used to run the 2020 general election as well as any backups of the same system(s).
28. Any and all communications located on any Subject Device during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;

- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns

- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

29. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value related to or concerning any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in this subpoena.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials used by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison**, their employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
- f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from **Center for Tech and Civic Life, Inc.**, to or from **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison** or an entity owned or controlled by **WEC, the City of Green Bay, the City of Milwaukee, the City of Kenosha, the City of Racine, or the City of Madison**.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA DUCES TECUM

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: Hon. Eric Genrich
 Mayor, City of Green Bay
 100 N. Jefferson St.
 Green Bay WI 54301


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO APPEAR in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony with regard to the November 2020 General Election in Wisconsin (the "Election") including, *but not limited to*, potential irregularities and/or illegalities related to the Election.

You are further commanded to bring with you originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit A, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Pleasant Prairie Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

Edward A. Blazel, in Madison, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:

- 16. Documents shall be produced in their native format with all meta-data intact.
- 17. Documents produced shall be organized, identified, and indexed electronically.
- 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
- 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
- 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
- 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. "All," "any," and "each" shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. "And" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. "Ballot" means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. "Committee" means the committee named in the subpoena.
26. "Communication" means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. "Communication with," "communications from," and "communications between" means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. "CTCL" means the Center for Tech and Civic Life.
29. "Documents" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. "**Election**" means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. "Employee" means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, "to identify" means to give, to the extent known: (1) the person's full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person's complete title at the place of employment; and (c) the individual's business address. When referring to documents, "to identify" means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. "Forensic Image" means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. "Indicating" with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. "Party" refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. "Person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. "Pertaining to," "referring," "relating," or "concerning" with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. "Possession, custody or control" means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. "Processes" means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. "You" or "Your" shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, "you" and "your" also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TO SUBPOENA DUCES TECUM

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Green Bay and the Chief of Staff of the Office of the Mayor of the City of Green Bay.
2. All documents and communications between the Office of the Mayor of the City of Green Bay with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May
3. All documents and communications between the Office of the Mayor of the City of Green Bay and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between the Office of the Mayor of the City of Green Bay and officials or employees of the Cities of Racine, Kenosha, Madison and Milwaukee and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the Election.
5. All documents and communications between the Office of the Mayor of the City of Green Bay and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between the Office of the Mayor of the City of Green Bay and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
2 investigate the administration of elections in Wisconsin.

3 Whereas, the ability of American citizens to exercise their right to vote is
4 foundational to our representative democracy; and

5 Whereas, the legitimacy of the American form of government depends on the
6 citizens' widespread confidence in the fairness of elections and acceptance of election
7 results; and

8 Whereas, preserving the integrity of the electoral process is one of our
9 government's most important responsibilities; and

10 Whereas, the administration of elections in Wisconsin is governed by an
11 extensive set of duly enacted laws; and

12 Whereas, however, election laws are not self-enforcing but rely on the good
13 faith efforts of election officials to dutifully carry out those laws as written in order
14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
ELECTION SYSTEMS & SOFTWARE, LLC
c/o National Registered Agents, Inc.
5601 South 59th Street
Lincoln, NE 68516

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to Election Systems & Software, LLC's, election related activities in Wisconsin to be and appear before the Wisconsin State Assembly's designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME,
SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE,
ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE,
FILENAME, FILEEXT, FILESIZE, DATECREATED,

TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to

you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you,**" "**your,**" or "**yours**" mean means **Election Systems and Software, LLC**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.
- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone

call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or **"used"** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms "**concerning,**" **associated with,**" **relate to,**" **related to,**" and **"relating to"** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.

- I. The terms “any” and “all” are to be construed to mean both any and all.
- J. The terms “and” and “or” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “including” is to be construed to mean without limitation.
- L. The term “number.” The use of the singular form of any word includes the plural and vice versa.
- M. The term “third party” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms "machine(s)," "computer(s)," and "electronic device(s)" mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by **Election Systems and Software, LLC**, and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested Period ("**Subject Devices**"), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by **Election Systems and Software, LLC**, and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.
9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed to **Election Systems and Software, LLC**, machines located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.

12. Any list or roster of **Election Systems and Software, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Wisconsin-based **Election Systems and Software, LLC**, machines that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Forensic images of the computer system(s) or server(s) containing any election project files including, but not limited to, any system containing **Election Systems and Software, LLC**, files used to configure tabulators and associated removable media used for the Wisconsin 2020 general election. This request includes but is not limited to any server, desktop, laptop, storage devices, or cloud resource that contains repository or directory structure containing election project files used in the 2020 general election in Wisconsin. This request also includes but is not limited to images of the backups for the same systems.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

ELECTION SYSTEMS & SOFTWARE, LLC
c/o National Registered Agents, Inc.
5601 South 59th Street
Lincoln, NE 68516

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, **Speaker**
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, **Chief Clerk**
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME,

SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.
15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify

where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means **Election Systems and Software, LLC**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or **used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.

- H. The terms “concerning,” “associated with,” “relate to,” “related to,” and “relating to” mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
 - I. The terms “any” and “all” are to be construed to mean both any and all.
 - J. The terms “and” and “or” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
 - K. The term “including” is to be construed to mean without limitation.
 - L. The term “number.” The use of the singular form of any word includes the plural and vice versa.
 - M. The term “third party” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
 - N. The terms "machine(s)," "computer(s)," and "electronic device(s)" mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

- 1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;

- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Fireside Campaigns
- jj. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- kk. Center for Election Innovation & Research

- ll. @electioninnovation.org
2. Any and all documents concerning or related to:
 - a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
 - b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
 - e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
 3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.

- b. Fireside Campaigns to or from you or an entity owned or controlled by you.
- c. Power the Polls to or from you or an entity owned or controlled by you.
- d. The Elections Group to or from you or an entity owned or controlled by you.
- e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
- f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
- g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

ELECTION SYSTEMS & SOFTWARE, LLC
c/o National Registered Agents, Inc.
5601 South 59th Street
Lincoln, NE 68516

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE,

ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means **Election Systems and Software, LLC**, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.
- C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.
- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals,

pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or **used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- G. The term "**entity**" means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms "**concerning,**" **associated with,**" **relate to,**" **related to,**" and **relating to**" mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising,

evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.

- I. The terms “**any**” and “**all**” are to be construed to mean both any and all.
- J. The terms “**and**” and “**or**” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “**including**” is to be construed to mean without limitation.
- L. The term “**number.**” The use of the singular form of any word includes the plural and vice versa.
- M. The term “**third party**” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms “**machine(s),**” “**computer(s),**” and “**electronic device(s)**” mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

- 1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by **Election Systems and Software, LLC**, and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested Period (“**Subject Devices**”), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
- 2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated by **Election Systems and Software, LLC**, and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software

name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.
9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed to **Election Systems and Software, LLC**, machines located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update

deployment, and what employee deployed the update along with the means it was deployed.

12. Any list or roster of **Election Systems and Software, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Wisconsin-based **Election Systems and Software, LLC**, machines that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Forensic images of the computer system(s) or server(s) containing any election project files including, but not limited to, any system containing **Election Systems and Software, LLC**, files used to configure tabulators and associated removable media used for the Wisconsin 2020 general election. This request includes but is not limited to any server, desktop, laptop, storage devices, or cloud resource that contains repository or directory structure containing election project files used in the 2020 general election in Wisconsin. This request also includes but is not limited to images of the backups for the same systems.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Celestine Jefferies
CITY OF GREEN BAY, WISCONSIN
100 North Jefferson Street
Green Bay, WI 54301

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Green Bay, Wisconsin, and the City of Green Bay, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
2. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Tiana Epps-Johnson to or from you or an entity owned or controlled by you.
3. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Michael Spitzer Rubenstein to or from you or an entity owned or controlled by you.
4. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from National Vote at Home Institute to or from you or an entity owned or controlled by you.
5. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Amber McReynolds to or from you or an entity owned or controlled by you.
6. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from States United Democracy Center, Inc., to or from you or an entity owned or controlled by you.
7. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Power the Polls to or from you or an entity owned or controlled by you.
8. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Work Elections to or from you or an entity owned or controlled by you.
9. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fair Elections Institute to or from you or an entity owned or controlled by you.

10. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from The Elections Group to or from you or an entity owned or controlled by you.
11. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Ryan Chew to or from you or an entity owned or controlled by you.
12. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Jennifer Morrell to or from you or an entity owned or controlled by you.
13. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Dominion Voting Systems, Inc., to or from you or an entity owned or controlled by you.
14. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Phil Schmidt to or from you or an entity owned or controlled by you.
15. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Election Systems and Software, LLC, to or from you or an entity owned or controlled by you.
16. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fireside Campaigns to or from you or an entity owned or controlled by you.
17. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from the Brennan Center for Justice to or from you or an entity owned or controlled by you.
18. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Elizabeth Howard to or from you or an entity owned or controlled by you.
19. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from

Voces de la Frontera Action, Inc, and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.

20. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Natalia Espina to or from you or an entity owned or controlled by you.
21. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Christine Nuemann-Ortiz to or from you or an entity owned or controlled by you.
22. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from a non-governmental entity to or from you or an entity owned or controlled by you that were used in any manner related to the 2020 Wisconsin primary and/or general election.
23. All records that show the persons or entities paid with money, funds, valuables, or other negotiable instruments to or from a non-governmental entity in any manner related to the 2020 Wisconsin primary and/or general election.
24. All documents, communications, budgets, or other items related to the budget as well as in preparation of the budget, for the 2020 and 2022 elections. This includes, but is not limited to, documents, communications, or budgets with the office of the Mayor of the City, the Clerk, WEC, and all other third parties.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Information Technology Services
CITY OF GREEN BAY, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to Green Bay's Information Technology Services to be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the SPECIAL COUNSEL and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Information Technology Services
CITY OF GREEN BAY, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- A. The terms "**you,**" "**your,**" or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Green Bay, Wisconsin, and the City of Green Bay, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- B. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

- C. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- D. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- E. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- F. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- G. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- H. The terms **“any” and “all”** are to be construed to mean both any and all.
- I. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- J. The term **“including”** is to be construed to mean without limitation.
- K. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- L. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- M. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
 - d. The National Vote at Home Institute
 - e. Amber McReynolds
 - f. Hillary Hall
 - g. Michael Sptizer Rubenstein
 - h. Any person or entity with the domain or email address containing “@voteathome.org”
 - i. The Center for Tech and Civic Life, Inc. (“CTCL”)
 - j. Tiana Epps-Johnson
 - k. Dennis Granadas
 - l. Quickbase, Inc.
 - m. Harrison Hersch
 - n. Any person or entity with the domain or email address containing “@quickbase.com”
 - o. States United Democracy Center, Inc.
 - p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
 - q. Power the Polls
 - r. Any person or entity with the domain or email address containing “@powerthepolls.org”
 - s. The Elections Group
 - t. Jennifer Morrell
 - u. Ryan Chew
 - v. Any person or entity with the domain or email address containing “@electionsgroup.com”
 - w. The Brennan Center for Justice at NYU Law
 - x. Elizabeth Howard
 - y. Any person or entity with the domain or email address containing “@nyu.edu”
 - z. Voces de la Frontera Action, Inc.
 - aa. Voces de la Frontera, Inc.
 - bb. Natalia Espina

- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).

- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Information Technology Services
CITY OF GREEN BAY, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Green Bay, Wisconsin, and the City of Green Bay, Wisconsin itself, including the city's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or

other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" and/or "**used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **“machine(s),” “computer(s),” and “electronic device(s)”** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Green Bay** and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the

Requested Period ("**Subject Devices**"), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Green Bay** and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.

9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **Election Systems and Software, LLC, Dominion Voting Systems, Inc., and/or Command Central, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image of the election management system (EMS) and any associated storage devices or workstations used to run the 2020 general election as well as any backups of the same system(s).

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: City of Green Bay
 100 N. Jefferson St.
 Green Bay WI 54301


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).


You are further commanded that your designee or representative bring with him originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Pleasant Prairie, Wisconsin this 4th day of October, 2021.

WISCONSIN STATE ASSEMBLY

By: 
REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 
EDWARD A. BLAZEL, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
- 16. Documents shall be produced in their native format with all meta-data intact.
 - 17. Documents produced shall be organized, identified, and indexed electronically.
 - 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
 - 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 - 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 - 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate one official, officer, director, or managing agent, who consents to testify on its behalf. Such individual shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 election conducted in the City of Green Bay.
2. All private funding the City of Green Bay received related to the 2020 election in the City of Green Bay, whether from the Center for Tech and Civic Life or any other non-governmental source.
3. City of Green Bay coordination relating to the administration of the 2020 election by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison—and their Mayors.
4. City of Green Bay or its employees’ communications with the Wisconsin Elections Commission and its officials, members, or employees, and communications between the City of Green Bay or its employees with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election in the City of Green Bay.
5. City of Green Bay or its employees’ communications with or concerning the Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election in Wisconsin.
6. In-person voting processes in the 2020 election in the City of Green Bay.
7. Absentee voting processes in the 2020 election in the City of Green Bay.
8. Voter education programs in the 2020 election in the City of Green Bay.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Green Bay.
2. All documents and communications between any employee of the City of Green Bay with the Center for Tech and Civic Life (“CTCL”), and any and all communications and documents by any employee of the City of Green Bay concerning CTCL. This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between any employee of the City of Green Bay and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the Election, and any and all documents and communications by any employee of the City of Green Bay concerning WEC.
4. All documents and communications between any employee of the City of Green Bay and officials or employees of the Cities of Madison, Kenosha, Milwaukee and Racine and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the Election.
5. All documents and communications between the Office of the Mayor of the City of Green Bay and employees of any non-governmental entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election.
6. All documents or communications between any Employee of the City of Green Bay and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the Election.
7. All documents or communications between any Employee of the City of Green Bay and any other person, entity, or organization concerning or related to voting machines.
8. All documents or communications between any Employee of the City of Green Bay and any employee, agent, commission member and/ or any staff member of the Wisconsin Elections Commission, and any such documents of communications which reference any employee, agent, commission member and/or any staff member of the Wisconsin Elections Commission.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Hannah Bubacz
CITY OF MILWAUKEE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Hannah Bubacz
CITY OF MILWAUKEE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as an employee of the City of Milwaukee, you in your capacity as an agent, officer, or employee of the City of Milwaukee, Wisconsin, and the City of Milwaukee, Wisconsin itself, including the city's employees, its agents,

owners, officers, directors, employees, former employees, and subsidiaries acting on behalf of you or the City.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
 - d. The National Vote at Home Institute
 - e. Amber McReynolds
 - f. Hillary Hall
 - g. Michael Sptizer Rubenstein
 - h. Any person or entity with the domain or email address containing “@voteathome.org”
 - i. The Center for Tech and Civic Life, Inc. (“CTCL”)
 - j. Tiana Epps-Johnson
 - k. Dennis Granadas
 - l. Quickbase, Inc.
 - m. Harrison Hersch
 - n. Any person or entity with the domain or email address containing “@quickbase.com”
 - o. States United Democracy Center, Inc.
 - p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
 - q. Power the Polls
 - r. Any person or entity with the domain or email address containing “@powerthepolls.org”
 - s. The Elections Group
 - t. Jennifer Morrell
 - u. Ryan Chew
 - v. Any person or entity with the domain or email address containing “@electionsgroup.com”
 - w. The Brennan Center for Justice at NYU Law
 - x. Elizabeth Howard
 - y. Any person or entity with the domain or email address containing “@nyu.edu”
 - z. Voces de la Frontera Action, Inc.
 - aa. Voces de la Frontera, Inc.
 - bb. Natalia Espina

- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).

- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Harrison Hersch
QUICKBASE, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Harrison Hersch
QUICKBASE, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

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Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

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2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
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13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
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 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **Quickbase, Inc.**

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. Hannah Bubacz
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Hillary Hall
NATIONAL VOTE AT HOME INSTITUTE

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Hillary Hall
NATIONAL VOTE AT HOME INSTITUTE

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **National Vote at Home Institute**.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Michael Sptizer Rubenstein
- g. Any person or entity with the domain or email address containing “@voteathome.org”
- h. The Center for Tech and Civic Life, Inc. (“CTCL”)
- i. Tiana Epps-Johnson
- j. Dennis Granadas
- k. Quickbase, Inc.
- l. Harrison Hersch
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. States United Democracy Center, Inc.
- o. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- p. Power the Polls
- q. Any person or entity with the domain or email address containing “@powerthepolls.org”
- r. The Elections Group
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA DUCES TECUM

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: John M. Antaramian
 Mayor, City of Kenosha
 625 52nd Street Room 300
 Kenosha, WI 53140


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO APPEAR in person before an investigator designated by the Wisconsin State Assembly on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony with regard to the November 2020 General Election in Wisconsin (the "Election") including, *but not limited to*, potential irregularities and/or illegalities related to the Election.

You are further commanded to bring with you originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit A, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at ~~Pleasant Prairie~~ Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

EDWARD A. BLAZEL, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
- f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
- g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.

13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.

14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.

15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:

- 16. Documents shall be produced in their native format with all meta-data intact.
- 17. Documents produced shall be organized, identified, and indexed electronically.
- 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
- 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
- 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
- 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TO SUBPOENA DUCES TECUM

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Kenosha.
2. All documents and communications between the Office of the Mayor of the City of Kenosha with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May
3. All documents and communications between the Office of the Mayor of the City of Kenosha and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between the Office of the Mayor of the City of Kenosha and officials or employees of the Cities of Green Bay, Racine, Madison and Milwaukee and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Kenosha and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between the Office of the Mayor of the City of Kenosha and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the Election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Kaleb Jefferies

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Matt Krauter
CITY OF KENOSHA, WISCONSIN
625 52d Street
Kenosha, WI 53140

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Kenosha, Wisconsin, and the City of Kenosha, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
2. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Tiana Epps-Johnson to or from you or an entity owned or controlled by you.
3. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Michael Spitzer Rubenstein to or from you or an entity owned or controlled by you.
4. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from National Vote at Home Institute to or from you or an entity owned or controlled by you.
5. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Amber McReynolds to or from you or an entity owned or controlled by you.
6. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from States United Democracy Center, Inc., to or from you or an entity owned or controlled by you.
7. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Power the Polls to or from you or an entity owned or controlled by you.
8. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Work Elections to or from you or an entity owned or controlled by you.
9. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fair Elections Institute to or from you or an entity owned or controlled by you.

10. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from The Elections Group to or from you or an entity owned or controlled by you.
11. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Ryan Chew to or from you or an entity owned or controlled by you.
12. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Jennifer Morrell to or from you or an entity owned or controlled by you.
13. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Dominion Voting Systems, Inc., to or from you or an entity owned or controlled by you.
14. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Phil Schmidt to or from you or an entity owned or controlled by you.
15. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Election Systems and Software, LLC, to or from you or an entity owned or controlled by you.
16. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fireside Campaigns to or from you or an entity owned or controlled by you.
17. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from the Brennan Center for Justice to or from you or an entity owned or controlled by you.
18. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Elizabeth Howard to or from you or an entity owned or controlled by you.
19. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from

Voces de la Frontera Action, Inc, and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.

20. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Natalia Espina to or from you or an entity owned or controlled by you.
21. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Christine Nuemann-Ortiz to or from you or an entity owned or controlled by you.
22. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from a non-governmental entity to or from you or an entity owned or controlled by you that were used in any manner related to the 2020 Wisconsin primary and/or general election.
23. All records that show the persons or entities paid with money, funds, valuables, or other negotiable instruments to or from a non-governmental entity in any manner related to the 2020 Wisconsin primary and/or general election.
24. All documents, communications, budgets, or other items related to the budget as well as in preparation of the budget, for the 2020 and 2022 elections. This includes, but is not limited to, documents, communications, or budgets with the office of the Mayor of the City, the Clerk, WEC, and all other third parties.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
John Morrissey, City Administrator
CITY OF KENOSHA, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
John Morrissey, City Administrator
CITY OF KENOSHA, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

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AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

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2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- A. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Kenosha, Wisconsin, and the City of Kenosha, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- B. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

- C. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- D. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- E. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- F. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- G. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- H. The terms **“any” and “all”** are to be construed to mean both any and all.
- I. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- J. The term **“including”** is to be construed to mean without limitation.
- K. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- L. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- M. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
 - d. The National Vote at Home Institute
 - e. Amber McReynolds
 - f. Hillary Hall
 - g. Michael Sptizer Rubenstein
 - h. Any person or entity with the domain or email address containing “@voteathome.org”
 - i. The Center for Tech and Civic Life, Inc. (“CTCL”)
 - j. Tiana Epps-Johnson
 - k. Dennis Granadas
 - l. Quickbase, Inc.
 - m. Harrison Hersch
 - n. Any person or entity with the domain or email address containing “@quickbase.com”
 - o. States United Democracy Center, Inc.
 - p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
 - q. Power the Polls
 - r. Any person or entity with the domain or email address containing “@powerthepolls.org”
 - s. The Elections Group
 - t. Jennifer Morrell
 - u. Ryan Chew
 - v. Any person or entity with the domain or email address containing “@electionsgroup.com”
 - w. The Brennan Center for Justice at NYU Law
 - x. Elizabeth Howard
 - y. Any person or entity with the domain or email address containing “@nyu.edu”
 - z. Voces de la Frontera Action, Inc.
 - aa. Voces de la Frontera, Inc.
 - bb. Natalia Espina

- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).

- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA DUCES TECUM

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
John Morrissey, City Administrator
CITY OF KENOSHA, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the SPECIAL COUNSEL, on January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to produce to the Assembly’s designee, the SPECIAL COUNSEL, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Kenosha, Wisconsin, and the City of Kenosha, Wisconsin itself, including the city's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or

other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" **and/or** "**used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **“machine(s),” “computer(s),” and “electronic device(s)”** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Kenosha** and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested

Period ("**Subject Devices**"), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Kenosha** and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.

9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **Election Systems and Software, LLC, Dominion Voting Systems, Inc., and/or Command Central, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image of the election management system (EMS) and any associated storage devices or workstations used to run the 2020 general election as well as any backups of the same system(s).

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: City of Kenosha
 625 52nd Street Room 300
 Kenosha, WI 53140


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am at 200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).

You are further commanded that your designee or representative bring with him originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Plenest Prairie, Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

EDWARD A. BLAZEL, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contempt.
15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
- 16. Documents shall be produced in their native format with all meta-data intact.
 - 17. Documents produced shall be organized, identified, and indexed electronically.
 - 18. Only alphanumeric characters and the underscore (" ") character are permitted in file and folder names. Special characters are not permitted.
 - 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 - 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 - 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate an official, officer, director, or managing agent who consents to testify on its behalf. Such individuals shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 election conducted in the City of Kenosha.
2. All private funding the City of Kenosha received related to the 2020 election in the City of Kenosha.
3. City of Kenosha coordination relating to 2020 election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison—and their Mayors.
4. City of Kenosha or its employees’ communications Wisconsin Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the 2020 election in the City of Kenosha.
5. City of Kenosha or its employees’ communications with Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. In-person voting processes in the 2020 election in the City of Kenosha.
7. Absentee voting processes in the 2020 election in the City of Kenosha.
8. Voter education programs in the 2020 election in the City of Kenosha.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Kenosha.
2. All documents and communications between any employee of the City of Kenosha with the Center for Tech and Civic Life ("CTCL"). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between any employee of the City of Kenosha and the Wisconsin Elections Commission ("WEC") and its officials or employees regarding or in any way related to the election.
4. All documents and communications between any employee of the City of Kenosha and officials or employees of the Cities of Green Bay, Madison, Milwaukee and Racine and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Kenosha and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between any Employee of the City of Kenosha and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research ("CEIR"), Center for Secure and Modern Elections ("CSME") and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2247/1
MPC:skw

2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Kris Weary

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Dan Schmiedicke, Finance Director
CITY OF MADISON, WISCONSIN
210 Martin Luther King, Jr., Blvd., RM 406
Madison, WI 53703

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you,**" "**your,**" or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Madison, Wisconsin, and the City of Madison, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
2. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Tiana Epps-Johnson to or from you or an entity owned or controlled by you.
3. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Michael Spitzer Rubenstein to or from you or an entity owned or controlled by you.
4. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from National Vote at Home Institute to or from you or an entity owned or controlled by you.
5. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Amber McReynolds to or from you or an entity owned or controlled by you.
6. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from States United Democracy Center, Inc., to or from you or an entity owned or controlled by you.
7. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Power the Polls to or from you or an entity owned or controlled by you.
8. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Work Elections to or from you or an entity owned or controlled by you.
9. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fair Elections Institute to or from you or an entity owned or controlled by you.

10. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from The Elections Group to or from you or an entity owned or controlled by you.
11. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Ryan Chew to or from you or an entity owned or controlled by you.
12. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Jennifer Morrell to or from you or an entity owned or controlled by you.
13. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Dominion Voting Systems, Inc., to or from you or an entity owned or controlled by you.
14. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Phil Schmidt to or from you or an entity owned or controlled by you.
15. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Election Systems and Software, LLC, to or from you or an entity owned or controlled by you.
16. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fireside Campaigns to or from you or an entity owned or controlled by you.
17. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from the Brennan Center for Justice to or from you or an entity owned or controlled by you.
18. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Elizabeth Howard to or from you or an entity owned or controlled by you.
19. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from

Voces de la Frontera Action, Inc, and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.

20. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Natalia Espina to or from you or an entity owned or controlled by you.
21. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Christine Nuemann-Ortiz to or from you or an entity owned or controlled by you.
22. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from a non-governmental entity to or from you or an entity owned or controlled by you that were used in any manner related to the 2020 Wisconsin primary and/or general election.
23. All records that show the persons or entities paid with money, funds, valuables, or other negotiable instruments to or from a non-governmental entity in any manner related to the 2020 Wisconsin primary and/or general election.
24. All documents, communications, budgets, or other items related to the budget as well as in preparation of the budget, for the 2020 and 2022 elections. This includes, but is not limited to, documents, communications, or budgets with the office of the Mayor of the City, the Clerk, WEC, and all other third parties.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Sarah Edgerton, Chief Information Officer
CITY OF MADISON, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Sarah Edgerton, Chief Information Officer
CITY OF MADISON, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- A. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Madison, Wisconsin, and the City of Madison, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- B. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- C. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- D. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- E. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- F. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- G. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- H. The terms **“any” and “all”** are to be construed to mean both any and all.
- I. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- J. The term **“including”** is to be construed to mean without limitation.
- K. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- L. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- M. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
 - d. The National Vote at Home Institute
 - e. Amber McReynolds
 - f. Hillary Hall
 - g. Michael Sptizer Rubenstein
 - h. Any person or entity with the domain or email address containing “@voteathome.org”
 - i. The Center for Tech and Civic Life, Inc. (“CTCL”)
 - j. Tiana Epps-Johnson
 - k. Dennis Granadas
 - l. Quickbase, Inc.
 - m. Harrison Hersch
 - n. Any person or entity with the domain or email address containing “@quickbase.com”
 - o. States United Democracy Center, Inc.
 - p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
 - q. Power the Polls
 - r. Any person or entity with the domain or email address containing “@powerthepolls.org”
 - s. The Elections Group
 - t. Jennifer Morrell
 - u. Ryan Chew
 - v. Any person or entity with the domain or email address containing “@electionsgroup.com”
 - w. The Brennan Center for Justice at NYU Law
 - x. Elizabeth Howard
 - y. Any person or entity with the domain or email address containing “@nyu.edu”
 - z. Voces de la Frontera Action, Inc.
 - aa. Voces de la Frontera, Inc.
 - bb. Natalia Espina

- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).

- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Madison, Wisconsin, and the City of Madison, Wisconsin itself, including the city's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or

other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" **and/or** "**used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **“machine(s),” “computer(s),” and “electronic device(s)”** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Madison** and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested

Period ("**Subject Devices**"), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Madison** and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.

9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **Election Systems and Software, LLC, Dominion Voting Systems, Inc., and/or Command Central, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image of the election management system (EMS) and any associated storage devices or workstations used to run the 2020 general election as well as any backups of the same system(s).

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: City of Madison
 210 Martin Luther King Jr Blvd
 Room 103, City-County Building
 Madison, Wisconsin 53703


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).

You are further commanded that your designee or representative bring with him originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Pleasant Prairie Wisconsin this 4th day of October, 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

EDWARD A. BLAZEY, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
- 16. Documents shall be produced in their native format with all meta-data intact.
 - 17. Documents produced shall be organized, identified, and indexed electronically.
 - 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
 - 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 - 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 - 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “Election” means the November 3, 2020, Wisconsin General Election for, *inter alia*, President of the United States.

31. "Employee" means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, "to identify" means to give, to the extent known: (1) the person's full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person's complete title at the place of employment; and (c) the individual's business address. When referring to documents, "to identify" means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. "Forensic Image" means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. "Indicating" with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. "Party" refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. "Person" is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. "Pertaining to," "referring," "relating," or "concerning" with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. "Possession, custody or control" means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. "Processes" means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. "You" or "Your" shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, "you" and "your" also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate an official, officer, director, or managing agent who consents to testify on its behalf. Such individual shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 election conducted in the City of Madison.
2. All private funding the City of Madison received related to the 2020 election in the City of Madison.
3. City of Madison coordination relating to 2020 election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison—and their Mayors.
4. City of Madison or its employees’ communications Wisconsin Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the 2020 election in the City of Madison.
5. City of Madison or its employees’ communications with Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. In-person voting processes in the 2020 election in the City of Madison.
7. Absentee voting processes in the 2020 election in the City of Madison.
8. Voter education programs in the 2020 election in the City of Madison.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Madison.
2. All documents and communications between any employee of the City of Madison with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between any employee of the City of Madison and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between any employee of the City of Madison and officials or employees of the Cities of Green Bay, Kenosha, Milwaukee and Racine and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Madison and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between any Employee of the City of Madison and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2247/1
MPG:skw

2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Michael Spitzer Rubenstein
375 Lincoln Place, UNIT 1B
Brooklyn, NY

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Michael Spitzer Rubenstein
375 Lincoln Place, UNIT 1B
Brooklyn, NY

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, **Speaker**
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, **Chief Clerk**
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for the **National Vote at Home Institute**.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Any person or entity with the domain or email address containing “@voteathome.org”
- h. The Center for Tech and Civic Life, Inc. (“CTCL”)
- i. Tiana Epps-Johnson
- j. Dennis Granadas
- k. Quickbase, Inc.
- l. Harrison Hersch
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. States United Democracy Center, Inc.
- o. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- p. Power the Polls
- q. Any person or entity with the domain or email address containing “@powerthepolls.org”
- r. The Elections Group
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Spencer Coggs, Treasurer
CITY OF MILWAUKEE, WISCONSIN
200 E. Wells Street, RM. 103
Milwaukee, WI 53202

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Milwaukee, Wisconsin, and the City of Milwaukee, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
2. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Tiana Epps-Johnson to or from you or an entity owned or controlled by you.
3. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Michael Spitzer Rubenstein to or from you or an entity owned or controlled by you.
4. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from National Vote at Home Institute to or from you or an entity owned or controlled by you.
5. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Amber McReynolds to or from you or an entity owned or controlled by you.
6. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from States United Democracy Center, Inc., to or from you or an entity owned or controlled by you.
7. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Power the Polls to or from you or an entity owned or controlled by you.
8. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Work Elections to or from you or an entity owned or controlled by you.
9. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fair Elections Institute to or from you or an entity owned or controlled by you.

10. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from The Elections Group to or from you or an entity owned or controlled by you.
11. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Ryan Chew to or from you or an entity owned or controlled by you.
12. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Jennifer Morrell to or from you or an entity owned or controlled by you.
13. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Dominion Voting Systems, Inc., to or from you or an entity owned or controlled by you.
14. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Phil Schmidt to or from you or an entity owned or controlled by you.
15. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Election Systems and Software, LLC, to or from you or an entity owned or controlled by you.
16. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fireside Campaigns to or from you or an entity owned or controlled by you.
17. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from the Brennan Center for Justice to or from you or an entity owned or controlled by you.
18. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Elizabeth Howard to or from you or an entity owned or controlled by you.
19. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from

Voces de la Frontera Action, Inc, and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.

20. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Natalia Espina to or from you or an entity owned or controlled by you.
21. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Christine Nuemann-Ortiz to or from you or an entity owned or controlled by you.
22. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from a non-governmental entity to or from you or an entity owned or controlled by you that were used in any manner related to the 2020 Wisconsin primary and/or general election.
23. All records that show the persons or entities paid with money, funds, valuables, or other negotiable instruments to or from a non-governmental entity in any manner related to the 2020 Wisconsin primary and/or general election.
24. All documents, communications, budgets, or other items related to the budget as well as in preparation of the budget, for the 2020 and 2022 elections. This includes, but is not limited to, documents, communications, or budgets with the office of the Mayor of the City, the Clerk, WEC, and all other third parties.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
David Henke, Chief Information Officer
CITY OF MILWAUKEE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the SPECIAL COUNSEL and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

David Henke, Chief Information Officer
CITY OF MILWAUKEE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- A. The terms "**you,**" "**your,**" or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Milwaukee, Wisconsin, and the City of Milwaukee, Wisconsin itself, including the city's employees, its agents, owners, officers,

directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- B. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.

- C. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

- D. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- E. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item
- F. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- G. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- H. The terms **“any” and “all”** are to be construed to mean both any and all.
- I. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- J. The term **“including”** is to be construed to mean without limitation.
- K. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- L. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- M. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
 - d. The National Vote at Home Institute
 - e. Amber McReynolds
 - f. Hillary Hall
 - g. Michael Sptizer Rubenstein
 - h. Any person or entity with the domain or email address containing “@voteathome.org”
 - i. The Center for Tech and Civic Life, Inc. (“CTCL”)
 - j. Tiana Epps-Johnson
 - k. Dennis Granadas
 - l. Quickbase, Inc.
 - m. Harrison Hersch
 - n. Any person or entity with the domain or email address containing “@quickbase.com”
 - o. States United Democracy Center, Inc.
 - p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
 - q. Power the Polls
 - r. Any person or entity with the domain or email address containing “@powerthepolls.org”
 - s. The Elections Group
 - t. Jennifer Morrell
 - u. Ryan Chew
 - v. Any person or entity with the domain or email address containing “@electionsgroup.com”
 - w. The Brennan Center for Justice at NYU Law
 - x. Elizabeth Howard
 - y. Any person or entity with the domain or email address containing “@nyu.edu”
 - z. Voces de la Frontera Action, Inc.
 - aa. Voces de la Frontera, Inc.
 - bb. Natalia Espina

- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).

- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA DUCES TECUM

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
David Henke, Chief Information Officer
CITY OF MILWAUKEE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the SPECIAL COUNSEL, on January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to produce to the Assembly’s designee, the SPECIAL COUNSEL, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Milwaukee, Wisconsin, and the City of Milwaukee, Wisconsin itself, including the city's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or

other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned,**" **leased,**" **and/or** "**used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **“machine(s),” “computer(s),” and “electronic device(s)”** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Milwaukee** and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the

Requested Period ("**Subject Devices**"), including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Milwaukee** and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.

9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **Election Systems and Software, LLC, Dominion Voting Systems, Inc., and/or Command Central, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image of the election management system (EMS) and any associated storage devices or workstations used to run the 2020 general election as well as any backups of the same system(s).

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: City of Milwaukee
 200 E. Wells Street, Room 201
 Milwaukee, WI 53202

PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).

You are further commanded that your designee or representative bring with them originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Platteville, Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 
REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 
EDWARD A. BLAZEL, IN MAHESHON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contempt.
15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
- 16. Documents shall be produced in their native format with all meta-data intact.
 - 17. Documents produced shall be organized, identified, and indexed electronically.
 - 18. Only alphanumeric characters and the underscore (" ") character are permitted in file and folder names. Special characters are not permitted.
 - 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 - 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 - 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate an official, officer, director, or managing agent who consents to testify on its behalf. Such individuals shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 election conducted in the City of Milwaukee.
2. All private funding the City of Milwaukee received related to the 2020 election in the City of Milwaukee.
3. City of Milwaukee coordination relating to 2020 election administration by the “Wisconsin 5 cities”— Racine, Kenosha, Green Bay, Milwaukee and Madison—and their Mayors.
4. City of Milwaukee or its employees’ communications Wisconsin Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the 2020 election in the City of Milwaukee.
5. City of Milwaukee or its employees’ communications with Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. In-person voting processes in the 2020 election in the City of Milwaukee.
7. Absentee voting processes in the 2020 election in the City of Milwaukee.
8. Voter education programs in the 2020 election in the City of Milwaukee.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Milwaukee Election Commission, the Executive Director of the Milwaukee Election Commission, or the Office of the Clerk of the City of Milwaukee.
2. All documents and communications between any employee of the City of Milwaukee with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between any employee of the City of Milwaukee and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between any employee of the City of Milwaukee and officials or employees of the Cities of Green Bay, Kenosha, Madison and Racine and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Milwaukee and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between any Employee of the City of Milwaukee and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the Election.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2247/1
MPG:skw

2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Natalia Espina
VOCES DE LA FRONTERA ACTION, INC.
VOCES DE LA FRONTERA, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, **Speaker**
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, **Chief Clerk**
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Natalia Espina
VOCES DE LA FRONTERA ACTION, INC.
VOCES DE LA FRONTERA, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 18, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, *Speaker*
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, *Chief Clerk*
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

NATIONAL VOTE AT HOME INSTITUTE

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your personal capacity, as an agent, employee, or officer of **National Vote at Home Institute**, and **National Vote at Home Institute** itself, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. Amber McReynolds
- e. Hillary Hall
- f. Michael Sptizer Rubenstein
- g. Any person or entity with the domain or email address containing “@voteathome.org”
- h. The Center for Tech and Civic Life, Inc. ("CTCL")
- i. Tiana Epps-Johnson
- j. Dennis Granadas
- k. Quickbase, Inc.
- l. Harrison Hersch
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. States United Democracy Center, Inc.
- o. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- p. Power the Polls
- q. Any person or entity with the domain or email address containing “@powerthepolls.org”
- r. The Elections Group
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

 Phil Schmidt
DOMINION VOTING SYSTEMS, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

 Phil Schmidt
DOMINION VOTING SYSTEMS, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **Dominion Voting Systems, Inc.**

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
QUICKBASE, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to Quickbase, Inc.’s, election related activities in Wisconsin to be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA DUCES TECUM

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
QUICKBASE, INC.
c/o Corporation Service Company
84 State Street
Boston, MA 02109

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the SPECIAL COUNSEL, on January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to produce to the Assembly’s designee, the SPECIAL COUNSEL, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as an agent, officer, or employee of **Quickbase, Inc.**, and **Quickbase, Inc.**, itself, including its employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners,

members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned, leased, and/or used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term “**entity**” means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms “**concerning,**” “**associated with,**” “**relate to,**” “**related to,**” and “**relating to**” mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms “**any**” and “**all**” are to be construed to mean both any and all.
- J. The terms “**and**” and “**or**” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “**including**” is to be construed to mean without limitation.
- L. The term “**number.**” The use of the singular form of any word includes the plural and vice versa.
- M. The term “**third party**” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms “**machine(s),**” “**computer(s),**” and “**electronic device(s)**” mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents concerning or related to:
 - a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin

State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.

- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
 - e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner related to or concerning a Wisconsin election or a past, present, or future candidate for a Wisconsin election.
2. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.

- e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. US Digital Response or USDR
 - g. Quickbase, Inc.
 - h. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - i. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
 4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
 5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
 6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
 7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
 8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.

9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **entity listed in paragraph two or the Wisconsin Elections Commission, the City of Green Bay, the City of Racine, the City of Kenosha, the City of Madison, or the City of Milwaukee**, their employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image(s) of all devices listed in paragraph one as well as any backups of the same system(s).
16. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;

- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. States United Democracy Center, Inc.
- m. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- n. Power the Polls
- o. Any person or entity with the domain or email address containing “@powerthepolls.org”
- p. The Elections Group
- q. Jennifer Morrell
- r. Ryan Chew
- s. Any person or entity with the domain or email address containing “@electionsgroup.com”
- t. The Brennan Center for Justice at NYU Law
- u. Elizabeth Howard
- v. Any person or entity with the domain or email address containing “@nyu.edu”
- w. Voces de la Frontera Action, Inc.
- x. Voces de la Frontera, Inc.
- y. Natalia Espina
- z. Christine Neumann-Ortiz
- aa. Any person or entity with the domain or email address containing “@vdlf.org”
- bb. Dominion Voting, Inc.
- cc. Phil Schmidt
- dd. Yvonne Cai
- ee. @dominionvoting.com
- ff. Election Systems & Software, LLC
- gg. Any person or entity with the domain or email address containing “@essvote.com”
- hh. Fireside Campaigns
- ii. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- jj. Center for Election Innovation & Research
- kk. @electioninnovation.org

11. @usdigitalresponse.org

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA DUCES TECUM

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Tara Coolidge
CITY OF RACINE, WISCONSIN
730 Washington Avenue
Racine, WI 53403

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena (whichever occurs later) to produce to the Assembly's designee, the SPECIAL COUNSEL, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Racine, Wisconsin, and the City of Racine, Wisconsin itself, including the city's employees, its agents, owners, officers, directors,

employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
2. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Tiana Epps-Johnson to or from you or an entity owned or controlled by you.
3. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Michael Spitzer Rubenstein to or from you or an entity owned or controlled by you.
4. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from National Vote at Home Institute to or from you or an entity owned or controlled by you.
5. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Amber McReynolds to or from you or an entity owned or controlled by you.
6. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from States United Democracy Center, Inc., to or from you or an entity owned or controlled by you.
7. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Power the Polls to or from you or an entity owned or controlled by you.
8. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Work Elections to or from you or an entity owned or controlled by you.
9. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fair Elections Institute to or from you or an entity owned or controlled by you.

10. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from The Elections Group to or from you or an entity owned or controlled by you.
11. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Ryan Chew to or from you or an entity owned or controlled by you.
12. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Jennifer Morrell to or from you or an entity owned or controlled by you.
13. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Dominion Voting Systems, Inc., to or from you or an entity owned or controlled by you.
14. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Phil Schmidt to or from you or an entity owned or controlled by you.
15. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Election Systems and Software, LLC, to or from you or an entity owned or controlled by you.
16. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Fireside Campaigns to or from you or an entity owned or controlled by you.
17. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from the Brennan Center for Justice to or from you or an entity owned or controlled by you.
18. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Elizabeth Howard to or from you or an entity owned or controlled by you.
19. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from

Voces de la Frontera Action, Inc, and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.

20. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Natalia Espina to or from you or an entity owned or controlled by you.
21. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from Christine Nuemann-Ortiz to or from you or an entity owned or controlled by you.
22. All records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from a non-governmental entity to or from you or an entity owned or controlled by you that were used in any manner related to the 2020 Wisconsin primary and/or general election.
23. All records that show the persons or entities paid with money, funds, valuables, or other negotiable instruments to or from a non-governmental entity in any manner related to the 2020 Wisconsin primary and/or general election.
24. All documents, communications, budgets, or other items related to the budget as well as in preparation of the budget, for the 2020 and 2022 elections. This includes, but is not limited to, documents, communications, or budgets with the office of the Mayor of the City, the Clerk, WEC, and all other third parties.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Department of Information Services
CITY OF RACINE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to the City of Racine’s Department of Information Services to be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA DUCES TECUM

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Department of Information Services
CITY OF RACINE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena (whichever occurs later) to produce to the Assembly's designee, the SPECIAL COUNSEL, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Signed at
Wisconsin on this DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- A. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Racine, Wisconsin, and the City of Racine, Wisconsin itself, including the city's employees, its agents, owners, officers, directors,

employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- B. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- C. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- D. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device),

text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- E. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- F. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- G. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- H. The terms **“any” and “all”** are to be construed to mean both any and all.
- I. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- J. The term **“including”** is to be construed to mean without limitation.
- K. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- L. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- M. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
 - d. The National Vote at Home Institute
 - e. Amber McReynolds
 - f. Hillary Hall
 - g. Michael Sptizer Rubenstein
 - h. Any person or entity with the domain or email address containing “@voteathome.org”
 - i. The Center for Tech and Civic Life, Inc. (“CTCL”)
 - j. Tiana Epps-Johnson
 - k. Dennis Granadas
 - l. Quickbase, Inc.
 - m. Harrison Hersch
 - n. Any person or entity with the domain or email address containing “@quickbase.com”
 - o. States United Democracy Center, Inc.
 - p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
 - q. Power the Polls
 - r. Any person or entity with the domain or email address containing “@powerthepolls.org”
 - s. The Elections Group
 - t. Jennifer Morrell
 - u. Ryan Chew
 - v. Any person or entity with the domain or email address containing “@electionsgroup.com”
 - w. The Brennan Center for Justice at NYU Law
 - x. Elizabeth Howard
 - y. Any person or entity with the domain or email address containing “@nyu.edu”
 - z. Voces de la Frontera Action, Inc.
 - aa. Voces de la Frontera, Inc.
 - bb. Natalia Espina

- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).

- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Department of Information Services
CITY OF RACINE, WISCONSIN

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin,** to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as treasurer, you in your capacity as an agent, officer, or employee of the City of Racine, Wisconsin, and the City of Racine, Wisconsin itself, including the city's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners,

members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned, leased, and/or used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term “**entity**” means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms “**concerning,**” “**associated with,**” “**relate to,**” “**related to,**” and “**relating to**” mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms “**any**” and “**all**” are to be construed to mean both any and all.
- J. The terms “**and**” and “**or**” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “**including**” is to be construed to mean without limitation.
- L. The term “**number.**” The use of the singular form of any word includes the plural and vice versa.
- M. The term “**third party**” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms “**machine(s),**” “**computer(s),**” and “**electronic device(s)**” mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Racine** and its employees and agents that were present in the State of Wisconsin or that communicated with any person, machine, or computer within the State of Wisconsin during the Requested Period (“**Subject Devices**”), including machine or computer name, machine or

computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.

2. Any and all documents pertaining to the identities of individual machines, computers, or electronic devices owned, leased, or operated for the purposes of a Wisconsin election by the **City of Racine** and its employees and agents that are currently present within the State of Wisconsin including machine or computer name, machine or computer type, machine or computer serial number, software name, software type, software serial number, and persons to whom such machines and computers were sold, leased, or assigned.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.
9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.

10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **Election Systems and Software, LLC, Dominion Voting Systems, Inc., and/or Command Central, LLC**, employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image of the election management system (EMS) and any associated storage devices or workstations used to run the 2020 general election as well as any backups of the same system(s).

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: City of Racine
 730 Washington Ave
 Racine, WI 53403

PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).

You are further commanded that your designee or representative bring with him originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at Pleno Prairie Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 
REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 
EDWARD A. BLAZEL, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
- 16. Documents shall be produced in their native format with all meta-data intact.
 - 17. Documents produced shall be organized, identified, and indexed electronically.
 - 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
 - 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 - 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 - 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate an official, officer, director, or managing agent who consents to testify on its behalf. Such individual shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 election conducted in the City of Racine.
2. All private funding the City of Racine received related to the 2020 election in the City of Racine.
3. City of Racine coordination relating to 2020 election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison—and their Mayors.
4. City of Racine or its employees’ communications Wisconsin Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the 2020 election in the City of Racine.
5. City of Racine or its employees’ communications with Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. In-person voting processes in the 2020 election in the City of Racine.
7. Absentee voting processes in the 2020 election in the City of Racine.
8. Voter education programs in the 2020 election in the City of Racine.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Racine.
2. All documents and communications between any employee of the City of Racine with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between any employee of the City of Racine and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between any employee of the City of Racine and officials or employees of the Cities of Green Bay, Kenosha, Milwaukee and Madison and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Racine and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between any Employee of the City of Racine and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Ryan Chew
THE ELECTIONS GROUP

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Ryan Chew
THE ELECTIONS GROUP

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for The Elections Group.

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Ryan McCrum
HYATT REGENCY

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Sara Linske
WISCONSIN ELECTIONS COMMISSION

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

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Wisconsin State Assembly

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WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Sara Linske

WISCONSIN ELECTIONS COMMISSION

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

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SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

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 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as an employee of **WEC**, you in your capacity as an agent, officer, or employee of **WEC**, and **WEC** itself, including the city's employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries acting on behalf of you or the City.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
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- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

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- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

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General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

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- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA DUCES TECUM

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: Satya Rhodes-Conway
 Mayor, City of Madison
 210 Martin Luther King Jr Blvd, Room 403
 Madison, Wisconsin 53703


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO APPEAR in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony with regard to the November 2020 General Election in Wisconsin (the "Election") including, *but not limited to*, potential irregularities and/or illegalities related to the Election.

You are further commanded to bring with you originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit A, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

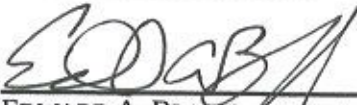
FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at ~~Platteville~~ Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP/ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

EDWARD A. BLAZEL, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
 14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
 15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
16. Documents shall be produced in their native format with all meta-data intact.
 17. Documents produced shall be organized, identified, and indexed electronically.
 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TO SUBPOENA DUCES TECUM

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Office of the Clerk of the City of Madison.
2. All documents and communications between the Office of the Mayor of the City of Madison with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between the Office of the Mayor of the City of Madison and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between the Office of the Mayor of the City of Madison and officials or employees of the Cities of Green Bay, Kenosha, Racine and Milwaukee and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Madison and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between the Office of the Mayor of the City of Madison and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-2247/1
MPG:skw

2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY,
ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Tiana Epps-Johnson
CENTER FOR TECH AND CIVIC LIFE, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on the following day:

_____ at 200 South Executive Drive, **STE. 101, Brookfield, Wisconsin**, to appear and give testimony, under oath, before the **SPECIAL COUNSEL** and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Tiana Epps-Johnson
CENTER FOR TECH AND CIVIC LIFE, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **Center for Tech and Civic Life, Inc.**

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Dennis Granadas
- k. Quickbase, Inc.
- l. Harrison Hersch
- m. Any person or entity with the domain or email address containing “@quickbase.com”
- n. States United Democracy Center, Inc.
- o. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- p. Power the Polls
- q. Any person or entity with the domain or email address containing “@powerthepolls.org”
- r. The Elections Group
- s. Jennifer Morrell
- t. Ryan Chew
- u. Any person or entity with the domain or email address containing “@electionsgroup.com”
- v. The Brennan Center for Justice at NYU Law
- w. Elizabeth Howard
- x. Any person or entity with the domain or email address containing “@nyu.edu”
- y. Voces de la Frontera Action, Inc.
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;
 - the relationship of the author and addressee to each other; and

- a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;
 - e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;

- f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
 14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
 15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
16. Documents shall be produced in their native format with all meta-data intact.
 17. Documents produced shall be organized, identified, and indexed electronically.
 18. Only alphanumeric characters and the underscore ("_") character are permitted in file and folder names. Special characters are not permitted.
 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc’d or bcc’d, both parties are cc’d or bcc’d, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.
31. “**Employee**” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure,

- de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TO SUBPOENA DUCES TECUM

These document requests are limited to the time period from January 1, 2020 to current:

1. All documents pertaining to election administration related to interactions, communication with, or comments regarding the Milwaukee Election Commission, the Executive Director of the Milwaukee Election Commission, or the Office of the Clerk of the City of Milwaukee.
2. All documents and communications between the Office of the Mayor of the City of Milwaukee with the Center for Tech and Civic Life (“CTCL”). This includes, but is not limited to, documents and communications with Tiana Epps-Johnson and Whitney May.
3. All documents and communications between the Office of the Mayor of the City of Milwaukee and the Wisconsin Elections Commission (“WEC”) and its officials or employees regarding or in any way related to the election.
4. All documents and communications between the Office of the Mayor of the City of Milwaukee and officials or employees of the Cities of Green Bay, Kenosha, Madison and Racine and/or any other employee, representative agent or other person affiliated with these cities, regarding or in any way related to the election.
5. All documents and communications between the Office of the Mayor of the City of Milwaukee and employees of any group, organization, person or entity, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the election.
6. All documents or communications between the Office of the Mayor of the City of Milwaukee and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY,
ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
Trent James
HYATT REGENCY

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the SPECIAL COUNSEL and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:
US DIGITAL RESPONSE

PURSUANT TO LAW, YOU ARE COMMANDED TO designate the person most knowledgeable to US Digital Response's, election related activities in Wisconsin to be and appear before the Wisconsin State Assembly's designee, the SPECIAL COUNSEL, on the following day:

_____ at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, to appear and give testimony, under oath, before the SPECIAL COUNSEL and/or his attorney(s). You are not to depart or deviate from the terms of this subpoena without leave of the SPECIAL COUNSEL.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney's fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA AND SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

US DIGITAL RESPONSE

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 13, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period August 1, 2020, to December 30, 2020 ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005)

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected hard drive, password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.

9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.

10. The pendency of or potential for litigation shall not be a basis to withhold any information.

13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.

14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and

recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).

16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.

18. All documents shall be Bates-stamped sequentially and produced sequentially.

19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.

DEFINITIONS

A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.

B. The terms "**you**," "**your**," or "**yours**" means you in your individual capacity, you in your capacity as an agent, officer, or employee of **USDR**., and **USDR** itself, including its employees, its agents, owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

C. The term "**person(s)**" means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners,

members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

- D. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.
- F. The term "**owned, leased, and/or used**" means its plain language and as owns, leases, or uses as well has describing the person or entity that has control of the item

- G. The term “**entity**” means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms “**concerning,**” “**associated with,**” “**relate to,**” “**related to,**” and “**relating to**” mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms “**any**” and “**all**” are to be construed to mean both any and all.
- J. The terms “**and**” and “**or**” are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term “**including**” is to be construed to mean without limitation.
- L. The term “**number.**” The use of the singular form of any word includes the plural and vice versa.
- M. The term “**third party**” includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms “**machine(s),**” “**computer(s),**” and “**electronic device(s)**” mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all documents concerning or related to:
 - a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin

State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.

- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
 - e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records in any form, format, or manner related to or concerning a Wisconsin election or a past, present, or future candidate for a Wisconsin election.
2. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
- a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.

- e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. US Digital Response or USDR
 - g. Quickbase, Inc.
 - h. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - i. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.
3. All internet protocol (IP) address for all Subject Devices that communicated with any other machine in the State of Wisconsin during the Requested Period including the date and time of the communication as well as information that was communicated.
 4. Any and all communications between any of the Subject Devices described in Item 1 above and the State of Wisconsin's "**WisVote**" statewide election management and voter registration system that were sent or received during the Requested Period.
 5. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Command Central, LLC**, that were sent or received during the Requested Period.
 6. Any and all communications between any of the Subject Devices described in Item 1 above and any machines, computers, or electronic devices owned, leased, or operated by **Dominion Voting Systems, Inc.**, that were sent or received during the Requested Period.
 7. Any and all information about individual voters in the State of Wisconsin for the Requested Period that is or was stored on the Subject Devices described in Item 1 above, including any such information that has been deleted from those Subject Devices but that is capable of being recovered.
 8. Any and all security logs for the Subject Devices described in Item 1 above pertaining to the Requested Period.

9. Any and all software updates that were sent to, received by, or installed on the Subject Devices described in Item 1 for the Requested Period.
10. All trouble tickets, responses, and associated log files related to election operations during the Requested Period in Wisconsin.
11. All update files deployed any Subject Devices located in Wisconsin during the Requested Period including, but not limited to, the update files themselves, the procedures on how to deploy the update, the release notes for the update, log files indicating the progress of update deployment, and what employee deployed the update along with the means it was deployed.
12. Any list or roster, or if a list does not exist, all employment, contractual, or pay information for any **entity listed in paragraph two or the Wisconsin Elections Commission, the City of Green Bay, the City of Racine, the City of Kenosha, the City of Madison, or the City of Milwaukee**, their employees, contractors, affiliates, or volunteers (paid or unpaid) responsible for supporting election operations in Wisconsin during the Requested Period.
13. Any database, document, or raw data that shows Subject Devices that have network access for the purpose of transmitting vote totals between networked systems. This includes, but is not limited to, any data (IP, MAC, APN, IMEI, IMSI, Phone number, serial number) associated with **Election Systems and Software, LLC**, machines deployed in Wisconsin.
14. Any and all emails, phone logs, text messages, or other types of communications with Command Central LLC, Dominion Voting System, and ESS personnel on either corporate email accounts or personal accounts.
15. Forensic image(s) of all devices listed in paragraph one as well as any backups of the same system(s).
16. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:
 - a. Any federal, state, county, or municipal official or employee;
 - b. Any candidate for federal, state, county, or municipal office;
 - c. Any person or entity with the domain or email address containing “@wisconsin.gov”;

- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”
- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns

- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

VOCES DE LA FRONTERA ACTION, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022**, beginning at **9:30 a.m.** at **200 South Executive Drive, STE. 101, Brookfield, Wisconsin**, or **ten (10) days** after you receive this subpoena (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ DAY of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your personal capacity, as an agent, employee, or officer of **Voces de La Frontera Action, Inc.**, and **Voces de la Frontera Action, Inc.**, itself, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
-

DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
 - ff. Yvonne Cai
 - gg. @dominionvoting.com
 - hh. Election Systems & Software, LLC
 - ii. Any person or entity with the domain or email address containing “@essvote.com”
 - jj. Fireside Campaigns
 - kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
 - ll. Center for Election Innovation & Research
 - mm. @electioninnovation.org
2. Any and all documents concerning or related to:
- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
 - b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
 - d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
 - e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.
 - f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other

negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.

3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021–2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

VOCES DE LA FRONTERA, INC.

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" means you in your personal capacity, as an agent, employee, or officer of **Voces de La Frontera, Inc.**, and **Voces de la Frontera, Inc.**, itself, including its owners, officers, directors, employees, former employees, and subsidiaries, or any entities that have previously acted or are presently acting on its behalf.

- C. The term **“person(s)”** means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term **"document"** means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term **"communication"** means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Natalia Espina
- bb. Christine Neumann-Ortiz
- cc. Any person or entity with the domain or email address containing “@vdlf.org”
- dd. Dominion Voting, Inc.

- ee. Phil Schmidt
- ff. Yvonne Cai
- gg. @dominionvoting.com
- hh. Election Systems & Software, LLC
- ii. Any person or entity with the domain or email address containing “@essvote.com”
- jj. Fireside Campaigns
- kk. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- ll. Center for Election Innovation & Research
- mm. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: Milwaukee Elections Commission
City Hall
200 East Wells Street
Room 501
Milwaukee, WI 53202


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am** at **200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).

You are further commanded that your designee or representative bring with him originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

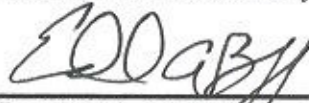
FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at West Prairie Wisconsin this 4th day of October, 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

EDWARD A. BLAZEL, IN MADISON, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
 14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
 15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
16. Documents shall be produced in their native format with all meta-data intact.
 17. Documents produced shall be organized, identified, and indexed electronically.
 18. Only alphanumeric characters and the underscore (" ") character are permitted in file and folder names. Special characters are not permitted.
 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate one official, officer, director, or managing agent who consents to testify on its behalf. Such individual shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 Election in Wisconsin.
2. Public and private funding of local municipal entities including but not limited to Milwaukee, Kenosha, Green Bay, Racine, and Madison during 2020 related to the Election in Wisconsin.
3. The Election in Wisconsin including but not limited to the election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison.
4. All Milwaukee Election Commission communications between Milwaukee Election Commission members and its officials or employees, representative agents or other persons affiliated with them, regarding or in any way related to the Election in Wisconsin
5. Wisconsin Election Commission communications with Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. In-person voting processes in the 2020 election in the Wisconsin 5 cities of Green Bay, Madison, Racine, Kenosha and Milwaukee as compared to statewide.
7. Absentee voting processes in the 2020 election in the Wisconsin 5 cities of Green Bay, Madison, Racine, Kenosha and Milwaukee as compared to statewide.
8. Voter education programs in the 2020 election in the Wisconsin 5 cities of Green Bay, Madison, Racine, Kenosha and Milwaukee as compared to statewide.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All Milwaukee Election Commission documents relating to public and private funding of local municipal entities in the City of Milwaukee related to the Election in Wisconsin.
2. All documents relating to the Election in Wisconsin including but not limited to documents relating to the election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison.
3. All written communications, including electronic communications, with Milwaukee Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
4. All written communications, including electronic communications, with Milwaukee Election Commission members and the Milwaukee Election Commission Executive Director Claire Woodall-Vogg regarding or in any way related to the Election in Wisconsin.
5. All written communications, including electronic communications, with Milwaukee Election Commission and its officials or employees, and with the officials or employees of the Wisconsin Election Commission and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. All documents and communications between the Office of the City Clerk of the City of Milwaukee and employees of any private corporation, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election.
7. All documents or communications between the Office of the City Clerk of the City of Milwaukee and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the Election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

SUBPOENA FOR DEPOSITION

STATE OF WISCONSIN)
) ss.
COUNTY OF WAUKESHA)

THE STATE OF WISCONSIN TO: Wisconsin Elections Commission
 212 East Washington Avenue, Third Floor
 P.O. Box 7984
 Madison, WI 53707-7984


PURSUANT TO WIS. STAT. § 13.31 YOU ARE HEREBY COMMANDED TO CAUSE the person most knowledgeable in regard to the November 2020 General Election in Wisconsin (the "Election") to appear in person before the Special Counsel or his designee on **Friday, October 22, 2021 at 9:00 am at 200 South Executive Drive, Suite 101, Brookfield, WI 53005**, to give evidence and testimony including, *but not limited to*, potential irregularities and/or illegalities related to the Election, including the Topics of Testimony (Exhibit A).

You are further commanded that your designee or representative bring with her originals or copies, if originals are not available, of all documents contained in your files and/or in your custody, possession, or control, pertaining to the Election. Responsive documents include, *but are not limited to*, the items set forth on Exhibit B, attached hereto and incorporated herein. Please direct any inquiries to (262) 202-8722.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY CONSTITUTE CONTEMPT OF THE LEGISLATURE, PURSUANT TO WIS. STAT. § 13.26(1)(C) AND IS SUBJECT TO PUNISHMENT, INCLUDING IMPRISONMENT, PURSUANT TO WIS. STAT. § 13.27.

Dated at ~~Pleasant Prairie~~ Wisconsin this 4th day of October 2021.

WISCONSIN STATE ASSEMBLY

By: 

REP. ROBIN VOS, SPEAKER
Wisconsin State Assembly

By: 

EDWARD A. BLAZEL IN Madison, WI
Wisconsin State Assembly, Chief Clerk

SCHEDULE A

GENERAL INSTRUCTIONS

1. These Instructions incorporate the Definitions attached to the subpoena. Please read them carefully before reading this document.
2. In complying with this subpoena, you are required to produce all responsive Documents that are in your possession, custody, or control. You shall also produce Documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as Documents that you have placed in the temporary possession, custody, or control of any third party. Subpoenaed Documents shall not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Special Counsel.
3. All Documents produced in response to this subpoena shall be sequentially and uniquely Bates-stamped.
4. In the event that any entity, organization, or person identified in this subpoena has been, or is also known by any other name than that herein identified, the subpoena shall be read also to include that alternative identification.
5. It shall not be a basis for refusal to produce Documents that any other person or entity also possesses non-identical or identical copies of the same Documents.
6. If a date or other descriptive detail set forth in this subpoena referring to a Document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the subpoena, you are required to produce all Documents that would be responsive as if the date or other descriptive detail were correct.
7. Documents produced in response to this subpoena shall be produced as they were kept in the normal course of business together with copies of file labels, dividers, or identifying markers with which they were associated when the subpoena was served.
8. If you withhold any Document pursuant to a claimed right protected by the state or federal constitution, or pursuant to a claim of non-disclosure privileges including, but not limited to, the deliberative-process privilege, the attorney-client privilege, attorney work product protections, any purported privileges, protections, or exemptions from disclosure under Wis. Stat. § 19.35 or the Freedom of Information Act, then you must comply with the following procedure:
 1. You may only withhold that portion of a Document over which you assert a claim of privilege, protection, or exemption. Accordingly, you may only withhold a Document in its entirety if you maintain that the entire Document is privileged or protected. Otherwise you must produce the Document in redacted form.
 2. In the event that you withhold a Document—in whole or in part—on the basis of a privilege, protection, or exemption, you must provide a privilege log containing the following information concerning each discrete claim of privilege, protection, or exemption:
 - the privilege, protection, or exemption asserted;
 - the type of Document;
 - the date, author, and addressee;

- the relationship of the author and addressee to each other; and
 - a general description of the nature of the Document that, without revealing information itself privileged or protected, will enable the Office of the Special Counsel to assess your claim of privilege, protection, or exemption.
3. In the event a Document or a portion thereof is withheld under multiple discrete claims of privilege, protection, or exemption, each claim of privilege, protection, or exemption must be separately logged.
 4. In the event portions of a Document are withheld on discrete claims of privilege, protection, or exemption, each separate claim of privilege, protection, or exemption within that Document must be separately logged.
 5. You must produce the privilege log contemporaneously with the withholding of any Document in whole or in part on the basis of a privilege, protection, or exemption.
 6. You must certify that your privilege log contains only those assertions of privilege, protection, or exemption as are consistent with these Instructions and are warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law, or for establishing new law.
 7. Failure to strictly comply with these provisions constitutes waiver of any asserted privilege, protection, or exemption.
 9. Neither the Office of the Special Counsel nor the Committee recognizes any purported contractual privileges, such as non-disclosure agreements, as a basis for withholding the production of a Document. Any such assertion shall be of no legal force or effect, and shall not provide a justification for such withholding or refusal, unless and only to the extent that the Special Counsel has consented to recognize the assertion as valid.
 10. This subpoena is continuing in nature and applies to any newly-discovered information. Any Document not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 11. If you discover any portion of your response is incorrect in a material respect you must immediately and contemporaneously submit to the Office of the Special Counsel, in writing, an explanation setting forth: (1) how you became aware of the defect in the response; (2) how the defect came about (or how you believe it to have come about); and (3) a detailed description of the steps you took to remedy the defect.
 12. A cover letter shall be included with each production and include the following:
 - a. The Bates-numbering range of the Documents produced, including any Bates-prefixes or -suffixes;
 - b. If the subpoena is directed to an entity as opposed to an individual, a list of custodians for the produced Documents, identifying the Bates range associated with each custodian;
 - c. A statement that a diligent search has been completed of all Documents in your possession, custody, or control that reasonably could contain responsive material;
 - d. A statement that the search complies with good forensic practices;

- e. A statement that Documents responsive to this subpoena have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel since the date of receiving the subpoena or in anticipation of receiving the subpoena;
 - f. A statement that all Documents located during the search that are responsive have been produced to the Office of the Special Counsel or withheld in whole or in part on the basis of an assertion of a claim of privilege or protection in compliance with these Instructions; and
 - g. Your signature, attesting that everything stated in the cover letter is true and correct and that you made the statements under penalty of perjury.
13. You must identify any Documents that you believe contain confidential or proprietary information. However, the fact that a Document contains confidential or proprietary information is not a justification for not producing the Document, or redacting any part of it.
 14. Electronically-stored Documents must be produced to the Office of the Special Counsel in accordance with the attached Electronic Production Instructions in order to be considered to be in compliance with the subpoena. Failure to produce Documents in accordance with the attached Electronic Production Instructions, may, in an exercise of the Special Counsel's discretion, be deemed an act of contumacy.
 15. If properties or permissions are modified for any Documents produced electronically, receipt of such Documents will not be considered full compliance with the subpoena.

ELECTRONIC PRODUCTION INSTRUCTIONS

- The production of electronically-stored Documents shall be prepared according to, and strictly adhere to, the following standards:
16. Documents shall be produced in their native format with all meta-data intact.
 17. Documents produced shall be organized, identified, and indexed electronically.
 18. Only alphanumeric characters and the underscore (" ") character are permitted in file and folder names. Special characters are not permitted.
 19. Production media and produced Documents shall not be encrypted, contain any password protections, or have any limitations that restrict access and use.
 20. Documents shall be produced to the Office of the Special Counsel on one or more memory sticks, thumb drives, or USB hard drives. Production media shall be labeled with the following information: production date, name of the subpoena recipient, Bates range.
 21. All Documents shall be Bates-stamped sequentially and should not duplicate any Bates-numbering used in producing physical documents.

Schedule B

DEFINITIONS

22. “All,” “any,” and “each” shall each be construed as encompassing any and all. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.
23. “And” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this subpoena any information that might otherwise be construed to be outside its scope.
24. “Ballot” means a ballot related to the Election, including mail-in ballots, early in-person ballots, provisional ballots, and physical ballots cast in person the day of the election.
25. “Committee” means the committee named in the subpoena.
26. “Communication” means each manner or means of disclosure or exchange of information (in the form of facts, ideas, inquiries, or otherwise), regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in an in-person meeting, by telephone, facsimile, e-mail (desktop or mobile device), text message, MMS or SMS message, regular mail, telexes, releases, intra-company messaging channels, or otherwise.
27. “Communication with,” “communications from,” and “communications between” means any communication involving two or more people or entities, regardless of whether other persons were involved in the communication, and includes, but is not limited to, communications where one party is cc'd or bcc'd, both parties are cc'd or bcc'd, or some combination thereof.
28. “CTCL” means the Center for Tech and Civic Life.
29. “Documents” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (emails), text messages, instant messages, MMS or SMS messages, contracts, cables, telexes, notations of any type of conversation, telephone call, voicemail, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electronic records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
30. “**Election**” means the November 3, 2020, Wisconsin General Election for, inter alia, President of the United States.

31. “Employee” means a current or former: officer, director, shareholder, partner, member, consultant, senior manager, manager, senior associate, permanent employee, staff employee, attorney, agent (whether de jure, de facto, or apparent, without limitation), advisor, representative, attorney (in law or in fact), lobbyist (registered or unregistered), borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, provisional employee, or subcontractor.
32. When referring to a person, “to identify” means to give, to the extent known: (1) the person’s full name; (2) present or last known address; and (3) when referring to a natural person, additionally: (a) the present or last known place of employment; (b) the natural person’s complete title at the place of employment; and (c) the individual’s business address. When referring to documents, “to identify” means to give, to the extent known the: (1) type of document; (2) general subject matter; (3) date of the document; and (4) author, addressee, and recipient.
33. “Forensic Image” means a bit-by-bit, sector-by-sector direct copy of a physical storage device, including all files, folders and unallocated, free and slack space. Forensic images include not only all the files visible to the operating system but also deleted files and pieces of files left in the slack and free space.
34. “Indicating” with respect to any given subject means anything showing, evidencing, pointing out or pointing to, directing attention to, making known, stating, or expressing that subject of any sort, form, or level of formality or informality, whatsoever, without limitation.
35. “Party” refers to any person involved or contemplating involvement in any act, affair, contract, transaction, judicial proceeding, administrative proceeding, or legislative proceeding.
36. “Person” is defined as any natural person or any legal entity, including, without limitation, any business or governmental entity or association, and all subsidiaries, divisions, partnerships, properties, affiliates, branches, groups, special purpose entities, joint ventures, predecessors, successors, or any other entity in which they have or had a controlling interest, and any employee, and any other units thereof.
37. “Pertaining to,” “referring,” “relating,” or “concerning” with respect to any given subject means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.
38. “Possession, custody or control” means (a) documents that are in your possession, custody, or control, whether held by you or your employees; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.
39. “Processes” means any processes, procedures, methodologies, materials, practices, techniques, systems, or other like activity, of any sort, form, or level of formality or informality, whatsoever, without limitation.
40. “You” or “Your” shall mean (in the case of an entity) the entity named in the subpoena, as well as its officers, directors, subsidiaries, divisions, predecessor and successor companies, affiliates, parents, any partnership or joint venture to which it may be a party. If the person named in the entity is either an individual or an entity, “you” and “your” also means your employees, agents, representatives, consultants, accountants and attorneys, including anyone who served in any such capacity at any time during the relevant time period specified herein.

EXHIBIT A

TOPICS OF TESTIMONY

The entity on which the attached subpoena was served must designate an official, officer, director, or managing agent who consents to testify on its behalf. Such individual shall testify as to matters known or reasonably available to the organization on the following topics.

These topics of testimony are limited to the time period from January 1, 2020 to current:

1. The 2020 Election in Wisconsin.
2. Public and private funding of local municipal entities including but not limited to Milwaukee, Kenosha, Green Bay, Racine, and Madison during 2020 related to the Election in Wisconsin.
3. The Election in Wisconsin including but not limited to the election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison.
4. All Wisconsin Election Commission communications between the Wisconsin Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
5. Wisconsin Election Commission communications with Center for Tech and Civic Life or its employee Tiana Epps-Johnson, The National Vote At Home Institute or its employee Michael Spitzer Rubenstein, The Elections Group or its employee Ryan Chew, Ideas42, Power the Polls, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (CEIR), Center for Secure and Modern Elections (CSME) or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
6. In-person voting processes in the 2020 election in the Wisconsin 5 cities of Green Bay, Madison, Racine, Kenosha and Milwaukee as compared to statewide.
7. Absentee voting processes in the 2020 election in the Wisconsin 5 cities of Green Bay, Madison, Racine, Kenosha and Milwaukee as compared to statewide.
8. Voter education programs in the 2020 election in the Wisconsin 5 cities of Green Bay, Madison, Racine, Kenosha and Milwaukee as compared to statewide.

EXHIBIT B

These document requests are limited to the time period from January 1, 2020 to current:

1. All Wisconsin Election Commission documents relating to public and private funding of local municipal entities including but not limited to Milwaukee, Kenosha, Green Bay, Racine, and Madison that they received during 2020 related to the Election in Wisconsin.
2. All documents relating to the Election in Wisconsin including but not limited to documents relating to the election administration by the “Wisconsin 5 cities”—Racine, Kenosha, Green Bay, Milwaukee and Madison.
3. All written communications, including electronic communications, with Wisconsin Election Commission and its officials or employees, and with the officials or employees of the Cities of Racine, Kenosha, Madison, Green Bay and Milwaukee and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election in Wisconsin.
4. All documents and communications between the Wisconsin Election Commission and its employees and employees of any private corporation, including but not limited to CTCL, and/or any other employee, representative agent or other person affiliated with them, regarding or in any way related to the Election.
5. All documents or communications between the Wisconsin Election Commission and its employees and CTCL and/or its employees Tiana Epps-Johnson and Whitney May, The National Vote At Home Institute and/or its employee Michael Spitzer-Rubenstein, The Elections Group and/or its employee Ryan Chew, Ideas42, Power to the Polls and/or Fair Elections Center, Mikva Challenge, US Digital Response, Center for Civic Design, Center for Election and Innovation Research (“CEIR”), Center for Secure and Modern Elections (“CSME”) and/or its employee Eric Ming, The Brennan Center for Justice, HVS Productions, Facebook, Modern Selections and/or any other employee, representative agent or other person affiliated with the above named entities, regarding or in any way related to the Election.



2021 ASSEMBLY RESOLUTION 15

March 17, 2021 - Introduced by Representatives SANFELIPPO, BRANDTJEN, MURPHY, ROZAR, THIESFELDT and TUSLER. Referred to Committee on Rules.

- 1 **Relating to:** directing the Assembly Committee on Campaigns and Elections to
- 2 investigate the administration of elections in Wisconsin.
- 3 Whereas, the ability of American citizens to exercise their right to vote is
- 4 foundational to our representative democracy; and
- 5 Whereas, the legitimacy of the American form of government depends on the
- 6 citizens' widespread confidence in the fairness of elections and acceptance of election
- 7 results; and
- 8 Whereas, preserving the integrity of the electoral process is one of our
- 9 government's most important responsibilities; and
- 10 Whereas, the administration of elections in Wisconsin is governed by an
- 11 extensive set of duly enacted laws; and
- 12 Whereas, however, election laws are not self-enforcing but rely on the good
- 13 faith efforts of election officials to dutifully carry out those laws as written in order
- 14 to ensure fair elections; and

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Whitney May
CENTER FOR TECH AND CIVIC LIFE, INC.
901 2d Street, STE. 201
Springfield, IL 62704

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
-

DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **Center for Tech and Civic Life, Inc.**

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- E. The term “**communication**” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, through a social media or online platform, or otherwise.

- F. The term **“owned,” leased,” and/or “used”** means its plain language and as owns, leases, or uses as well as describing the person or entity that has control of the item
- G. The term **“entity”** means corporation, company, firm, partnership, joint venture, association, governmental body or agency, or Persons other than a natural Person.
- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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DOCUMENTS AND RECORDS TO BE PRODUCED

1. Any and all communications between you and any other person or entity during the Requested Period that are related to and/or concerning the 2020

General Election for federal and Wisconsin State candidates held on November 3, 2020, and/or any future Wisconsin election including but not limited to communications with or related to:

- a. Any federal, state, county, or municipal official or employee;
- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Training materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

WISCONSIN STATE ASSEMBLY

2021-2022 Regular Session

Assembly Committee on Campaigns and Elections

LEGISLATIVE SUBPOENA *DUCES TECUM*

State of Wisconsin)
)ss
County of Waukesha)

THE STATE OF WISCONSIN TO:

Whitney May
CENTER FOR TECH AND CIVIC LIFE, INC.
901 2d Street, STE. 201
Springfield, IL 62704

PURSUANT TO LAW, YOU ARE COMMANDED TO be and appear before the Wisconsin State Assembly’s designee, the **SPECIAL COUNSEL**, on **January 19, 2022, beginning at 9:30 a.m. at 200 South Executive Drive, STE. 101, Brookfield, Wisconsin, or ten (10) days after you receive this subpoena** (whichever occurs later) to produce to the Assembly’s designee, the **SPECIAL COUNSEL**, the documents and other items identified on the attached schedule; and you are not to depart or deviate from the terms of this subpoena without leave of the **SPECIAL COUNSEL**.

Failure to comply with this subpoena may constitute contempt of the legislature and is subject to punishment, including incarceration or the levy of attorney’s fees and costs.

AUTHORIZATION

BY: _____
REP. ROBIN VOS, Speaker
Wisconsin State Assembly

BY: _____
EDWARD BLAZEL, Chief Clerk
Wisconsin State Assembly

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Signed at _____,
Wisconsin on this _____ **DAY** of
DECEMBER, 2021.

Committee Designee:

Michael Gableman,
SPECIAL COUNSEL TO THE WISCONSIN ASSEMBLY
P.O. Box 510766
New Berlin, WI. 53151
(262) 202-8722
coms@wispecialcounsel.org

SCHEDULE TO SUBPOENA *DUCES TECUM*

In accordance with the attached definitions and instructions, you, are hereby required to produce the documents and other items listed below, for the time period January 1, 2020, to the present ("the Requested Period")

In lieu of personal appearance, compliance with this subpoena may be satisfied by emailing the requested records to coms@wispecialcounsel.org or by mailing or delivering them to 200 South Executive Drive, STE. 101, Brookfield, Wisconsin (53005).

DOCUMENT PRODUCTION DEFINITIONS AND INSTRUCTIONS

1. In complying with this subpoena, produce all responsive documents, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Office of the Special Counsel (OSC).
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other. than that herein denoted, the request shall be read also to include that alternative identification.
4. The OSC's preference is to receive documents in a protected electronic form (i.e., password protected CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions. Electronic document productions should be prepared according to the following standards:
 - a. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - b. All electronic documents produced to the OSC should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

Documents produced to the OSC should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph(s) or request(s) to which the documents respond.
9. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
10. The pendency of or potential for litigation shall not be a basis to withhold any information.
13. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production, as well as a date certain as to when full production will be satisfied.
14. In the event that a document is withheld on any basis, provide a log containing the following information concerning any such document: (a) the reason it is being withheld, including, if applicable, the privilege asserted; (b) the type of document;
 - (a) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the withholding.

15. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control. Additionally, identify where the responsive document can now be found including name, location, and contact information of the entity or entities now in possession of the responsive document(s).
 16. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.
 17. This request is continuing in nature and applies to any newly discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
 18. All documents shall be Bates-stamped sequentially and produced sequentially.
 19. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the OSC.
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DEFINITIONS

- A. The term "**Office of the Special Counsel**" ("**OSC**") means Michael J. Gableman in his official capacity as the Special Counsel duly appointed by the Wisconsin State Assembly to investigate matters related to the November 3, 2020, General Election in Wisconsin and related matters, as well as individuals employed by and/or acting on behalf of that Office.
- B. The terms "**you**," "**your**," or "**yours**" mean means you personally and in your capacity as agent, officer, director, employee, former employee, and subsidiary for **Center for Tech and Civic Life, Inc.**

- C. The term “**person(s)**” means any natural person or any business, proprietorship, firm, partnership, corporation, association, organization, or other Entity. The acts of a Person include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person’s behalf.
- D. The term “**document**” means any written, recorded, or graphic matter of any nature whatsoever, regardless of classification level, how recorded, or how stored/displayed (e.g. on a social media platform) and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, computer or mobile device screenshots/screen captures, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
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- H. The terms **“concerning,” “associated with,” “relate to,” “related to,” and “relating to”** mean in whole or in part concerning, reflecting, alluding to, mentioning, regarding, discussing, bearing upon, commenting on, constituting, pertaining to, demonstrating, describing, depicting, directly or indirectly relating to, summarizing, containing, embodying, showing, comprising, evidencing, refuting, contradicting, analyzing, identifying, stating, dealing with, and/or supporting.
- I. The terms **“any” and “all”** are to be construed to mean both any and all.
- J. The terms **“and” and “or”** are to be construed conjunctively and disjunctively, whichever makes the request for documents and things most inclusive.
- K. The term **“including”** is to be construed to mean without limitation.
- L. The term **“number.”** The use of the singular form of any word includes the plural and vice versa.
- M. The term **“third party”** includes, but is not limited to, customers and potential customers, vendors, retailers, distributors, consultants, testing and/or manufacturing and testing facilities, manufacturers, and sales representatives.
- N. The terms **"machine(s)," "computer(s)," and "electronic device(s)"** mean any electronic device that is capable of storing, transmitting, or receiving electronic information, including tablet computers, desktop computers, voting machines, mobile telephones, and servers, and includes any software programs, source codes, or encryption keys that are necessary to perform those functions.
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- b. Any candidate for federal, state, county, or municipal office;
- c. Any person or entity with the domain or email address containing “@wisconsin.gov”;
- d. The National Vote at Home Institute
- e. Amber McReynolds
- f. Hillary Hall
- g. Michael Sptizer Rubenstein
- h. Any person or entity with the domain or email address containing “@voteathome.org”
- i. The Center for Tech and Civic Life, Inc. (“CTCL”)
- j. Tiana Epps-Johnson
- k. Dennis Granadas
- l. Quickbase, Inc.
- m. Harrison Hersch
- n. Any person or entity with the domain or email address containing “@quickbase.com”
- o. States United Democracy Center, Inc.
- p. Any person or entity with the domain or email address containing “@statesuniteddemocracy.org”
- q. Power the Polls
- r. Any person or entity with the domain or email address containing “@powerthepolls.org”
- s. The Elections Group
- t. Jennifer Morrell
- u. Ryan Chew
- v. Any person or entity with the domain or email address containing “@electionsgroup.com”
- w. The Brennan Center for Justice at NYU Law
- x. Elizabeth Howard
- y. Any person or entity with the domain or email address containing “@nyu.edu”
- z. Voces de la Frontera Action, Inc.
- aa. Voces de la Frontera, Inc.
- bb. Natalia Espina
- cc. Christine Neumann-Ortiz
- dd. Any person or entity with the domain or email address containing “@vdlf.org”

- ee. Dominion Voting, Inc.
- ff. Phil Schmidt
- gg. Yvonne Cai
- hh. @dominionvoting.com
- ii. Election Systems & Software, LLC
- jj. Any person or entity with the domain or email address containing “@essvote.com”
- kk. Fireside Campaigns
- ll. Any person or entity with the domain or email address containing “@firesidecampaigns.com”
- mm. Center for Election Innovation & Research
- nn. @electioninnovation.org

2. Any and all documents concerning or related to:

- a. Money, negotiable instruments, funds, or anything of a monetary value received by you from any individual or entity or paid by you to any individual or entity during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020, including but not limited to payments received from or paid to the State of Wisconsin or any of its counties or political subdivisions, and any of the individuals and entities listed in Item 1 above.
- b. Contracts with the State of Wisconsin or any of its counties or other political subdivisions during the Requested Period that are related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- c. Materials that you used to train your employees or agents or any third party about Wisconsin State election law and procedures or related to and/or concerning the 2020 General Election for federal and Wisconsin State candidates held on November 3, 2020.
- d. Electronic applications or data (including source code) in your possession related to any Wisconsin government entity or official (to include past or present elected or appointed officials).
- e. Electronic applications or data (including source code) in your possession related to any Wisconsin voter or a person eligible to vote in Wisconsin.

- f. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments from Center for Tech and Civic Life, Inc., to or from you or an entity owned or controlled by you.
- 3. Records and/or documents in any form, format, or manner that indicate or show payment and/or a transfer of money, funds, valuables, or other negotiable instruments to or from
 - a. National Vote at Home Institute to you or an entity owned or controlled by you.
 - b. Fireside Campaigns to or from you or an entity owned or controlled by you.
 - c. Power the Polls to or from you or an entity owned or controlled by you.
 - d. The Elections Group to or from you or an entity owned or controlled by you.
 - e. Voces de la Frontera Action, Inc., and/or Voces de la Frontera, Inc., to or from you or an entity owned or controlled by you.
 - f. Any Wisconsin government entity to or from you or an entity owned or controlled by you.
 - g. Any Wisconsin government office, official, or his or her representative or designee to or from you or an entity owned or controlled by you.

