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.

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AUTHORIZATION

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

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

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

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 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. 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.