



GEORGIA DEPARTMENT OF LAW

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May 19, 2023

SENT VIA EMAIL

Michael J. Wynne
Gregor Wynne Arney, PLLC
Two Houston Center
909 Fannin Street, Suite 3800
Houston, TX 77010
Email: mwynne@gwafirm.com

Re: State Election Board Case No. 2022-003

Dear Mr. Wynne:

I provided your May 5, 2023, letter to the Honorable William S. Duffey, Jr., Chair of the State Election Board (the "SEB"). In it you stated that your clients withdraw the complaint in SEB Case No. 2022-003. Chairman Duffey has declined your offer to withdraw the complaint and asked us to seek enforcement of the subpoenas issued in this case, which remains an open SEB investigation.

As you noted in your May 5, 2023, letter, the allegations asserted in the complaint are serious allegations, and the SEB takes them seriously. Chairman Duffey has reiterated the SEB resolve that the Attorney General's office seek enforcement of the subpoenas. Our office will begin with enforcement of the subpoena as it applies to True the Vote.

In accordance with Rule 6.4(B) of the Uniform Rules of Superior Courts of Georgia we should confer regarding the objections that you raised and attempt to resolve them prior to my office asking a superior court to compel True the Vote's response to the subpoena. Your main objection is that your clients "pledged confidentiality" regarding certain information sought in the subpoena. You do not specify a basis for this objection, and do not state that it is based on some legally cognizable principle or privilege. Your letter also refers to a general "risk to [your clients']

personal safety and security to varying degrees based on their individual circumstances,” but do not provide information or context to explain this basis for refused to produce information in response to the subpoena.

Without more, I do not believe there is grounds for a protective order. We should, however, engage in a good faith discussion to attempt to resolve these issues as soon as practicable, but no later than May 23, 2023.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Vaughan". The signature is written in a cursive, flowing style.

Elizabeth Vaughan
Assistant Attorney General

Enclosure

cc: Brock Akers – sent via email to bca@akersfirm.com



STATE ELECTION BOARD

May 19, 2023

Mr. Michael J. Wynne
Gregor Wynne Arney, PLLC
Two Houston Center
909 Fannin Street, Ste. 3800
Houston, Texas 77010

Re: SEB Case No. 2022-003

Dear Mr. Wynne:

I reviewed your letter to Ms. Vaughn dated May 5, 2023, regarding the subpoenas dated April 21, 2022, that were served on True the Vote, OPSEC, Catherine Engelbrecht and Gregg Phillips. Your clients have not responded to the subpoenas. The State Election Board opened an investigation of the “serious allegations in the Complaints” initiated by the complainants and the investigation is ongoing. For those reasons, the complaints are not withdrawn, and I have requested the Georgia Attorney General’s office to seek enforcement of the subpoenas.

Sincerely,

William S. Duffey, Jr.

William S. Duffey, Jr.
Chair, State Election Board

cc: Ms. Elizabeth Vaughan
Members of the State Election Board