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

DONNA CURLING, ET AL., Plaintiffs,

v.

Civil Action No. 1:17-CV-2989-AT

BRAD RAFFENSPERGER, ET AL., Defendants.

PLAINTIFFS' NOTICE OF FILING MATERIALS FOR SEPTEMBER 28, 2020 TELECONFERENCE HEARING

Plaintiffs jointly submit the attached exhibits, including a new request for production and recent correspondence, for reference at today's conference with the Court. Defendants to date have not responded to any of Plaintiffs' requests for information or cooperation simply to understand the extremely-concerning issues that have just surfaced with Georgia's Dominion BMD voting system — issues that further confirm that this new, complicated system involving tens of thousands of unnecessary machines is not ready for deployment this year (assuming it ever could be reliably deployed at all). Plaintiffs anticipate seeking the Court's assistance during the conference with reasonable, expedited discovery into these troubling issues. Plaintiffs also worry about preservation of potentially relevant documents, data, and equipment, such as the currently-unusable election databases Defendants

and Dominion evidently are working to replace. The Court may need to address this during today's conference to avoid further spoliation of highly relevant evidence in this case. In addition, Plaintiffs have information that strongly suggests that the problem with the database is different from, and potentially more extensive than, the Secretary reported to the press over the weekend.

Respectfully submitted this 28th day of September, 2020.

<u>/s/ David D. Cross</u> David D. Cross (pro hac vice) John P. Carlin (pro hac vice) Lyle P. Hedgecock (pro hac vice) Mary G. Kaiser (pro hac vice) Robert W. Manoso (pro hac vice) MORRISON & FOERSTER LLP 2000 Pennsylvania Avenue, NW Suite 6000 Washington, DC 20006 (202) 887-1500 /s/ Halsey G. Knapp, Jr.

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<u>/s/ Bruce P. Brown</u> Bruce P. Brown Georgia Bar No. 064460 BRUCE P. BROWN LAW LLC 1123 Zonolite Rd. NE Suite 6 Atlanta, Georgia 30306 (404) 881-0700 /s/ Robert A. McGuire, III Robert A. McGuire, III Admitted Pro Hac Vice (ECF No. 125) ROBERT MCGUIRE LAW FIRM 113 Cherry St. #86685 Seattle, Washington 98104-2205 (253) 267-8530

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Counsel for Coalition Plaintiffs

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CERTIFICATE OF COMPLIANCE

Pursuant to LR 7.1(D), I hereby certify that the foregoing document has been

prepared in accordance with the font type and margin requirements of LR 5.1, using

font type of Times New Roman and a point size of 14.

/s/ David D. Cross David D. Cross

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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2020, a copy of the foregoing

PLAINTIFFS' NOTICE OF FILING MATERIALS FOR SEPTEMBER 28,

2020 TELECONFERENCE HEARING was electronically filed with the Clerk of

Court using the CM/ECF system, which will automatically send notification of such

filing to all attorneys of record.

<u>/s/ David D. Cross</u> David D. Cross