

EXHIBIT 3

From: Bruce Brown <bbrown@brucepbrownlaw.com>
Sent: Tuesday, June 18, 2019 11:03 PM
To: Josh Belinfante; Cross, David D.
Cc: Brian Lake; Chapple, Catherine L.; Conaway, Jenna B.; Bentrrott, Jane P.; Manoso, Robert W.; Miriyala, Arvind S.; Adam M. Sparks; Halsey G. Knapp, Jr.; John Powers; David Brody; Cary Ichter; Robert McGuire; Burwell, Kaye; Lowman, David; Ringer, Cheryl; Vincent Russo; Kimberly Anderson; Bryan Tyson; Carey Miller; Alexander Denton; bjacoutot@taylorenghish.com
Subject: Re: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

- External Email -

Josh, I guess the SOS can ignore the advisory committee notes, but is just unreasonable to not say what documents you are withholding. Plus, and more to the point, you are ordered to explain per Judge Totenberg's Standing Order:

Finally, a party who objects to a discovery request but then responds to the request must indicate whether the response is complete, i.e., whether additional information or documents would have been provided but for the objection(s). For example, in response to an interrogatory, a party is not permitted to raise objections and then state, "Subject to these objections and without waiving them, the response is as follows . . ." unless the party expressly indicates whether additional information would have been included in the response but for the objection(s).

From: Josh Belinfante <Josh.Belinfante@robbinsfirm.com>
Date: Tuesday, June 18, 2019 at 10:06 PM
To: "Cross, David D." <DCross@mofo.com>
Cc: Brian Lake <Brian.Lake@robbinsfirm.com>, "Chapple, Catherine L." <CChapple@mofo.com>, "Conaway, Jenna B." <JConaway@mofo.com>, "Bentrrott, Jane P." <JBentrrott@mofo.com>, "Manoso, Robert W." <RManoso@mofo.com>, "Miriyaala, Arvind S." <AMiriyaala@mofo.com>, "Adam M. Sparks" <sparks@khlawfirm.com>, "Halsey G. Knapp, Jr." <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, "bbrown@brucepbrownlaw.com" <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <Clichter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, "Burwell, Kaye" <Kaye.Burwell@fultoncountyga.gov>, "Lowman, David" <David.Lowman@fultoncountyga.gov>, Cheryl Ringer <Cheryl.Ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenghish.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, "bjacoutot@taylorenghish.com" <bjacoutot@taylorenghish.com>
Subject: Re: State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs

That's not what I said. It is not what you cited. You know that.

Thanks and enjoy your evening.

JB

Sent from my iPhone

On Jun 18, 2019, at 9:46 PM, Cross, David D. <DCross@mofo.com> wrote:

Which is why I directed you to the Rule. But if you want to stand on these responses and waive your objections, that's fine. It will expedite discovery and ensure we get what we need.

Thanks.

From: Josh Belinfante <Josh.Belinfante@robbinsfirm.com>

Date: Tuesday, Jun 18, 2019, 7:04 PM

To: Cross, David D. <DCross@mofo.com>

Cc: Brian Lake <Brian.Lake@robbinsfirm.com>, Chapple, Catherine L. <CChapple@mofo.com>, Conaway, Jenna B. <JConaway@mofo.com>, Bentrrott, Jane P. <JBentrrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucepbrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <Clichter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenghish.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenghish.com <bjacoutot@taylorenghish.com>

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David:

The advisory committee notes are just that, but we will take your email under advisement.

Thanks,
JB

Sent from my iPhone

On Jun 18, 2019, at 9:03 PM, Cross, David D. <DCross@mofo.com> wrote:

Brian -

These responses don't comply with Rule 34b2C. They include numerous objections without stating whether any responsive materials are being withheld on the basis of any objection asserted. As emphasized in the 2015 advisory committee notes to the rule, this creates improper confusion and uncertainty about what you intend to produce. Please immediately serve appropriate responses that comply with the FRCP. We reserve all rights, including asserting waiver as to any and all objections asserted.

Thanks.
Dc

From: Brian Lake <Brian.Lake@robbinsfirm.com>
Date: Tuesday, Jun 18, 2019, 6:23 PM
To: Cross, David D. <DCross@mofo.com>, Chapple, Catherine L. <CChapple@mofo.com>
Cc: Conaway, Jenna B. <JConaway@mofo.com>, Bentrott, Jane P. <JBentrott@mofo.com>, Manoso, Robert W. <RManoso@mofo.com>, Miriyala, Arvind S. <AMiriyala@mofo.com>, Adam M. Sparks <sparks@khlawfirm.com>, Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>, John Powers <jpowers@lawyerscommittee.org>, Bruce Brown <bbrown@brucebrownlaw.com>, David Brody <dbrody@lawyerscommittee.org>, Cary Ichter <Cichter@ichterdavis.com>, Robert McGuire <ram@lawram.com>, Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>, Ringer, Cheryl <Cheryl.Ringer@fultoncountyga.gov>, Vincent Russo <vrusso@robbinsfirm.com>, Kimberly Anderson <Kimberly.Anderson@robbinsfirm.com>, Bryan Tyson <btyson@taylorenghish.com>, Josh Belinfante <Josh.Belinfante@robbinsfirm.com>, Carey Miller <carey.miller@robbinsfirm.com>, Alexander Denton <Alexander.Denton@robbinsfirm.com>, bjacoutot@taylorenghish.com <bjacoutot@taylorenghish.com>
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- External Email -

All,

Attached, please find an electronic service copy of State Defendants' Responses and Objections to Curling Plaintiffs' First RPDs.

If you have any trouble opening or accessing the document, please let us know.

Thank you very much,

<image001.jpg>

Brian E. Lake
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