

# Exhibit D

**From:** [Elizabeth Hadaway](#)  
**To:** [Nichols\\_Chambers@dcd.uscourts.gov](#); [Courtney Moore](#); [Upadhyaya Chambers](#); [Hope Kashatus](#)  
**Cc:** [AttorneyLambert](#); [Alfred D. Carry](#); [Robert N. Discoll](#); [Davida Brook](#); [Stephen Shackelford](#); [Amanda Oliver](#); [Andrew D. Parker](#); [Bethany Pickett Shah](#); [blades@parkerdk.com](#); [Carl C. Butzer](#); [Charles L. Babcock](#); [Chris Kachouroff](#); [Christina Vitale](#); [Christopher Grecian](#); [Daniel Marvin](#); [Daniel T. Plunkett](#); [David C. Tobin](#); [David Myers](#); [Elizabeth S. Wright](#); [Gregory M. Singer](#); [Jill Thorvig](#); [Joel R. Glover](#); [John F. Lauro](#); [John K. Edwards](#); [Jonathan D. Neerman](#); [Joseph A. Pull](#); [Joseph D. Sibley](#); [Joshua Mooney](#); [Lori Johnson](#); [Marc J. Eisenstein](#); [Marc S. Casarino](#); [Mino S. Blaesche](#); [Nancy W. Hamilton](#); [Nathaniel R. Greene](#); [Robert Cynkar](#); [Roxanne A. Russell](#); [Teresa Cinnamond](#); [Trent McCotter](#); [Dominion ListserveSusmanGodfrey](#)  
**Subject:** 1:21-cv-02131 - US Dominion Inc. et al. v. Patrick Byrne  
**Date:** Tuesday, March 12, 2024 9:01:16 PM  
**Attachments:** [Attachment 1 - Byrne Dkt Protective Order.pdf](#)  
[Attachment 2 - 2024-03-11 Email from R Driscoll to Dominion Counsel re Breach of PO.pdf](#)  
[Attachment 3 - 2024-03-11 Email from D Brook to R Driscoll re Breach of PO.pdf](#)  
[Attachment 4 - 2024-03-12 Email from E Hadaway to Def Counsel re Email Court re Breach of PO.pdf](#)  
[Attachment 5 - 2024-03-12 Email from S Lambert to E Hadaway re Substitution of Counsel.pdf](#)

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Dear Judge Nichols, Judge Upadhyaya, and Chambers:

Dominion brings to the attention of Your Honors an urgent matter regarding breach of the June 16, 2023, Amended Protective Order, attached hereto. *See* **Attachment 1** (Byrne Dkt. 46); *see also* Powell Dkt. 82; Lindell Dkt. 165; Giuliani Dkt. 55. We submit this matter to Your Honors concurrently given that the Protective Order was signed by Judge Nichols, but discovery disputes have been referred to Judge Upadhyaya.

On March 11, 2024, Mr. Robert Driscoll, counsel for Mr. Patrick Byrne, alerted counsel for Dominion to the fact of the breach of the Amended Protective Order, in an email with attachments, included herewith as **Attachment 2** (Mar. 11 Driscoll Email) stating:

It has recently come to our attention that Confidential Discovery Material produced by Dominion in this case has been disclosed in a public filing in Michigan by Stefanie Lambert. Ms. Lambert had access to Confidential Discovery Material as an attorney for Patrick Byrne who was assisting in this litigation. Prior to her gaining access to any Confidential Discovery Material, she signed an Undertaking in which she agreed to use all Discovery Material only as permitted by the Protective Order. Attached is a copy of her signed Undertaking.

Dominion's Confidential Discovery Material appears to have been shared with a non-party (i.e., Sheriff Dar Leaf of Barry County, Michigan) by Stefanie Lambert and publicly disclosed by her as part of a filing she made in the criminal case styled People of the

State of Michigan vs. Stefanie Lynn Lambert Junttila, which is currently pending before the Sixth Circuit Court in Oakland County, Michigan as Case Number 2023-285759-FH....

The same day, Dominion's Co-Lead Counsel Ms. Davida Brook responded and requested more information about the scope and extent of the breach and about counsel's remedial efforts. A copy of Ms. Brook's email is attached hereto as **Attachment 3** (Mar. 11 Brook Email). Ms. Brook also communicated Dominion's intent to raise the issue on the following day's previously scheduled meet and confer concerning the parties' Joint Status Report and at the upcoming March 18, 2024 hearing. *Id.*

The next day, today, March 12, 2024, the Parties met by Zoom to discuss the Joint Status Report. During that conference, Ms. Brook raised the need to add the breach to the parties' Joint Status Report and alert the Court at the March 18 Hearing, and Mr. Driscoll agreed.

Then, earlier this afternoon, Ms. Stefanie Lambert, the attorney who has violated the Amended Protective Order, filed a Notice of Appearance on behalf of Mr. Byrne. Subsequently, Mr. Byrne's longtime counsel of record, the McGlinchey lawyers, purported to withdraw as counsel. Dominion has to date received no assurance from Mr. Byrne's counsel as to whether Ms. Lambert continues to retain Dominion confidential information or whether she has stopped violating the protective order or intends to take any remedial measures to cabin and remedy this breach.

Dominion notified Defendants of its intent to raise this matter with the Court in the attached email. *See Attachment 4* (Mar. 12 Hadaway Email). Ms. Lambert responded with the email attached hereto as **Attachment 5** (Mar. 12 Lambert Email). Needless to say, her statements about counsel are false. But Ms. Lambert did affirmatively confirm in her email that it was her client, Mr. Byrne, who directed violation of the protective order, and her statements and conduct indicate every apparent intention of continuing to violate it.

Dominion urgently seeks the Court's assistance to address and contain the breach caused by Mr. Byrne's counsel. We ask for the Court to permit an

emergency hearing before Judge Nichols or Judge Upadhyaya, or for permission to raise this issue at the March 18 hearing.

Respectfully submitted,

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