

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

US DOMINION, INC., DOMINION VOTING
SYSTEMS, INC., and DOMINION VOTING
SYSTEMS CORPORATION,

Plaintiffs/Counter-Defendants,

vs.

MY PILLOW, INC., *Defendant/Counter-Claimant.*

MICHAEL J. LINDELL, *Defendant/Counter-
Claimant/Third-Party Plaintiff,*

vs.

SMARTMATIC USA CORP., SMARTMATIC
INTERNATIONAL HOLDING B.V., SGO
CORPORATION LIMITED, and HAMILTON
PLACE STRATEGIES, LLC,

Third-Party Defendants.

Case No. 21-cv-445-CJN

**SMARTMATIC'S STATUS REPORT REGARDING MINUTE ORDER DATED
NOVEMBER 18, 2025**

Third-Party Defendants Smartmatic USA Corp., Smartmatic International Holding B.V. and SGO Corporation Limited (collectively, “Smartmatic”) respectfully respond to the Court’s Minute Order dated November 18, 2025, directing Smartmatic to ensure that Defendants Michael J. Lindell and My Pillow, Inc. (“Defendants”) were served with ECF No. 240, filed under seal, as follows:

1. On March 12, 2025, Smartmatic moved this Court for a finding of civil contempt in light of Mr. Lindell’s failure to comply with the Court’s January 13, 2025 Order directing Mr. Lindell to “pay \$56,369 to Smartmatic . . . to be held in escrow by Smartmatic’s counsel, subject to an escrow agreement” as sanctions for filing frivolous claims against Smartmatic. (ECF No. 234; ECF No. 235.) On April 16, 2025, the parties attended a status conference convened by this

Court to address the unpaid sanctions award. (April 16, 2025 Minute Entry.) At the status conference, this Court requested that Lindell submit financial records to substantiate his claimed inability to pay the as-ordered sanctions. Lindell submitted sealed financial records on April 18, 2025. (ECF No. 236.)

2. On April 29, 2025, Smartmatic moved for leave to file under seal supplemental information produced by Lindell to Smartmatic as “Attorney’s Eyes Only” in litigation ongoing in the case captioned *Smartmatic USA Corp., et. al. v. Lindell, et. al.*, 22-cv-00098-JMB-JFD, pending in the District of Minnesota (“Minnesota Litigation”), which would provide the Court with the full spectrum of information regarding Lindell’s claims about his financial condition. (ECF No. 237.) At the time Smartmatic filed its Motion, Smartmatic had not yet received written consent from Mr. Lindell to file this information under seal in this Court. (*Id.* at ¶ 4.) Accordingly, on May 5, 2025, this Court granted Smartmatic’s Motion, but ordered that the relevant documents may only be filed under seal if Smartmatic first received written consent from Mr. Lindell. (May 5, 2025 Minute Order.)

3. Pursuant to the Court’s May 5, 2025 Minute Order, Smartmatic’s counsel conferred with Mr. Christopher Kachouroff, then counsel for Mr. Lindell and My Pillow, Inc. (“MyPillow”). On May 28, 2025, Mr. Kachouroff confirmed that his clients consented to the filing of under-seal documents pursuant to this Court’s May 5, 2025 Minute Order.

4. On June 9, 2025, Smartmatic filed under seal a Declaration and certain information pertaining to its understanding of Mr. Lindell’s financial position. (ECF No. 240.) Smartmatic served Defendants’ counsel with copies of ECF No. 240 on the same day. (Exhibit A.)

5. On June 16, 2025, the Court issued a sealed order to Defendants. (ECF No. 241).

6. On October 31, 2025, the Court ordered the Parties to submit a Joint Status Report, and Defendant Lindell to “SHOW CAUSE on or before November 14, 2025, for why he has not complied with the [ECF No.] 241 Sealed Order.” (Minute Order dated October 31, 2025).

7. On November 14, 2025, Defendants filed a Motion for Extension of Time, in which they stated that “Defense Counsel has not received nor can he access a copy of ECF 240 or 241 through ECF and has not received any copies via U.S. Mail.” (ECF No. 242).

8. On November 18, 2025, this Court entered an Order directing Smartmatic to ensure that Defendants were served with ECF No. 240 and its exhibits.

9. On November 24, 2025, counsel for Smartmatic re-sent ECF No. 240 and its accompanying exhibits to then counsel for Mr. Lindell via email. (Exhibit B). After confirming consent for newly retained counsel to also receive the documents, counsel for Smartmatic also provided the documents to new counsel. (Exhibit C).

10. In addition to the amounts previously raised by Mr. Lindell for legal fees cited in ECF No. 240, by June 16, 2025, based upon publicly available documentation, Mr. Lindell had raised an additional \$86,000 for his legal defense fund, totaling \$448,819 (Exhibit D). In addition, based upon publicly available documentation, Mr. Lindell has raised \$125,222 in defense funds related to the Minnesota Litigation. (Exhibit E).

Dated: December 16, 2025

Respectfully Submitted,

/s/ J. Erik Connolly

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