

*Plaintiffs' Motion to Compel Compliance with Subpoena  
to Produce Documents*

**EXHIBIT 12**

Friday, October 13, 2023 at 22:49:35 Eastern Daylight Time

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**Subject:** RE: Coffee County Response to Bruce Brown 6.7.23  
correspondence re: Misty Hampton Laptop  
**Date:** Friday, June 16, 2023 at 12:20:04 PM Eastern Daylight Time  
**From:** Jennifer Dorminey Herzog  
**To:** Bruce Brown  
**CC:** Marilyn Marks (Marilyn@USCGG.org), Cross, David D., Cary  
Ichter, Vickers, Tracie, Vickers, Wesley, Anthony A. Rowell, Nick  
Kinsley  
**Attachments:** HBS\_Email\_Signature\_1.19.22.jpg, image001.jpg

Bruce,

We will not be providing responses to the outlined questions below; however, I did want to clarify that it is my understanding that from the date Hampton resigned in 2021 until present, Coffee County nor any of its agents, employees, or attorneys have ever had possession or control of a laptop that Misty Hampton used for her election work during 2020 and 2021. (In good faith and an abundance of caution we have made you and the GBI aware of the old Toshiba laptop located in the elections office after Hampton's resignation as that was the only laptop located in the office.)

Sincerely,

Jennifer

**Jennifer Dorminey Herzog**

Attorney at Law | Hall Booth Smith, P.C.

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**From:** Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>  
**Sent:** Thursday, June 8, 2023 3:59 PM  
**To:** Jennifer Dorminey Herzog <[jherzog@hallboothsmith.com](mailto:jherzog@hallboothsmith.com)>  
**Cc:** Marilyn Marks ([Marilyn@USCGG.org](mailto:Marilyn@USCGG.org)) <[marilyn@uscgg.org](mailto:marilyn@uscgg.org)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Cary Ichter <[Clichter@lichterDavis.com](mailto:Clichter@lichterDavis.com)>; Vickers, Tracie <[Tracie.Vickers@coffeecounty-ga.gov](mailto:Tracie.Vickers@coffeecounty-ga.gov)>; Vickers, Wesley <[Wesley.Vickers@coffeecounty-ga.gov](mailto:Wesley.Vickers@coffeecounty-ga.gov)>; Anthony A. Rowell <[ARowell@hallboothsmith.com](mailto:ARowell@hallboothsmith.com)>; Nick Kinsley <[NKinsley@hallboothsmith.com](mailto:NKinsley@hallboothsmith.com)>  
**Subject:** RE: Coffee County Response to Bruce Brown 6.7.23 correspondence re: Misty Hampton Laptop

Jennifer, thank you for your prompt response.

I have some follow up questions:

1. You state that Misty Hampton did not have “a Coffee County issued/assigned laptop.” With respect, this is an irrelevant observation because we know – we can see on the security video – that Misty was using a laptop for work. In addition, the old black Toshiba laptop found in the elections office was, apparently, not formally issued to anyone – you say no one can figure out who used it. So we know that the county has, and county employees use, laptops that are not issued or formally inventoried by the county. Therefore, that the county did not formally issue a laptop to Hampton has nothing to do with whether it has, or had, custody or control over it.
2. Your response cannot be reconciled with Agent Baldwin’s account of what your partner, Tony Rowell, told him. As you know, Agent Baldwin reports that on September 9, 2022, Mr. Rowell told Agent Baldwin that there “was also a laptop that Rowell advised me [Agent Baldwin] was the one Hayes used.” This contradiction raises many questions.
  - a. If Coffee County did not provide a laptop to Misty Hampton, how did Mr. Rowell know that the laptop discussed with Baldwin was the one that Misty used? Did Mr. Rowell have it in his law office or other location under his control? Does he still have it under his control? Did he review and preserve the contents? If not, why not?

b. You state below that “there is no laptop in the possession of Coffee County that is believed to be a laptop that was used by Misty Hampton.” We have to ask: do you mean that Coffee County has never been in possession or control of such a laptop or do you mean that it just does not have possession of it now?

c. In your response to me, and your response to Agent Baldwin, the attempt is made to reconcile Mr. Baldwin’s account of Mr. Rowell’s statement (that Rowell advised that there was a laptop that Hampton used) with the County’s current position (that it does not have the laptop that Hampton used, and that she had no county owned laptop). Instead of directly contradicting agent Baldwin’s account, you discuss the old black Toshiba laptop in storage. With respect, this does not make sense. Baldwin’s account of what Rowell told him is very short and direct: Rowell told him that there was a laptop that Hampton used, but he was not prepared to turn it over. Period. Rowell did not say anything about some old black Toshiba laptop in the elections office belonging to no one that would not turn on. And why would he? Also, Rowell could not have been referring to the old black Toshiba laptop because there was no way that Rowell would have known that the Toshiba laptop was the one used by Misty Hampton or anyone else. It is obvious that Rowell was referring to another laptop, one that *he knew* Misty Hampton had used. What happened to that laptop?

d. In September 2022, Rowell gave the GBI Hampton’s phone, but did not turn over the laptop that he said Hampton had used. Why? What did he do with it, or instruct be done with it instead?

e. Finally: from when Hampton was terminated in 2021 until today, has Coffee County or any of its agents, including vendors, current or former board members, employees, or attorneys, ever had possession or control of the laptop that Misty Hampton used for her election work during 2020 and 2021?

Thanks,

Bruce

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**From:** Jennifer Dorminey Herzog <[jherzog@hallboothsmith.com](mailto:jherzog@hallboothsmith.com)>

**Sent:** Wednesday, June 7, 2023 3:01 PM

**To:** Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Cc:** Marilyn Marks ([Marilyn@USCGG.org](mailto:Marilyn@USCGG.org)) <[marilyn@uscgg.org](mailto:marilyn@uscgg.org)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Cary Ichter <[CIchter@IchterDavis.com](mailto:CIchter@IchterDavis.com)>; Vickers, Tracie <[Tracie.Vickers@coffeecounty-ga.gov](mailto:Tracie.Vickers@coffeecounty-ga.gov)>; Vickers, Wesley <[Wesley.Vickers@coffeecounty-ga.gov](mailto:Wesley.Vickers@coffeecounty-ga.gov)>; Anthony A. Rowell <[ARowell@hallboothsmith.com](mailto:ARowell@hallboothsmith.com)>; Nick Kinsley <[NKinsley@hallboothsmith.com](mailto:NKinsley@hallboothsmith.com)>

**Subject:** Coffee County Response to Bruce Brown 6.7.23 correspondence re: Misty Hampton Laptop

Mr. Brown,

To clarify, what I have previously communicated is that I have been advised by Coffee County that Misty Hampton did not have a Coffee County issued/assigned laptop and further that there is no laptop in the possession of Coffee County that is believed to be a laptop that was used by Misty Hampton. I have also communicated to you that an old Toshiba laptop was located in the Coffee County Board of Elections and Registration's office after Hampton's departure which Coffee County has not been able to power on. Since you all have had this information since the outset of our correspondence on this topic, and since it is my understanding through Ms. Marks' recent communications that you all have deposed Misty Hampton in this litigation, I must assume that you addressed or should have addressed this issue with her during the course of that deposition.

Sincerely,

Jennifer Herzog

### Jennifer Dorminey Herzog

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**From:** Bruce Brown <[bbrown@brucepbrownlaw.com](mailto:bbrown@brucepbrownlaw.com)>

**Sent:** Wednesday, June 7, 2023 8:38 AM

**To:** Jennifer Dorminey Herzog <[jherzog@hallboothsmith.com](mailto:jherzog@hallboothsmith.com)>

**Cc:** Marilyn Marks ([Marilyn@USCGG.org](mailto:Marilyn@USCGG.org)) <[marilyn@uscgg.org](mailto:marilyn@uscgg.org)>; Cross, David D. <[DCross@mofo.com](mailto:DCross@mofo.com)>; Cary Ichter <[CIchter@IchterDavis.com](mailto:CIchter@IchterDavis.com)>

**Subject:** Misty Hampton Laptop

Jennifer,  
Please see the attached letter.  
Thanks,  
Bruce

Bruce P. Brown Law LLC  
1123 Zonolite Rd. NE  
Suite 6  
Atlanta, Georgia 30306  
(404) 386-6856