

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
CLERK'S MINUTES**

CASE NO. 5:23-mc-1

DATE: 11/22/2023

TITLE: Coalition for Good Governance, et al. v. Coffee County Board of Elections and Registration

HONORABLE BENJAMIN W. CHEESBRO COURTROOM DEPUTY: GAIL HOLT

COURT REPORTER: BWC-CHAMBERS TIME: 2:05-2:47 TOTAL: 42 minutes

MOVING PARTY:

Coalition for Good Governance

Donna Curling

RESPONDING PARTY:

Coffee County Board of Elections
and Registration

COUNSEL:

Cary Ichter

Halsey G. Knapp, Jr.

COUNSEL:

Wes Parker Rahn
Nicholas Kinsley

TELEPHONIC STATUS CONFERENCE

Telephonic conference held regarding discovery issues set out in the parties' status report, including searches of the forensic imaging of desktop provided by the GBI to Plaintiffs, laptop issue, and requests for BOE to conduct additional searches of documents in its possession, custody, or control.

Court has previously delayed the response deadline to Motion to Compel to allow time for parties to work together on these issues. Court is conscientious of the parties' trial scheduled in the underlying case.

Court hears from parties.

Plaintiffs state they have possession of the forensic image from GBI but the image has not yet been provided to BOE due to security issues. Plaintiffs state they has requested that BOE retrieve the image directly from GBI. Plaintiff unclear if BOE will move forward with the request. Plaintiffs they have not completed a full review of what is on the desktop but states if there are any corrupted files, that could introduce a problem and might require further Court involvement; otherwise, issues related to the desktop appear to be largely resolved.

Plaintiffs state they have received a rolling production from their searches of the archiver, and that has resulted in copies of a lot of the same documents and emails.

Plaintiff states the desktop only has files that originated with election supervisions, Hampton, Barnes, and Roberts. Plaintiff states other members of BOE may need to search for additional responsive documents.

BOE argues the desktop is the main issue raised in Plaintiff's Motion to Compel. BOE is still in process of obtaining the image from GBI. BOE sees this issue as resolved since Plaintiffs now have the entire contents of the desktop.

Regarding the laptop, BOE states there is not likely to be anymore benefit from further conferral or investigations. BOE has requested declarations from certain individuals related to ownership of the laptop but have received responses from these individuals.

BOE is prepared to respond in writing to this portion of the Motion to Compel.

Court orders BOE to respond to portion of the Motion to Compel concerning laptop within 2 weeks from today. Court allows 1 week for reply briefing.

Plaintiffs correct earlier statement to the Court that Ms. Hampton testified that the laptop she had was county-issued. Plaintiff now understands Ms. Hampton did not testify to that.

Regarding additional searches for responsive documents, BOE feels the search for documents should be narrowed. BOE argues it should not be required to bear this expense. BOE argues Hall Booth Smith's internal communications are relevant to the underlying litigation.

Court encourages parties to continue conferring about additional searches and to try to triage searches. If there are terms or custodians that can be agreed on, those searches should proceed. Court directs parties to email the Court on Monday, November 27, 2023 with their progress on additional searches.