

# **EXHIBIT D**

**Bruce P.  
Brown**  

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**Law**

April 13, 2023

By Email

Jennifer Dorminey Herzog  
Anthony A. Rowell  
Stephen D. Delk  
Hall Booth Smith, P.C.  
1564 King Road  
Tifton, Georgia 31793

Re: *Curling v. Raffensperger*, Subpoena to Eric Chaney

Dear Ms. Herzog and Mr. Rowell and Mr. Delk:

I represent the Coalition Plaintiffs in this case and write to follow up on Eric Chaney's response to Coalition Plaintiffs' July 22, 2022, document subpoena, a copy of which is attached as Exhibit 1. The response was signed by Mr. Rowell and Ms. Herzog. I am copying Mr. Delk because he represented Mr. Chaney in his deposition.

In his response to the subpoena, and in his deposition, Mr. Chaney said that he had no documents responsive to the subpoena. In response to an Open Records Request to Coffee County, however, CGG received a copy of a May 2, 2022, email from Washington Post reporter Emma Brown to Mr. Chaney, Ms. Herzog, Mr. Rowell, and county manager Wesley Vickers (Exhibit 2). Ms. Brown's email to Mr. Chaney was clearly responsive to the subpoena, items 3, 4, 7, 8, 9, 12, 13, 15, and 16. The email relates to Mr. Chaney's presence at the elections office during Scott Hall's visit and references text messages Ms. Brown had obtained from Misty Hampton. This followed the April 12, 2022, email from Ms. Brown to Mr. Rowell, Ms. Herzog and Mr. Vickers with other details concerning the alleged copying of the Dominion system when Mr. Chaney was present. Coffee County produced the April 12 email prior to Mr. Chaney's deposition, but the May 2, 2022, email was not produced.

Ms. Herzog and Mr. Rowell  
and Mr. Delk  
April 13, 2023  
Page 2

The failure to produce Ms. Brown's email is particularly troubling because it was in the possession of not only Mr. Chaney, but his lawyers at Hall Booth (Ms. Herzog and Mr. Rowell) and County Manager Vickers. In addition, Ms. Brown's email would have generated other email or text message traffic, either in response to her email or the forwarding of it by you to others. Those other documents also were not produced. In addition, this email, along with any other documents that it would have generated, should have been produced in response to Ms. Marks' June 13, 2022, Open Records Request, item 3.

In discovery, CGG also received copies of documents from other parties that should have been produced by Mr. Chaney or Hall Booth on his behalf. For example, Exhibit 3 was produced by Misty Hampton and shows December 2020 texts messages between Mr. Rowell, Mr. Chaney, Ms. Hampton and Mr. Voyles. Mr. Chaney had these text messages in his possession or control, either directly or through his counsel at Hall Booth, and these texts should have been produced in response to the subpoena, items 2, 10, 22 and 25.

Given the content of Ms. Brown's email, and its distribution, it is almost a certainty that Hall Booth, the County, and Mr. Chaney have other responsive documents that have not been produced.

I urge you to promptly review Hall Booth's records for all documents responsive to the subpoena served on Mr. Cheney, whether those records are located on the firm's email server or private email accounts or personal devices, and to produce any such documents without delay.

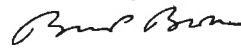
Also, we request that you ask Mr. Chaney to again review his records (including emails and text messages) and to produce documents responsive to the subpoena. Without limiting this request, we specifically request that Mr. Chaney locate and produce an email or other communication (and related documents) sent on or about December 31, 2020. Preston Haliburton was one intended recipient. Ms. Hampton was likely the originator of the email, with Mr. Chaney receiving a copy.

Ms. Herzog and Mr. Rowell  
and Mr. Delk  
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Finally, we ask that Coffee County review the subpoenas served on Coffee County and its officials to ensure that all responsive records have been produced.

Please let me know if you have any questions.

Sincerely,



Bruce P. Brown

cc: Marilyn R. Marks  
David Cross

# EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA**

DONNA CURLING, et al.	)	
	)	
Plaintiffs	)	Civil Action No.
	)	1:17-cv-02989-AT
	)	
BRIAN P. KEMP, et al.,	)	
	)	
Defendants	)	

**CHANEY RESPONSE TO CGG SUBPOENA  
FOR PRODUCTION OF DOCUMENTS**

Eric Chaney provides the following response to the Subpoena for Production of Documents issued to Chaney by Counsel Bruce Brown for his client Coalition of Good Governance scheduled for August 15, 2022, as follows:

1. All Documents, including Communications, referencing, including or referring to Ben Cotton or CyFIR,LLC.

**Response: None.**

2. All Communications, including text messages, with Misty Hampton related to, referencing, or regarding Coffee County election matters, including election records, election activities, or Election System components.

**Response: None.**

3. Documents that evidence, refer to, or reflect approximately when any Access to Coffee County's Election System, EMS Servers and Election Data took place or was requested.

**Response: None.**

4. Documents that evidence, refer to, or reflect the Persons involved in any way, or who have knowledge of, any Access to Coffee County's Election System, EMS Servers and Election Data, including, but not limited to, Persons who requested, organized, planned, communicated about, led, participated in, financed, compensated any Persons who were present, reimbursed expenses, or were present on the day of, or have knowledge of such events.

**Response: None.**

5. Documents that evidence, refer to, or reflect what data, systems, components, hardware, ballots, or processes were imaged, copied, reviewed or accessed during any Access to Coffee County's Election System and EMS Servers, including requests for such activities or access approved by an election official or the Coffee County Superintendent.

**Response: None.**

6. All electronic files, including but not limited to election data, server images, images of equipment internal memory, removable media, or ballot scans or

images, obtained by Persons who were not Georgia election officials during any Access to Coffee County's Election System, EMS Servers and Election Data.

**Response: None.**

7. Documents showing Your involvement in, knowledge of, or observation of, any planned or actual Access to Coffee County's Election System, EMS Servers and Election Data.

**Response: None.**

8. Without limiting the generality of the foregoing, any Documents, including Communications, relating to, reflecting, or evidencing any trip taken by Scott Hall, Paul Maggio, Russell Ramsland, Greg Freemeyer, Conan Hayes, Doug Logan, Ben Cotton, Jennifer Jackson, or Jeffrey Lenberg, to Coffee County, Georgia, between November 1, 2020 and January 30, 2021.

**Response: None.**

9. All Documents that evidence, refer to, or reflect any Communications (oral, electronic or written) by or between You and the Secretary of State, the State Elections Board and its members, Coffee County officials and employees, other Georgia counties' officials, or other third parties relating to any Access to Coffee County's Election System, EMS Servers and Election Data, including any Communications concerning the equipment images, ballot images, or electronic



files obtained during any Access to Coffee County's Election System, EMS Servers and Election Data.

**Response: We object to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product; subject to said objection and without waiving same, Chaney responds as follows: Chaney has no additional documents of which he is aware to provide in response to this request outside of what has been previously provided to Marilyn Marks, which Plaintiffs have previously agreed need not be re-produced.**

10. All Documents that evidence, refer to, or reflect any actual or potential security vulnerabilities, risks, failings, deficiencies, concerns, complaints, hacks, tabulation discrepancies, scanning discrepancies, or compromises involving any aspect of Coffee County's Election System, including but not limited to any computer systems or network environments that support the operation of the Election System.

**Response: We object to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product; subject to said objection and without waiving same, Chaney responds as follows: Chaney has no additional documents of which he is aware to provide**

**in response to this request outside of what has been previously provided to Marilyn Marks, which Plaintiffs have previously agreed need not be re-produced.**

11. All Documents that evidence, refer to, or reflect any Communications by or between You, the Secretary of State, the State Elections Board and its members, other Georgia counties' officials, and/or other third parties, regarding this litigation, or any governmental agency's investigation of matters involving or related to the Coffee County EMS server.

**Response: We object to this request to the extent that this request seeks attorney client privileged communications and/or attorney work product; subject to said objection and without waiving same, Chaney responds as follows: Chaney has no additional documents of which he is aware to provide in response to this request outside of what has been previously provided to Marilyn Marks, which Plaintiffs have previously agreed need not be re-produced.**

12. All Documents that evidence, refer to, or reflect any copying of, imaging of, access to, or any request to copy or access any component of Georgia's Election System, any data located on any such component, or voted ballots, that

was not duly authorized by one or more Georgia state election officials with authority to lawfully allow such access.

**Response: None.**

13. All Documents that evidence, refer to, or reflect any Communications between You and Scott Hall, Misty Hampton, Patrick Byrne, Cathy Latham, Matthew McCullough, Jil Ridelhoover, Rudy Giuliani, Jenna Ellis, Alex Cruce, Garland Favorito, Robert Cheeley, Lin Wood, Doug Logan, Sidney Powell, Russell Ramsland, Mark Cook, Paul Maggio, Greg Freemeyer, Jennifer Jackson, Conan Hayes, Phil Waldron, Michael Flynn, Jeffrey Lenberg, Ben Cotton, Shawn Still, any member of the Georgia General Assembly serving during 2020, or other third parties concerning providing any Person with access to Coffee County's EMS server in any way or obtaining copies of Georgia voted ballots from the November 2020 election.

**Response: None.**

14. All Documents, including Communications, that evidence, refer to, or reflect the approximate date and circumstances that evidence receipt of Doug Logan's (Cyber Ninjas) business card by the Coffee County Board of Elections and Registration or its employees, and all Communications with Doug Logan.

**Response: None.**

15. All Documents that evidence, refer to, or reflect Communications between You and any Person referencing the names of files or data such Person sought to obtain for forensic analysis of Coffee County Election System equipment involved in the November 2020 election.

**Response: None.**

16. All Documents that evidence or refer to relate to any violation of State Elections Rules relating to the security of voting system components at county election offices, including but not limited to State Election Board Rule 183-1-12-.05.

**Response: None.**

17. All Documents that evidence names of any passengers for a flight on a private aircraft from Atlanta, Georgia to Coffee County, Georgia, or from Coffee County to Atlanta, on January 7, 2021.

**Response: None.**

18. All Documents that evidence, refer to, or reflect any Communications between You and Scott Hall, Cathy Latham, Misty Hampton, Matthew McCullough, Paul Maggio, Jennifer Jackson, Jeffrey Lenberg, Russell Ramsland, Ben Cotton, Doug Logan, Greg Freemeyer, Conan Hayes, or Patrick Byrne related to any Person visiting the Elections Office of Coffee County, Georgia for any

purpose other than voting or noticed public meetings during the period November 1, 2020 through February 27, 2021.

**Response: None.**

19. All Documents, including Communications, that refer to or reflect any request You received for November 2020 Cast Vote Records.

**Response: None.**

20. All Documents, including photographs or video recordings You made, that reflect, disclose or include any Election System passwords, and any efforts You made to mitigate the security concerns as a result of any password disclosure.

**Response: None.**

21. All Documents, including Communications, that refer to or reflect any problems with the EMS server password, or efforts made to change, update, or recover the password of the Coffee County EMS server or ICC Scanner workstation, or instructions from the Secretary of State concerning such passwords.

**Response: None.**

22. All Documents, including Communications, that evidence, refer to, or reflect activities conducted in conjunction with the Secretary of State's Coffee

County December 2020 investigation of the presidential recount and certification, including the involvement of school students.

**Response: None.**

23. All Documents, including any Documents reflecting or evidencing Communications with Cathy Latham or Shawn Still, or his agents or representatives, that concern, relate to or refer to an election contest challenging the 2020 Presidential election.

**Response: None.**

24. All Documents that evidence financial transactions, expense reimbursements, financial compensation, or arrangements with respect to or related to Access to Coffee County's Election System, EMS Server and Election Data.

**Response: None.**

25. All Documents that evidence or support Your statements or Communications to any committee or sub-committee of the Georgia General Assembly during the period November 1, 2020 through December 31, 2020.

**Response: None.**

26. All Documents that evidence “both sides of the story” You reportedly referenced in the June 15, 2022 Daily Beast article linked here:

<https://www.thedailybeast.com/subpoenas-probe-gop-mission-to-breach-georgia-voting-system> .

**Response: None.**

27. All Documents, including Communications, that support or evidence statements you made to any Person that a claim that the contents of Coffee's EMS server are subject to disclosure in Open Records Requests.

**Response: None.**

This 14<sup>th</sup> day of August, 2022.

**HALL BOOTH SMITH, P.C.**

/s/ Anthony A. Rowell  
ANTHONY A. ROWELL  
Georgia Bar No.: 616930  
STEPHEN D. DELK  
Georgia Bar No. 448395  
JENNIFER D. HERZOG  
Georgia Bar No. 109696  
NICHOLAS A. KINSLEY  
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*Counsel for Coffee County  
Board of Elections & Registration*

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Email: sdelk@hallboothsmith.com  
Email: jherzog@hallboothsmith.com  
Email: nkinsley@hallboothsmith.com

# EXHIBIT 2



Message # 44

**Message Key:** 000007E63B6861AD63C5A4F604E366AA98E24FDAB6953A74340CE580B80E875A2  
AC636DF

**From:** "Brown, Emma" [REDACTED]

**To:** Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>, [REDACTED]

**Cc:** "Vickers, Wesley" <Wesley.Vickers@coffeecounty-ga.gov>, "Anthony A. Rowell" <ARowell@hallboothsmith.com>

**Addressed To:** wesley.vickers@coffeecounty-ga.gov

**Subject:** Re: Response to 4/12/22 Emma Brown Washington Post inquiry

**Date:** Monday, May 02, 2022 13:28 GMT



Dear Ms. Herzog, Mr. Chaney, Mr. Vickers and Mr. Rowell,

On April 12, you sent me Mr. Chaney's response to my questions about his involvement in an alleged effort to copy election equipment/data in Coffee County. I have shared Mr. Chaney's response with Misty Hampton, and I am coming back to you all now with further questions.

Ms. Hampton says that when Scott Hall came to the elections department with an outside team to investigate the election, she, Mr. Hall and Mr. Chaney stayed in a conference room and did not keep a close eye on where the members of Mr. Hall's team went. As I described in my April 12 email, she also says she does not know what the team did while they were there, in an area where the door to the room housing the EMS server was usually unlocked.

Ms. Hampton also provided copies of text messages between herself and Mr. Chaney. In a message on the afternoon of Jan. 6, 2021, she wrote to Mr. Chaney that Scott Hall was on the phone about "wanting to come scan our ballots from the general election like we talked about the other day" (emphasis mine). She wrote that she would call Mr. Chaney "in a few," and later that night they exchanged messages about what Ms. Hampton described as her discovery of "another way to change ballots in RTR." The next day, Mr. Chaney texted Ms. Hampton, "Let's switch to Signal," meaning the encrypted messaging app.

Here are my questions for Mr. Chaney given the above:

Please describe your conversations with Ms. Hampton and Mr. Hall about scanning Coffee County's ballots to investigate the election. Who else did you discuss this with? What other materials and data from Coffee County did you discuss would be useful for investigating Dominion machines?

Why did you ask Ms. Hampton to start communicating via Signal on Jan. 8, 2021?

Please respond to Ms. Hampton's statement that you were present in a conference room with her and Mr. Hall while several other people -- the people who were brought to Coffee County by Mr. Hall -- were in the elections department office.

What information did you hope to glean from the investigation by Mr. Hall's team?

What did Mr. Hall's team do while they were in the office? Did they scan ballots? Did they copy Dominion equipment?

I would be grateful for your response by close of business today. Thank you.

Sincerely,  
Emma Brown

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From: Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>  
Sent: Tuesday, April 12, 2022 3:43 PM  
To: Brown, Emma <Emma.Brown@washpost.com>  
Cc: Vickers, Wesley <Wesley.Vickers@coffeecounty-ga.gov>; Anthony A. Rowell <ARowell@hallboothsmith.com>  
Subject: Response to 4/12/22 Emma Brown Washington Post inquiry

CAUTION: EXTERNAL SENDER

Dear Ms. Brown,

We are in receipt of your correspondence this morning at 5:05 a.m. which is below. The specific details set forth therein were unknown to the Coffee County Board of Commissioners until receipt of your email. Accordingly, we forwarded your communication to Mr. Chaney. I have provided below Mr. Chaney's response to Ms. Hampton's statement.

# EXHIBIT 3

Messages - Eric Charney & Tony Rowell & Ed Voyles

Text message  
12/5/23 9:02 AM

Ed Voyles

<https://twitter.com/gatewaypundit/status/1336662552743383040?s=10>

12/3/23 1:13 PM

Ed Voyles



12/3/23 2:11 PM



Ed Voyles

Omg

12/3/23 2:37 PM

Ed Voyles

<https://trulytimes.com/election-supervisor-shows-on-video-how-dominion-software-allows-changing-adding-votes.html>

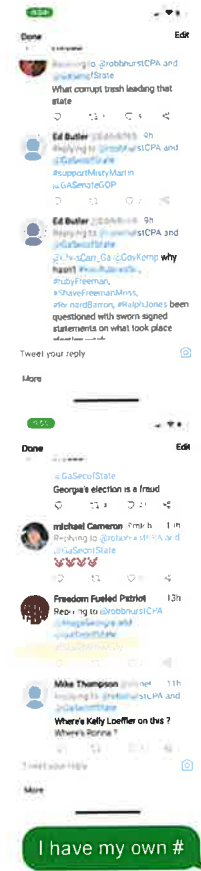
Tony Rowell

Good article

Eric Charney

Like it

Messages - Eric Chaney & Tony Rowell & Ed Voyles



Ed Voyles

You're famous!

6:00 PM

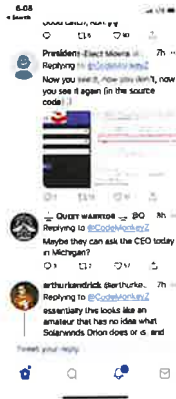
Ed Voyles

<https://twitter.com/codemonkeyz/status/1338981309088055296?s=10>

Ed Voyles

Dang massive number was adjudicated listen to first part carefully

Ed Voyles



Messages - Eric Chaney & Tony Rowell & Ed Voyles

Ed Voyles

CEO said under oath today never associated with hacked solar winds but....

12/7/20 9:38 AM

Ed Voyles

'I think this is horrible': False online claims surrounding the recounting of presidential election ballots in Georgia's Gwinnett County foster potential violence [https://www.wsj.com/articles/as-georgia-runoff-looms-a-controversial-video-seeds-threats-11608210530?st=3sw1z6d1d0682do&reflink=article\\_imessage\\_share](https://www.wsj.com/articles/as-georgia-runoff-looms-a-controversial-video-seeds-threats-11608210530?st=3sw1z6d1d0682do&reflink=article_imessage_share)

Ed Voyles

[https://twitter.com/wizard\\_predicts/status/1339584809564172294?s=10](https://twitter.com/wizard_predicts/status/1339584809564172294?s=10)



Ed Voyles



Ed Voyles

<https://twitter.com/anonpatriotq/status/1339577323826245632?s=10>

Eric Chaney

Right on time

Ed Voyles

Ref ga video unable to repeatedly duplicate credible .....

Are you watching it?

Messages - Eric Crane & Tony Rowell & Ed Voiles

Ed Voiles

No

Ed Voiles

Didn't look at date on docket just that it is on docket

Ed Voiles

Suit is there to read

Wow!

Eric Crane

Watch "Harrison Deal Investigator Found Dead in Home - James O'Sullivan's Death - GBI" on YouTube  
<https://youtu.be/411fwrGtEY>

Ed Voiles

Kim n and I were talking about that last night. Why commit suicide?

That don't make sense

Eric Crane

This all smells bad!

Yelp

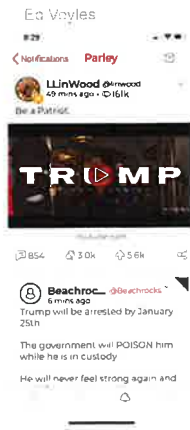


Where is that

Eric Crane

Valdosta

Messages - Eric Chaney & Tony Rowell & Ed Vayles



Ed Vayles  
Great video

12/6/2023, 4:43 PM

Ed Vayles  
Hey you three. After Misty had a positive test I went to be tested here in Co yesterday. Just got back results that were negative. I'll bet Tony and Eric are too.

Eric Chaney  
PTL

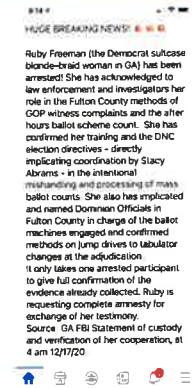
12/6/2023, 6:19 PM

PTL!!!

Ed Vayles  
<https://twitter.com/bernardkerik/status/1339921449788841984?s=10>

12/6/2023, 9:09 AM

Yelp! I remember that



Ed, can you dig and find out if this is true

Ed Vayles  
I'll try to get to bottom today. I knew she had been arrested in years past on unrelated charges

Messages - Eric Chaney & Tony Rawell & Ed Voyles

Ed Voyles

America Needs to Go Back to Paper Elections: Phill Kline

[https://link.thepoachtimes.com/mkt\\_app/america-needs-to-go-back-to-paper-elections-phill-kline\\_3623106.html](https://link.thepoachtimes.com/mkt_app/america-needs-to-go-back-to-paper-elections-phill-kline_3623106.html)

Download our app to read more for free at <https://ept.ms/DownloadApp>

Remember that is what I said

Ed Voyles

You certainly did!

Eric Chaney

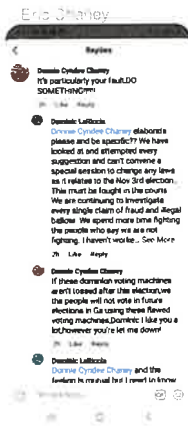
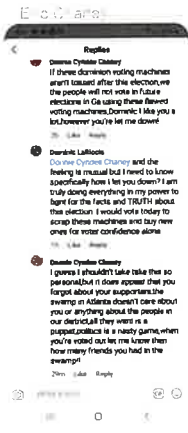
100

Ed Voyles

<https://consparty.com/2020/12/18/revealed-former-kemp-staffer-helped-dominion-land-107-million-contract-with-georgia-quiete-the-deal/>

Wow

12/13/20 3:43 PM



Eric Chaney

In case you didn't know.. his filter is off



Messages - Eric Chaney @R\_TonyRowell & Eric Mayles

Ouch!!!

Ok Donnie giving him hell! Love it

11/23/20 9:18 AM

Eric Mayles

Go look at my response to ganriel

Eric Mayles

[https://twitter.com/wizard\\_predicts/status/1341573369800646657?s=10](https://twitter.com/wizard_predicts/status/1341573369800646657?s=10)

Right on!!!



Eric Mayles



PERFECT!!!!

They are having a hearing in front of the house committee again, in front of the same guy that Eric did, and just lied about Coffee County. They said that I admitted to scanning 50 ballots twice! And never mentioned dominion making the mistake

The SOS lied about me!

Eric Mayles

Yes I saw it SOS attorney Germany told several whoppers. No one is under oath so the whole thing is useless

Tony... can I ask for a report from the investigation?

This guy is full of SHIT!

11/23/20 11:50 AM

Raffensdooger can no even talk! And wants the power to be able to FIRE BOARDS OF ELECTIONS AND ELECTIONS DIRECTORS.