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April 1, 2021

VIA EMAIL ONLY

Kory@statecraftlaw.com

Kory Langhofer
Statecraft, LLC.
649 North Fourth Avenue, First Floor
Phoenix, Arizona 85003

Re: January 12, 2021 Subpoenas

Dear Kory:

On March 1, 2021, you and I spoke and exchanged emails regarding Maricopa County's intention to comply with the January 12, 2021 subpoenas issued by Senators Fann and Petersen and begin delivery of the machines and ballots to the Senate as the subpoenas commanded. Despite the contents of the subpoenas, at that time the Senators did not want the County to provide any of the demanded materials and instead wanted the materials to remain housed at the County's facility. Your e-mail stated, "the Senate's preference is to maintain the materials in the County's facility until the Senate has made suitable arrangements for storing the materials elsewhere, or to work out an agreement to review the materials inside the county's facility. The resulting delay in delivery would be regarded as an accommodation rather than a frustration of the Senate."

Yesterday, you notified the County that your clients had executed a contract with a company to perform an audit of the 2020 election. Later you relayed your clients' desire to perform the audit at the County's facilities. Although we have obtained some information from the internet, to date the Senators have provided the County no information concerning the auditors, the scope of the audit, the individuals conducting the recount, the timeframe or any other information concerning the Senators' intentions. There is no agreement regarding performing the audit at Maricopa County Tabulation and Election Center ("MCTEC") and the request to perform any audit, recount or other related activities at MCTEC is beyond the scope of the subpoenas issued.

The County stands ready to comply with the subpoenas as written, which requires delivery at 1700 W. Washington Street. Alternatively, the County is willing to discuss delivery of the requested items to the Senators' custody at a non-County owned location of the Senators' choosing.

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Finally, as you know, the County has already electronically produced over 11 gigabytes of data. In conjunction with that disclosure, on January 15, 2021, we requested clarification concerning some of the items requested. To date, we have not received any response to that correspondence. If your clients want any of those materials they are going to need to provide the requested clarification.

Please relay this information to your clients and have them contact me once they have identified a location for the delivery of the items subpoenaed.

Very truly yours,

HINSHAW & CULBERTSON LLP

A handwritten signature in black ink, appearing to read 'S. W. Tully', with a long horizontal flourish extending to the right.

Stephen W. Tully
Partner

SWT:

cc: Maricopa County Board of Supervisors.