



U.S. Department of Justice

Matthew M. Graves  
United States Attorney

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*District of Columbia*  
*Patrick Henry Building*  
*601 D Street N.W.*  
*Washington, D.C. 20530*

June 21, 2022

VIA Hand Delivery

Kelly Townsend  
150 N. Cactus Road  
Apache Junction, AZ 85119

Re: Grand Jury Subpoena #GJ2022061591619  
USAO #2022R00150

Dear Kelly Townsend:

Pursuant to a criminal investigation being conducted by the United States Attorney's Office, it is required that you furnish the requested records as described in the attached subpoena.

In lieu of personally appearing before the Grand Jury on the date indicated, you may comply with this grand jury subpoena by promptly providing the agent designated in the attachment with the requested records. If you choose to provide the requested records voluntarily, please provide them in a non-proprietary electronic format via FedEx, UPS or DHL.

Although you are not required to do so, you are requested not to disclose the existence of this subpoena. Any such disclosure could impede the investigation being conducted and thereby interfere with the enforcement of the law. Thank you for your cooperation in this matter.

Sincerely,

Matthew M. Graves  
United States Attorney

By: /s/ Thomas P. Windom  
Thomas P. Windom  
Assistant United States Attorney  
202-252-7846

# UNITED STATES DISTRICT COURT

for the

**District of Columbia**

## SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Kelly Townsend  
150 N. Cactus Road  
Apache Junction, AZ 85119

**YOU ARE COMMANDED** to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA U.S. Courthouse, 3 <sup>rd</sup> Floor Grand Jury # 22-5 333 Constitution Avenue, N.W. Washington, D.C. 20001	Date and Time: Friday, July 8, 2022 at 9:00 AM
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You must also bring with you the following documents, electronically stored information, or objects:

PLEASE SEE ATTACHMENT

In lieu of personally appearing before the Grand Jury on the date indicated, you may comply with this grand jury subpoena by promptly providing the agent designated in the attachment with the requested records.

Date: June 21, 2022

CLERK OF COURT

  
  
  
Signature of Clerk's Deputy Clerk

The name, address, telephone number and email of the Assistant United States Attorney, who requests this subpoena, are:

Thomas P. Windom, Assistant United States Attorney  
United States Attorney's Office for the District of Columbia  
601 D Street N.W. Room #5.815  
Washington, DC 20530  
Phone: 202-252-7846 Fax:  
Email: thomas.windom@usdoj.gov

Subpoena #GJ2022061591619  
USAO #2022R00150  
Preparer: MRLEACH

## INSTRUCTIONS FOR PRODUCTION OF RECORDS

### **I. General:**

- a. Records existing as **Electronically Stored Information (ESI)** shall be produced in **non-proprietary electronic form** and shall include text data and image data held:
  - i. In your record retention systems; and/or
  - ii. By your technology, data, or other service provider(s).
- b. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.

### **II. Text Data**

- a. Text data relating to transactions shall be produced within a data file:
  - i. Using a delimited ASCII text data format; or
  - ii. Using software that can export to a commonly readable, non-proprietary file format without loss of data.
- b. Text data files relating to transactions shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

### **III. Image Data**

- a. Image data shall be produced in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained.
- b. Image data of items associated with transactions (e.g., checks and deposit slips) shall be:
  - i. Produced in individual graphic data files with any associated endorsements; and
  - ii. Linked to corresponding text data by a unique identifier.

### **IV. Encryption/Authentication**

- a. ESI may be transmitted in an encrypted container (*e.g. flash drive, CD/DVD*).  
Decryption keys and/or passwords shall be produced separately at the time the data are produced. *Please do not encrypt individual file contents if the container is encrypted.*
- b. Authentication, such as hash coding, may be set by agreement.
- c. Affidavits or certificates of authenticity may be included as part of the electronic production.

RETURN OF SERVICE <sup>(1)</sup>		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		
SERVED BY (PRINT NAME)		TITLE
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER <sup>(2)</sup>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____  <span style="margin-left: 150px;">Date</span></p> <p>_____                      Signature of Server</p> <p>_____                      Address of Server</p>		
ADDITIONAL INFORMATION		

<sup>(1)</sup>As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.

<sup>(2)</sup>"Fees and mileage need not be tendered to the witness upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".

**Subpoena #GJ2022061591619**

## SUBPOENA ATTACHMENT

### KELLY TOWNSEND

#### I. INSTRUCTIONS

- A. In complying with this subpoena, you are required to produce all responsive documents, records, information, and communications that are in your possession, custody, or control, whether held by you or your past or present agent, employee, or representative acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
- B. No documents called for by this request shall be destroyed, modified, removed, transferred, or otherwise made inaccessible to the grand jury. If you have knowledge that any subpoenaed document has been destroyed, discarded, or lost, identify the subpoenaed document and provide an explanation of the destruction, discarding, loss, or disposal, and the date at which the document was destroyed, discarded, or lost.
- C. This subpoena is continuing in nature. Any document not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto with an explanation of why it was not located or discovered until the return date.
- D. If you believe any responsive documents are protected by a privilege, please provide a privilege log which (1) identifies any and all responsive documents to which the privilege is asserted, (2) sets forth the date, type, addressee(s), author(s), general subject matter, and indicated or known circulation of the document, and (3) states the privilege asserted in sufficient detail to ascertain the validity of the claim of privilege.
- E. Production with respect to each document shall include all electronic versions and data files from email applications, as well as from word processing, spreadsheet, database, or other electronic data repositories applicable to any attachments, and shall be provided to the grand jury where possible in its native file format and shall include all original metadata for each electronic documents or data file.

#### II. DEFINITIONS

- A. **“Document”** means any written, recorded, or graphic material of any kind that is in your possession, custody or control. The term includes, but is not limited to: contracts; agreements; letters; telegrams; interoffice communications; memoranda; notes; reports; analyses; worksheets; spreadsheets; notebooks; surveys; lists; outlines; schedules; pamphlets; newsletters; flyers; charts; logbooks; tabulations; compilations; studies; books; records; telephone books or messages; visitor books; calendar or diary entries; desk or appointment calendars; drafts; business cards; minutes or meetings or conferences; notes or memos or other records of telephone or other conversations or communications; electronic transmissions (including emails, text messages, instant messaging, chat rooms, electronic bulletin boards, and any communications using applications such as WhatsApp, Telegram, or Signal); ledgers; financial statements; bank statements; check images (front and back); bills or invoices; purchase orders; receipts; photographs; microfilm; microfiche; audio and video tape or disc recordings; computer printouts; and communications. It also includes electronically stored data and electronic files, stored on file servers, e-mail servers, hard drives, or other electronic

storage media within your control from which information can be obtained either directly or by translation through detection devices or readers. Any such document is to be produced in reasonably usable form, electronic and searchable, along with instructions for reading the data. Any such electronically stored information must be preserved in its native format. The term “document” includes the original (or a copy thereof if the original is not available) and all copies that differ in any respect from the original or that bear any notation, marking or information not on the original. “Document” shall also include all documents, materials, transmissions, and information, including Electronically Stored Information within the meaning of the Federal Rules of Civil Procedure.

- B. **“Electronically Stored Information”** or **“ESI”** shall mean the complete original and any non-identical copy (whether different from the original because of notations, different metadata, or otherwise), regardless of origin or location, of any writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations stored in any electronic medium from which information can be obtained either directly or, if necessary, after translation by you into a reasonably usable form. This includes, but is not limited to, electronic mail, instant messaging, videoconferencing, and other electronic correspondence (whether active, archived, or in a deleted items folder), word processing files, spreadsheets, databases, and video and sound recordings, whether stored on: cards; magnetic or electronic tapes; disks; computer hard drives, network shares or servers, or other drives; cloud-based platforms; cell phones, personal digital assistants (“PDAs”), computer tablets, or other mobile devices; or other storage media.
- C. **“Referring to”** or **“relating to”** shall mean discussing, describing, reflecting, regarding, containing, analyzing, studying, reporting, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.
- D. The terms **“including”** and **“includes”** shall be construed broadly so that specification of any particular type of document shall not be construed to exclude other types of documents that are nevertheless responsive but not specifically identified.
- E. **“Communications”** refers to exchanges kept in any form, whether written, electronic, e-mail, text, instant message, WhatsApp message, Telegram message, Signal message, telephone, or other, and is meant to be interpreted broadly in accordance with Federal Law.
- F. **“Certification”** shall mean any proceeding in the United States Congress on January 6, 2021, convened in order to count the electoral votes, resolve any objections, certify their validity, and announce the result.
- G. Entities identified by name shall be construed broadly to include any subsidiary, affiliate, successor-in-interest, or related corporate entity, as well as any employee, representative, contractor, affiliate, or vendor.

### III. REQUEST FOR DOCUMENTS

- A. For the period October 1, 2020, through the present, all documents and communications:
  - 1. Relating to the Certification.
  - 2. Relating to the signing or mailing of any document purporting to be a Certificate certifying Elector votes in favor of Donald J. Trump and/or Michael R. Pence.

3. Relating to any effort, plan, or attempt to serve as an Elector in favor of Donald J. Trump and/or Michael R. Pence.
4. To, from, with, or including any of the following, regardless of subject matter:
  - a. any member, employee, or agent of the Executive Branch or Legislative Branch of the federal government
  - b. any member, employee, or agent of Donald J. Trump or any organization advocating in favor of the 2020 re-election of Donald J. Trump, including "Donald J. Trump for President, Inc."
  - c. Bernard Kerik
  - d. Boris Epshteyn
  - e. James Troupis
  - f. Jenna Ellis
  - g. Joe DiGenova
  - h. John Eastman
  - i. Joshua Findlay
  - j. Justin Clark
  - k. Kenneth Chesebro
  - l. Mike Roman
  - m. Rudy Giuliani
  - n. Victoria Toensing

B. For the period November 3, 2020, through January 20, 2021, all documents and communications to, from, with, or including any of the following, regardless of subject matter:

- a. Nancy Cottle
- b. Loraine Pellegrino
- c. Tyler Bowyer
- d. Jake Hoffman
- e. Anthony Kern
- f. James Lamon
- g. Robert Montgomery
- h. Samuel Moorhead
- i. Greg Safsten
- j. Kelli Ward
- k. Michael Ward
- l. Thomas Lane
- m. Karen Fann
- n. ██████████

C. For the period October 1, 2020, through the present, documents sufficient to show any email accounts, social media accounts, and telephone numbers that you used.

Subpoenaed materials may be produced to:

Daniel A. Mehochko  
Special Agent  
FBI Washington Field Office  
damehochko@fbi.gov