



U.S. Department of Justice

Jack Smith
Special Counsel

November 22, 2022

Custodian of Records
Dane County Clerk
210 Martin Luther King Jr. Blvd.
Room 106A
Madison, WI 53703

Re: Grand Jury Subpoena #GJ2022111596740
USAO #2022R00150

Dear Sir or Madam:

Pursuant to a criminal investigation being conducted by the Special Counsel'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 producing the requested records and documents to:

Daniel A. Mehochko
Special Agent
FBI Washington Field Office
9325 Discovery Blvd.
Manassas, VA 20109
damehochko@fbi.gov
(703) 686-6326

Also enclosed please find a blank "Declaration of Custodian of Records" form. It may save time and costs if an appropriate person at your entity could complete the form and return it with the records. A properly completed "Declaration of Custodian of Records" form will make it more likely that we could present the records at trial without requiring you or another employee to come to court and testify.

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,

Jack Smith
Special Counsel

By: /s/ Matthew Burke

Matthew Burke
Assistant United States Attorney
601 D Street, N.W.
Room No. 7.204
Washington, DC 20530
202-252-6734
matthew.burke@usdoj.gov

UNITED STATES DISTRICT COURT
for the

District of Columbia

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Dane County Clerk

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 rd Floor Grand Jury # 22-5 333 Constitution Avenue, N.W. Washington, D.C. 20001 | Date and Time: Friday, December 9, 2022 at 9:00 AM |
|--|---|

You must also bring with you the following documents, electronically stored information, or objects:

See attachment. In lieu of formal appearance before the grand jury, you may produce all responsive documents and records to:

Daniel A. Mehochko
Special Agent
FBI Washington Field Office
9325 Discovery Blvd.
Manassas, VA 20109
damehochko@fbi.gov
(703) 686-6326

Date: November 22, 2022

CLERK OF COURT


Signature of Clerk or Deputy Clerk

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

Matthew Burke, Assistant United States Attorney
601 D Street N.W. Room #7.208
Washington, DC 20530
Phone: 202-252-6734 Fax:
Email: matthew.burke@usdoj.gov

Subpoena #GJ202211596740
USAO #2022R00150
Preparer: MRLEACH

SUBPOENA ATTACHMENT

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 document 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, Protonmail, 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. 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 June 1, 2020, through January 20, 2021, produce any and all communications in any form to, from, or involving Donald J. Trump for President, Inc. (hereinafter, "the Trump Campaign"), Donald J. Trump, or any employee or agent of, or attorney for, the Trump Campaign, or any records or documents that record, summarize, transcribe, annotate, or reflect any such communications. Records produced shall include,

but shall not be limited to, any and all communication to, from, or involving any of the following persons or entities, or any records or documents that record, summarize, transcribe, annotate, or reflect any such communications:

1. Kenneth Chesebro
2. Justin Clark
3. Joe DiGenova
4. John Eastman
5. Jenna Ellis
6. Boris Epshteyn
7. Rudolph Giuliani
8. Bernard Kerik
9. Bruce Marks
10. Cleta Mitchell
11. Matthew Morgan
12. Kurt Olsen
13. William Olson
14. Stefan Passantino
15. Sidney Powell
16. William "Bill" Stepien
17. Victoria Toensing
18. James Troupis
19. L. Lin Wood, Jr.

In lieu of formal appearance before the grand jury, subpoenaed materials may be produced to:

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Special Agent
FBI Washington Field Office
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