

**IN THE SUPERIOR COURT OF FULTON COUNTY
 STATE OF GEORGIA**

STATE OF GEORGIA,)
)
 vs.) **Case No. 23SC188947**
)
HARRISON FLOYD,)
)
DEFENDANT.)

**NOTICE OF FILING AMENDED SUBPOENAS DUCES TECUM TO
 FULTON COUNTY AND GEORGIA SECRETARY OF STATE**

At the conclusion of the hearing conducted on November 3, 2023, the Court instructed Defendant to complete any filings of Amended Subpoenas by November 6, 2023. This filing is intended to comply with the Court’s order.

It is Mr. Floyd’s understanding through open records requests and discovery responses in other civil litigation, that Fulton County is unable to produce the following:

1. Certified poll open (zero) tapes for advance voting tabulators.
2. Certified poll close tapes for advance voting tabulators.
3. Certified poll tapes for the following advance voting tabulators:

Tabulator Name	Tabulator ID	VOTES
AV-State Farm Arena ICP 3	303	133
AV-State Farm Arena ICP 10	311	198
AV-State Farm Arena ICP 11	312	558
AV-So Fulton Srvc Center ICP3	712	3377
AV-Wolf Creek Library ICP4	714	2252
AV-Park Place at Newtown ICP3	724	4216
AV-Northeast Library ICP3	727	2511
AV-Ponce De Leon Library ICP3	754	1830
AV-East Point Library ICP3	763	1396
AV-Johns Creek ENV Campus ICP 2	2535	4242
TOTAL BALLOTS		20,713

4. Scanner Recap Sheets for all advance voting tabulators (required for tabulator reconciliation/poll close procedure as mandated by Georgia Rules & Regs.).
5. Certified poll open (zero) tapes for Election Day tabulators.
6. 374,000 Ballot Images and .sha files from the Original November 3rd count (all in-person voting).
7. 132,000 .sha files from Absentee by Mail ballots (out of a total of 148,000).
8. Voter check in lists for all in-person advance voting.
9. 11,000 .dvd (results files) for Recount (Machine Count II)

10. 17,852 ballot images and .sha files for Recount (Machine Count II)

The breadth of Mr. Floyd’s subpoena is intended to address the deficiencies and discrepancies in the electronic records that Fulton County has appeared to misplace or for which it cannot account.

Additionally, during the November 3, 2023 hearing, opposing counsel unintentionally stated that personally identifiable information (PII) was in jeopardy of being produced if the production requests were fulfilled.¹ Respectfully, the County is incorrect. Once an absentee ballot is separated from the envelope or an in person vote has been cast, it is impossible to know anything about the person who cast the vote.

The only PII which may possibly be included in Mr. Floyd’s production requests is *non-sensitive PII* contained on the 2020 absentee ballot applications such as the applicant’s date of birth and the applicant’s signature. None of the information requested would make it possible to violate voter confidentiality or determine how an elector voted. Ballots are separated from a voter’s PII prior to tabulation so a ballot can never be tied back to a voter. Mr. Floyd requests copies of the Application for Georgia Official Absentee Ballot so that Mr. Floyd can verify that signatures on the outer absentee ballot envelope match the absentee ballot application or signature reference image.

Respectfully submitted this the 6th day of November, 2023.

MCSWEENEY, CYNKAR & KACHOUROFF, PLLC



Christopher I. Kachoureff, Esq.*
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¹ For example, the County represented that “If we’re looking at producing ballots, we’re looking at producing personal information . . .” and that the County was concerned about the privacy of the voter. Hearing at XXX and 33:48

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Attorneys for Harrison Floyd

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CERTIFICATE OF SERVICE

This is to certify that I have this day served the Attorney for Fulton County, Georgia and the Secretary of State, along with the parties of record, a true and correct copy of **HARRISON FLOYD’S NOTICE OF FILING AMENDED SUBPOENAS DUCES TECUM** to Fulton County and the Secretary of State via electronic transmission through the Odyssey automated system to all counsels of record.

Respectfully submitted this the 6th day of November, 2023.

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