

Tuesday, April 16, 2024 at 16:30:59 Eastern Daylight Time

Subject: Re: Re: Open Records Request (GA-SEB-24-0289)
Date: Tuesday, April 16, 2024 at 1:47:04 PM Eastern Daylight Time
From: Hardin, Alexandra
To: Khahilia Shaw, AO Records
CC: Coan, Michael, Julia Waddles
Attachments: SEBORR24-11 response.pdf

EXTERNAL SENDER

Good afternoon,

The responsive materials were sent to the email address that initially submitted the request (AO Records) on April 9. I have attached them to this email for you.

Best regards,

Alexandra Hardin

Paralegal
Georgia State Election Board
Direct: 470-312-2715
Cell: 404-927-0177

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential, or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy, or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

From: Khahilia Shaw <khahilia.shaw@americanoversight.org>
Sent: Tuesday, April 16, 2024 1:08 PM
To: Hardin, Alexandra <ahardin@sos.ga.gov>; AO Records <records@americanoversight.org>
Cc: Coan, Michael <mcoan@sos.ga.gov>; Julia Waddles <julia.waddles@americanoversight.org>
Subject: Re: Re: Open Records Request (GA-SEB-24-0289)

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon,

Thanks for your message. We are following up on the status of the non-Raffensperger related records to this request. Please let us know when the records will be available for production.

Best,

Khahilia Shaw | (she/her)
Counsel | American Oversight
khahilia.shaw@americanoversight.org | 202.539.6507
www.americanoversight.org | @weareoversight

From: Hardin, Alexandra <ahardin@sos.ga.gov>

Date: Tuesday, March 26, 2024 at 2:35 PM
To: AO Records <records@americanoversight.org>
Cc: Coan, Michael <mcoan@sos.ga.gov>
Subject: Re: Open Records Request (GA-SEB-24-0289)

EXTERNAL SENDER

Good afternoon,

I am in receipt of your request for records. As to your request for Mr. Raffensperger's records, he is an ex-officio non-voting member of the Board, and we do not have access to his emails. You will need to direct the request for his correspondence to the GA SOS office.

As for the remainder of your request, the materials are not readily accessible and available. Please allow two weeks (April 9) to gather and process the materials you are requesting.

Thank you,

Alexandra Hardin
Paralegal
Georgia State Election Board
Direct: 470-312-2715
Cell: 404-927-0177

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From: AO Records <records@americanoversight.org>
Sent: Monday, March 25, 2024 4:03 PM
To: Hardin, Alexandra <ahardin@sos.ga.gov>
Subject: Open Records Request (GA-SEB-24-0289)

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Open Records Officer:

Please find attached a request for records under Georgia's Open Records Law.

Sincerely,

Marwah Adhoob | She/Her
Paralegal | American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

ORR: GA-SEB-24-0289



Inquiry on the Status of Complaint Filed on 2/5/23 "SEB-2023-009 - COMPLAINT FOR DEKALB COUNTY & DEKALB COUNTY VOTER REGISTRATION & ELECTIONS OFFICE FOR CIRCUMVENTING THE SPIRIT OF SB 202"

Edward Lindsey <edwardlindsey.seb@gmail.com>

Thu, Mar 21, 2024 at 2:13 PM

To: Marci McCarthy <marci@marcimccarthy.us>

Cc: "Evans, Blake" <bevans@sos.ga.gov>, "Fuchs, Jordan" <jfuchs@sos.ga.gov>, Josh McKoon <josh@gagop.org>, Marci McCarthy <marci@marcimccarthy.us>, "Nbitting@law.ga.gov" <Nbitting@law.ga.gov>, "RSinners@sos.ga.gov" <RSinners@sos.ga.gov>, Senator Max Burns <max.burns@senate.ga.gov>, "jfervier.seb@gmail.com" <jfervier.seb@gmail.com>, "jjohnstonmd.seb@gmail.com" <JJohnstonMD.seb@gmail.com>, "jon.burns@house.ga.gov" <jon.burns@house.ga.gov>, "rjeffares.seb@gmail.com" <rjeffares.seb@gmail.com>, "saraghazal.seb@gmail.com" <saraghazal.seb@gmail.com>

Marci: the answer is yes and my record on the SEB reflects it but I think e mails are a poor way to have a discussion on something like this. Happy to sit down and chat with you about it in a couple of weeks. I'll even buy the coffee.

Edward Lindsey
Member, Georgia State Elections Board

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In addition, it has come to my attention that a member of the State Elections Board, Ed Lindsey, is a paid lobbyist for DeKalb County. My question to the SEB, the Secretary of State and the Attorney General's Office is whether Mr. Lindsey made any inquiries or engaged in any discussions with anyone in either of your offices regarding this matter. Mr. Lindsey, would you care to comment on that question? Did you take any steps to block consideration of these complaints filed against your client?

It appears to me that there is a behind-the-scenes effort to thwart the development and disclosure of all information and facts regarding this matter.

Please consider this an amendment or supplement to the Complaint filed on February 5, 2023, updated on April 4, 2023 – and asking for investigation into the following additional matters:

1. What actions were taken by either the SEB or the SOS to investigate DeKalb County's solicitation and acceptance of private funds from the US Alliance for Election Excellence? Please provide a complete report of the investigation(s) conducted in response to my complaint.

2. What actions have been taken to ensure that DeKalb County did not accept additional funds from USAEE or from any other private party in 2023 or 2024? Has DeKalb County accepted additional private funds from any private party this year?
3. Did SEB Member Ed Lindsey engage in any conversations or discussions with any person at or on behalf of DeKalb County regarding the USAEE grant at any time in 2022, 2023, or 2024?
4. Did SEB member Ed Lindsey engage in any conversations or discussions with any person at the SEB or the Secretary of State's office regarding the funds solicited or received by DeKalb County from the USAEE?

The utter disregard of these complaints by the SEB and the SOS is disgraceful. Both of you appear to have clearly colluded to ignore illegal behavior by DeKalb County, thereby making the matter of the illegal funding even worse. Now, it appears there is a coverup by the SEB and the SOS and a complete failure to make any effort to get to the truth.

And that disgraceful behavior is compounded by the fact that a member of the SEB is a paid lobbyist for DeKalb County, which further clouds the trust that citizens can have in the very body that is established by law to oversee the election offices and administration in the State of Georgia, and to ensure that every election office is held to the highest standard of ethical conduct.

As we go into this important election year, it is unforgivable that neither the SEB nor the Secretary of State seem to be at all concerned about whether DeKalb County is going to be required to act in accordance with the law.

I would appreciate a report from both of your offices at the earliest possible date responding to my questions and this additional complaint to supplement the complaints and materials previously provided last year.

I can be reached at Marci@MarciMcCarthy.us or via cell at 404-273-3045. Thank you.

Sincerely,

Marci McCarthy

Chairman, DeKalb County Republican Party

MARCI MCCARTHY

Chairman, The DeKalb Republican Party

GAGOP Foundation Board of Governors

GAGOP Election Confidence Task Force

marci@marcimccarthy.us | #BeAMarci #VoteDeKalbRed

P: 678.948.7328 | C: 404-273-3045

marcimccarthy.us | DeKalbGOP.org | VoteDeKalbRed.com | DeKalbPollWatchers.com

Visit [DeKalbGOPGeorgia](https://www.rumble.com/DeKalbGOPGeorgia) on Rumble

Error! Filename not specified. @MarciMcCarthyUS |  @MarciMcCarthyUS

----- Forwarded message -----

From: Marci McCarthy <marci@marcimccarthy.us>
To: William Duffey <wduffey.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>
Cc: Edward Lindsey <edwardlindsey.seb@gmail.com>, Janice Johnston <jjohnstonmd.seb@gmail.com>, "Koth, Sara" <skoth@sos.ga.gov>, Sara Ghazal <saraghazal.seb@gmail.com>, T Matthew Mashburn <mmashburn@georgia-elections.com>, Marci McCarthy <marci@marcimccarthy.us>
Bcc:
Date: Tue, 4 Apr 2023 16:24:52 -0400
Subject: Re: AMENDMENT 2: COMPLAINT FOR DEKALB COUNTY & DEKALB COUNTY VOTER REGISTRATION & ELECTIONS OFFICE FOR CIRCUMVENTING THE SPIRIT OF SB 202 "THE ELECTIONS INTEGRITY ACT"

Dear Ms. Hardin,

As you are aware, Chairman Duffey requested that I organize the materials I previously submitted to the Board to clarify what I would like the Georgia State Election Board (the "Board") to consider. To assist the Board in its review, I have included all relevant documents in this email so the Board does not have to review any past correspondence and/or filings.

On February 5, 2023, I filed my complaint, a copy of which is re-attached for your convenience. To clarify, I have not amended that pleading, and it remains the operative complaint from me.

After filing the Complaint, I submitted an Open Records Request to DeKalb County for documents relevant to my complaint. I also discovered tweets regarding the Center for Tech and Civic Life (CTCL) and SB 202. I am providing these additional documents and information as exhibits to my complaint as follows:

- **Exhibit A** – Documents produced by DeKalb County in respond to my open records request. These documents can be accessed at the following link:

<https://www.dropbox.com/sh/fnzefudu13sw0wy/AAAC1ubDP0aWkXSE8EkPVWbQa?dl=0>

Please let us know if you have any issues accessing the documents from the above link. Please also note that I left the ORR production as received from DeKalb County so the Board has the complete set of documents in the format that the County produced these to me. To assist the Board in reviewing these documents, attached is an Excel index of the documents in DeKalb County's production. I did discover the following duplicative documents:

- a. Pages 177 – 179 and 180 – 182
- b. Pages 234 – 236 and 237 – 239

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Inquiry on the Status of Complaint Filed on 2/5/23 "SEB-2023-009 - COMPLAINT FOR DEKALB COUNTY & DEKALB COUNTY VOTER REGISTRATION & ELECTIONS OFFICE FOR CIRCUMVENTING THE SPIRIT OF SB 202"

Edward Lindsey <edwardlindsey.seb@gmail.com>

Thu, Mar 21, 2024 at 10:34 AM

To: Marci McCarthy <marci@marcimccarthy.us>

Cc: "Evans, Blake" <bevans@sos.ga.gov>, "Fuchs, Jordan" <jfuchs@sos.ga.gov>, Josh McKoon <josh@gagop.org>, Marci McCarthy <marci@marcimccarthy.us>, "Nbitting@law.ga.gov" <Nbitting@law.ga.gov>, "RSinners@sos.ga.gov" <RSinners@sos.ga.gov>, Senator Max Burns <max.burns@senate.ga.gov>, "jfervier.seb@gmail.com" <jfervier.seb@gmail.com>, "jjohnstonmd.seb@gmail.com" <JJohnstonMD.seb@gmail.com>, "jon.burns@house.ga.gov" <jon.burns@house.ga.gov>, "rjeffares.seb@gmail.com" <rjeffares.seb@gmail.com>, "saraghazal.seb@gmail.com" <saraghazal.seb@gmail.com>

Marci: In fairness to both complainants and respondents, I have a rule of not engaging with either before a hearing in order for both sides to be treated fairly.

But since I am not involved in your case and there is no such concern here, I guess I can provide a bit more in detail. Placing a recusal on the record is not done until the public hearing on the matter. However, I have not had any involvement in your case before your inquiry on Monday and I will have no involvement going forward. I did, however, as a courtesy to you check on Monday and confirmed the case was still open. Therein lies the beginning and end of my involvement.

As to your Two questions: 1. My answer to the first is a simple "no." 2. As to the second question, I do not discuss publicly my private individual conversations, if any, with SEB members or the SOS office, on any election law matter. However, the SEB had public discussions among its members surrounding the issue of private grants at its December 2022 hearing and the record of that can be found on our website.

Take care,

Edward Lindsey
Member, Georgia State Elections Board

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- Also on **7/20/22**, Preston Stephens sends CTCL a Powerpoint with details about the Dekalb Election Dept. prepared by Keisha Smith
- **8/12/22** | Preston Stephens, Keisha Smith follow up on application
- **9/1/22** | Whitney May (CTCL) to Preston Stephens, Keisha Smith on - CTCL legal team reviewing compliance with GA law
- **9/27/22** | Preston Stephens follows up on application



- **11/22/22** | Sophie Lehman (CTCL) to Preston Stephens, Keisha Smith to CTCL legal team will be available to talk to local counsel.
- **12/13/22** | Election Excellence Center Announcement email with Membership Agreement to Preston, Keisha, Zachary
- **12/13/22** | One hour later Keisha sends the docs to Dele, concerned about CTCL change of direction, added dues to join.
- **12/13/22** | Dele responds - "Interesting. Glad to see the membership cost isn't significant, but I know this isn't exactly what we were expecting. I look forward to hearing more".
- **12/13/22** | Keisha also sends the docs to Preston and Irene Vander Els, County Attorney (first contact in ORR), CTCL change of direction.
- **1/3/23** | Preston, Keisha, Zachary confirm that Dekalb will be a Premium Member of the "Alliance" - \$4,800.00 per year
- **1/4/23** | Grant Letter to DeKalb County Board of Commissioners from Tiana Epps-Johnson, transmittal email to Preston
- **1/24/23** | Grant Letter/Membership Agreement signed, by Thurmond, CEO, Sanders, Clerk, McNabb, CFO, Vander Els, Attorney
- **1/24/23** | Keisha invited to ""CEE Kick Off Zoom Call" on 1/25, set up by Stanford University School (Alliance partner)
- **1/24/23** | Invitation to Preston, Keisha to "The Debrief" in-person meeting of the Excellence Centers in Chicago on 2/2.
- **1/31/23** | Keisha confirms that she, Dele and Juliette Henry (Deputy Director, Elections) will attend The Debrief.
- **1/31/23** | Keisha working with CTCL on a press release.

Dele Lowman Smith's highly partisan Tweets regarding CTCL Grant and SB202:

<https://twitter.com/DeleLowman/status/1640838641265131520>

<https://twitter.com/DeleLowman/status/1629226219572002820>



Inquiry on the Status of Complaint Filed on 2/5/23 "SEB-2023-009 - COMPLAINT FOR DEKALB COUNTY & DEKALB COUNTY VOTER REGISTRATION & ELECTIONS OFFICE FOR CIRCUMVENTING THE SPIRIT OF SB 202"

Edward Lindsey <edwardlindsey.seb@gmail.com>

Tue, Mar 19, 2024 at 12:09 PM

To: Marci McCarthy <mmccarthy@ten-inc.com>

Cc: Josh McKoon <josh@gagop.org>, Marci McCarthy <marci@marcimccarthy.us>, "Nbitting@law.ga.gov" <Nbitting@law.ga.gov>, Senator Max Burns <max.burns@senate.ga.gov>, "braffensperger@sos.ga.gov" <braffensperger@sos.ga.gov>, "jfervier.seb@gmail.com" <jfervier.seb@gmail.com>, "jjohnstonmd.seb@gmail.com" <jjohnstonmd.seb@gmail.com>, "jon.burns@house.ga.gov" <jon.burns@house.ga.gov>, "rjeffares.seb@gmail.com" <rjeffares.seb@gmail.com>, "saraghazal.seb@gmail.com" <saraghazal.seb@gmail.com>

Marci: My understanding is that your matter is still pending and has not been dismissed.

As your complaint is against the DeKalb Commission and not merely the separate DeKalb Election Board, I have recused myself from this complaint. Therefore, please direct your inquiries in the future to the others on SEB.

Take care,

Edward Lindsey
Member, Georgia State Elections Board

On Mon, Mar 18, 2024 at 12:46 PM Marci McCarthy <mmccarthy@ten-inc.com> wrote:

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MARCI MCCARTHY

Chairman, The DeKalb Republican Party

State Committee Member, 4th District Georgia Republican Party

GAGOP Foundation Board of Governors

marci@marcimccarthy.us

P: 678.948.7328 | C: 404-273-3045

From: William Duffey <wduffey.seb@gmail.com>

Date: Friday, March 31, 2023 at 11:51 AM

To: Marci McCarthy <marci@marcimccarthy.us>

Cc: Edward Lindsey <edwardlindsey.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>, Janice Johnston <jjohnstonmd.seb@gmail.com>, "Koth, Sara" <skoth@sos.ga.gov>, Sara Ghazal <saraghazal.seb@gmail.com>, T Matthew Mashburn <mmashburn@georgia-elections.com>

Subject: Re: AMENDMENT 2: COMPLAINT FOR DEKALB COUNTY & DEKALB COUNTY VOTER REGISTRATION & ELECTIONS OFFICE FOR CIRCUMVENTING THE SPIRIT OF SB 202 "THE ELECTIONS INTEGRITY ACT"

Yes. April 4th is fine with me.

On Fri, Mar 31, 2023 at 11:40 AM Marci McCarthy <marci@marcimccarthy.us> wrote:

Dear Chairman Duffey,

I have retained counsel to help me organize the materials. As such, may I please have an extension until close of business on Tuesday, April 4, 2023 to respond to your request?

Thank you,

Marci McCarthy

MARCI MCCARTHY

Chairman, The DeKalb Republican Party

State Committee Member, 4th District Georgia Republican Party

GAGOP Foundation Board of Governors

marci@marcimccarthy.us

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MARCI MCCARTHY

Chairman, The DeKalb Republican Party

State Committee Member, 4th District Georgia Republican Party

GAGOP Foundation Board of Governors

marci@marcimccarthy.us

P: 678.948.7328 | C: 404-273-3045

----- Forwarded message -----

From: Marci McCarthy <marci@marcimccarthy.us>

To: "wduffey.seb@gmail.com" <wduffey.seb@gmail.com>, "mmashburn.seb@gmail.com" <mmashburn.seb@gmail.com>, "saraghazal.seb@gmail.com" <saraghazal.seb@gmail.com>, "edwardlindsey.seb@gmail.com" <edwardlindsey.seb@gmail.com>, "jjohnstonmd.seb@gmail.com" <jjohnstonmd.seb@gmail.com>

Cc: Marci McCarthy <marci@marcimccarthy.us>

Bcc:



Date: Fri, 24 Mar 2023 18:10:08 -0400
Subject: FW: Response to your Open Records Request

Good evening,

Please find below the link to the ORR that was acknowledged by DeKalb County on February 7, 2023. And my reply to Mr. Sean Garrett of DeKalb County on February 8, 2023. This information is being submitted as an amendment to my Complaint that was filed to the Georgia State Election Board, Georgia Secretary of State and the Office of the Attorney General on February 5, 2023. (These documents are attached as reference.)

 [CTCL Communications_Redacted.pdf](#)

Please let me know if you have any other questions. Thank you.
Marci McCarthy

MARCI MCCARTHY

Chairman, The DeKalb Republican Party

State Committee Member, 4th District Georgia Republican Party

GAGOP Foundation Board of Governors

marci@marcimccarthy.us |

P: 678.948.7328 | C: 404-273-3045

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MARCI MCCARTHY

Chairman, The DeKalb Republican Party

State Committee Member, 4th District Georgia Republican Party

GAGOP Foundation Board of Governors

marci@marcimccarthy.us |

P: 678.948.7328 | C: 404-273-3045

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(no subject)

Hardin, Alexandra <ahardin@sos.ga.gov>

Thu, Jan 11, 2024 at 12:32 PM

To: "mmashburn.seb@gmail.com" <mmashburn.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Janice Johnston <jjohnstonmd.seb@gmail.com>, Sara Ghazal <saraghazal.seb@gmail.com>, "jfervier.seb@gmail.com" <jfervier.seb@gmail.com>

<https://apnews.com/article/rick-jeffares-georgia-state-election-board-0426b6a5251331ba1704465b7600abe3>



Georgia Senate nominates former senator as fifth member of election board

The Georgia Senate is nominating a fifth member to the State Election Board. Former state Sen. Rick Jeffares must still be confirmed by the full Senate after the Thursday announcement by Gov.

apnews.com

Alexandra Hardin

Paralegal

Georgia State Election Board

Direct: 470-312-2715

Cell: 404-927-0177

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Accurate voter rolls and voter list maintenance

Janice Johnston <jjohnstonmd.seb@gmail.com>

Fri, Jan 5, 2024 at 2:56 PM

To: Sara Ghazal <saraghazal.seb@gmail.com>, Matt Mashburn <mmashburn.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Alex Hardin <ahardin@sos.ga.gov>

It is the county's responsibility to maintain their voter rolls. It is proper and appropriate to contact the counties directly with voter list maintenance tasks. My project assignment as a board member is voter list maintenance. This is a simple preliminary study of data accuracy, errors, and root cause and I am acting on behalf of the board as instructed by Chairman Duffey. Any objection should have been made a year ago. I will continue to act as instructed until we have a meeting and vote otherwise.

The SOS office has communicated that their GARViS program is not "catching" these duplicates, which further validates the need for this study.

Finding many exact match duplicates of the Secretary of State's own list without the added PII available to the SOS does not meet the level of "robust." Actually, the SOS should identify many more duplicate registrations than any person reviewing the abridged public lists provided by the SOS.

I hope to get 30-50 counties review and feedback so I can draw some conclusions and make recommendations to the SEB, SOS, and General Assembly.

Thanks

Sent from my iPad

On Jan 5, 2024, at 12:04 PM, Sara Ghazal <saraghazal.seb@gmail.com> wrote:

[Quoted text hidden]



AG update

Janice Johnston <jjohnstonmd.seb@gmail.com>

Fri, Oct 20, 2023 at 12:15 PM

To: "T. Matthew Mashburn" <mmashburn@georgia-elections.com>, Sara Tindall Ghazal <saraghazal.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>

Good afternoon Matt,

It has been six weeks since Beth Vaughan said that there would be an "update shortly" addressing the questions posed by Judge Duffey in June. The first request dealt with Dominion security issues and whether the SEB could initiate paper ballot voting because "impossible or impracticable" applied to such security concerns.

The second issue dealt with whether the county commissioner's action of rejecting a political party appointment constituted interference in the orderly, legal and uniform conduct of elections and thus a violation of election code. Could you ask the AG's office if there is an update?

Thanks so much,
Jan

Sent from my iPad



Fwd:

joe rossi <jrossiops@gmail.com>

Mon, Nov 13, 2023 at 8:33 PM

To: joe rossi <jrossiops@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>, Jack James <jkjlaw22@gmail.com>, Sara Ghazal <saraghazal.seb@gmail.com>, Janice Johnston <Jjohnstonmd.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, "Blackmon, Shaw" <shaw.blackmon@house.ga.gov>, JON.BURNS@house.ga.gov, T Matthew Mashburn <mmashburn@georgia-elections.com>

Ms. Hardin, thanks for the Mashburn email update regarding SEBBI 2023-0001. Your consistent responses to the public complainants are appreciated.

Mr. Mashburn, please provide a timely update on these clarification questions as your email response of 11/13/23 is vague and evasive. Timely is defined as - please respond by COB 11/15/23!!!

1. "I anticipate that the Board Members will discuss their views on the issues presented in Board Inquiry 0001 during the December 2023 Board Meeting."

what does anticipate mean - please be more specific - will it happen or not? As the Chair, I assume you set the agenda and hence you should be able to answer this simple question.

2. please define - Board Members will discuss their views - what does that mean? Will SEBBBI2023-0001 actually be brought to a vote before the Board or it will be pushed down the road? Note this complaint was filed on 3/21/22 - 1.5 years ago.

Mr. Mashburn - 2 very specific questions - please respond without obfuscating by COB 11/15/23!!!!

Mr. Mashburn, regarding you being taken "aback" by my conclusion that you have acknowledged the legitimacy of this complaint, I 100% stand by my conclusion based upon Chairman Duffey's actions and your certified letters, that the SEB has clearly acknowledged the legitimacy of this complaint filed 3/21/22. I'd be glad to discuss this separately with you at (478) 955-0977. I don't want this to detract from the important next steps before the Board.

Respectfully,

Joseph Rossi



Jurisdiction of the Georgia State Election Board

Lindsey, Jr., Edward H. <edward.lindsey@dentons.com>
To: "Burns, Max" <max.burns@senate.ga.gov>
Cc: Edward Lindsey <edwardlindsey.seb@gmail.com>

Sun, Jan 7, 2024 at 7:43 PM

Max: Below is an e mail I sent to Raffensperger on the issue of the State Election Board's jurisdiction and possible legislative language to settle the issue.

Let me know if you guys have time next week or the following to discuss the matter.

Take care,

Edward H. Lindsey, Jr.

Partner

+1 404 527 4580 | +1 404 316 4466 | +1 404 316 4466

Assistant: Tricia Nay

Atlanta

From: Lindsey, Jr., Edward H.
Sent: Sunday, January 07, 2024 7:31 PM
To: braffensperger@sos.ga.gov
Cc: gsterling@sos.ga.gov; cmcgowen@sos.ga.gov; jfuchs@sos.ga.gov
Subject: Jurisdiction of the Georgia State Election Board

Mr. Secretary:

As the General Assembly begins its 2024 session this week, I think it is a good time to outline more fully my personal position on the issue of the State Election Board's jurisdiction in regards to the Secretary of State's Election Division and



see if we can find some common ground. In doing so, while I am a member of the State Election Board, I want to be clear that I speak only for myself here.

O.C.G.A. § 21-2-31 provides in relevant part:

It shall be the duty of the State Election Board:

1. To promulgate rules and regulations so as to obtain uniformity in the practices and proceedings of superintendents, registrars, deputy registrars, poll officers, and other officials, as well as the legality and purity in all primaries and elections;

(5) To investigate, or authorize the Secretary of State to investigate, when necessary or advisable the administration of primary and election laws and frauds and irregularities in primaries and elections and to report violations of the primary and election laws either to the Attorney General or the appropriate district attorney who shall be responsible for further investigation and prosecution. Nothing in this paragraph shall be so construed as to require any complaining party to request an investigation by the board before such party might proceed to seek any other remedy available to that party under this chapter or any other provision of law;

As noted, the code section sets out no limitation as to the SEB's jurisdiction in to sections (1) and (5) of this code section regarding the practices and proceedings of election officials and its investigatory duties in regards to state elections.

Furthermore, O.C.G.A § 21-2-30 (g) states: "On and after July 1, 2023, the board shall be a separate and distinct budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the "Budget Act"; provided, however, that the board shall be attached for administrative purposes only to the office of the Secretary of State as provided for in [Code Section 50-4-3](#). The board shall neither be under the jurisdiction of the Secretary of State nor shall it be considered a division of the office of the Secretary of State."

For these reasons, I argued at the December 19th hearing of the SEB that as an independent board not "under the jurisdiction of the Secretary of State," we had jurisdiction to hear complaints brought by individuals against the SOS's Election Division and to determine if they do or do not have merit. Your office has previously taken the position that the SEB has no such jurisdiction citing in part a decade and a half old Attorney General Opinion. Our Board split on the issue with two of our members respectfully pointing out historical precedent and lack of a clear legislative mandate. We then unanimously asked the General Assembly for direction.

I have had several members of the General Assembly reach out to me and expect this issue to be debated this session. As I noted in the December 19th hearing, 159 county election boards and their superintendents, hundreds of part time and full time election workers around the state, untold number of candidates and their volunteers, and millions of Georgia voters are subject to the jurisdiction of SEB in regrades to election related complaints brought by individuals. In the interest of uniformity – as well as transparency – it only makes sense for the SOS Election Division to also be subject to scrutiny when alleged violations occur.

I have enormous respect for you and your election division staff and I have stood before countless individuals and groups to defend you and them against meritless accusations. I have also done the same against meritless conspiracy claims against our election system overall. However, we need to recognize the environment we live in and the suspicion that is created when any government official or entity claims to be beyond public scrutiny and accountability.

Therefore, let me personally recommend to you and the Election Division the following amendment to O.C.G.A. § 21-2-31:

It shall be the duty of the State Election Board:

2. To promulgate rules and regulations so as to obtain uniformity in the practices and proceedings of the Secretary of State's Election Division, superintendents, registrars, deputy registrars, poll officers, and other officials, as well as the legality and purity in all primaries and elections;

(5) To investigate, or authorize the Secretary of State to investigate, when necessary or advisable the administration of primary and election laws by any state or county election office, and frauds and irregularities in primaries and elections and to either on its own issue notices of reprimand or instruction or report violations of the primary and election laws either to the Attorney General or the appropriate district attorney who shall be responsible for further investigation and prosecution. Nothing in this paragraph shall be so construed as to require any complaining party to request an

investigation by the board before such party might proceed to seek any other remedy available to that party under this chapter or any other provision of law;

We have a difficult year ahead of us as Georgia in general, and your office's election division, our county election boards and officials, and the State Election Board in particular will be under a microscope in this volatile election year. Let us work together to insure a fair and accurate election that people of our state can have confidence in.

Happy to discuss with you and your staff further at your convenience.

Edward H. Lindsey, Jr.

Partner

+1 404 527 4580 | +1 404 316 4466 | +1 404 316 4466

edward.lindsey@dentons.com | [Bio](#) | [Website](#)

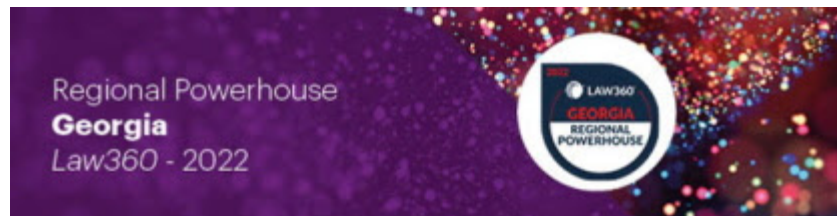
Assistant: Tricia Nay

Dentons US LLP | [303 Peachtree Street, NE, Suite 5300, Atlanta, GA 30308](#)



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Jurisdiction of the Georgia State Election Board

Lindsey, Jr., Edward H. <edward.lindsey@dentons.com>

Sun, Jan 7, 2024 at 7:58 PM

To: "burt.jones@ltgov.ga.gov" <burt.jones@ltgov.ga.gov>

Cc: "Paradise, Loree Anne" <la.paradise@ltgov.ga.gov>, "Vaughan, Brad" <Brad.Vaughan@ltgov.ga.gov>, Edward Lindsey <edwardlindsey.seb@gmail.com>

Lt. Governor Jones:

As you may be aware I am a member of the State Election Board. At our December 19th hearing we debated the issue of the SEB's jurisdiction over the SOS Election Division. Since we had a split vote the matter is now in the hands of the General Assembly for its consideration.

I sent the below to the SOS to outline my personal position and to seek a solution for you guys to consider.

Let me know if you or your office would like to discuss it further.

Edward H. Lindsey, Jr.

Partner

+1 404 527 4580 | +1 404 316 4466 | +1 404 316 4466

Assistant: Tricia Nay

Atlanta

From: Lindsey, Jr., Edward H.

Sent: Sunday, January 07, 2024 7:31 PM

To: braffensperger@sos.ga.gov

Cc: gsterling@sos.ga.gov; cmcgowen@sos.ga.gov; jfuchs@sos.ga.gov

Subject: Jurisdiction of the Georgia State Election Board

Mr. Secretary:

AMERICAN
OVERSIGHT

As the General Assembly begins its 2024 session this week, I think it is a good time to outline more fully my personal position on the issue of the State Election Board's jurisdiction in regards to the Secretary of State's Election Division and see if we can find some common ground. In doing so, while I am a member of the State Election Board, I want to be clear that I speak only for myself here.

O.C.G.A. § 21-2-31 provides in relevant part:

It shall be the duty of the State Election Board:

1. To promulgate rules and regulations so as to obtain uniformity in the practices and proceedings of superintendents, registrars, deputy registrars, poll officers, and other officials, as well as the legality and purity in all primaries and elections;

(5) To investigate, or authorize the Secretary of State to investigate, when necessary or advisable the administration of primary and election laws and frauds and irregularities in primaries and elections and to report violations of the primary and election laws either to the Attorney General or the appropriate district attorney who shall be responsible for further investigation and prosecution. Nothing in this paragraph shall be so construed as to require any complaining party to request an investigation by the board before such party might proceed to seek any other remedy available to that party under this chapter or any other provision of law;

As noted, the code section sets out no limitation as to the SEB's jurisdiction in to sections (1) and (5) of this code section regarding the practices and proceedings of election officials and its investigatory duties in regards to state elections.

Furthermore, O.C.G.A § 21-2-30 (g) states: "On and after July 1, 2023, the board shall be a separate and distinct budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the "Budget Act"; provided, however, that the board shall be attached for administrative purposes only to the office of the Secretary of State as provided for in [Code Section 50-4-3](#). The board shall neither be under the jurisdiction of the Secretary of State nor shall it be considered a division of the office of the Secretary of State."

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I have had several members of the General Assembly reach out to me and expect this issue to be debated this session. As I noted in the December 19th hearing, 159 county election boards and their superintendents, hundreds of part time and full time election workers around the state, untold number of candidates and their volunteers, and millions of Georgia voters are subject to the jurisdiction of SEB in regrades to election related complaints brought by individuals. In the interest of uniformity – as well as transparency – it only makes sense for the SOS Election Division to also be subject to scrutiny when alleged violations occur.

I have enormous respect for you and your election division staff and I have stood before countless individuals and groups to defend you and them against meritless accusations. I have also done the same against meritless conspiracy claims against our election system overall. However, we need to recognize the environment we live in and the suspicion that is created when any government official or entity claims to be beyond public scrutiny and accountability.

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We have a difficult year ahead of us as Georgia in general, and your office's election division, our county election boards and officials, and the State Election Board in particular will be under a microscope in this volatile election year. Let us work together to insure a fair and accurate election that people of our state can have confidence in.

Happy to discuss with you and your staff further at your convenience.

Edward H. Lindsey, Jr.

Partner

+1 404 527 4580 | +1 404 316 4466 | +1 404 316 4466

edward.lindsey@dentons.com | [Bio](#) | [Website](#)

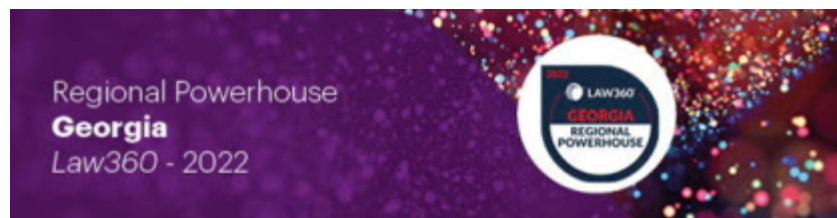
Assistant: Tricia Nay

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Letter of Instruction

Janice Johnston <jjohnstonmd.seb@gmail.com>


Fri, Sep 15, 2023 at 1:36 PM

To: T Matthew Mashburn <mmashburn@georgia-elections.com>, Sara Ghazal <saraghazal.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>

Colleagues,

Judge Duffey asked for a letter of instruction for Case 2022-205. Unless any of you have any additions, I will ask Alex to put it on SEB stationery and send it to the respondents.

Jan

 **LOI SEB2022-205 Vote Buying.docx**
15K



My Voter Page Incorrect for our Current Municipal Election - CORRECTION NEEDED IMMEDIATELY

3 messages

Julie Adams <julie@teapartypatriots.org>

Mon, Oct 16, 2023 at 11:54 PM

To: mmashburn.seb@gmail.com, saraghazal.seb@gmail.com, edwardlindsey.seb@gmail.com, Janice Johnston <jjohnstonmd.seb@gmail.com>
Cc: michelle.olympiad@atlanta.k12.ga.us, info@l4lmetroatlanta.org, brandon.beach@senate.ga.gov, "Burns, Max" <Max.Burns@senate.ga.gov>

State Election Board Members,

Apologies for not filling out this complaint on the portal. It seems cumbersome for an immediate problem that needs to be addressed, although looking through the form, it seems as if you only do investigations of past problems and the form doesn't indicate that you will address an immediate issue. Please let me know if you are able to get this corrected immediately or if I need to work with the Candidates severely impacted by this issue to see if we can get resolution.

District 3 -School Board

- Incumbent **Michelle Olympiadis** has served on the school board since 2017. She is also a board member for the Georgia School Boards Association.
- **Ken Zeff** is the executive director of local education nonprofit Learn4Life. He served as Fulton County's interim school superintendent for the 2015-16 school year.

My Precinct Information from My Voter Page:

Voting Districts
State Senate 006
State House 054
Judicial ATLA US Congress 005
County Commission 3
School Board District 3
Municipality 682-SANDY SPRINGS

My Sample Ballot screen says, again on My Voter Page:

Sample Ballot

No ballots were found for the information provided.

I have called 4 other Fulton County voters and 2 are in School Board District 3 and My Voter Page say that 'No ballots were found for the information provided'. And the other two were not in a District that had a School Board race but they got a SAMPLE Ballot on My Voter Page for two At Large School Board Positions.

Most voters in my position would assume they had nothing to vote for in this Municipal election. I think it is pretty extreme that I had to do an internet search and call other electors to find out this problem. Had I not done that, my vote would have been suppressed. And all of the candidates that have worked hard campaigning have every right to assume they are on every ballot in their district!

Please let me know if this problem can be corrected immediately. I am not sure if this is a Fulton County Elections, Secretary of State or a Garvis (SoS) problem.

Respectfully,
Julie Adams

Julie Adams
Field Director
Tea Party Patriots Action



Matt Mashburn <mmashburn.seb@gmail.com>

Tue, Oct 17, 2023 at 6:08 AM

To: Julie Adams <julie@teapartypatriots.org>

Cc: "Burns, Max" <Max.Burns@senate.ga.gov>, Janice Johnston <jjohnstonmd.seb@gmail.com>, brandon.beach@senate.ga.gov, edwardlindsey.seb@gmail.com, info@l4lmetroatlanta.org, michelle.olympiad@atlanta.k12.ga.us, saraghazal.seb@gmail.com

Ms. Adams - I am forwarding your message to Blake Evans, Director of Elections for the Secretary of State and Patrise Perkins Hooker Director of Elections for Fulton County both of whom have day to day responsibility for immediate issues such as this and the Board will fulfill its statutory duties by monitoring their responses. Thank you for bringing this to our attention.

[Quoted text hidden]

Janice Johnston <jjohnstonmd.seb@gmail.com>

To: Matt Mashburn <mmashburn.seb@gmail.com>

Cc: Julie Adams <julie@teapartypatriots.org>, "Burns, Max" <Max.Burns@senate.ga.gov>, brandon.beach@senate.ga.gov, edwardlindsey.seb@gmail.com, info@l4lmetroatlanta.org, michelle.c

Thank you for the email and Mr. Mashburn's reply. I just checked MyVoterPage and I received a "no ballot" message, yet I know that there is a School Board District 3 and two open seats for I



MVP

SAMPLE BALLOT

Sample Ballot

No ballots were found for the information provided.

Residence Address

229 LONDONBERRY RD NW

ATLANTA, GEORGIA 30327 4047

Sent from my iPad

On Oct 17, 2023, at 6:08 AM, Matt Mashburn <mmashburn.seb@gmail.com> wrote:

[Quoted text hidden]



New Email for Chairman

Hardin, Alexandra <ahardin@sos.ga.gov>

Mon, Jan 8, 2024 at 11:49 AM

To: "mmashburn.seb@gmail.com" <mmashburn.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Sara Ghazal <saraghazal.seb@gmail.com>, Janice Johnston <jjohnstonmd.seb@gmail.com>

Cc: "jfervier.seb@gmail.com" <jfervier.seb@gmail.com>

Good morning all,

Happy Monday! I have created an SEB Gmail inbox for our new Chairman. Please direct all SEB correspondence to his new email: jfervier.seb@gmail.com

Best,

Alexandra Hardin

Paralegal

Georgia State Election Board

Direct: 470-312-2715

Cell: 404-927-0177

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New Email for Chairman

Sara Ghazal <saraghazal.seb@gmail.com>

Mon, Jan 8, 2024 at 3:30 PM

To: "Hardin, Alexandra" <ahardin@sos.ga.gov>

Cc: Edward Lindsey <edwardlindsey.seb@gmail.com>, Janice Johnston <JJohnstonMD.seb@gmail.com>, "jfervier.seb@gmail.com" <jfervier.seb@gmail.com>, "mmashburn.seb@gmail.com" <mmashburn.seb@gmail.com>

Thank you, Alex, and welcome, Chairman Fervier. I look forward to working with you over the coming months. Please do not hesitate to reach out at any time if there is anything I can do to make your transition easier.

[Quoted text hidden]



Re: County election offices

Janice Johnston <jjohnstonmd.seb@gmail.com>

Fri, Dec 29, 2023 at 10:30 AM

To: "Hardin, Alexandra" <ahardin@sos.ga.gov>

Cc: Matt Mashburn <mmashburn.seb@gmail.com>, Sara Tindall Ghazal <saraghazal.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>

Thank you for the follow up and please send me General counsel's response.

Sent from my iPhone

On Dec 29, 2023, at 9:49 AM, Hardin, Alexandra <ahardin@sos.ga.gov> wrote:

To follow up on this, the response I received from Jesse this morning was: "per protocol established under Judge Duffey, all requests from the State Election Board to the elections division must be directed to the General Counsel's office as the designated point of contact."

I will reach out to Charlene about our request now.

Thank you,

Alexandra Hardin

Paralegal

Georgia State Election Board

Direct: 470-312-2715

Cell: 404-927-0177

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From: Janice Johnston <jjohnstonmd.seb@gmail.com>**Sent:** Thursday, December 28, 2023 4:44 PM**To:** Hardin, Alexandra <ahardin@sos.ga.gov>**Subject:** County election offices

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Alex,

The SOS website would require me to download separately 159 offices. I bet Jesse has a spreadsheet of the same information. Could you please send me that?

I would be ever so grateful. :)

J



Re: SEB member to sit in on Gwinnett challenges

Janice Johnston <jjohnstonmd.seb@gmail.com>

Fri, Nov 24, 2023 at 7:27 PM

To: maildavidhancock@gmail.com

Cc: "T. Matthew Mashburn" <mmashburn@georgia-elections.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Sara Tindall Ghazal <saraghazal.seb@gmail.com>

Good evening David,

The SEB heard a number of cases concerning Dekalb County and in the course of discussion, Chairman Duffey, instructed Dekalb County to notify the SEB so that a member might attend a challenge hearing. I went to two meetings to observe. I would be happy to attend a Gwinnett BRE meeting. We are working on a Guideline for Challenges for use in all counties. I would be happy to discuss this issue at any time. Perhaps you could share with me the Gwinnett County history of voter challenges.

Best regards,
Jan

Janice W. Johnston, M.D.
State Election Board

Sent from my iPad

On Nov 24, 2023, at 5:48 PM, David Hancock <maildavidhancock@gmail.com> wrote:

Dr. Johnson:

I am a member of the Gwinnett County Board of Elections (I met you briefly a few months ago at one of your meetings), and I am working with some people that you know on various integrity projects.

I heard this morning that there was a case before the SEB this summer about voter challenges in Gwinnett and that a Judge Duffy ruled that a member of the SEB would be required to attend all voter challenges in Gwinnett going forward.

I am new to the board, just coming on around May, but I had not heard this. We have had several voter challenges, and I did not know that (or if) a member of the SEB was present.

Could you please give me more information about this ruling? I want to know more about it and make sure it is being followed.

Thank you,

David Hancock
Gwinnett Board of Registration and Elections

**SB358**

3 messages

Edward Lindsey <edwardlindsey.seb@gmail.com>

Sun, Jan 14, 2024 at 10:17 AM

To: "Dr. Janice W. Johnston" <JJohnstonMD.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>, Matt Mashburn <mmashburn.seb@gmail.com>, "Mrs. Sara Tindall Ghazal" <saraghazal.seb@gmail.com>, johnfervier.seb@gmail.com

<https://www.legis.ga.gov/legislation/66094>Edward Lindsey
Member, Georgia State Elections Board**Mail Delivery Subsystem** <mailer-daemon@googlemail.com>

Sun, Jan 14, 2024 at 10:17 AM

To: edwardlindsey.seb@gmail.com

**Address not found**

Your message wasn't delivered to **johnfervier.seb@gmail.com** because the address couldn't be found, or is unable to receive mail.

[LEARN MORE](#)

The response was:

550 5.1.1 The email account that you tried to reach does not exist. Please try double-checking the recipient's email address for typos or unnecessary spaces. For more information, go to <https://support.google.com/mail/?p=NoSuchUser> v11-20020a0ce1cb00000b00680953e251csor5883394qvl.7 - gsmtpt

Final-Recipient: rfc822; johnfervier.seb@gmail.com

Action: failed

Status: 5.1.1

Diagnostic-Code: smtp; 550-5.1.1 The email account that you tried to reach does not exist. Please try

550-5.1.1 double-checking the recipient's email address for typos or

550-5.1.1 unnecessary spaces. For more information, go to

550 5.1.1 <https://support.google.com/mail/?p=NoSuchUser> v11-20020a0ce1cb00000b00680953e251csor5883394qvl.7

- gsmtpt

Last-Attempt-Date: Sun, 14 Jan 2024 07:17:48 -0800 (PST)

----- Forwarded message -----

From: Edward Lindsey <edwardlindsey.seb@gmail.com>

To: "Dr. Janice W. Johnston" <JJohnstonMD.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>, Matt Mashburn <mmashburn.seb@gmail.com>, "Mrs. Sara Tindall Ghazal" <saraghazal.seb@gmail.com>, johnfervier.seb@gmail.com

Cc:

Bcc:

Date: Sun, 14 Jan 2024 10:17:36 -0500

Subject: SB358

<https://www.legis.ga.gov/legislation/66094>

Edward Lindsey
Member, Georgia State Elections Board

Matt Mashburn <mmashburn.seb@gmail.com>

Sun, Jan 14, 2024 at 1:09 PM

To: Edward Lindsey <Edwardlindsey.seb@gmail.com>

Cc: "Dr. Janice W. Johnston" <JJohnstonMD.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>, "Mrs. Sara Tindall Ghazal" <saraghazal.seb@gmail.com>, johnfervier.seb@gmail.com

Thank you for forwarding Edward. Interesting take.

Unfortunately, reads like a band aid when a heart-lung transplant is necessary.

Maybe the budget will be the bill to address the ongoing millions of dollars that will be needed for outside conflict counsel attorney fees and a doubling of the number of investigators (at least) that will be necessary for the doubling or tripling of the number of cases that the Board will be handling.

They will also need to authorize the Board to pass rules and regulations creating a VERY robust system of tossing the inevitable flood of meritless and duplicative complaints that are sure to follow every election season.

Will be very interesting to watch from the sidelines. My most sincere and heartfelt best wishes and Good luck to you all! I'll be cheering and rooting and praying individually by name for each of you as you enter this new chapter.

I recognize that it's been the highest honor and privilege that was afforded to me to serve with each and every one of you whether it was for years or just a little while.

I have high confidence that you will not only weather the storm but thrive as you lead our beloved State of Georgia through the upcoming elections.

Matt

[Quoted text hidden]



SEB 2023-025

2 messages

Matt Mashburn <mattmashburn9255@gmail.com>

Wed, Sep 20, 2023 at 7:25 PM

To: "julie@teapartypatriots.org" <julie@teapartypatriots.org>, brandon.beach@senate.ga.gov, max.burns@senate.ga.gov, john.kennedy@senate.ga.gov, "edwardlindsey.seb@gmail.com" <edwardlindsey.seb@gmail.com>, "jjohnstonmd.seb@gmail.com" <jjohnstonmd.seb@gmail.com>, "sarag hazal.seb@gmail.com" <sarag hazal.seb@gmail.com>, mmashburn.seb@gmail.com

Dear Ms. Adams-

I am in receipt of your email of September 20, 2023 labelled HIGH PRIORITY - SEB 2023-0025. I take the opportunity to write to you so that you will know that the Board has received your email and to provide you with information and details about the State Election Board about which you might not be aware.

1. "This complaint needs to be addressed at your next meeting on October 3, 2023, we should not have to wait until the following December 2023 meeting."

The Board published the Agenda for the October 3, 2022 meeting on September 18, 2023. Prior to the publication of the Agenda many, many hours were spent in preparing matters for presentation to the Board. All of the matters on the Agenda are just as important to those Complainants and Respondents. Since I have been on the Board, I do not recall a single instance where the Board added an item to its regular meeting Agenda after that Agenda was published. The reason for this is transparent.

The Members of the Board are all unpaid volunteers donating willingly and generously of their time for the good of the State and its Citizens driven by a deep and abiding aspiration for free, fair and transparent elections (and for all that hard work are subjected to a daily barrage of insults, invective, threats of suit and even personal threats against them and their families including their children). Between now and the October 3rd meeting, the Board Members will study and review a giant binder of just under forty cases (many with multiple constituent subparts) every one of which is earlier than 2023-0025 (the latest case on the October Agenda is 2023-001). This is in addition to three petitions for rule making that will be considered by the Board at the October 3rd meeting which total over three hundred (300) pages. Many of the Members of the Board are lawyers and they will be conducting hours upon hours of legal research and analysis with regard to the petitions for rule making. Even the Member of the Board who is not a lawyer by training spends countless hours in deep study to diligently understand all aspects of the cases and petitions coming before the Board. Since the petitions for rule making arise out of law suits, the Members of the Board will be pouring over many hours worth of transcripts and pleadings as well (a few of which you attach to your email but as to which there are many, many more).

In addition to all that, the Board is just coming off of three solid days of budget research and writing.

2. "Reviewing this SEB Complaint, **it is hard to understand why this** detailed accounting of 41,690 unverifiable votes that were certified for Fulton County in the 2020 General Election **has been ignored.**" (emphasis supplied)

I personally have spent easily over one hundred hours studying Mr. Rossi's multiple submissions as well as the document you attached to your email (as well as supporting documentation not attached by you but attached to emails from other supporters of Messrs. Rossi and Moncla that seem to arrive daily). I'm sure the other Board Members have studied the matter as well. The Governor's Staff diligently studied it. The Secretary of State's staff has studied it and is in the process of studying it on a daily basis. The Secretary of State's office has maybe ten to twelve Boards that their investigators have to cover (I'm sorry that I do not know the exact number. It may be less or it may be a great many more). I suspect that their investigations for the State Election Board take up well over half of their total time spent.. There is no set of facts or circumstances where 2023-0025 could reasonably or fairly be described as "ignored."

This Board attends to its duties with diligence and great care giving full and due consideration to all the matters that come before it. Any assertion to the contrary by anyone, anywhere is made by someone who does not know the Members of this Board and how seriously they take their tasks.

Thank you for taking the time to contact the Board with your thoughts and concerns. On a personal note, I remember Jenny Beth Martin from my days in the Coverdell Leadership Institute (now known as Republican Leadership for Georgia). Jenny Beth and I were in the last CLI class before Senator Coverdell tragically passed away. If you see Jenny Beth, please extend to her my greetings.

Matt Mashburn
Senior Member, State Election Board

Julie Adams <julie@teapartypatriots.org>

Fri, Sep 22, 2023 at 6:54 PM

To: Matt Mashburn <mattmashburn9255@gmail.com>

Cc: brandon.beach@senate.ga.gov, max.burns@senate.ga.gov, john.kennedy@senate.ga.gov, "edwardlindsey.seb@gmail.com" <edwardlindsey.seb@gmail.com>, "jjohnstonmd.seb@gmail.com" <jjohnstonmd.seb@gmail.com>, "saraghazal.seb@gmail.com" <saraghazal.seb@gmail.com>, mmashburn.seb@gmail.com

Mr. Mashburn,

Thank you for your thorough, thoughtful and informative reply. First I want to say that I am sincerely sorry that the SEB Board Members are being subjected to insults and multiple types of threats. Unfortunately, everyone volunteering and working hard for fair and transparent elections has received insults, threats and also, unresponsiveness and delays from a multitude of county boards, elections departments, etc. and this is very troubling, so we understand firsthand how emotional and disruptive this can be. Secondly, I want to thank you and all the Board Members for serving on the SEB, it cannot be an easy appointment.

1. The first thing concerning this very serious SEB 2023-025 complaint was submitted in July 2022 and the complaint was not assigned with a case number until March or April of this year. It took 9+ months to log this complaint. That does not feel very transparent.

That would make this complaint much older than the latest case being heard at the October 3rd meeting, which looks to be the first complaint filed in 2023, with the number 2023-001. And not knowing the processes and procedures, I am not sure how the cases are logged and an investigation starts or what person or department caused the 2023-025 complaint to be so terribly delayed by 9+ months.

2. During the last SEB Meeting, in August 2023, there was not an agenda item for 2020-181, and this being unexpected and very limited board discussion, the complaint meaning was not clear to the public, nor do I remember any investigation details given, to the public or to the Board Members who did not even have a copy of or knowledge of it but was voted favorably to a Consent Agreement with Fulton County. And you are correct, putting an Agenda item without prior notice to the public or even the Board Members, does show a tremendous lack of transparency, as it did with 2020-181.

Agenda link below.

<https://sos.ga.gov/sites/default/files/forms/Summary%208.1.23.pdf>

I was not aware that Messrs. Rossi and Moncla were sending in practically daily new complaints to investigate, it was my understanding they were contacting the SEB regularly to understand why this complaint was not being addressed in a timely manner.

My apologies if this is incorrect but my understanding is the complaints submitted by Rossi and Moncla are this complaint 2023-025 and a separate complaint against the Secretary of State, that was submitted last year and has yet to have a case number. There was the complaint 2020-181 that was submitted by the Governor's office, not submitted by Moncla or Rossi.

I was not aware of the Secretary of State Investigators being assigned to 10 to 12 and possibly more boards, thank you for the explanation.

This clearly sheds a new light on the SoS Investigators being spread too thin. Hopefully our legislators have provided funding for the SEB to have independent Election Investigators who are focused solely on election complaints. All citizens of the state deserve fair, transparent elections and for serious complaints in these elections be investigated in a timely manner.

I do appreciate all of the Board Members volunteer work on the SEB and the hours put in to fully understand these election complaints and I hope that you understand that my email was not intended to be threatening in any manner. The email was sent in frustration that this very serious complaint of 41k+ votes from unverifiable ballots in the 2020 General Election that were sent in July 2022 and not assigned a case number for 9+ months, but was submitted 15 months ago and has not been put on an agenda.

Again, I appreciate all of your hard work and all that goes into being a State Elections Board Member. It cannot be an easy appointment.

Thank you,

Julie Adams

Julie Adams
Field Director
Tea Party Patriots Action



[Quoted text hidden]



SEB Case Request

George Balbona <balbonag@mac.com>

Mon, Dec 5, 2022 at 3:11 PM

To: "Judge William Duffey Jr." <wduffey.seb@gmail.com>, Sara Tindall Ghazal <saraghazal.seb@gmail.com>, Janice Johnston <jjohnstonmd.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Matt Mashburn <mmashburn@georgia-elections.com>

Cc: Mark Niesse <mark.niesse@ajc.com>, Greg Bluestein <Greg.Bluestein@ajc.com>

Hello SEB Members,

Over a year ago, I submitted multiple important complaints (regarding incidents which I experienced firsthand) to the SOS. I was finally going to be given a chance to address two of my cases, SEB 2021-135 and SEB 2021-136, next week at the December 13th 2022 SEB Meeting. Unfortunately, at the last minute, the SEB has decided to bundle my complaints into a single SEB case, SEB #2022 -217.

I spoke with SOS Supervisor Gilbert Humes this morning and he informed me that the SOS now believes that these two cases, which Investigator Trent Anding had previously recommended to be dismissed by the SEB with a recommendation to the SEB to close the cases with **no violation**, HAVE MERIT. Furthermore, these two cases are being bundled into a new case: SEB 2022-217. I asked Gilbert if the epically slow walked SEB 2021-100 would also be included within SEB 2022-217 and he informed me that it would.

While I appreciate that the SOS now believes that all three of my complaints HAVE MERIT, I cannot help but feel that creating a new case is a procedural tactic to kick my complaints down the road and further delay the facts coming to light.

I simply request that I be given a chance to address my concerns during the December 13th 2022 SEB Meeting as Sara Koth assured me in both SEB Case Notification Letters:

"Your attendance is not mandatory, but should you attend, **the SEB will provide you with an opportunity to address them about your case.** "

[Emphasis added.] Please see attached.

The subject matter of my SEB 2021-100 complaint could not be more topical: I witnessed the Cobb County Elections Department unlawfully access Senate Runoff Ballots UNDER SEAL for the January 5th 2021 Senate Runoff without the consent or knowledge of the Cobb County Superior Court. Given Cobb County's recent shortcomings during the current election, I believe that it is of paramount importance to address the systemic issues I witnessed PRIOR to Cobb County certifying their latest results.

Judge Duffey, may I please be given a few minutes to address my concerns at the December 13th 2022 SEB Meeting?


Sincerely,
George Balbona

P.S. — When I asked Sara Koth to provide me with more information regarding my complaints, she stated: "SEB2021-135 is labeled Cobb County Public View of Opening of polls and posting of zero tape at polls – Inv. Anding SEB2021-136 is labeled Cobb County Security o Election Documents – Inv. Anding

It looks like SEB2021-100 is pending presentation to the board."

This blatant delay of SEB 2021-100 is UTTERLY UNACCEPTABLE!!!

3 attachments

 **Agenda - 12.13.22.pdf**
170K

 **George Balbona.pdf**
187K

 **George Balbona (2).pdf**
187K



SEB Point of Contact

McGowan, Charlene <cmcgowan@sos.ga.gov>

Thu, Sep 14, 2023 at 2:37 PM

To: Janice Johnston <jjohnstonmd.seb@gmail.com>, Sara Ghazal <saraghazal.seb@gmail.com>, T Matthew Mashburn <mmashburn@georgia-elections.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>

Cc: "Koth, Sara" <skoth@sos.ga.gov>, "Evans, Blake" <bevans@sos.ga.gov>, "Ellis, Steven" <sellis@sos.ga.gov>

Dear Board Members,

Previously this office arranged with Chairman Duffey that he would coordinate with me as the point of contact for the SEB in making requests of the Secretary's office. Upon his departure, he informed me that Mr. Mashburn would be the designated SEB point of contact moving forward. Accordingly, please continue to direct your requests through Mr. Mashburn if you need anything from the Secretary's Elections or Investigations Division to ensure that requests are handled timely and efficiently.

Thank you,

Charlene S. McGowan

General Counsel

Georgia Secretary of State

Direct: 470-690-0403

Mobile: 770-417-0755

cmcgowan@sos.ga.gov





SEB Point of Contact

Janice Johnston <jjohnstonmd.seb@gmail.com>

Fri, Sep 15, 2023 at 1:30 PM

To: "McGowan, Charlene" <cmcgowan@sos.ga.gov>

Cc: Sara Ghazal <saraghazal.seb@gmail.com>, T Matthew Mashburn <mmashburn@georgia-elections.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, "Koth, Sara" <skoth@sos.ga.gov>, "Evans, Blake" <bevans@sos.ga.gov>, "Ellis, Steven" <sellis@sos.ga.gov>

Who does provide oversight for the counties? How can the State Election Board obtain uniformity, legality, and purity in elections and all election officials without knowledge of practices and proceedings? Unless I have a misunderstanding, Judge Duffey and the board want the counties to feel free to discuss their practices rather than viewing the board as the enforcer.

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2 attachments



image001.jpg
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image001.jpg
3K



SEB Point of Contact

Janice Johnston <jjohnstonmd.seb@gmail.com>

Fri, Sep 15, 2023 at 8:42 PM

To: Sara Ghazal <saraghazal.seb@gmail.com>

Cc: T Matthew Mashburn <mmashburn@georgia-elections.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, "Ellis, Steven" <sellis@sos.ga.gov>, "Evans, Blake" <bevans@sos.ga.gov>, "Koth, Sara" <skoth@sos.ga.gov>, "McGowan, Charlene" <cmcgowan@sos.ga.gov>

I respectfully disagree and would like to ask Edward's opinion. It does not seem to be consistent with Judge Duffey's goal of communication and cooperation with election officials. It is like a surgeon not knowing what procedures and processes are being communicated to the operating room staff. Lack of shared information often results in misunderstandings and mistakes. The real goal is SOS, SEB, and election officials working to benefit the candidates and the voters.

That being said, if the SOS office concurs, either we should all be on it or none of us on it.

Thank you all for your opinions and input.

J

Sent from my iPhone

On Sep 15, 2023, at 6:32 PM, Sara Ghazal <saraghazal.seb@gmail.com> wrote:

In the interest of ensuring counties' continued open communication I can certainly relinquish my Firefly access.

On Fri, Sep 15, 2023 at 6:07 PM T Matthew Mashburn <mmashburn@georgia-elections.com> wrote:

While the Board has made tremendous strides in building bridges with the counties and each individual Board Member has graciously and generously donated their time on election nights and at region meetings to build goodwill, the Board is not at the point of "trusted advisor" with the counties. To many of them, the Board is still the "Enforcer." I am afraid that the Chilling Effect of having the enforcing body monitor all communications would outweigh the educational value to the Board. Accordingly, my thinking is that having open, free and timely communication between the counties and the SOS is more valuable to the citizens of Georgia than the informative benefit to the Board Members. One day, the counties may view the Board as Trusted Advisor but despite the Board's good faith and diligently earnest efforts, the Board isn't there yet and I would hate to freeze this very valuable tool that the counties have great faith in.

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From: McGowan, Charlene <cmcgowan@sos.ga.gov>

Sent: Friday, September 15, 2023 1:09:59 PM

To: Janice Johnston <jjohnstonmd.seb@gmail.com>

Cc: Sara Ghazal <saraghazal.seb@gmail.com>; T Matthew Mashburn <mmashburn@georgia-elections.com>; Edward Lindsey <edwardlindsey.seb@gmail.com>; Koth, Sara <skoth@sos.ga.gov>; Evans, Blake <bevans@sos.ga.gov>; Ellis, Steven <sellis@sos.ga.gov>

Subject: RE: SEB Point of Contact

To clarify, the State Election Board is not tasked with providing oversight over the counties, but is tasked with setting rules for the uniform administration of elections and enforcing those rules and the provisions of the Elections Code. The concern is that counties may not feel as free to discuss their practices with the Board that handles enforcement matters.

Charlene S. McGowan

General Counsel

Georgia Secretary of State

Direct: 470-690-0403

Mobile: 770-417-0755

cmcgowan@sos.ga.gov

<image001.jpg>

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SOS Code Violation Complaint of 3/21/22

joe rossi <jrossiops@gmail.com>

Sun, Oct 1, 2023 at 6:10 PM

To: T Matthew Mashburn <mmashburn@georgia-elections.com>, Sara Ghazal <saraghazal.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Janice Johnston <Jjohnstonmd.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>

Cc: joe rossi <jrossiops@gmail.com>, Jack James <jkjlw22@gmail.com>, "Blackmon, Shaw" <shaw.blackmon@house.ga.gov>, "Walker, Larry" <Larry.Walker@senate.ga.gov>, "Bennett, Trey" <trey.bennett@georgia.gov>, "Dove, David" <david.dove@georgia.gov>, "Meyers, Evan" <evan.meyers@georgia.gov>

Mr. Mashburn/SEB, it's been approximately one month since I received a certified letter regarding this important complaint. Although regular follow-up requests may seem unnecessary, keep in mind that this complaint was filed 1.5 years ago. The SEB's significant delay in addressing this complaint does not build public confidence in the processes used by the Board.

In the certified letter that I received in early September 2023, Mr. Mashburn stated, "there was no deadline for when the board would decide the matter other than the matter would be diligently, thoroughly, and responsibly considered." Diligently infers the Board is working on this matter tirelessly and in a persevering manner. Furthermore, in this letter, Mr. Mashburn also stated, "the matter is one that is unprecedented in Georgia's history..."

Also as you may recall - in July of 2023 Chairman Duffey requested that a case be opened for this complaint, only to be shut down by McGowan. In an email from McGowan to Duffey dated 7/21/23, she states, "I have instructed our investigations division that this office will not be opening up a case on this complaint..."

Mr. Mashburn/SEB, please provide an update on what actions if any have been taken on this complaint, which was filed 1.5 years ago - 3/21/22.

Respectfully,

Joseph Rossi



SOS Code Violation Complaint of 3/21/22

T Matthew Mashburn <mmashburn@georgia-elections.com>

Sun, Oct 1, 2023 at 8:46 PM

To: joe rossi <jrossiops@gmail.com>, Sara Ghazal <saraghazal.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Janice Johnston <Jjohnstonmd.seb@gmail.com>, "Hardin, Alexandra" <ahardin@sos.ga.gov>

Cc: joe rossi <jrossiops@gmail.com>, Jack James <jkjlw22@gmail.com>, "Blackmon, Shaw" <shaw.blackmon@house.ga.gov>, "Walker, Larry" <Larry.Walker@senate.ga.gov>, "Bennett, Trey" <trey.bennett@georgia.gov>, "Dove, David" <david.dove@georgia.gov>, "Meyers, Evan" <evan.meyers@georgia.gov>

Mr. Rossi - You have sufficiently proven to me that Judge Duffey's aspiration of extending what he intended as a courtesy of responding to what he expected to be reasonable requests of Complainants as to the status of "their" investigation (as Judge Duffey correctly pointed out it's actually the Board's investigation and not the Complainant's) was improvidently initiated by him. Accordingly, as the Board prepares for its Tuesday meeting which contains a petition with over three hundred pages of materials and considering that Board members have finite time to donate to Board matters, lest I and the rest of the Board continue to receive what seem to be nightly demands from you for updates about "your" matters to the exclusion and detriment of every other matter before the Board, from tonight forward the Board, be advised that except in the rare circumstances where the Board determines in the Board's sole and absolute discretion without limitation, that the Board deems it desirable to provide additional information, the Board will henceforth revert back to its precious and more traditional policy of not offering updates on the Board's investigations other than to say, if anything, "The matter is under investigation and the Board does not comment on ongoing investigations." Have a good evening and a nice week.

Best regards,

Matt Mashburn

Senior Member State Election Board

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From: joe rossi <jrossiops@gmail.com>

Sent: Sunday, October 1, 2023 6:10:12 PM

To: T Matthew Mashburn <mmashburn@georgia-elections.com>; Sara Ghazal <saraghazal.seb@gmail.com>; Edward Lindsey <edwardlindsey.seb@gmail.com>; Janice Johnston <Jjohnstonmd.seb@gmail.com>; Hardin, Alexandra <ahardin@sos.ga.gov>

Cc: joe rossi <jrossiops@gmail.com>; Jack James <jkjlw22@gmail.com>; Blackmon, Shaw <shaw.blackmon@house.ga.gov>; Walker, Larry <Larry.Walker@senate.ga.gov>; Bennett, Trey <trey.bennett@georgia.gov>; Dove, David <david.dove@georgia.gov>; Meyers, Evan <evan.meyers@georgia.gov>

Subject: SOS Code Violation Complaint of 3/21/22

[Quoted text hidden]



Update

Janice Johnston <jjohnstonmd.seb@gmail.com>

Tue, Nov 21, 2023 at 2:04 PM

To: Matt Mashburn <mmashburn.seb@gmail.com>, Edward Lindsey <edwardlindsey.seb@gmail.com>, Sara Tindall Ghazal <saraghazal.seb@gmail.com>, Alex Hardin <ahardin@sos.ga.gov>

Chairman Mashburn and members of the board,

I oppose the suit and request that it be dismissed. To my knowledge the SEB has never sued a complainant. This appears to be irregular and not in keeping with prior actions of the SEB. Are we really going to put someone in jail because they did not respond to our questions? Is this designed to intimidate anyone who might consider filing an election complaint? My objection deals with the course of action that someone has decided to take that is out of proportion and unprecedented with the State Election Board.

Typically the SEB simply dismisses complaints when there is no response from the complainant after requesting information. It was only recently that Chairman Duffey suggested that respondents might be subpoenaed to provide requested information.

Was there a complaint submitted against True the Vote? If so, who filed it? Please provide a copy of such complaint. What is the Case number? What was the Code violation?

I respectfully ask that you record my dissenting vote on this matter.

Janice W. Johnston, M.D.

State Election Board member

Sent from my iPad

> On Nov 21, 2023, at 9:58 AM, Matt Mashburn <mmashburn.seb@gmail.com> wrote:

>

> I'm heading in to a closing so I'll be out of pocket this morning and most of the afternoon but I wanted to let you know before you read it in the paper that the judge ordered True the Vote to comply with the Board's subpoena. When I get a copy of the Order, I'll circulate it.

>

> Best regards,

>

> Matt

STATE ELECTION BOARD
9/15/2023

VIA CERTIFIED MAIL AND E-MAIL
RETURN-RECEIPT REQUESTED

34N22, Inc
c/o Bulldog Compliance
138 Conant Street, Suite 202
Beverly, MA 01915
Client@bulldogcompliance.com

Re: SEB Case No. 2022-205 Vote Buying (2022 General Election)

Dear 34N22, Inc:

On August 1, 2023, the State Election Board considered the complaint listed above.

At the August 1, 2023, meeting, the State Election Board reviewed the facts developed in the investigation of this matter and voted to dismiss and issue this Letter of Instruction to you. The State Election Board did not find that a violation of O.C.G.A. § 21-2-570 occurred when your organization distributed gas and grocery vouchers while encouraging recipients to vote for a specific candidate for U.S. Senate.

O.C.G.A. § 21-2-570 states:

Any person who gives or receives, offers to give or receive, or participates in the giving or receiving of money or gifts for the purpose of registering as a voter, voting, or voting for a particular candidate in any primary or election shall be guilty of a felony.

When campaign activities are planned, it is important to instruct and educate all participants to clearly act within the framework of the law. Giving of money or gifts cannot be contingent on registering to vote, voting, or voting for a certain candidate.

With this Letter of Instruction, this case is now closed, and no further action will be taken.

Sincerely,
State Election Board

Cc:
Carolyn “Tippi” Cain Burch
The Burch Firm, LLC.
P.O. Box 335
Columbus, GA 31902
Tippiburch@georgiaappealslaw.com