
**SPOLIATION LETTER FOR PRESERVATION OF EVIDENCE
OF THE 2020 ELECTION**

TO: Clay County Auditor, Election Official, and Custodian of the Ballots, Lori Johnson, 3510 12th Ave S, Moorhead, MN 56560;

NOTICE TO PRESERVE AND MAINTAIN EVIDENCE

DO NOT DESTROY ANY 2020 ELECTION MATERIALS AT YOUR FACILITY

PLEASE TAKE NOTICE that the below evidence is potentially relevant to the subject, for which reasonable anticipation of litigation may be imminent.

The Jury, and judge, have the right to see and evaluate this evidence. Please take all steps necessary to retain and keep all the following evidence in a safe and secure manner and location to ensure it is available for discovery:

EVIDENCE

I. All data related to 2020 election private funders, potential or realized, contracted or not contracted, granted or not granted, including and not limited to all:

- A. Electronic and written communications, emails, phone calls, call transcripts, lengths, and times, voicemails, text messages, and meeting minutes.
- B. Electronic and written funding applications, requests for information, proposals, and inquiries.

- C. Electronic and written contracts, obligations, memos, understandings and agreements.
- D. Materials, instructions, and guidelines to train, orient, and influence election officials, staff, and volunteers.
- E. Mission, vision, purpose statements, and political affiliations, platforms, values, beliefs, goals, and agendas of private parties.
- F. Release, trade, transmittal of any voter data, demographics, rolls, political affiliations, registrations, voting history, and method, in-person or absentee.
- G. The history of receipt and dollar amounts of private funding of Minnesota elections, from 2010 through 2022 election cycles.
- H. The itemized disbursements for all expenditures, including promotional materials, advertisements, and messaging therein.
- I. The itemized payments to any and all persons, election officials, judges, staff, and contractors, names, and their political affiliations.
- J. Time employed, title, and responsibilities of any and all persons compensated.

II. The data shall be designated on demand electronically, collated, and retrieved from the following Minnesota counties: Clay, Dakota, Ramsey, Hennepin, Crow Wing, and St. Louis.

III. Complete history and records of the electoral year 2020 through 2022 electoral register, voters roll, and poll books.

IV. Records of ballots cast by voters in the 2020 election.

- V. Records of accepted and rejected absentee applications, envelopes, and ballots.
- VI. Records of absentee ballots that were rejected but later cured.
- VII. Records of voters who registered for the first time, from a residence.
- VIII. Records of voters who registered for the first time, not from a residence.
- IX. All records to be in searchable, indexable, electronic form, e.g., .csv format or downloadable database.
- X. All records complete, unredacted.
- XI. For the purpose of this response, the word “ballot(s)” implies the fullness of: (1) the application, record, status, and number of first time voters. (2) the application, record, status, and number of provisional ballots. (3) guarding of the absentee ballots and all related election materials; (4) inspection of the absentee ballots under and all election materials related to the ballots including: (a) all return envelopes by precinct; (b) all absentee ballot applications by precinct; (c) all voter registration applications by precinct; (d) all documents to support the absentee ballots that were rejected but later cured; (e) description of the procedures followed for the security, sealing, and storage of absentee ballots (f) all information regarding the chain of custody for all absentee ballots and envelopes; (g) the reconciliation of all absentee ballot requests including the applications, whether they were returned, whether they were rejected or accepted; (h) voting machine tapes to support the absentee ballot count by precinct including the cutoff of election day receipts of absentee ballots; (5) guarding of the voting machines, as well as the ability to inspect the machines; (6) all information regarding the

voting machines including the purchase order, bill of lading, shipping invoices, instruction manual, training protocols, software used and version of the software, maintenance reports, specifications, and when they were used; (7) a list of all voting systems used in Clay County; (8) the names and political affiliation of all persons who served on the Ballot Boards in Clay County, and any training they may have received and oaths administered; (9) the names of all of the PER counters, their party affiliation, their employer, their training, if any, for the PER, and any oaths they swore to prior to performing the PER.

YOUR OBLIGATION

Your obligations of preservation extend beyond explicit non-destruction of the foregoing evidence. You have an obligation to **prevent the destruction** of the above listed evidence. This includes an obligation to **share this notice with all persons** or entities whose conduct may lead to inadvertent destruction or deletion of this evidence.

Dated: September 2, 2022

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