

13th	STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 2020-9238-CZ
------	--	--	--------------------------

Court address 205 E. CAYUGA ST., BELLAIRE, MI 49615

Court telephone no.

(231) 533-6353

Police Report No. (if applicable):

Plaintiff(s)/Petitioner(s) <input type="checkbox"/> People of the State of Michigan <input checked="" type="checkbox"/> WILLIAM BAILEY	v	Defendant(s)/Respondent(s) ANTRIM COUNTY, c/o Haider Kazim, 310 West Front Street, Suite 221, Traverse City, MI 49684 MICHIGAN SECRETARY OF STATE, c/o Erik A. Grill, PO Box 30736, Lansing, MI 48909
<input type="checkbox"/> Civil <input type="checkbox"/> Criminal		Charge
<input type="checkbox"/> Probate In the matter of _____		

In the Name of the People of the State of Michigan. TO:

JULIA DROST, CHARLEVOIX COUNTY CLERK, 203 ANTRIM ST., CHARLEVOIX, MI 49720

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED TO:

<input type="checkbox"/> 1. Appear personally at the time and place stated below: You may be required to appear from time to time and day to day until excused.		
<input type="checkbox"/> The court address above <input checked="" type="checkbox"/> Other: The Office of the Charlevoix County Clerk, 203 Antrim St., Charlevoix, MI 49720		
Day THURSDAY	Date APRIL 1, 2021	Time 9:00 AM
<input type="checkbox"/> 2. Testify at trial / examination / hearing.		
<input checked="" type="checkbox"/> 3. Produce/permit inspection or copying of the following items: See EXHIBIT A, attached		
<input type="checkbox"/> 4. Testify as to your assets, and bring with you the items listed in line 3 above.		
<input type="checkbox"/> 5. Testify at deposition.		
<input type="checkbox"/> 6. Abide by the attached prohibition against transferring or disposing of property. (MCL 600.6104(2), 600.6116, or 600.6119.)		
<input type="checkbox"/> 7. Other: _____		
<input checked="" type="checkbox"/> 8.	Person requesting subpoena MATTHEW S. DePERNO (P52622)	Telephone no. (269) 321-5064
Address 951 W. MILHAM AVENUE, PO BOX 1595		
City PORTAGE	State MI	Zip 49081

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR TO APPEAR AT THE STATED TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.

MARCH 11, 2021

Date

Judge/Clerk/Attorney

P52622

Bar no.

Court use only

☐ Served ☐ Not served

EXHIBIT A

Plaintiff, William Bailey, by and through his attorneys and expert witnesses shall conduct a forensic review the following information and documentation at the Clerk's Office on the date identified on the front page of the subpoena:

1. all election tapes from the November 3, 2020, election;
2. all paper ballots for the November 3, 2020 election;
3. all system logs for the November 3, 2020 election;
4. the tally server and/or election management server used in the November 3, 2020 election;
5. all election media, including but not limited to, all compact flash cards and poll books and USB drives used in the November 3, 2020 election;
6. all election reports and tallies, .pdf files, and spreadsheets used in the November 3, 2020 election;
7. all canvasser paperwork and notes used in the November 3, 2020 election.

Data Retention

52 U.S. Code § 20701 - Retention and preservation of records and papers by officers of elections; deposit with custodian; penalty for violation

Every officer of election shall retain and preserve, for a period of twenty-two months from the date of any general, special, or primary election of which candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that, if a State or the Commonwealth of Puerto Rico designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than \$1,000 or imprisoned not more than one year, or both.