

**From:** [Bridgette Hernandez \(BOS\)](#)  
**To:** [Fields Moseley \(OOC\)](#); [Michelle Hindman \(GVR\)](#)  
**Cc:** [Richard Bohan \(BOS\)](#)  
**Subject:** FW: Questions for Maricopa County  
**Date:** Monday, April 5, 2021 8:15:39 AM

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FYI

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**From:** Jack Sellers (BOS)  
**Sent:** Monday, April 5, 2021 8:15 AM  
**To:** Karen Fann <KFann@azleg.gov>  
**Cc:** Richard Bohan (BOS) <Richard.Bohan@Maricopa.Gov>  
**Subject:** RE: Questions for Maricopa County

President Fann,

I am responding to your email from April 2nd. As you know, Maricopa County performed the audits of the election required and permitted by law. As required by law they were bipartisan and transparent. There has been no suggestion that those audits were in any way deficient. The County then properly authorized two further forensic examinations of its machines that it was permitted to perform as possessor of the machines. The process of selecting the vendors, which were both properly certified to perform their examinations, was open. The examination of the machines was transparent. Your office sent a representative to observe the process.

The statutes that the Legislature enacted and the Governor signed into law do not authorize nor permit the County to perform a recount of the vote or an audit of the election, which is essentially an election contest. While the superior court's ruling found that the subpoenas were valid, and so the County must provide you the items requested in it, Maricopa County cannot be involved in supporting your audit as to do so may expose it to liability for which it has no similar legal protection.

To avoid any confusion, I want to be clear that the audit is not a joint effort between the County and the Senate Republican Caucus. Maricopa County will not communicate with your vendors or interpret Arizona law for them. Many of your auditors' questions can be answered by reviewing the Election Procedures Manual, the early vote and election day plans, as well as the power points from the hearing that occurred last year before the Senate Judiciary Committee. We suggest the Cyber Ninjas begin by reviewing those items, watching the hearing, and reviewing the Arizona statutes governing elections. We ask that any future communications be made officially from the Senate to limit any potential disputes. Accordingly, going forward, please direct your communications to our counsel, Joe LaRue at the Maricopa County Attorney's Office, and he will respond directly.

Jack Sellers  
Chairman, Maricopa County Board of Supervisors

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**From:** Karen Fann <[KFann@azleg.gov](mailto:KFann@azleg.gov)>  
**Sent:** Friday, April 2, 2021 4:45 PM  
**To:** Jack Sellers (BOS) <[Jack.Sellers@Maricopa.Gov](mailto:Jack.Sellers@Maricopa.Gov)>; Jack Sellers (BOS) <[Jack.Sellers@Maricopa.Gov](mailto:Jack.Sellers@Maricopa.Gov)>; Steve Tully <[stully@hinshawlaw.com](mailto:stully@hinshawlaw.com)>; Kory Langhofer <[kory@statecraftlaw.com](mailto:kory@statecraftlaw.com)>; John Allen <[REDACTED]>; Ken Bennett <[kbazos@gmail.com](mailto:kbazos@gmail.com)>  
**Cc:** Clint Hickman (BOS) <[Clint.Hickman@Maricopa.Gov](mailto:Clint.Hickman@Maricopa.Gov)>; Bill Gates (BOS) <[Bill.Gates@Maricopa.Gov](mailto:Bill.Gates@Maricopa.Gov)>; Steve Chucri (BOS) <[Steve.Chucri@Maricopa.Gov](mailto:Steve.Chucri@Maricopa.Gov)>; Greg Jernigan <[GJernigan@azleg.gov](mailto:GJernigan@azleg.gov)>; Wendy Baldo <[wbaldo@azleg.gov](mailto:wbaldo@azleg.gov)>; Warren Petersen <[wpetersen@azleg.gov](mailto:wpetersen@azleg.gov)>  
**Subject:** Fwd: Questions for Maricopa County

Chairman Sellers: I am disappointed the County has decided to not allow the audit to be performed at the Maricopa County facilities. I had hoped we would be able to do this together in the spirit of transparency and the desire to answer our constituents questions about the election. We are arranging for alternative secure facilities to perform the audit and will advise as soon as possible where and when we can take delivery of the subpoenaed items. In the interim, our vendor has a number of questions to help prepare for the audit. He was informed all questions needed to be submitted by me or our designated representative, Ken Bennett.

Could you please give us instructions as to who we should submit any questions to and in what form?

Below is the email we received from him asking for information. It would be appreciated if you could assist us with the needed answers.

Thanking you in advance,  
Senate President Karen Fann

Sent from my iPad

Begin forwarded message:

**From:** Douglas Logan <[dlogan@cyberninjas.com](mailto:dlogan@cyberninjas.com)>  
**Date:** April 1, 2021 at 5:45:11 PM MST  
**To:** Karen Fann <[kfann@azleg.gov](mailto:kfann@azleg.gov)>  
**Cc:** [REDACTED]  
**Subject: Questions for Maricopa County**

Senator Fann,

Mark reached out to the County attorney to pass the following questions over, but the attorney stated that all questions needed to go through you.

Would it be possible to ask the following questions? What we absolutely need for the audit is listed below; but the team did have a bunch more questions that would be very useful to know. Those additional questions are in the attached document.

1. Who is the main point-of-contact that we should be utilizing throughout the audit?
2. What facility / location will be utilized for the counting, and the forensic imaging of the voting machines?
3. Can you please clarify how the adjudicated ballots are currently stored? This is for all the ballots that went through Dominion's Adjudication, anything that might have been adjudicated by hand, and those that went through NOVUS (Even if you don't call that adjudication).
  - a. Is there a printed copy of how the ballot was determined? I believe Dominion calls this the AuditMark image, I do not know what NOVUS calls it, I believe it might be called a "duplicate ballot".
  - b. Are the original ballots stored with the adjudicated version of the ballot, or are they separate?
  - c. Are the ballots associated with all of this in their own box, or mixed in with all of the other non-adjudicated ballots?
4. Can you please provide a sample ballot of all ballot types that were valid during the election?
5. Can you please provide details on the various papers and the paper sources utilized for official and valid ballots? We will need a complete list.
  - a. A sample ballot on the paper, or at least a paper sample; would greatly be preferred, if possible.
6. Can you please provide a copy of the chain of custody documentation for all ballots from November 3<sup>rd</sup> to the point where we will be coming in contact with the ballots?

We're also happy to do a Zoom call tomorrow to answer any questions that they may have; and if it works with everyone's schedules I can plan on being in Arizona on Monday; or any other day early next week that works for everyone.

Thanks,  
Doug Logan  
Chief Executive Officer  
Cyber Ninjas  
(o) (941)-3-NINJAS