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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

| Senator Jay Costa, Senator Anthony H. Williams, Senator Vincent J. Hughes, Senator Steven J. | CASES CONSOLIDATED |
|---|--------------------|
| Santarsiero, and Senate Democratic Caucus, Petitioners | No. 310 MD 2021 |
| v. Senator Jacob Corman III, Senate Pro Tempore, Senator Cris Dush, and Senate Secretary- Parliamentarian Megan Martin, Respondents | |
| Commonwealth of Pennsylvania, Pennsylvania Department of State, and Veronica Degraffenreid, Acting Secretary of the Commonwealth of Pennsylvania, Petitioners | No. 322 MD 2021 |
| Senator Cris Dush, Senator Jake Corman, and the Pennsylvania State Senate Intergovernmental Operations Committee, Respondents | |
| Arthur Haywood, Julie Haywood, Petitioners V. | No. 323 MD 2021 |
| Veronica Degraffenreid, Acting Secretary of State Commonwealth of Pennsylvania, Respondents | |

APPLICATION FOR LEAVE TO FILE A SURREPLY IN SUPPORT OF COMMONWEALTH PETITIONERS' APPLICATION FOR SUMMARY <u>RELIEF</u>

Commonwealth Petitioners seek leave to file a response to the Committee's

Reply Brief in Further Support of Cross-Application for Summary Relief, which

presents new facts and makes new arguments. Commonwealth Petitioners'

proposed response is attached to this application as Exhibit 1. In support of this application, Commonwealth Petitioners state as follows:

1. Key considerations in this case include who has access to nine million Pennsylvanians' personal information, what they will do with that information, and how they will protect that information.

2. When the Committee voted on September 15, 2021, to issue the subpoena at issue here, it had not selected a vendor to receive and review all registered Pennsylvanians' personal information. Tr. (Sept. 15, 2021) at 20:6-14 (Pa. Ex. C).

3. Commonwealth Petitioners' briefs, therefore, have been unable to address how the Committee's chosen vendor affects the issues presented.

4. On November 19, 2021, after Commonwealth Petitioners had filed their final brief provided for by this Court's November 5, 2021, Order, the Committee announced that it had hired Envoy Sage, LLC to conduct the Committee's election "investigation." *Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections* (Nov. 19, 2021), https://senatorcrisdushpa.com/2021/11/19/envoy-sage-selected-to-conduct-

impartial-investigation-of-pennsylvanias-elections/.

5. The Committee's reply brief, filed three days after announcing that it had hired Envoy, makes representations about the significance of its arrangement

with Envoy and about Envoy's qualifications to perform the intended election "investigation." Comm. Reply Br. at 9-15. The Committee argues that certain of Commonwealth Petitioners' "claims are invalid" in light of its contract with Envoy. *Id.* at 15. The Committee added to its appendix both a letter from Envoy's president and the contract with Envoy, Comm. App'x at 1275a-1311a.

6. Because the Committee's reply presents an issue that Commonwealth Petitioners have had no previous opportunity to address, Commonwealth Petitioners' respectfully request leave to submit a surreply that responds to the Committee's chosen vendor and the arguments made about the significance and appropriateness of that choice.

7. This Court may grant leave to file a surreply when a party raises new issues in a reply brief. *See* Pa. R.A.P. 2113.

8. Consistent with Pennsylvania Rule of Appellate Procedure 3707, Commonwealth Petitioners have conferred with counsel for all parties in these consolidated cases about the relief sought in this application. Counsel for all parties has indicated that they do not oppose this application for leave.

For the foregoing reasons, Commonwealth Petitioners respectfully request that the Court grant this application for leave and docket the Surreply in Support of Commonwealth Petitioners' Application for Summary Relief, attached as Exhibit 1.

John C. Dodds (Bar. No. 44423) MORGAN, LEWIS & BOCKIUS LLP 1701 Market Place Philadelphia, PA 19103 john.dodds@morganlewis.com 215.963.5000

Susan Baker Manning (appearing *pro hac vice*) MORGAN, LEWIS & BOCKIUS LLP 1111 Pennsylvania Avenue, NW Washington, DC 20004 susan.manning@morganlewis.com 202.739.3000

Aaron Scherzer (appearing *pro hac vice*) Christine P. Sun (appearing *pro hac vice*) STATES UNITED DEMOCRACY CENTER 572 Valley Road, No. 43592 Montclair, NJ 07043 aaron@statesuniteddemocracy.org 862.367.6480 christine@statesuniteddemocracy.org 615.574.9108

Attorneys for Petitioner Pennsylvania Department of State and Petitioner/Respondent Acting Secretary Josh Shapiro Attorney General Commonwealth of Pennsylvania

/s/ Michael J. Fischer

Michael J. Fischer (Bar. No. 322311) Chief Counsel and Executive Deputy Attorney General Aimee D. Thomson (Bar. No. 326328) Jacob B. Boyer (Bar. No. 324396) Deputy Attorneys General Stephen R. Kovatis (Bar No. 209495) Senior Deputy Attorney General PENNSYLVANIA OFFICE OF ATTORNEY GENERAL 1600 Arch Street, Suite 300 Philadelphia, PA 19103 mfischer@attorneygeneral.gov athomson@attorneygeneral.gov jboyer@attorneygeneral.gov 215.560.2171

Keli M. Neary (Bar. No. 205178) Executive Deputy Attorney General Karen M. Romano (Bar. No. 88848) Chief Deputy Attorney General Stephen Moniak (Bar. No. 80035) Senior Deputy Attorney General PENNSYLVANIA OFFICE OF ATTORNEY GENERAL 15th Floor Strawberry Square Harrisburg, PA 17120

Attorneys for Petitioner Commonwealth of Pennsylvania, of the Commonwealth Veronica Degraffenreid Petitioner Pennsylvania Department of State and Petitioner/Respondent Acting Secretary of the Commonwealth Veronica Degraffenreid

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: December 6, 2021

/s/ Michael J. Fischer

Michael J. Fischer

Exhibit 1

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

| Senator Jay Costa, Senator Anthony H. Williams, Senator Vincent J. Hughes, Senator Steven J. Santarsiero, and Senate Democratic Caucus, Petitioners V. | CASES CONSOLIDATED |
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SURREPLY IN SUPPORT OF COMMONWEALTH PETITIONERS' <u>APPLICATION FOR SUMMARY RELIEF</u>

TABLE OF CONTENTS

| TABL | LE OF AUTHORITIES | iii |
|------|---|-----|
| ARGU | JMENT | 1 |
| I. | Envoy Has No Documented Experience in Election Matters | 2 |
| II. | The Republican Caucus Has Selected a Partisan Actor to Perform its Election "Investigation" | 4 |
| III. | Envoy Has Not Shown It Can Protect Voters' Personal Information | 7 |
| IV. | The Republican Caucus's Contract with Envoy Shows that the Purported Purposes of this "Investigation" are Pretextual | 13 |
| CON | CLUSION | 15 |
| | | |

TABLE OF AUTHORITIES

| <i>Allen v. Pa. Bd. of Prob. & Parole</i> , 207 A.3d 981 (Pa. Commw. Ct. 2019) |
|--|
| Borough of Bedford v. Dep't of Env't Prot., 972 A.2d 53 (Pa. Commw. Ct. 2009) |
| Erie Indem. Co. v. Coal Operators Cas. Co., 272 A.2d 465 (Pa.1971) |
| Hosp. & Healthsystem Ass 'n of Pa. v. Com., 77 A.3d 587 (Pa. 2013) |
| <i>Meggett v. Pa. Dep't of Corrections</i> , 892 A.2d 872 (Pa. Commw. Ct. 2006) |
| Constitutions |
| Pa. Const. art. 1, § 17 |
| Statutes and Legislation |
| 62 Pa. Cons. Stat. § 106.1 |
| 62 Pa. Cons. Stat. § 512 |
| 62 Pa. Cons. Stat. § 513 |
| Other Authorities |
| Pa.R.A.P. 1532 |

ARGUMENT

Following a partisan and opaque selection process, the Senate Republican Caucus has handed the reins of the Senate Intergovernmental Operations Committee's election "investigation" to Envoy Sage, LLC. Envoy is a recently formed company with no election experience, no apparent physical presence, and, at most, two identifiable employees. Envoy's president and founder recently published an article alleging that technology companies conspired with the Democratic Party and others to "launch[] an information war" against President Trump, and comparing acts of the Democratic Party to the terror tactics of various totalitarian regimes. Steve Lahr, *Taming Thought Engineers*, American Greatness (Oct. 24, 2020) (Pa. Ex. Q-1)

The Republican Caucus's selection of such an unqualified, biased actor to take over the Committee's "investigation" is further evidence that the Subpoena lacks any legitimate legislative purpose. It also makes abundantly clear that the supposed interest in receiving nine million Pennsylvanians' sensitive personal information does not outweigh those same individuals' constitutional right to maintain control of that information. Additionally, the agreement with Envoy provides no assurance that Envoy is capable of safeguarding the sensitive information it would receive, or that the Committee, the Republican Caucus, or Envoy has a grasp on what securing sensitive data entails. The selection of Envoy thus only heightens the concern that compliance with the Subpoena would put all Pennsylvania voters at risk for financial fraud and identity theft.

I. Envoy Has No Documented Experience in Election Matters

The Senate Republican Caucus—and not the Committee—has hired Envoy to be the "prime contractor . . . regarding the conduct of an investigation by the [Republican Caucus] into the 2020 General and 2021 Primary Elections in the Commonwealth of Pennsylvania." Comm. App'x at 1279a. In this role, Envoy apparently would assume responsibility for reviewing and analyzing all information received from the Department and all election submissions and affidavits the Committee solicited through its website. *Id.* at 1277a-1278a. Envoy also would analyze "election integrity initiatives across the nation" and "election audit reports conducted in other U.S. States." *Id.* at 1278a, 1280a. Envoy has agreed to "[p]rovide subject matter expertise regarding election systems and election integrity legislation." *Id.* at 1280a.

The Republican Caucus has assigned these challenging and weighty responsibilities to Envoy despite Envoy's lack of election-related experience of any sort. Envoy has no documented experience investigating elections, preparing election integrity legislation, analyzing voter lists, or reviewing voter registration systems. In fact, public records demonstrate that Envoy is barely more than a year old, registering first in Iowa in August 2020 and then in Florida in September 2021

after Envoy's president, Steven Lahr, purchased a house there. Business No.

639287, Business Entity Summary, Iowa Sec. of State (filed Aug. 5, 2020) (Pa. Ex.

Q-2);¹ Doc. No. M21000012150, Fl. Sec. of State (filed Sept. 10, 2021) (Pa. Ex. Q-

3).²

Envoy's website provides a cursory summary of four past projects, but none involves elections or election systems, voter registration, or election integrity legislation. *Envoy Sage* (Pa. Ex. Q-4). Neither the contract with Envoy nor the

¹ Exhibits attached to this brief are properly a part of the record. Arguments in the Committee's reply brief about what may be considered as part of the record for summary relief, and the availability of summary relief given that record, Comm. Reply Br. at 16-19; see also Comm. Br. at 33-34, again ignore governing standards. Summary relief is available "[a]t any time after the filing of a petition for review," Pa.R.A.P. 1532(b), when is there is no genuine dispute of material fact and the right to relief is clear, Hosp. & Healthsystem Ass'n of Pa. v. Com., 77 A.3d 587, 602 (Pa. 2013). This Court has stated explicitly that the record that informs that evaluation "is the same as that for a summary judgment motion" and thus includes "the pleadings and other documents of record, such as exhibits." Allen v. Pa. Bd. of Prob. & Parole, 207 A.3d 981, 984 n.4 (Pa. Commw. Ct. 2019); see also Borough of Bedford v. Dep't of Env't Prot., 972 A.2d 53, 60 n.6 (Pa. Commw. Ct. 2009); Meggett v. Pa. Dep't of Corrections, 892 A.2d 872, 879 n.13 (Pa. Commw. Ct. 2006). Review does not encompass "facts not established by the record," including those made in briefs. Erie Indem. Co. v. Coal Operators Cas. Co., 272 A.2d 465, 466–67 (Pa.1971); see also Lin v. Bd. of Revision of Taxes of City of Philadelphia, 137 A.3d 637, 646 (Pa. Commw. Ct. 2016). So, as the Committee's reply notes, summary relief is unavailable where the record demonstrates a material factual dispute or omits facts necessary to determine a party's right to relief. Comm. Reply Br. at 17-18 (citing cases). And the Committee has not identified any material dispute in the record, including that Senators Cris Dush and Jake Corman have failed to consistently or plausibly explain the Subpoena. Although the Committee suggests that there are disputes about certain Senators' motivations, or that further discovery of their motivations is needed, id. at 18-19, no further evidence of any Senator's motivations is needed to determine that the Commonwealth Petitioners have a clear right to relief. Pa, Opp'n & Reply Br. at 22-25.

² While the contract with Envoy lists the company's principal place of business as the office of a tax preparation company in Dubuque, Iowa, *see infra* at 11-12, it is not clear that Envoy maintains any other connection to Iowa following Mr. Lahr's apparent relocation to Florida.

Committee's reply brief identifies any experience Envoy has with election matters generally or reviewing voter registration information specifically. When specifically asked at a November 23 press conference about past election-related experience, Mr. Lahr identified none. Press Conference Tr. (Nov. 23, 2021) at 4:23-5:11, 11:11-12:14, 15:20-16:21 (Pa. Ex. Q-5). Likewise, on the frequently asked questions section of the Committee's investigation website, the question "[w]hat experience does the vendor have investigating elections?" is answered without providing a single example of prior election work. *PA Election Investigation – Restoring Faith in Our Elections* (Pa. Ex. Q-6).

Hiring an entity without any experience with election systems, election procedures, or voter registration and list maintenance—the purported subjects of this "investigation"—evinces a disinterest in an actual review of those matters and again signals that the Subpoena has not been issued for the election-related purposes the Committee claims.

II. The Republican Caucus Has Selected a Partisan Actor to Perform its Election "Investigation"

The Republican Caucus's chosen vendor further exhibits that the Subpoena has not been issued for a legitimate legislative purpose, but instead is part of the nationwide effort to undermine electoral confidence in democratic institutions. Pa. Br. at 7-19; Pa. Opp'n & Reply Br. at 3-6. Indeed, rather than using a transparent process to select a vendor qualified to perform the review the Committee purports

to be undertaking, Senator Dush conducted an opaque, partisan selection process and the Republican Caucus then hired a partisan actor.

While the General Assembly requires, as the default, that executive agencies award contracts based on a competitive bidding process and justify their contracting decisions in a written, publicly-available explanation, 62 Pa. Cons. Stat. §§ 106.1(b)(4), 512, 513(g), Senator Dush chose Envoy in consultation only with counsel for the Republican Caucus and behind closed doors, Tr. (Sept. 15, 2021) at 20:6–21:12 (Pa. Ex. C); PA Election Investigation – Restoring Faith in *Our Elections* (Pa. Ex. Q-6). Indeed, Senator Dush refused to answer questions about how he intended to evaluate possible vendors. Tr. (Sept. 15, 2021) at 21:13-30:18. And rather than operating transparently and inviting public oversight from the outset, a Caucus spokesperson falsely informed the public that no vendor agreement would be finalized during this litigation. Andrew Seidman, Pa. Republicans won't hire a contractor for 2020 election review until a judge gives the OK, aide says, Philadelphia Inquirer (Oct. 3, 2021) (Pa. Ex. Q-7).

The shrouded, partisan selection process produced a partisan result. Mr. Lahr has made political donations exclusively to Republican candidates and committees. *See* FEC Individual Contributors (Pa. Ex. Q-8). He did so as recently as October 2020, donating to Senator Lindsey Graham's campaign committee in advance of the 2020 general election. *Id*.

Additionally, Mr. Lahr published an article last year in which he wrote that "[t]oday, tech giants are collaborating with news agencies, students, academia, Hollywood, and the Democratic Party to restrict speech." *Taming Thought* Engineers (Pa. Ex. Q-1). In that article, Mr. Lahr suggested that that collaboration was a modern version of "university students, academia, and the Nazi party in Germany collaborat[ing] to burn hundreds of thousands of books for being 'un-German."" Id. Mr. Lahr also accused "tech giants, in close collaboration with many Democrats" of having "launched an information war, wielding their version of the truth" once former President Trump was elected. Id. According to Mr. Lahr, that war has been fought with algorithms that "promote positive stories from the Left to the first page, while the opposite is often true for stories coming from the Right." Id. He went on to attack Facebook's decision to institute fact checks as "farcical" and "leftist," and alleged that "Google and Twitter use covert internal censors and algorithms to drive searchers toward a leftist viewpoint." Id. All of this, Mr. Lahr wrote, is reminiscent of the Soviet Union having dissidents "killed or sent to gulags," of the Cuban revolution's leaders "imprison[ing] those who failed to comply," and of the "Khmer Rouge and its truth campaign [having] sowed the killing fields." Id.

Despite Mr. Lahr's political activity and views, Senator Dush included in his announcement of Envoy's selection a statement from Mr. Lahr that Envoy could

perform its work with "no political affiliations clouding our judgment." *Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections* (Nov. 19, 2021) (Pa. Ex. Q-9). Even after Mr. Lahr's partisan donations became public, the Committee's election investigation website still claims that Envoy has no political affiliations. *PA Election Investigation – Restoring Faith in Our Elections* (Pa. Ex. Q-6). A Republican Caucus spokesperson suggested that the Caucus was unaware of the extent of Mr. Lahr's political affiliations before the Committee selected Envoy, and brushed aside Mr. Lahr's failure to disclose his political donations as an "honest mistake." Mark Scolfro, *Senate GOP hires firms to review Pennsylvania's 2020 election*, AP News (Nov. 19, 2021) (Pa. Ex. Q-10).

Senator Dush and the Republican Caucus engaged in an opaque, partisan selection process, in which they failed to identify political affiliations discoverable through basic vetting, and selected a partisan actor who has promoted dangerous conspiracy theories about one political party. Doing so is more evidence that the Subpoena does not advance any legitimate legislative objective but instead is part of the ongoing partisan effort to undermine the electorate's belief in democratic systems. Pa. Opp'n & Reply Br. at 3-6.

III. Envoy Has Not Shown It Can Protect Voters' Personal Information

When performing Article 1, Section 1's balancing test, courts assess whether the entity demanding access to personal information has established that it can

protect that information. Pa. Opp'n & Reply Br. at 42, 51. Here, hiring Envoy does not moot—or even mitigate—the security risks of turning over nine million voters' personal information. *Contra* Comm. Reply Br. at 14-15.

To start, the Subpoena still directs that voters' personal information initially be turned over to counsel for the Republican Caucus, Subpoena at 1 (Pa. Ex. D), who plans to secure that information "just like any other legal documents," Tr. (Sept. 15, 2021) at 24:10-20; see Ferrante Second Suppl. Decl. ¶¶ 10-11 (Pa. Ex. R) (reiterating that the Committee has not demonstrated its own ability to secure voters' personal information). That data will then be given to Envoy, but the Republican Caucus's contract with Envoy provides no information about data lifecycle management, including how Envoy will receive the data, how it will store the data, where it will store the data, who will have access to the data, how the data will be protected from unauthorized access, or how Envoy will delete the data. Ferrante Second Suppl. Decl. ¶¶ 12, 19-21; contra Comm. Reply Br. at 10-14. Mr. Lahr's commitment to comply with "Industry Best Practices for Information Security, Handling, and Disposal," Comm. App'x at 1275a, is meaningless without specifics explaining the protocols that would be in place, Ferrante Second Suppl. Decl. ¶¶ 14-18. Moreover, "industry best practices" is not a term of art, and Envoy does not explain which purported "industry best practices" it intends to follow. Id. ¶ 17. And giving lip service to "industry best practices" does not do anything to

guarantee robust security and privacy protections. *See* Pa. Opp'n & Reply Br. at 51; Jessica Huseman and Derek Willis, *The Voter Fraud Commission Wants Your Data — But Experts Say They Can't Keep It Safe*, ProPublica (Oct. 23, 2017) (Pa. Ex. N-30).

In comparison, when the Department has entered contracts for electionrelated services, it has required vendors to comply with all Information Technology Policies issued by the Governor's Office of Administration, which prescribe in detail how a vendor must handle data in transit, data at rest, data cleansing, and personally identifying information, among other things. Marks Suppl. Decl. ¶¶ 9-18, 27, 33-34 (Pa. Ex. O); Pa. Opp'n & Reply Br. at 12-14.

The Republican Caucus's agreement with Envoy also shows it has not conducted any security due diligence to verify Envoy's security infrastructure and competence. Ferrante Second Suppl. Decl. ¶¶ 13, 18-24. Indeed, the Caucus signed the contract just one day after Mr. Lahr provided general statements in a twoparagraph letter about Envoy's security practices. Comm. App'x at 1275a, 1276a; Ferrante Second Suppl. Decl. ¶¶ 14-18, 22-24.

Even if the contract with Envoy described appropriate security measures, neither the Republican Caucus nor Committee has established that Envoy is capable of actually securing any data it receives. Envoy appears to be an entity comprising, at most, two individuals. Its website lists no employees. *Envoy Sage*

(Pa. Ex. Q-3). Its Florida registration lists Mr. Lahr as Envoy's Manager, Member, and Authorized Person. Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida, Doc No. M21000012150, Fl. Sec. of State (filed Sep. 10, 2021) (Pa. Ex. Q-11). Nothing in the Republican Caucus's contract with Envoy hints at who, besides Mr. Lahr, works there. Indeed, even though the contract lists 26 labor categories necessary to complete the work, Comm. App'x at 1303a, it does not provide any details about who will perform each role.

At his November 23 press conference, Mr. Lahr identified just one other person affiliated with Envoy, but did not describe that person's responsibilities. Press Conference Tr. (Nov. 23, 2021) at 8:25-9:13. When asked specifically how many people were "on his team," Mr. Lahr responded, "[O]ur team has got the ability to scale. When we need more members and more expertise, we add them to the team either as full time effort 1099 or subcontractors and when we need to contract we're able to do that. So we are very agile in growing the team rapidly with expertise and supporting the client as needed during the investigatory process." *Id.* at 14:14-15:17. Hiring temporary employees or contractors, some of whom may need to access data remotely, only multiplies the avenues for misuse, unauthorized disclosure, or malicious attack. *See* Ferrante Suppl. Decl. ¶¶ 27-31 (Pa. Ex. P); Ferrante Second Suppl. Decl. ¶ 12. As a comparison, the Department's

recent contract with BPro, which the Department hired to modernize the SURE system, detailed which employees—all of whom had undergone a background check—would be responsible for the day-to-day execution of the project and their relevant experience. Comm. App'x at 374a-376a, 513a-516a.

In addition to an utter lack of any qualified personnel, Envoy also lacks a single principal place of business, raising questions about its legitimacy and ability to protect sensitive information.

Envoy's website does not list a physical location. Envoy Sage (Pa. Ex. Q-4). Envoy's Iowa registration lists its principal place of business as a single-family home that Mr. Lahr recently sold. Compare Iowa Business Entity Summary (Pa. Ex. Q-2), with Warranty Deed, Doc. No. 2021-00009747, Dubuque Cnty. Recorder (recorded June 11, 2021) (Pa. Ex. Q-12). Envoy's Florida registration and Attachment B to the contract, on the other hand, list Envoy's principal place of business as the address of a tax preparation company operated by Envoy's Iowa registered agent. Compare Doc. No. M21000012150, Fl. Sec. of State (Pa. Ex. Q-3) and Comm. App'x at 1279a, with Iowa Business Entity Summary (Pa. Ex. Q-2) and U.S. Tax Service – Kevin Kelly, CPA, Chamber of Commerce (Pa. Ex. Q-13). Correspondence with the Committee identifies Envoy's principal place of business at a third location, a single-family home Mr. Lahr recently purchased in Florida. Compare Comm. App'x at 1275a-1276a, with General Warranty Deed, Instrument

No. 2964264, Charlotte Cnty., Fl. Clerk of the Cir. Ct. and Cnty. Comptroller (recorded June 25, 2021) (Pa. Ex. Q-14).

By contrast, BPro has a single principal place of business, *see Contact*, BPro (Pa. Ex. Q-15); Business ID DB039408, Business Entity Detail, S.D. Sec. of State (Pa. Ex. Q-16), and the Department's contract with BPro documented how it has a "fully secured building," with building access "controlled by unique key cards" and "cameras [to] ensure that all building entrants are recorded," Comm. App'x 6a, 333a, 363a-364a.

Envoy's lack of physical presence magnifies the security concerns. Data protection requires physical infrastructure; without a physical presence Envoy lacks a secure building, secure networks, and a secure, private server in which to store and review the requested data. Without a physical location, Envoy will have to store and review the data remotely using cloud-based services—which simply means storing the data on servers owned and operated by other companies in large data centers. But remote access to sensitive personal data stored by yet another company multiplies the risks, since the data is now vulnerable when at rest on the other company's servers, when accessed by Envoy remotely, *and* when reviewed on the computers, printers, and networks used by Envoy's employees or contractors. Ferrante Second Suppl. Decl. ¶¶ 19-21.

The Committee and the Republican Caucus want the Department to turn over the personal information of more than nine million Pennsylvania voters. Disclosing that information presents serious risks that have not been appropriately mitigated. The Committee has not adequately shown how the information will be used, much less how it will be transmitted, where it will be stored, how it will be electronically and physically secured, who will have access to it, how it will be disposed of, or whether Envoy can adhere to any security terms. Without that, the Committee's claim that it "can appropriately protect the data when it is produced," Comm. Reply Br. at 9, lacks factual basis.

IV. The Republican Caucus's Contract with Envoy Shows that the Purported Purposes of this "Investigation" are Pretextual

Finally, the contract with Envoy is further evidence that the Committee's justifications for the Subpoena are implausible and pretextual. Pa. Br. at 28-29; Pa. Opp'n & Reply Br. at 6-10. The Committee's reply identifies the "real" reason for the Subpoena as "examining the effects of Act 77 and 12 on recent elections and examining whether additional legislation is needed to improve the current elections laws in light of the results of the inquiry." Comm. Reply Br. at 32 n.17. But the Republican Caucus's agreement with Envoy says nothing about Act 77 or Act 12, and does not instruct Envoy to review the effect of those laws. Instead, the charge is to suggest remedial legislation based on a freewheeling "investigation" of the

2020 general election and the 2021 primary election. Comm. App'x at 1277a, 1279a.

In addition, several of the tasks the Caucus has hired Envoy to perform have no connection to Act 77 or Act 12, confirming that the real purpose of the Subpoena is to undermine confidence in Pennsylvania's elections. These include to "[p]rovide analysis of election audit reports conducted in other U.S. States," *id.* at 1280a; to analyze "election integrity initiatives across the nation," *id.* at 1278a; and to "[d]eliver consultation and advisory services regarding potential further subjects of investigation related to the 2020 General and 2021 Primary Elections," *id.* at 1280a. The same is true of several of the contract's identified labor categories, including "Toner & Ink Analyst," "AI [Artificial Intelligence] SME [Subject-Matter Expert]," "Paper/Document Analyst," and "Imagery Analyst," Comm. App'x at 1277a-1278a, 1308a-1310a, jobs that are more suited to an Arizona-style "audit" than a serious effort to develop legislation, Pa. Br. at 14-16.

The sweeping and untethered "investigation" contemplated by the contract is additional evidence that reviewing the effect of Act 77 and Act 12 is not the Subpoena's actual purpose.

CONCLUSION

Commonwealth Petitioners' Application for Summary Relief should be

granted, the Committee's Cross-Application for Summary Relief should be denied,

and the Subpoena should be quashed.

Dated: December 6, 2021

Respectfully submitted,

Josh Shapiro Attorney General Commonwealth of Pennsylvania

John C. Dodds (Bar. No. 44423) MORGAN, LEWIS & BOCKIUS LLP 1701 Market Place Philadelphia, PA 19103 john.dodds@morganlewis.com 215.963.5000

Susan Baker Manning (appearing *pro hac vice*) MORGAN, LEWIS & BOCKIUS LLP 1111 Pennsylvania Avenue, NW Washington, DC 20004 susan.manning@morganlewis.com 202.739.3000

Aaron Scherzer (appearing *pro hac vice*) Christine P. Sun (appearing *pro hac vice*) STATES UNITED DEMOCRACY CENTER 572 Valley Road, No. 43592 Montclair, NJ 07043 /s/ Michael J. Fischer

Michael J. Fischer (Bar. No. 322311) Chief Counsel and Executive Deputy Attorney General Aimee D. Thomson (Bar. No. 326328) Jacob B. Boyer (Bar. No. 324396) Deputy Attorneys General Stephen R. Kovatis (Bar No. 209495) Senior Deputy Attorney General PENNSYLVANIA OFFICE OF ATTORNEY GENERAL 1600 Arch Street, Suite 300 Philadelphia, PA 19103 mfischer@attorneygeneral.gov athomson@attorneygeneral.gov jboyer@attorneygeneral.gov 215.560.2171

Keli M. Neary (Bar. No. 205178) Executive Deputy Attorney General Karen M. Romano (Bar. No. 88848) Chief Deputy Attorney General Stephen Moniak (Bar. No. 80035) Senior Deputy Attorney General aaron@statesuniteddemocracy.org 862.367.6480 christine@statesuniteddemocracy.org 615.574.9108

Attorneys for Petitioner Pennsylvania Department of State and Petitioner/Respondent Acting Secretary of the Commonwealth Veronica Degraffenreid PENNSYLVANIA OFFICE OF ATTORNEY GENERAL 15th Floor Strawberry Square Harrisburg, PA 17120

Attorneys for Petitioner Commonwealth of Pennsylvania, Petitioner Pennsylvania Department of State and Petitioner/Respondent Acting Secretary of the Commonwealth Veronica Degraffenreid

CERTIFICATE OF COMPLIANCE

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Dated: December 6, 2021

/s/ Michael J. Fischer

Michael J. Fischer

Exhibit Q

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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| Senator Cris Dush, Senator Jake Corman, and the Pennsylvania State Senate Intergovernmental Operations Committee, Respondents | |
| Arthur Harwood, Julie Haywood Petitioners V. | No. 323 MD 2021 |
| Veronica Degraffenreid, Acting Secretary of State Commonwealth of Pennsylvania Respondents | |

SECOND SUPPLEMENTAL DECLARATION OF JACOB BOYER

I, Jacob Boyer, declare under the penalty of perjury as follows:

1. I am a Deputy Attorney General with the Pennsylvania Office of Attorney General, and a member in good standing of the bar of Pennsylvania. I have personal knowledge of the facts stated herein, and, if called upon, could and would testify competently to them.

2. I make this Supplemental Declaration in support of the Surreply in Support of Commonwealth Petitioners' Application for Summary Relief.

3. Attached to this declaration as Exhibit Q-1 is a true and correct copy of *Taming Thought Engineers* by Steve Lahr published by American Greatness on October 24, 2020. The URL from which the exhibit was obtained

(https://amgreatness.com/2020/10/24/taming-thought-engineers/) is current as of December 3, 2021.

4. Attached to this declaration as Exhibit Q-2 is a true and correct copy of a business entity summary for Envoy Sage, LLC, accessed from the Iowa Secretary of State's business entity search (<u>https://sos.iowa.gov/search/business/search.aspx</u>).

 Attached to this declaration as Exhibit Q-3 is a true and correct copy of a corporate summary for Envoy Sage, LLC, accessed from the Florida Department of State's Division of Corporation's records search (<u>https://dos.myflorida.com/sunbiz/search/</u>).

6. Attached to this declaration as Exhibit Q-4 is a true and correct copy of all content from Envoy Sage, LLC's website. The URL from which the exhibit was obtained (<u>https://www.envoysage.com/</u>) is current as of December 3, 2021.

7. Attached to this declaration as Exhibit Q-5 is a true and correct copy of a transcript from a press conference held by Senator Cris Dush and Steven Lahr on November 23, 2021.

Attached to this declaration as Exhibit Q-6 is a true and correct copy of a website titled PA Election Investigation — Restoring Faith in Our Elections.
 The URL from which the exhibit was obtained (<u>https://paelectioninvestigation.</u>
 <u>com/</u>) is current as of December 6, 2021.

9. Attached to this declaration as Exhibit Q-7 is a true and correct copy of *Pa. Republicans won't hire a contractor for 2020 election review until a judge gives the OK, aide says* by Andrew Seidman published in the Philadelphia Inquirer on October 3, 2021. The URL from which the exhibit was obtained (<u>https://www.inquirer.com/news/pa-republicans-election-review-subpoena-</u> contractor-20211003.html) is current as of December 3, 2021.

10. Attached to this declaration as Exhibit Q-8 is a true and correct copy of the results of a search for "Steven Lahr" in the Federal Election Commission's

individual contributor's database (<u>https://www.fec.gov/data/receipts/individual-</u> contributions/).

11. Attached to this declaration as Exhibit Q-9 is a true and correct copy of a press release titled *Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections* released on November 19, 2021. The URL from which the exhibit was obtained (<u>https://senatorcrisdushpa.com/2021/11/19/envoy-sage-</u> <u>selected-to-conduct-impartial-investigation-of-pennsylvanias-elections/</u>) is current as of December 3, 2021.

12. Attached to this declaration as Exhibit Q-10 is a true and correct copy of *Senate GOP hires firms to review Pennsylvania's 2020 election* by Mark Scolfro published by the AP News on November 19, 2021. The URL from which the exhibit was obtained (<u>https://apnews.com/article/donald-trump-pennsylvania-elections-senate-elections-iowa-82ddd8009eb3922ec41b6fd1a1ae089a</u>) is current as of December 3, 2021.

13. Attached to this declaration as Exhibit Q-11 is a true and correct copy of an Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida for Envoy Sage, LLC, obtained through the Florida Department of State's Division of Corporations.

14. Attached to this declaration as Exhibit Q-12 is a true and correct copy of a warranty deed for 1655 Rolling Hills Drive, Dubuque, Iowa 52001, obtained through the Dubuque County Recorder's Index.

15. Attached to this declaration as Exhibit Q-13 is a true and correct copy of the Chamber of Commerce profile for "U.S. Tax Service – Kevin Kelly, CPA." The URL from which the exhibit was obtained (<u>https://www.chamberofcommerce.</u> <u>com/united-states/iowa/dubuque/accountants-certified-public-cpa/1336607635-u-s-</u> <u>tax-service-kevin-kelly-cpa</u>) is current as of December 3, 2021.

16. Attached to this declaration as Exhibit Q-14 is a true and correct copy of a general warranty deed for 4409 Crew Court, Port Charlotte, Florida, 33952, obtained through the office of the Clerk of the Circuit Court & County Comptroller for Charlotte County.

17. Attached to this declaration as Exhibit Q-15 is a true and correct copy of the "Contact" page for BPro. The URL from which the exhibit was obtained (<u>https://bpro.com/contact/</u>) is current as of December 3, 2021.

18. Attached to this declaration as Exhibit Q-16 is a true and correct copy of the filing information for BrandonPro Inc., obtained by from the South Dakota Secretary of State's Business Information Search (https://sosenterprise.sd.gov/BusinessServices/Business/FilingSearch.aspx).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 6, 2021

No Jacob Boyer

Exhibit Q-1

GREAT AMERICA

Taming Thought Engineers

If entities engage in censorship, information manipulation, algorithm-driven deception, speech restrictions, or purposeful news placement they should be appropriately regulated, taxed or punished.

By Steve Lahr



October 24, 2020

B ig Tech is peddling a new technology cocktail it claims will produce unbiased news and impartial information searches. In truth, Google, Facebook, Twitter, YouTube, and now Spotify, are using new digital tools to manipulate information in a deceptive campaign to influence viewpoints and control behavior

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Taming Thought Engineers > American Greatness

social and psychological research, combined with unwitting and unauthorized experimentation on consumers, some of these tech giants have devised ways to change your mind and shape your views about political topics and candidates.

Search engines cleverly elevate or demote items returned on consumer queries to promote a specific point of view. News aggregators blend fact with opinion to change your perception, judgement, and preferences. Algorithms promote positive stories from the Left to the first page, while the opposite is often true for stories coming from the Right.

Information manipulation has become a standard practice for these large tech companies. It is sold as balanced news and neutral data searches. In the past this was called propaganda and brainwashing—now we call it Googling.

The virtually omniscient power to deceive, force speech conformity, and impact the thoughts of millions of consumers, presents a danger to individualism, privacy, and freedom. As with dangerous narcotics or weapons of mass destruction, it should be appropriately monitored and regulated.

This ongoing assault on free speech is justified with waifish claims from the perpetrators and their useful idiots about the need to preserve decency and personal dignity; and more noble yet, to avoid fake news and hate speech. If such claims sound familiar, they should—at least to those who still read history. Book-burners throughout the ages have uttered similar oaths.

China's Qin Dynasty (213–210 B.C.) buried Confucian scholars alive and burned books. The Mongols sacked Baghdad and destroyed its grand library in 1258. That really showed the West how it's done. In the 1930s, university students, academia, and the Nazi party in Germany collaborated to burn hundreds of thousands of books for being "un-German." Today, tech giants are collaborating with news agencies, students, academia, Hollywood, and the Democratic Party to restrict speech.

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control, topic conformity, and serve as self-appointed arbiters of the truth. Intolerance and censorship are the re-imagined weapons of the Left.

How long before we enter a *Nineteen Eighty-Four* scenario when entities or governments arbitrate "the truth"? Or are we already there? The Soviet Union proved this could be done, even by means of low tech, for most of the 20th century. Millions of people who failed to conform were killed or sent to gulags, and nonconforming news articles were routinely spiked. The Cuban revolution allowed no deviation from the approved truth, imprisoning those who failed to comply; while the Khmer Rouge and its truth campaign sowed the killing fields. So it goes with "the truth."

After President Trump was elected, tech giants, in close collaboration with many Democrats, launched an information war, wielding their version of truth. Facebook recently outsourced truth judgment with its notorious "fact checks." This farcical business decision was no less leftist than when they did it secretly and internally. Google and Twitter use covert internal censors and algorithms to drive searchers toward a leftist viewpoint.

Some of these companies perfected censorship and information manipulation while servicing authoritarian regimes like China and Russia. Google led the way, growing and prospering under such regimes. They were inspired by this power and are implementing many of the same thought engineering techniques and censorship for a political objective in the United States. In a healthy republic, censoring the executive branch while permitting speech from the nation's enemies might be considered sedition.

What can be done?

Legislators, attorneys general, and government agencies should move quickly to protect citizens. They should examine appropriate legislation, regulation, taxation, and legal recourse against companies that manipulate information to deceive their customers. These might look similar to previous consumer protection legislation, designed to protect citizens from confusing loans, credit applications, and deceptive

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Amendments to the Communications Decency Act could be considered.

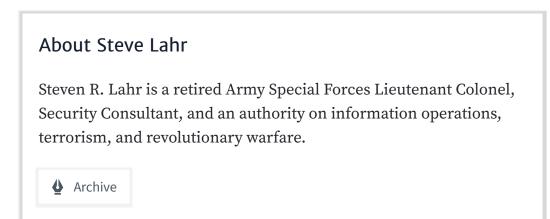


Q Search

the tobacco and alcohol industries, and information manipulation is no less insidious. Antitrust suits should be explored where tech giants hold a monopoly, or a disproportionate market segment. Online information companies should be appropriately regulated and taxed based on their respective industry.

In short, if entities engage in censorship, information manipulation, algorithm-driven deception, speech restrictions, or purposeful news placement they should be appropriately regulated, taxed, or punished. Perhaps all three.







Support Free & Independent Journalism

Your support helps protect our independence so that American Greatness can keep delivering top-quality, independent journalism that's free to everyone. Every

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Taming Thought Engineers > American Greatness



Want news updates? Sign up for our newsletter to stay up to date. Enter your email Subscribe A responses to "Taming Thought Engineers" stephen 10/25/20 at 4:35 am Entities like who ever at AG dropped discus? Lucius Severus Pertinax 10/25/20 at 4:51 am Excellent question!

They are also keepers of our social score. Which they could sell to political parties who can reward/punish us for our apparent beliefs.

Joe Bloe

Orenv

Why do you want Disqus? It seems like a privacy concern to me and is designed for advertising to site users.

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10/25/20 at 6:29 am

10/25/20 at 1:54 pm

Taming Thought Engineers > American Greatness



Privacy Policy Terms of Service

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Exhibit Q-2

Business Entity Summary

- Summary
- <u>Address</u>
- <u>Agent</u>
- <u>Filings</u>
- <u>Names</u>
- <u>Officers</u>
- <u>Stock</u>
- <u>Search Again</u>

Print Certificate of Existence

Searched: Envoy Sage, LLC

Business No. Legal Name Status 639287 ENVOY SAGE, LLC Active State of Inc. Modified Type IA Legal No **Expiration Date Effective Date Filing Date** PERPETUAL 8/5/2020 2:09 PM 8/5/2020 2:09 PM Chapter CODE 489 DOMESTIC LIMITED LIABILITY COMPANY

Names (Viewing 1 of 1)

TypeStatus ModifiedNameLegal Active NoENVOY SAGE, LLC

Registered Agent or Reserving Party

Full Name

KEVIN T. KELLY Address Address 2 755 TANGLEWOOD CT City, State, Zip DUBUQUE, IA, 52003

Home Office

Full Name

Address

Address 2

16555 ROLLING HILLS ESTATES

City, State, Zip

DUBUQUE, IA, 52001

12/3/21, 11:39 AM

<u>↑ Back to Top</u>

Exhibit Q-3



Department of State / Division of Corporations / Search Records / Search by Entity Name /

Detail by Entity Name

| Foreign Limited Liability Co ENVOY SAGE, LLC | ompany |
|---|---------------|
| Filing Information | |
| Document Number | M21000012150 |
| FEI/EIN Number | NONE |
| Date Filed | 09/10/2021 |
| State | IA |
| Status | ACTIVE |
| Principal Address | |
| 1715 CENTRAL AVE | |
| DUBUQUE, IA 52001 | |
| Mailing Address | |
| 1715 CENTRAL AVE | |
| DUBUQUE, IA 52001 | |
| Registered Agent Name & A | <u>ddress</u> |
| LAHR, STEVEN | |
| 4409 CREWS CT | |
| PT CHARLOTTE, FL 3395 | 2 |
| Authorized Person(s) Detail | |
| Name & Address | |
| Title MGR | |
| LAHR, STEVEN | |
| 4409 CREWS CT | |
| PT CHARLOTTE, FL 3395 | 2 |
| Title MBR | |
| LAHR, STEVEN | |
| 4409 CREWS CT | |
| PT CHARLOTTE, FL 3395 | 2 |
| Title AP | |
| | |

LAHR, STEVEN

| Detail | by | Entity | Name |
|--------|----|--------|------|
|--------|----|--------|------|

| 4409 CREWS CT PT CHARLOTTE, FL 33952 | |
|---|--|
| <u>Annual Reports</u> No Annual Reports Filed | |
| Document Images 09/10/2021 Foreign Limited View image in PDF format | |

Florida Department of State, Division of Corporations

Exhibit Q-4



Home Services Op. Principles About Performance Contact News



202.379.3045



CRITICAL POINT CONSULTING SERVICES

During every crisis situation, there is a CRITICAL POINT where the right decision or right information makes the difference. Accordingly, we deliver rapid clarity, agile leadership, and creative solutions designed specifically for these chaotic moments.

Services

YOUR STRATEGIC PARTNER DURING CHAOS, CRISIS & CHANGE -- C3

The future promises increasing levels of disorder, rapid market dynamics, and complex disinformation that can threaten your operations. We promise speed, agility, and entrepreneurial creativity delivered by proven professionals with integrity and discreet operations.





Competitive Business Measures

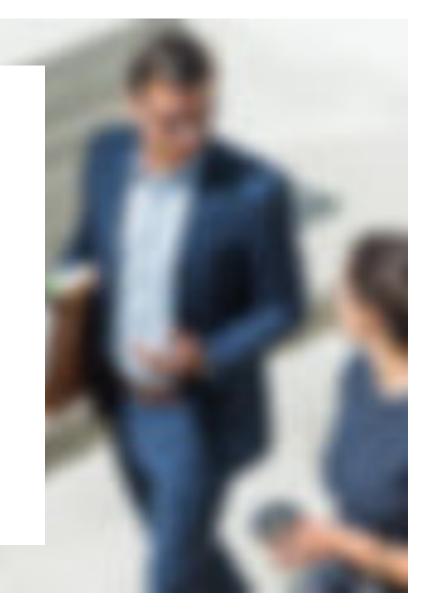
SET CONDITIONS FOR SUCCESS

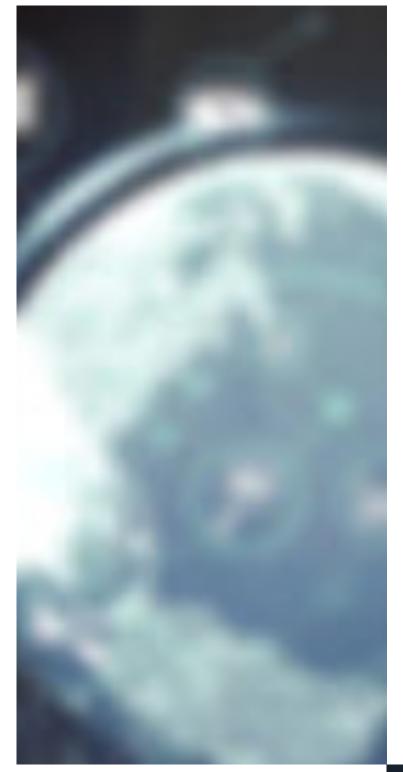
• Competitive Intelligence

- Multi-Source Analytics
- Predictive Analysis
- Red Team/Black Hat Analysis

Operating Principles for C3

- Complete mission focus on client success
- Professionalism with integrity and candor
- The best subject matter expertise recent and relevant skills/experience
- Proven processes and effective systems
- The right equipment, software, forensic applications, and tools
- Properly prepared thoughtful plans with contingency options
- Precise execution with agility & speed
- Discreet and secure operations
- Excellent and rapid communications
- Leveraging Lessons Learned
- Media Operations overlaid in all projects





About

CONSULTING SERVICES TAILORED FOR CRISIS, CHAOS & CHANGE - C3

Our capability to operate and succeed in C3 environments was forged during global pursuit and counter-terrorism operations. Envoy Sage leadership and personnel are veterans from the United States Special Operations Command and Intelligence organizations. Our company president is a proven and successful serial entrepreneur, who founded, operated, and transitioned several lucrative ventures. He brings this expertise and experience to every project. We provide analysts, technical professionals, cyber, and digital forensic experts that honed their skills during Nationally-Directed operations, and have customized services for commercial application. Our information and media specialists bring decades of effective Information Operations applied across various domains, platforms, industries, and environments.

Proven Performance

PAST PROJECTS



Fraud Investigation - Oil Industry

Conducted investigation that involved digital forensics, physical evidence, and global tracking. Discovered internal fraud and embezzlement.

»»——↔

Due Diligence Research - International Commerce

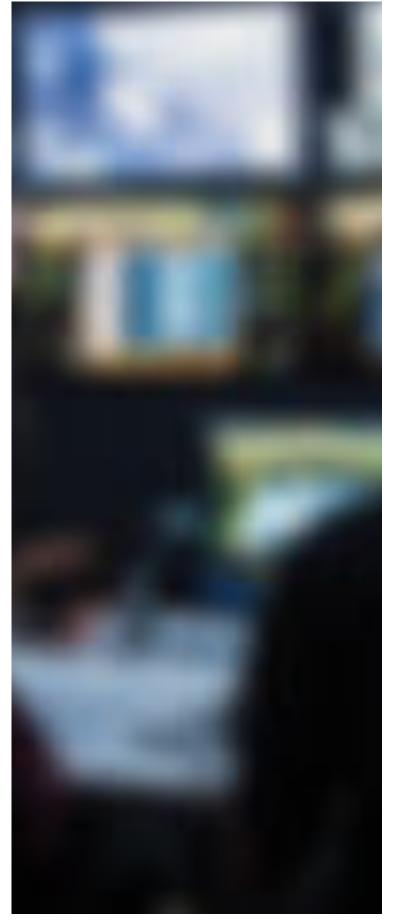
Performed due diligence research for an international corporation that was considering an acquisition of a foreign company. Our research uncovered asset and financial anomalies that was a driver in the decision to not acquire.

Information Operations - Government and Public Space

Exposed disinformation delivered by three coordinating NGOs, which was harming our client. We built and helped execute a Media Information Operation to expose the disinformation and successfully counter the damaging narratives.

Competitive Intelligence - Business Development

This project involved the collection of information for a client (government contract firm) that was used to build a competitive proposal. We gathered and analyzed competitor service methodology, which was critical to our client's winning proposal.









International Association of Computer Industry Specialists --Member National Council of Investigation & Security Services --Member Vigilant Torch Association -Co-Founder

Contributions

- Green Beret Foundation
- Vigilant Torch Foundation
- Veterans of Foreign Wars
- American Legion

Contact

| Name * | |
|------------------|--|
| Enter your name | |
| Email * | |
| Enter your email | |

12/3/21, 11:43 AM

Subject

Type the subject

Message

Type your message here...

Submit

Envoy Sage, LLC

contact@envoysage.com 202.379.3045

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Exhibit Q-5

| | Page 1 |
|----|---|
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| 7 | Transcription of Press Conference based on Audio File Envoy |
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Page 2 1 (Beginning of Audio Recording.) 2 SENATOR DUSH: All right, thanks --3 thanks (inaudible) people to get off instead 4 of being blocked off or missing part of this. 5 Good afternoon. My name is Senator Cris 6 Dush. I'm chairman of the Senator 7 Intergovernmental Operations Committee, and I 8 appreciate you taking the time to join 9 today's media call. 10 As chair of the Senate 11 Intergovernmental Operations Committee, one 12 of my tasks is to lead our PA election 13 investigation efforts. Today we find 14 ourselves at a crossroads when it comes to 15 the integrity of our election process. An 16 F&M poll conducted in August reflected the 17 first time in the history of the poll a 18 noticeable number of Pennsylvania voters 19 mentioned election integrity as one of the 20 state's pressing issues. 21 And 40 percent of all Pennsylvania 22 voters in that Franklin and Marshall poll 23 supported the PA election investigation. 24 As elected officials representing the 25 people of our commonwealth, it is our

responsibility to ensure that people can have trust in our elections and in the process, and we must earn their trust.

Page 3

To accomplish that, we must find out where the weaknesses and strengths are in our system and make appropriate changes to address those weaknesses so we can ensure election integrity.

⁹ That is why we have contracted with
 ¹⁰ Envoy Sage, LLC. In a few moments, you will
 ¹¹ hear from Steve Lehr, president of Envoy
 ¹² Sage, the firm selected to help with the
 ¹³ investigation.

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Please keep in mind, this is an investigation, and we must protect the reliability of that investigation, which means that information and updates will be provided as we are able through the committee and Envoy Sage. But that may not occur as often as some might prefer.

With that, I will now turn this call
 over to our call moderator, Dawn Lush, who
 will walk you through a few instructions.
 Thank you, Dawn.

25 DAWN LUSH: Thank you, Senator. And

again, there was a question if there would be follow-up questions after the Q&A portion. You can always ask your question and maybe press Star 3 again, but there will be no back-and-forth. You will be put live in the line, you will have an opportunity to ask your question, and then you will be muted so that Steve can answer your question.

Page 4

If you have follow-up questions,
please press Star 3 to go through the
screening process again, and with that, I'm
going to turn it over to Steve Lehr,
president of Envoy Sage, LLP. Steve, take it
away.

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STEVE LEHR: Thank you, Dawn. And
 thank you, Senator Dush.

Hello, everyone. It's a pleasure to
speak with you today. My name's Steve Lehr,
and I'm the president of Envoy Sage. My
company was selected to assist the Senate
Intergovernmental Operations Committee with
Pennsylvania election investigation.

Our firm was chosen after an extensive
 interview process. It is an honor to have
 been chosen to assist in this effort. I've

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been conducting complex research investigations, audits, and analysis for more than 35 years. This experience was garnered first in the military and then in the private sector. In both arenas, I've built and led

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teams and successfully delivered crucial information and intelligence, which were the result of extensive, complicated, and sensitive investigation and research, and multi-discipline analysis.

12 We routinely and effectively handled, 13 transported, and protected highly classified 14 governmental material and personal 15 information. We did so while maintaining 16 chain of custody requirements and DOD 17 protocols for evidence, even when operating 18 in dynamic, strict, and high-risk 19 environments.

This past performance provides a strong foundation as we move forward to support the Senate investigation. Our role is to provide investigative expertise, tools, and analysis that are not organic to the Senate. We are focused exclusively on election integrity. Our team will begin with an examination of the 2020 general and the 2021 primary elections in the Commonwealth of Pennsylvania, followed by an analysis of voter submissions made the committee's website.

Next will be a review of previous election audit-related materials, and then we will provide recommendations based on analysis of fact for future election and voting integrity legislation.

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We are aware that there is a subpoena Currently undergoing a legal challenge in the Commonwealth court, and to the extent those are yet undecided, I will not discuss the procedures or efforts that we may or may not take in the future regarding the materials requested in that subpoena.

20Our function here is the provide the21committee with clarity, facts, and analysis.22We have no preconceived notions of what we23will or will not find. Facts as they are24gathered, both digital and physical, will25drive our investigative services.

Page 6

We will handle all concerns, data, or information presented by the citizens of the Commonwealth through the website or to us by the committee with fidelity due diligence, and the utmost discretion. Our team will diligently and professionally protect and secure any and all personal information that we are tasked to analyze if such information comes available to use at any time during the investigation.

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11 Envoy Sage follows industry best 12 practices for information security, handling, 13 and disposal. Our company policies, 14 standards, and procedures meet or exceed the 15 contract requirements as well as the 16 quidelines from the National Institute of 17 Standards in Technology, their cybersecurity 18 framework or NIST CSF, as well as DOD 19 protocols for the protection of PII and 20 sensitive data.

The Senate has made it very clear our efforts must meet the highest standards of professional ethics and integrity. They have engaged in a good-faith contract with Envoy Sage, and we will fulfill our contractual

Page 8 1 obligations in a manner that keeps with the 2 highest traditions of investigatory 3 procedure, ethics, and professional conduct. 4 Thank you. 5 I will now turn it back to our call 6 moderator for Q&A. 7 DAWN LUSH: Okay, thanks everybody. We're going to take our first call. Joe 8 9 Natcha (phonetic) from the Tribune Review in 10 Greensburg, you're live on the air. 11 JOE NATCHA: Yes, Senator, how was 12 Envoy Sage selected? There was a no-bid 13 contract, obviously. How many companies bid? 14 How many companies were interviewed for this 15 process? 16 SENATOR DUSH: Yeah, thank you for the 17 That's really a response required question. 18 by the Committee. I'm not permitted to 19 discuss that as part of our contract. Thank 20 you. 21 DAWN LUSH: And thanks for that call. 22 Next, we have Danielle -- pardon if I don't pronounce it correctly -- Danielle Ohl, 23 24 Spotlight PA. You're live. 25 DANIELLE OHL: Yeah, thanks. Μv

question is -- can you tell us the names of the people who work for Envoy Sage and what they do for the firm?

STEVEN LEHR: Well, thank you for the question. That might take all day. I'll tell you, my name's Steve Lehr. I'm the founder and president, and we've got sitting in the room, Mike Mull (phonetic), and then we've got a great team of staff personnel as well as (inaudible) that support us and help us drive our -- conduct our analysis, conclusions, research, and investigation. Thank you.

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DAWN LUSH: Eddie Kizo (phonetic) from WNTP in Philly, you are next.

16 EDDIE KIZO: Yes, thank you. So 17 Senator, if something is found, right, what 18 is the next step after this? For example, 19 (inaudible) Philadelphia was on the cover of 20 the Inquirer ballot harvesting. Nothing 21 happened to him, and that story went away. 22 So what happens next after this process? 23 Thank you.

24 SENATOR DUSH: Thank you very much for
 25 the -- for the question. I will certainly

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Page 10 1 refer that question to the committee, and it 2 would be more appropriate for the committee 3 and the chair to answer that. 4 DAWN LUSH: Okay. Dan Murphy at 5 You're on the air. PennLive. 6 DAN MURPHY: Hi there. T was 7 wondering as a follow-up to Danielle's 8 question of how many people on your team will 9 have access to the information. It sounds 10 like you said there's so many that you 11 couldn't name them all. And also, with 12 regard to the previous examinations that 13 legislative committees have done into the 14 election, I was wondering if you're familiar 15 with what -- what their work what they found 16 did and didn't work with the 2020 election 17 and what will this \$270,000 that taxpayers 18 are going to spend on this going to buy them 19 that they haven't already heard? 20 SENATOR DUSH: Thank you very much. 21 Again, I've got the same response about the 22 question. It's getting into the details of 23 how we'll conduct the investigation, and I'm 24 not at liberty to discuss those procedures.

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Page 11 1 committee that is conducting the 2 investigation. Thank you. 3 DAWN LUSH: Okay. We've got Andrew 4 Seidman, although Andrew, I don't see where 5 you're calling from. Andrew, where are you 6 calling from, what organization? 7 ANDREW SEIDMAN: Hi, yes. I'm calling 8 from the Philadelphia Inquirer. 9 DAWN LUSH: Okay, thanks. Go ahead, 10 Andrew. You're live. 11 ANDREW SEIDMAN: Thank you. Mr. Lehr, 12 I understand you can't speak much about --13 about the investigation. Can you tell us a 14 little bit more about your past experience? 15 What is your relevant experience that you 16 bring to this investigation, and have you --17 either for Envoy Sage or your previous 18 companies ever investigated an election or 19 election administration? That's my first 20 question. 21 And my second question is what do you 22 make of -- what is your assessment of the 23 reviews that took place earlier this year in 24 Arizona, and do you see that as a potential 25 model for your review?

Page 12 1 STEVEN LEHR: Thank you very much for 2 that -- for that question. With regard to 3 the first part of your question about the 4 investigation, what I would say is that going 5 back to my opening remarks, I've got 35 years 6 conducting investigation, complex research, 7 and then doing multi-functional analysis. 8 That goes to due diligence, finding 9 personnel, conducting intelligence, and 10 garnering facts, and providing those facts 11 and analysis to the stakeholders. We think 12 that will set -- be very valuable to the 13 Senate committee investigating this -- and 14 could you repeat the second question, please? 15 DAWN LUSH: I'm sorry, he is no longer 16 on the air right now. Let's see --17 STEVEN LEHR: Oh, I recall now. You 18 had a question about whether the 19 investigation in other states, specifically 20 Arizona, might be a useful quide. 21 You know, we have followed the

investigations in other states. Some of their process and procedures may or may not be useful to the investigation. To the extent that some of those process and

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Page 13 1 procedures are useful, we will certainly take 2 them under advisement and incorporate them 3 into our system.

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But we don't want to come into the investigation with any preconceived notions, and certainly, we want to stay impartial and don't want this to devolve into a, you know, media event. Thank you.

DAWN LUSH: Thank you, Steve. We're going to go now to Justin at City and State PA. Justin, you're live.

12 JUSTIN SWEITZER: Yeah, hi. Thanks 13 for taking my question. My question centers 14 around donations that you've made, Mr. Lehr, 15 in the past to Republican candidates. I know 16 that Democrats have been very critical of 17 this election investigation effort, calling 18 it a partisan effort.

So I wanted to see what your response would be to their claims that your kind of history of donating to Republican candidates only underscores that this is a partisan review.

STEVEN LEHR: Yeah, thank you very
 much for that question. You know, I think

Page 14

some of the items that I saw in the press were referencing a recent donation a couple years ago to Lindsay Graham for \$250. You know, that's a family member of mine donated that amount.

6 As an American citizen, I don't think 7 it takes away my ability to, on the personal 8 side, provide a support to candidates on the 9 left or the right. I've supported candidates 10 that are Democrats and candidates that are 11 Republicans, and I have worked professionally 12 for both administrations, Democrat and 13 Republican, and I've been able to put a 14 firewall between my personal and professional 15 business dealings, and I've been quite 16 successful and hired by and have been 17 continued to be hired by both -- both 18 administrations. And I see myself as very 19 bipartisan, fair, and will conduct myself as 20 such.

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DAWN LUSH: Thank you, Steve. Next up is Marley Parish of Capitol Star. Go ahead, Marley.

MARLEY PARISH: Hi, thanks for taking
 my question. This is following up on

Danielle and Dan's question. How many people are on your team, and is that going to be enough in terms of conducting this investigation and going through all the information that was referenced in opening remarks?

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Page 15

7 STEVEN LEHR: Yeah, certainly. Thanks 8 for the question. Our team has got the 9 ability to scale when we need more members 10 and more expertise. We add them to the team, 11 either as a fulltime effort, 1099, or 12 subcontractors. And when we need to 13 contract, we're able to do that.

14 So we are very agile in growing the 15 team rapidly with expertise and supporting 16 the client as needed during the investigatory 17 process. Thank you.

¹⁸ DAWN LUSH: (Inaudible) Mark Levy with ¹⁹ the Associated Press. You're up.

20 MARK LEVY: Hi, Mr. Lehr. So what I 21 think I hear you saying is that you don't 22 have any experience specific to elections, 23 but given your description of the past work 24 you've done, I was wondering if there is a 25 contract that you could describe in detail Page 16 the work you did on it, something that maybe you're particularly proud of that would give us sort of a sense of what you mean when you say you've handled information, done investigations?

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STEVEN LEHR: Yeah, thank you for that. Most of our work is confidential and classified at the highest levels from the -for the U.S. Government and the Department of Defense. So I'm not at liberty to discuss those contracts and especially the details of those contracts.

13 I will leave it with you to reiterate 14 what we said earlier. We handled a great 15 deal of personal information and classified 16 information while we conducted investigations 17 for government agencies and -- and the 18 Department of Defense. That information, 19 those techniques, our procedures will be very 20 valuable to the Senate investigation. Thank 21 you.

DAWN LUSH: Okay. And we have time for one more caller. Jonathan Lai with the Inquirer. Jonathan, you're on.

²⁵ JONATHAN LAI: Okay, thanks. This is

a question for Steve. I heard what you said about no preconceived notions, and I know you can't get too deep into (inaudible). But I'm still a little confused as to what exactly you'll be doing, and I'm wondering if you can tell us some of the specific types of questions you're trying to answer.

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Page 17

So for example, are you trying to find voter fraud specifically? You know, what are some of the things you're trying to determine?

12 Yeah. STEVEN LEHR: Thank you for 13 that question. You know, we're focused on an 14 examination of the -- of -- we're focused on 15 election integrity, and our team, as I 16 mentioned earlier, is going to begin with an 17 examination of the 2020 general and 2021 18 primary elections in the Commonwealth of 19 Pennsylvania.

Then we're going to shift and conduct an analysis of voter submissions made to the committee's website, followed by a review of previous election audit-related materials, and then we're going to provide recommendations based on analysis of fact for

Page 18

future election and voting integrity legislation. Thank you.

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DAWN LUSH: Okay. That wraps up the Q&A portion of our call. We have some final words from Senator Dush. Go ahead, Senator.

SENATOR DUSH: Yes, thank you, and this is Senator Dush, and I want to thank all the reporters and media outlets for being part of this call.

I offer special thanks to Steve for making himself available today, and I think this call was informative and helpful, and I look forward to seeing the great work Envoy Sage is going to do in helping us investigate and strengthen our election system.

We will continue to keep you informed as the next steps of the investigation as that information is available. Thank you, all, again, for participating.

20AUTOMATED VOICE: The Access Live21event has ended.

(End of Audio Recording.)

| | Page 19 |
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Exhibit Q-6

PA Election Investigation — Restoring Faith in Our Elections





In order to identify and address election irregularities and strengthen our voting laws, the Senate Intergovernmental Operations Committee is conducting a thorough investigation into the 2020 General Election and the 2021 Primary Election.

Our work will build upon previous reviews by the Senate Special Committee on Election Integrity and Reform and the House State Government Committee. However, our approach will be focused on digging much deeper into the problems and irregularities that have been reported in the system and working to rectify those issues.

Senator Cris Dush

A Responsible, Thoughtful and Transparent Investigation

The investigation will include public hearings, eyewitness testimony from Pennsylvanians, a deep-dive review into our voting system, and recommendations for legislative improvements. The goal is to create a fair, transparent process everyone can believe in.

Sign Up for Updates

Subscribe to stay connected with Senator Dush's "Inside the Election Investigation" e-newsletter.

| First Name: | |
|----------------|--|
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1. Gathering Evidence

Invite Pennsylvanians to share election fraud testimony. Gather information at public hearings.

2. Election Integrity Investigation



Request/subpoena & inspect election materials.

3. Report & Legislative Action

Report findings & legislative recommendations to General Assembly.



Subpoenas Issued

Senate Panel Votes to Issue Subpoenas for Election-Related Documents from **Department of State**

The Senate Intergovernmental Operations Committee met on September 15, 2021, to approve a subpoena for data, communications and other materials from the Pennsylvania Department of State.

Read the full language of the subpoena here.

This information will be critical to the committee's review of our elections, providing a clearer picture of potential problems with the state's voter registration system and any other voting irregularities.

Submit Your Testimony Now



Gathering firsthand testimony from Pennsylvanians is an important part of the investigation. If you witnessed or were personally and directly affected by election improprieties, please consider sharing your stories here.

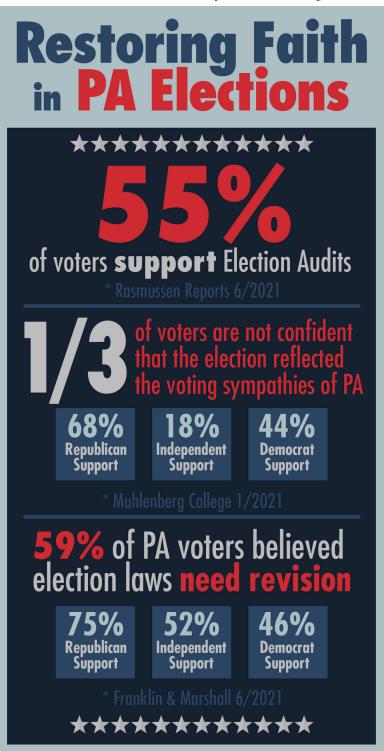
Please note testimony is only being accepted if you are willing to sign a sworn affidavit and potentially testify at a future hearing.

Submit your testimony here.

A Crisis of Confidence in PA Voting Systems

Public opinion polls have revealed a troubling crisis of confidence in our election system.

Home - Pennsylvania Election Investigation



Without a thorough investigation of our elections, these problems will continue to fester and discourage participation in the democratic process.

Frequently Asked Questions

Why are lawmakers trying to get my Social Security number and Driver License number?

That information is necessary to help identify any duplicate registrations, fake registrations, and any votes resulting from those ineligible registrations. Having that information allows us to complete a thorough investigation to ensure every vote cast in every election comes from a living, legal, registered voter.

The General Assembly having this information is no different than any other branch of government having this information. Lawmakers frequently have access to this type of information to help constituents manage problems with the Unemployment Compensation system and other concerns, and no problems have been reported.

Hasn't the state already conducted two audits?

The two audits mandated by the state were completed, but were limited in size and scope. These reviews are routine and not designed to address broader concerns about election security and integrity. Our investigation and audit are intended to go much further.

How will the investigation be funded?

The investigation will be funded through Senate accounts. As such, every effort will be made to minimize costs while still providing a thorough examination of our elections.

Will you do the same type of audit as Arizona?

Although we have learned valuable lessons from Arizona, the process will differ in many ways. We will work with the vendor to determine best practices and allow the investigation to follow wherever the evidence leads.

Vendor Frequently Asked Questions

What experience does the vendor have in investigating elections?

The team at Envoy Sage has decades of experience in research, investigation, program management, and communications, all of which will be necessary to conduct a thorough review of Pennsylvania's elections. Their team includes analysts, technical professionals, and digital forensic experts who honed their skills during nationally directed operations.

How much is the vendor being paid?

The contract language, available here, shows a cost of approximately \$270,000.

Who chose the vendor?

Senator Cris Dush (R-25) in consultation with Senate leadership and Republican members of the Intergovernmental Operations Committee chose the vendor through a rigorous process where merit, competence, impartiality, political affiliations, and more were considered to ensure that the vendor would be more than capable of conducting a fair and thorough investigation of Pennsylvania's elections.

How will the vendor protect my personal information?

Envoy Sage is well-suited to protect the personal information of Pennsylvania voters, as they not only have handled sensitive information for government agencies, but also have kept classified information safe for the Department of Defense. In fact, much of their team either previously or currently maintains high-level clearances to complete investigations for the most senior levels of government.

Furthermore, the language protecting voters' personal information that is included in the Senate's contract with Envoy Sage is consistent with the language that the Pennsylvania Department of State uses when they contract with third party vendors to maintain the State Uniform Registry of Electors (SURE) system. If this language is strong enough to safeguard sensitive voter information with the Department's thirdparty vendors, then it's strong enough to do so for this investigation too.

If you would like to learn more about the contract restrictions placed on the vendor and the protections added to safeguard personal information and taxpayer dollars, the contract language is available here.

What political affiliations does this vendor have?

None – they are not political. The vendor has never worked for a political party or candidate and does not engage in political advocacy. They have worked with the Department of Defense for both Democrat and Republican Administrations. Furthermore, the contract explicitly prohibits the vendor from engaging in any future political activities to ensure this investigation is completed in a professional, non-partisan manner.

If you would like to learn more about the contract restrictions placed on the vendor and the protections added to prohibit political activities, the contract language is available here.

How can we be sure this vendor will conduct a fair, thorough, and objective review of Pennsylvania elections?

Envoy Sage is committed to conducting a fair, thorough, and impartial investigation into Pennsylvania's elections. With decades of experience working under both Republican and Democrat Administrations at the federal level and no political affiliations clouding their judgement, Envoy Sage is entering into this project with no pre-conceived notions for what they will or will not find as they investigate the Commonwealth's election systems and data. Envoy Sage's team includes analysts, technical professionals, and digital forensic experts who investigated countless matters of national significance throughout their careers.

Envoy Sage's impressive and extensive investigative resume, coupled with the strict guidelines baked into the contract to ensure that the investigation is impartial and thorough, speaks to Envoy Sage's ability to produce legitimate and useful results.

If you would like to learn more about the contract restrictions placed on the vendor and the protections added to prohibit political activities, protect the personal information of Pennsylvania voters, and ensure a fair and objective review of our elections, the contract language is available here.

How long has this vendor been in the business of conducting investigations?

Envoy Sage personnel have decades of experience in research, investigation, program management, and communications, all of which will be necessary to conduct a thorough review of Pennsylvania's elections. Envoy Sage's team has been involved in conducting high-level investigations through many iterations of the company. The President only recently sold his previous investigative and analytics business and merged it with another company because it was so successful.

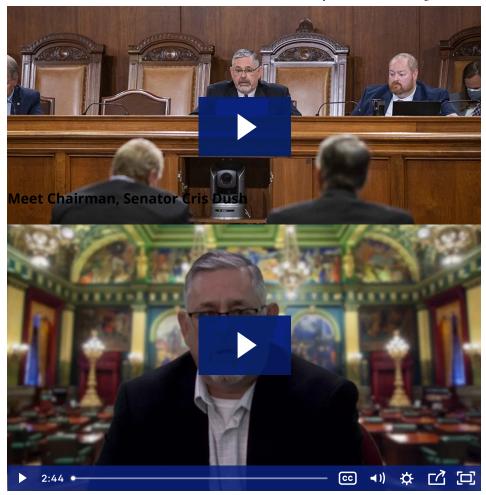
Committee Videos & Hearings



Public Hearing — September 15, 2021

Public Hearing — September 9, 2021

Home - Pennsylvania Election Investigation



In the News

Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections

Nov 19, 2021

Envoy Sage, a service-disabled veteran-owned small business specializing in research, investigation, program management, and crisis communications, announced earlier today that it has been selected by Pennsylvania State Senator Cris Dush (R-25) in consultation with Senate Republican leadership and members of the Intergovernmental Operations Committee to conduct a thorough investigation of Pennsylvania's elections.

Dush: Commonwealth Court Filing Reaffirms Legislature's Authority to Conduct Election Investigation

Oct 22, 2021

Fighting back against the false narratives and cheap scare tactics of Attorney General Josh Shapiro and Senate Democrats, Senator Cris Dush (R-Jefferson) and Senate Republicans responded in court today with a filing that reaffirms the General Assembly's role to provide oversight and transparency of Pennsylvania's elections.

Listen

Senator Dush Provides Update on Election Integrity Investigation

Oct 21, 2021

HARRISBURG – Senator Cris Dush (R-Jefferson) provided an update today on the status of the Senate Intergovernmental Operations Committee's effort to conduct a thoughtful, responsible review of recent elections. The Attorney General and Senate Democrats sought to block...

Op-Ed: Don't Be Fooled by Democrats' Election Investigation Scare Tactics

Oct 1, 2021

Since lawmakers voted to subpoena information from the state's voter registration system two weeks ago, many Pennsylvania Democrat Leaders have made wild accusations about what will happen to this data when it is eventually turned over by the Department of State.

Senate Panel Votes to Issue a Subpoena for Election-Related Documents from Department of State

Sep 15, 2021

To continue its legislative investigation into the integrity of recent elections, the Senate Intergovernmental Operations Committee voted today to issue subpoenas for a variety of different materials from the Pennsylvania Department of State. Key Points

Media Advisory – Senate Intergovernmental Operations Committee Plans Subpoena Vote September 15

Sep 12, 2021

The Senate Intergovernmental Operations Committee will meet on Wednesday, September 15, at 9:30 a.m. in Room 8E-B of the Capitol Building in Harrisburg to vote on subpoenas as part of the committee's investigation into recent elections.

Work Begins on Election Integrity Investigation – Department of State Refuses to Cooperate

Sep 9, 2021

As the Senate Intergovernmental Operations Committee began its investigation into the 2020 General Election and the 2021 Primary Election today, key witness testimony was missing due to the refusal of Department of State officials to participate.

Senate Intergovernmental Operations Committee Invites Public to Submit Sworn Testimony in Election Investigation

Sep 2, 2021

The Senate Intergovernmental Operations Committee has created a special webpage for Pennsylvania residents to submit sworn testimony regarding problems they have personally experienced with the state's election system, according to Committee Chair Senator Cris Dush (R-Jefferson).

Senator Cris Dush Issues Statement on Election Integrity Review

Aug 21, 2021

"The people of Pennsylvania are experiencing a crisis of confidence in our elections, and I take my newfound responsibility to conduct an election integrity investigation very seriously.

Exhibit Q-7



News

Pa. Republicans won't hire a contractor for 2020 election review until a judge gives the OK, aide says

Senate Democrats and state Attorney General Josh Shapiro sued to block a subpoena seeking voter records. A judge has yet to rule.



Pennsylvania Sen. Cris Dush (R., Jefferson), chairman of the committee reviewing the 2020 election. Matt Rourke / AP

by Andrew Seidman Published Oct 3, 2021

Pennsylvania Senate Republicans say they won't hire a private contractor to assist with their review of the 2020 election until a judge weighs in on the matter.

A GOP-led Senate committee subpoenaed Gov. Tom Wolf's administration last month https://www.inquirer.com/news/pa-republicans-election-review-subpoena-contractor-20211003.html く

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subpoena in Commonwealth Court, and the Wolf administration did not hand over the

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records Friday. A judge has yet to issue a

ruling in the cases.

Republicans say they are awaiting court review before they hire a vendor.

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"We're not going to finalize anything with a vendor and spend taxpayer dollars until we can make sure that the investigation is allowed to move forward by the courts," Jason Thompson, a spokesperson for the Senate committee leading the review, said Sunday. "We're proceeding with an abundance of caution when talking about spending taxpayer dollars."

WHY WE'RE NOT CALLING IT AN AUDIT

The Inquirer is not currently referring to attempts by Pennsylvania Republicans to investigate the 2020 presidential election as an audit because there's no https://www.inquirer.com/news/pa-republicans-election-review-subpoena-contractor-20211003.html

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politicians will play a role; how the review will be documented; how election equipment and ballots, if obtained, would be secured; and what the scope of any review would be. Joe Biden won Pennsylvania by more

<u>than 80,000 votes.</u> State and county audits affirmed the outcome, and <u>there is no evidence of any significant fraud</u>.

The subpoena seeks records from the Department of State on all nine million registered voters, including nonpublic personal information such as their driver's license numbers and the last four digits of their Social Security numbers.

Sen. Cris Dush (R., Jefferson), chairman of the panel that issued the subpoena, has said the records will help lawmakers investigate potential election fraud. Senate Republicans have been interviewing potential vendors to help review those records and aid the broader inquiry.

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NEWS SPORTS BUSINESS OPINION POLITICS ENTERTAINMENT

GOP lawmakers issued the subpoena after former President Donald Trump and his allies spent months urging Republican

legislatures in Pennsylvania and other swing states he lost to reexamine the election.

President Joe Biden won Pennsylvania by more than 80,000 votes. Neither litigation nor post-election audits turned up evidence to the contrary.

Senate Democrats filed a lawsuit on Sept. 17 alleging the subpoena tramples on the authority of the executive and judicial branches and violates state election law, which they say prohibits the disclosure of voters' private information to a third-party vendor.

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Q Q NEWS SPORTS BUSINESS OPINION POLITICS ENTERTAINMENT

The Senate Intergovernmental Operations Committee "is analyzing whether to make, alter, or repeal election laws," wrote outside

counsel Matthew H. Haverstick, of the law firm Kleinbard LLC. "It is doing so through a factual investigation. That investigation is being conducted in part by subpoena. And the subject matter of the investigation elections — is not only arguably within the Senate's power, but also constitutionally committed to the Senate's (and House's) purview in multiple sections."

Republicans also disputed Democrats' claim that sharing voters' personal information with a private vendor would violate state law, noting that the Department of State is currently under contract with a firm that helps administer the statewide voter registration database.

"There is no reason to believe or suggest that any contract with a third-party vendor to review this information as part of the committee's investigation would not contain the same types of protections against unlawful disclosure as would any contract entered into by the Department of State as it relates to this information," court papers say. Q

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Exhibit Q-8

Home > Campaign finance data > Browse data > Individual contributions

Individual contributions

Viewing 5 filtered results for: Reset filters

"steven lahr"

| Contributor name | Recipient | State | Employer | Receipt date | Amount |
|-----------------------|--|-------|--------------------------|-----------------|------------|
| LAHR, STEVEN | TEAM GRAHAM, INC. | IA | | 10/14/2020 | \$250.00 |
| LAHR, STEVEN | PERKINS FOR CONGRESS | VA | SILVERBACK 7 | 06/30/2011 | \$500.00 |
| LAHR, STEVEN | BACHMANN FOR CONGRESS | MN | INFORMATION REQUESTED | 02/15/2010 | \$20.00 |
| LAHR, STEVEN MR. | NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE | VA | SILVERBACK 7 LLC | 05/22/2007 | \$500.00 |
| STEVENS, LAHRUE JR | THIBODAUX FOR CONGRESS '96 | LA | PHYSICIAN | 05/03/1996 | \$1,000.00 |

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Showing 1 to 5 of 5 entries

Exhibit Q-9

« Senate Votes to Help PA's Economy

and Veterans

Senator Dush Statement on the

Selection of Envoy Sage to Conduct

Impartial Investigation of Pennsylvania's

Elections »

Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections

Posted on Nov 19, 2021

(Dubuque, IA) – Envoy Sage, a service-disabled veteran-owned small business specializing in research, investigation, program management, and crisis communications, announced earlier today that it has been selected by Pennsylvania State Senator Cris Dush (R-25) in consultation with Senate Republican leadership and members of the Intergovernmental Operations Committee to conduct a thorough **investigation of Pennsylvania's elections**.

Based in Dubuque, Iowa, Envoy Sage's team has decades of experience conducting investigations that are complex and large scale, regularly employing multi-discipline teams to do so, including analysts, technical professionals, and digital forensic experts who investigated countless matters of national significance throughout their careers.

Importantly, the company is well-suited to protect the personal information of voters, as they not only have handled sensitive information for government agencies, but also have kept classified information safe for the Department of Defense. Much of their team either previously or currently maintains high-level clearances to complete investigations for the most senior levels of government which required them to have the proper knowledge, skills, and experience handling evidence and preserving chain of custody.

"Envoy Sage is committed to conducting a fair, thorough, and impartial investigation into Pennsylvania's elections," said Steve Lahr, company President. "With decades of experience working under both Republican and Democrat Administrations at the federal level and no political affiliations clouding our judgement, we are entering into this project with no pre-conceived notions for what we will or will not find as we investigate the Commonwealth's election systems and data. We understand that this objectivity is critical so that the Intergovernmental Operations Committee can use our results and recommendations as they craft future legislation to improve Pennsylvania's elections."

In addition to having no political associations, which includes refraining from actively supporting both current candidates and candidates who were on the 2020 or 2021 ballots in Pennsylvania, Envoy Sage is also contractually prohibited from engaging in any political or lobbying activities moving forward for the duration of the investigation, thereby ensuring that the process is impartial and fair.

The contract language sets the length the relationship between Envoy Sage and the Pennsylvania Senate Intergovernmental Operations Committee at no more than six months, with an option to extend if both parties deem necessary.

At this point in time, Envoy Sage is to provide planning and consulting services necessary to continue the investigation, including recommendations on how best to review whatever information is ultimately received from the Pennsylvania Department of State on the State Uniform Registry of Electors (SURE) system. The contract covers document analysis, consultation, review of election concerns and affidavits submitted to the committee, analysis of other election integrity initiatives across the nation, and more.

CONTACT: <u>Steve Lahr</u> (Envoy Sage) <u>Jason Thompson</u> (Senate Republicans)



Exhibit Q-10



Climate

Trending News Abortion

Coronavirus pandemic Oxford High School shooting Ghislaine Maxwell

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Senate GOP hires firm to review Pennsylvania's 2020 election

By MARK SCOLFORO November 19, 2021

HARRISBURG, Pa. (AP) — Republicans in the Pennsylvania Senate said Friday they will pay up to \$270,000 over the next six months to have an Iowa consulting firm examine the 2020 election with an eye toward developing changes to state election law.

The "forensic investigation" is being launched in response to pressure from Republican supporters of former President Donald Trump upset over his 80,000-vote loss in the state, but is well short of the Arizona-style "audit" that many of them have clamored for.

A related subpoena issued by a GOPcontrolled Senate committee, seeking voter data from the executive branch, is currently on hold awaiting a hearing in Commonwealth Court next month.

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| | | Leader Kim Ward, R-W Envoy Sage, a Dubuque | | | | |
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| | | public in redacted form days. | n in the coming | | | |
| | | The company will be p taxpayer-funded leader Ward controls and the extended, he said. | rship account that | | | |
| | | "The goal is to determ exist in our election sy them through legislation said Friday. | stem and to fix | | | |
| | | Envoy Sage president S a statement saying com have no "pre-conceived we will or will not find considers objectivity to | npany officials d notions for what " and that he | Advertise | MENT | |
| | | Thompson initially sai not reply to a message interview, recalled mal political donation, seve friend from his time in Later Friday, Thompso acknowledged also ma the National Republica Committee and to U.S Graham, a South Caro | seeking an king only a single eral years ago, to a the military. n said Lahr king donations to in Congressional . Sen. Lindsay | | | |
| | | "I think that it was an his part," Thompson sa | | | | |
| | | Lahr's statement descr ahead as including doc review of concerns sol public by the Senate ar election integrity initia states. | ument analysis, actied from the ad a look at | | | |
| | | Senate Intergovernme Committee Chair Cris Jefferson, who is leadin process, said in a state Sage had handled sens for other governmenta | Dush, R- ng the review ment that Envoy itive documents | | | |

| AP NEWS | |
|------------------------|---|
| | committee Dush chairs had no role in selecting the consultant, said Senate Minority Leader Jay Costa, D-Allegheny |
| Trending News Abortion | Coronavirus pandemic Oxford High School shooting Ghislaine Maxwell Climate |
| | nad previously said they would wait until the subpoena litigation had been resolved. |
| | "They agreed to wait, and then went ahead with hiring their own firm to carry out this political, unnecessary and costly witch hunt," Costa said in a release. He also noted Senate President Pro Tempore Jake Corman, R-Centre, recently announced his entry into the 2022 gubernatorial primary. |
| | Thompson said the firm was hired now in part because, in opposing the subpoena, Democrats had said they did not know who would be given the voter data. |
| | Senate Democrats and state Attorney General Josh Shapiro, a Democrat who also is in the race for governor, have sought to block the subpoena, calling it an abuse of legislative power and focusing on the demand for information about voters. |
| | "They intend to entrust the personal, private data of 9 million Pennsylvanian voters to a company that has been in existence for barely one year and that has no election experience, other than donating to the Republican Party," Shapiro's office said in a statement. "We still have no information on how they intend to protect voters' confidential information and what they plan to use it for." |
| | The subpoena seeks state elections officials' communications with counties and the names of who voted in last year's presidential election, including birth dates, addresses, driver's license numbers and partial Social Security numbers. |

https://apnews.com/article/donald-trump-pennsylvania-elections-senate-elections-iowa-82ddd8009eb3922ec41b6fd1a1ae089a

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Exhibit Q-11

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TO: **Registration Section Division of Corporations**

ENVOY SAGE, LLC

SUBJECT: ____

For further

Name of Limited Liability Company

The enclosed "Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida," Certificate of Existence, and check are submitted to register the above referenced foreign limited liability company to transact business in Florida.

Please return all correspondence concerning this matter to the following:

| | Name of Person | |
|--|--|--|
| ENVOY SAGE LLC | | |
| | Firm/Company | |
| 4409 CREWS CT | | |
| <u> </u> | Address | |
| PORT CHARLOTTE, FL 33952 | | |
| C | ity/State and Zip Code | |
| S.LAHR@ENVOYSAGE.COM | | |
| E-mail address: (to be | e used for future annual report notification) | |
| er information concerning this matter, please ca | 1): | |
| STEVEN LAHR | 703 395-9918 at () | |
| Name of Contact Person | Area Code Daytime Telephone Number | |
| Mailing Address: | Street Address: | |
| Registration Section | Registration Section | |
| Division of Corporations | Division of Corporations | |
| P.O. Box 6327 | Box 6327 The Centre of Tallahassee | |
| Tallahassee. FL 32314 | 2415 N. Monroe Street, Suite 810 Tallahassee, FL 32303 | |
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| S125.00 Filing Fee S130.00 Filing Fe Certificate | e & 🛛 \$155.00 Filing Fee & 🗧 \$160.00 Filing Fee. Certificate | |

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 605,0902, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN-LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

| ENVOY SAGE2, LLC | Limited Liability Company: must include "Limited | | | |
|----------------------------------|--|-----------------------------------|-----------------------------------|--------------|
| IOWA | name adopted for the purpose of transacting business in Fl hich foreign limited liability company is organized) | | nate name must include "Limited L | |
| 4 | (Date first transacted business in Florida, if prior to (See sections 605.0904 & 605.0905, F.S. to determi | registration.) ne penalty liab | ility) | |
| 1715 CENTRAL AVE 5 | | | 09 CREWS CT (Mailing Address) | <u> </u> |
| DUBUQUE, IA 52001 | | РС | ORT CHARLOTTE, FL 3 | |
| 7. Name and <u>street addres</u> | ss of Florida registered agent: (P.O. Box | NOT_acc | eptable) | - <u>121</u> |
| Name: | STEVEN LAHR | | | |
| Office Address: | 4409 CREWS CT | | | |
| | PORT CHARLOTTE | | 33952 , Florida | 95 04 |

Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

(Zip code)

(City)

ered agent's signature)

8. For initial indexing purposes, list names, title or capacity and addresses of the primary members/managers or persons authorized to manage [up to six (6) total]:

| <u>Title or Capacity:</u> | Name and Address: | Title or Capacity: | | Name and Address: |
|---------------------------|--------------------------|--------------------|----------|-------------------|
| Manager | Name: | □Manager | Name: | |
| Member | Address: 4409 CREWS CT | Member | Address: | |
| Authorized | PORT CHARLOTTE, FL 33952 | Authorized | | <u> </u> |
| Person | | Person | | |
| D0ther | Other | Other | | Other |
| | | | | |
| □Manager | Name: | □Manager | Name: | |
| □Member | Address: | □Member | Address: | |
| □Authorized | | Authorized | | |
| Person | | Person | | |
| Other | Other | □Other | | Other |
| | | | | |
| □Manager | Name: | □Manager | Name: | |
| Member | Address: | □Member | Address: | |
| Authorized | | Authorized | | |
| Person | | Person | | |
| □Other | | Other | | Dother |

Important Notice: Use an attachment to report more than six (6). The attachment will be imaged for reporting purposes only. Nonindexed individuals may be added to the index when filing your Florida Department of State Annual Report form.

9. Attached is a certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted)

10. This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

Signature of an authorized person

STEVEN LAHR

Typed or printed name of signee

9/7/21, 10:20 AM

Certificate of Standing

IOWA SECRETARY OF STATE PAUL D. PATE



CERTIFICATE OF EXISTENCE

lssue Date: 9/7/2021

Name: ENVOY SAGE, LLC (489DLC - 639287) Date of Incorporation: 8/5/2020 Duration: PERPETUAL

I, Paul D. Pate, Secretary of State of the State of Iowa, custodian of the records of incorporations, certify the following for the limited liability company named on this certificate:

- a. The entity is in existence and duly incorporated under the laws of lowa.
- b. All fees, taxes and penalties required under the Revised Uniform Limited Liability Company Act and other laws due the Secretary of State have been paid.
- c. The most recent biennial report required has been filed with the Secretary of State.
- d. The Secretary of State has not administratively dissolved the limited liability company.
- c. The Secretary of State has not filed either a statement of dissolution or statement of termination.

Certificate ID: CS229048

To validate certificates visit: sos.iowa.gov/ValidateCertificate

Paul D. Pate, Iowa Secretary of State

Exhibit Q-12



Return To: Tara L. Holste and Vanessa E. Holste, 16555 Rolling Hills Dr., Dubuque, IA 52001 Taxpayer: Tara L. Holste and Vanessa E. Holste, 16555 Rolling Hills Dr., Dubuque, IA 52001 Preparer: Brian J Kane, 2100 Asbury Rd., Ste. 2, Dubuque, IA 52001, Phone: (563) 582-7980



WARRANTY DEED JOINT TENANCY

For the consideration of Ten Dollars (\$10.00) and other valuable consideration, Steven R. Lahr and Debra K. Lahr, husband and wife, do hereby Convey to Tara L. Holste and Vanessa E. Holste, a married couple, as joint tenants with full rights of survivorship and not as tenants in common, the following described real estate in Dubuque County, Iowa:

Lot 1 of Lot 1 and Lot 2 of Lot 1 of Rolling Hills Estates No. 2, being partly in the City of Sageville, Dubuque County, Iowa, according to the recorded plat thereof.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

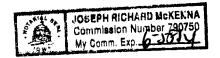
Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: June // , 2021.

Grantor Steven R.

Debra K. Lahr, Grantor

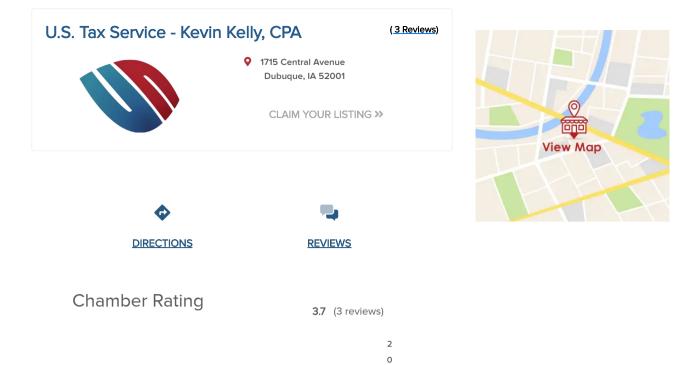
STATE OF IOWA, COUNTY OF DUBUQUE This record was acknowledged before me on June _____, 2021 by Steven R. Lahr and Debra K. Lahr, husband and wife.



Signature of Notary Public

Exhibit Q-13

 $\frac{\text{HOME}}{\text{HOME}} >> \frac{\text{UNITED STATES}}{\text{UNITED STATES}} >> \frac{\text{IOWA}}{\text{IOWA}} >> \frac{\text{DUBUQUE}}{\text{DUBUQUE}} >> \frac{\text{ACCOUNTANTS CERTIFIED PUBLIC CPA}}{\text{U.S. TAX SERVICE - KEVIN KELLY, CPA}}$



0 0 1

ABOUT

U.S. Tax Service - Kevin Kelly, CPA is located at 1715 Central Avenue in Dubuque, lowa 52001. U.S. Tax Service - Kevin Kelly, CPA can be contacted via phone at for pricing, hours and directions.

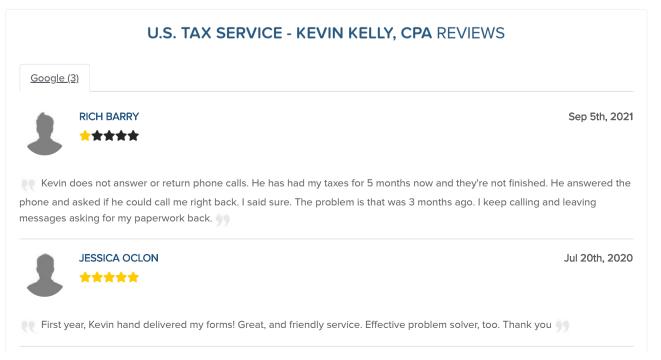
CONTACT INFO

QUESTIONS & ANSWERS Q Where is U.S. Tax Service - Kevin Kelly, CPA located? A U.S. Tax Service - Kevin Kelly, CPA is located at 1715 Central Avenue, Dubuque, IA 52001 Q How big is U.S. Tax Service - Kevin Kelly, CPA?

A U.S. Tax Service - Kevin Kelly, CPA employs approximately 20+ people.

Q How is U.S. Tax Service - Kevin Kelly, CPA rated?

A U.S. Tax Service - Kevin Kelly, CPA has a 3.7 Star Rating from 3 reviewers.



| 1 | JESSICA COLE | | | Apr 16th, 2020 |
|----------|--------------|----------------|---|----------------|
| | | | | |
| | | Overall Rating | | |
| | | (3 Reviews) | | |
| | | | : | 2 |
| | | | (|) |
| | | | (|) |
| | | | (|) |
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| YOUR RAT | NG: | | | |

https://www.chamberofcommerce.com/united-states/iowa/dubuque/accountants-certified-public-cpa/1336607635-u-s-tax-service-kevin-kelly-cpa

Exhibit Q-14

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF CIRCUIT COURT OR BOOK: 4793, PGS: 373 , PAGE: 1 OF 2 INSTR # 2964264 Doc Type: D, Recorded: 6/25/2021 at 3:17 PM Rec. Fee: RECORDING \$18.50 D DOCTAX PD \$9,135.00 Cashier By: CARRIEC

Prepared By and Return To: Steven R. Greenberg, Esquire Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. 2033 Main Street, Suite 500 Sarasota, FL 34237

File Number: 77902-131345 Purchase Price: \$1,305,000.00

General Warranty Deed

Made this June 22, 2021 A.D., by Joseph Imbasciani and Christine M. Imbasciani, husband and wife, whose post office address is: 20232 Sedley Ave., Port Charlotte, FL 33954, , hereinafter called the Grantor, to Steven Raymond Lahr and Debra Kim Lahr, husband and wife, whose post office address is: 4409 Crews Court, Port Charlotte, Florida 33952-9758, hereinafter called the Grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants. bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Charlotte County, Florida, viz:

Lot 11, Block 2101A, PORT CHARLOTTE SUBDIVISION, SECTION 36, a Subdivision, according to the plat thereof, as recorded in Plat Book 6, Page 8A, of the Public Records of Charlotte County, Florida.

Parcel ID#: 402226331010

SUBJECT TO covenants, restrictions, easements, conditions and limitations of record, and taxes for 2021 and thereafter.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Page 1 of 2

Signed, sealed and delivered in our presence: (Signature of Angie Murph (Printed name of first Witness) Witness (Signatur econă lic Q. O(Printed name of second Witnes.

Joseph Imbasciani

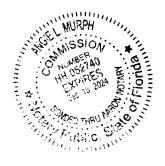
ascian

Christine Imbasciani

STATE OF asota **COUNTY OF**

The foregoing instrument was acknowledged before me, by means of $[\underline{ }]$ physical presence or $[\underline{ }]$ online notarization, this $\underline{ }]$ day of $\underline{ }$ day of $\underline{ }$ day $\underline{ }$, 2021, by **Joseph Imbasciani and Christine M. Imbasciani, husband and wife**, $\underline{ }]$ who is/are personally known to me or $\underline{ }$ who produced $\underline{ }$ day as identification.

(NOTARIAL SEAL)



NOTARY PUBLIC Angiè Murph

Printed Name:

My Commission Expires: _

Page 2 of 2

Exhibit Q-15

\$800.946.2776







Request more Information



Email *

Your Message *

0 of 150 max characters

$5 \times 5 = *$

Spam Control

Here for you

Contact us

On behalf of BPro Inc, we thank you for the opportunity to provide you with information about our company and software. We look forward to working with you and are dedicated to providing excellent services with our commitment to modern technology to fit all your election or business needs.

Should you require additional information or clarification, please do not hesitate to reach me directly at the contact information included below.

Sincerely,

Brandon Campea President / Senior Software Engineer

Contact Information

BPro Inc

102 E 6th Avenue Fort Pierre, SD 57532 (605) 224-8114

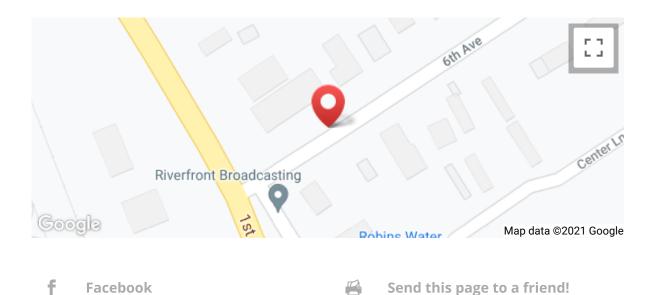
Pierre, South Dakota

The Main Office of BPro Inc (local) 605-224-8114 (toll free) 800-946-2776 (fax) 605-224-1665

Fargo, North Dakota

BPro Inc, North Dakota Office

(701) 298-3584



About Us

- About BPro
- About the Owners
- Testimonials
- Site Map
- Privacy Policy

TotalVote Solutions

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- Election Management
- Election Night Reporting
- Online Voter Registration
- Voter Information Portal

- Campaign Finance
- Electronic Ballot Delivery
- ePollbook
- Petition Management

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- Data Int. & Database Design
- Website and Graphic Design

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f 🎐

©2020 BPro | Election Software | 102 E 6th Avenue, Fort Pierre, SD 57532 | United States

Exhibit Q-16



OFFICE OF THE SECRETARY OF STATE STEVEN J. BARNETT, SECRETARY OF STATE JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: BrandonPro Inc.

General Information

| SOS Business ID | DB039408 |
|-----------------|---------------------------------|
| Filing Type: | Business Corporation - Domestic |
| | 12/23/1997 |
| Status: | Good Standing |
| Duration Term: | Perpetual |

Registered Agent Address Brandon Campea 102 EAST 6TH AVENUE FORT PIERRE, SD 57532

Principal Address 102 E 6TH AVENUE FORT PIERRE, SD 57532

The following document(s) was/were filed in this office on the date(s) indicated below:

| Date Filed | Filing Description | Image # |
|--------------|-----------------------|-------------|
| 11/24/2021 | 2021 Annual Report | B0200-3135 |
| 01/21/2021 | Articles of Amendment | B0162-7620 |
| 11/18/2020 | 2020 Annual Report | B0158-7383 |
| 01/16/2020 | 2019 Annual Report | B0125-7223 |
| 11/21/2018 | 2018 Annual Report | B0081-0058 |
| 10/31/2017 | 2017 Annual Report | B0043-6748 |
| 10/27/2016 | 2016 Annual Report | |
| 12/09/2015 | 2015 Annual Report | |
| 12/08/2014 | 2014 Annual Report | |
| 10/29/2013 | 2013 Annual Report | |
| 08/26/2013 | 2012 Annual Report | |
| 12/07/2012 | 2012 Annual Report | |
| 12/19/2011 | 2011 Annual Report | |
| 11/24/2010 | 2010 Annual Report | |
| 01/27/2010 | 2010 Annual Report | |
| 01/08/2009 | Statement of Change | |
| 12/03/2008 | 2008 Annual Report | |
| 12/13/2007 | 2007 Annual Report | |
| 09/05/2007 | Statement of Change | |
| 11/30/2021 9 | :40:38 AM | Page 1 of 2 |

Filing Information

Name: BrandonPro Inc.

12/01/20062006 Annual Report12/01/20052005 Annual Report12/01/20042004 Annual Report12/01/20032003 Annual Report12/31/20022002 Annual Report12/01/20012001 Annual Report01/26/20012001 Annual Report12/20/19991999 Annual Report01/04/19991999 Annual Report12/23/1997Initial Filing

DB039408

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

| Senator Jay Costa, Senator Anthony H. Williams, Senator Vincent J. Hughes, Senator Steven J. | CASES CONSOLIDATED | |
|---|--------------------|--|
| Santarsiero, and Senate Democratic Caucus, Petitioners V. | No. 310 MD 2021 | |
| ۷. | | |
| Senator Jacob Corman III, Senate Pro Tempore, Senator Cris Dush, and Senate Secretary- Parliamentarian Megan Martin, Respondents | | |
| Commonwealth of Pennsylvania, Pennsylvania Department of State, and Veronica Degraffenreid, Acting Secretary of the Commonwealth of Pennsylvania, Petitioners V. | No. 322 MD 2021 | |
| Senator Cris Dush, Senator Jake Corman, and the Pennsylvania State Senate Intergovernmental Operations Committee, Respondents | | |
| Arthur Harwood, Julie Haywood Petitioners. v. | No. 323 MD 2021 | |
| ۷. | | |
| Veronica Degraffenreid, Acting Secretary of State Commonwealth of Pennsylvania Respondents | | |

SECOND SUPPLEMENTAL EXPERT DECLARATION OF ANTHONY J. FERRANTE

I, Anthony J. Ferrante, declare and affirm under the penalties of 18 Pa. Cons. Stat. § 4904 as follows:

1. I am a Senior Managing Director and the Global Head of Cybersecurity at FTI Consulting, Inc. ("FTI"). I have been retained by the Pennsylvania Department of State ("DOS") and asked to provide my professional opinion as to the potential security and privacy risks surrounding the subpoena issued by the Pennsylvania State Senate's Intergovernmental Operations Committee ("SIOC").

2. I submitted a Declaration in support of Petitioners' application for summary relief on October 13, 2021 (Pa. Ex. H) and a Supplemental Declaration in support of Petitioners' opposition to Respondents' Cross Application for summary relief on November 8, 2021 (Pa. Ex. P). I submit this Second Supplemental Declaration in support of Petitioners' sur-reply.

3. If called as a witness, I could and would testify competently to the matters set forth below.

SUPPLEMENTAL MATERIALS REVIEWED

4. In addition to materials I reviewed in my initial Declaration and my Supplemental Declaration, I have also reviewed the Respondents' Reply in Support

of Cross-Application for Summary Relief ("Comm. Reply Brief") and the appended contract with Envoy Sage, LLC.

SUMMARY OF SUPPLEMENTAL OPINIONS

Based on my review of the SIOC's motions and supporting materials,
 I hereby reincorporate and reassert the opinions in my initial Declaration and
 Supplemental Declaration.

DETAILED SUPPLEMENTAL OPINIONS

6. Respondents claim that "the only actual question before the Court is whether the [SIOC] can appropriately protect the data when it is produced."¹ Now that a contract has been entered into with a vendor—Envoy Sage, LLC ("Envoy")—Respondents assert that the answer to this question is an "overwhelming yes."²

7. Respectfully, in my opinion, the answer to "whether the [SIOC] can appropriately protect the data" is not an "overwhelming yes," and the fact that Respondents believe so is highly concerning.

 The Respondents appear to believe that the Petitioners' securityrelated concerns are now moot due to the fact that Envoy has now been retained.
 This is false.

¹ Comm. Reply Brief at 9.

² Comm. Reply Brief at 10.

9. There are several reasons why the Petitioners' previously stated concerns remain valid.

10. First, the SIOC initially maintained that the data would be held in the Senate Republican legal counsel's office until a contract with a vendor was finalized. Senator Dush stated that the information would be "held in a secure location" and they would "take proper care of it", without articulating what specific technical controls and governance processes would be put in place to adequately protect and secure the data in question.

11. Although the SIOC has now entered into a contract with a vendor, it remains unclear whether the SIOC still expects the DOS to transfer the data to them in the first instance before it is delivered to Envoy. If this is the case, Respondents have yet to demonstrate that the SIOC is prepared to receive, handle, or transfer the data requested in a secure manner.

12. Second, a provision in the contract with Envoy refers to Envoy's responsibility to maintain the privacy, security and integrity of information and materials *in its subcontractors' possession*.³ Envoy's use of subcontractors is by itself concerning. The use of subcontractors would allow additional unidentified vendors to access the requested data. This reintroduces the previous issues of evaluating unknowns, including additional transfers of data under unknown

³ Comm. Reply Brief at. 13; Comm. App'x at 1287a (provision 12.2).

parameters and handling by unknown additional entities. In addition to creating additional data transfer points where security may not be adequately considered or implemented, the use of subcontractors increases the likelihood of the data being held in an unsecure environment.

13. Third, it appears that the SIOC entered into the contract with Envoy without performing sufficient or possibly any security due diligence. There is no evidence, for example, that the SIOC submitted any security questionnaires, conducted interviews, reviewed documents, or performed on-site visits. These are standard practices to verify a vendor's security infrastructure and competence. There is also no evidence or indication that the SIOC plans to carry out any diligence-related activity before or after Envoy receives any data.

14. Fourth, it appears that Envoy has not provided sufficient detail on its security infrastructure, competence, or practices. The only inquiry related to security appears in the form of a letter from Envoy's president, Steven Lahr, to the Senate Republic Caucus General Counsel (Ms. Clark). In the letter, Mr. Lahr references provisions in the Master Services Agreement and provides general statements related to security methods employed by Envoy.⁴

15. Specifically, Mr. Lahr states the following:

⁴ Comm. App'x at 1275a.

- Envoy "follows Industry Best Practices for Information Security, Handling and Disposal"
- b. Envoy's information security policies, standards and procedures "adhere to, or are more rigorous than" guidance from the National Institute of Standards and Technology Cybersecurity Framework (NIST CSF), the SANS Institute, and the Multi-State Information Sharing & Analysis Center (MS-ISAC).
- c. Envoy's tools use military grade encryption (256-bit AES),
 and provide users with two-factor authentication (2FA) and
 biometric logins.

16. It is unclear, however, how the above statements are implemented in practice. For example, which specific tools use 256-bit AES and 2FA? Are they the tools that will be used to transfer, store, and analyze the data requested? Furthermore, in the absence of the policies, standards, and procedures in question and the lack of provision for subsequent scrutiny of them, it is impossible to comment on Envoy's adherence to the frameworks specified above.

17. Additionally, Mr. Lahr uses the phrase "Industry Best Practices for Information Security, Handling and Disposal" as if it is a set term of art. However,

this phrase is broad and can interpreted differently depending on the type of industry and information in question.

18. There is no evidence that the SIOC took any steps to verify or validate any of the above claims made by Mr. Lahr. Again, it is standard practice to verify or validate security claims by a vendor prior to entering into a contract.

19. Finally, there are multiple other crucial considerations that appear to have not been contemplated by the SIOC. Where will the data be stored, for example? If Envoy owns and operates its own servers, how are they securing stored data? If Envoy utilizes the cloud, has due diligence been conducted to ensure that the cloud provider is capable of securely storing its data?

20. Additionally, does Envoy have a physical office, a remote environment, or a combination of the two? Remote or hybrid environments in particular introduce a lack of control over cybersecurity methods employed by an organization's workforce. If such environments are not properly managed, remote workers may engage in risky behavior, such as utilizing insecure Wi-Fi, thus increasing an organization's attack surface.

21. The answers to both of these questions have significant ramifications for the technological and procedural controls that would need to be applied in each case to ensure that the data was adequately protected as it was transferred, stored, accessed, and handled.

22. The noticeable lack of inquiry into these questions further underscores the weakness of the diligence process carried out by the SIOC in relation to their arrangement with Envoy and their security-related claims.

23. Apparently, the SIOC believed that Mr. Lahr's statements were sufficient for it to enter into the contract with Envoy. Notably, this letter from Mr. Lahr to Ms. Clark is dated November 18, 2021, one day before the contract was signed – a strikingly short timeframe which further suggests the impossibility of SIOC carrying out an appropriate level of due diligence to ensure an adequate level of protection for the data in question.

24. In addition to the above claims by Mr. Lahr, Respondents utilize provisions of the contract to justify their claim that Petitioners' security concerns are moot. However, it is unclear how the SIOC plans to enforce the provisions in the contract or how Envoy plans to implement them. It is also unclear that they will be verified or enforced before Envoy receives any data.

25. Given the above-enumerated inadequacies in the SIOC's due diligence, as well as the lack of facts relating to Envoy's security infrastructure and practices, I reiterate and reaffirm my opinion that providing confidential data on millions of Pennsylvania voters to the SIOC and then to Envoy entails significant and grave security risks to the confidentiality of that data.

I declare under penalty of perjury under the laws that the foregoing is true and correct.

Executed on December 6, 2021

Anthon ante