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17 *Attorneys for Plaintiffs*

18 **SUPERIOR COURT OF THE STATE OF ARIZONA**  
19 **FOR THE COUNTY OF MARICOPA**

20 LAURIE AGUILERA, a registered voter in  
21 Maricopa County, Arizona; DONOVAN  
22 DROBINA, a registered voter in Maricopa  
23 County, Arizona;

24 *Plaintiffs,*

25 v.

26 ADRIAN FONTES, in his official capacity as  
27 Maricopa County Recorder; CLINT  
28 HICKMAN, JACK SELLERS, STEVE  
CHUCRI, BILL GATES AND STEVE  
GALLARDO, in their official capacities as  
members of the Maricopa County Board of  
Supervisors; MARICOPA COUNTY, a  
political subdivision of the State of Arizona;

*Defendants.*

Case No. CV2020-014562

**PARTIES JOINT WITNESS AND  
EXHIBIT LISTS**

(Assigned to the Hon. Margaret  
Mahoney)

PLAINTIFFS

Pursuant to the Court's Order, Plaintiffs submit the following list of exhibits and witnesses in anticipation of the hearing set for November 20, 2020.

**I) Exhibits**

**1) Declaration of Helen Purcell**

**a) Originally Exhibit A to Complaint.**

**2) Aguilera family ballot status information**

**a) Originally Exhibit B to Complaint**

**3) Drobina ballot status information**

**a) Originally Exhibit C to Complaint.<sup>1</sup>**

**4) Drobina Declaration**

**a) Originally Exhibit D to Complaint.**

**5) Declaration of Joshua Banko**

**a) Originally part of Exhibit E to Complaint.**

**6) Declaration of Brian Zeman**

**a) Originally part of Exhibit E to Complaint.**

**7) Declaration of Courtney Childers**

**a) Originally part of Exhibit E to Complaint.**

**8) Declaration of Jennifer Cline**

**a) Originally part of Exhibit E to Complaint.**

**9) Declaration of Jennifer Flores**

**a) Originally part of Exhibit E to Complaint.**

**10) Declaration of Lora Wuolett**

**a) Originally part of Exhibit E to Complaint.**

**11) Declaration of Michael Long**

**a) Originally part of Exhibit E to Complaint.**

**12) Declaration of Rebecca Novicki**

<sup>1</sup> This was originally missing a page which will be supplied in the copy filed with the court.

- 1           a) Originally part of Exhibit E to Complaint.
- 2       **13) Declaration of Yanive Masjedi**
- 3           a) Originally part of Exhibit E to Complaint.
- 4       **14) Declaration of Zachery Knudsen**
- 5           a) Originally part of Exhibit E to Complaint.
- 6       **15) Declaration of Allyson Miller**
- 7           a) Originally part of Exhibit E to Complaint.
- 8       **16) Picture of Precinct Tabulator**
- 9       **17) Picture of Central Tabulator**
- 10       **18) Cronkite News Article “2020 election changes include new equipment for**  
11           Maricopa County, a switch from arrows to ovals” by Farah Eltohamy from  
12           February 27, 2020. [https://cronkitenews.azpbs.org/2020/02/27/maricopa-county-](https://cronkitenews.azpbs.org/2020/02/27/maricopa-county-voters-equipment/)  
13           voters-equipment/
- 14       **19) Picture of Ballot with bleed through**
- 15       **20) Transcript from 11/12/2020 Hearing in CV2020-014248 Trump; et al. v. Hobbs; et**  
16           al.
- 17       **21) Poll worker training manual.**
- 18       **22) Email from county employee instructing use of ball point pens on ballots until**  
19           election day then use of Sharpie markers
- 20       **23) EPM**
- 21       **24) Electronic Adjudication Addendum to the 2019 EPM**
- 22       **25) Maricopa County Final 2020 General Election Day and Emergency Voting Plan 9-**  
23           16-20
- 24       **26) Minutes from Voting Equipment Certification Committee Meetings**
- 25       **27) List of Arizona Voting Systems Used in 2020 Election Cycle by County**
- 26       **28) Pro V&V Testing Reports on Dominion Voting System**
- 27       **29) Pennsylvania Report on Dominion Voting System**
- 28       **30) Texas Reports on Dominion Voting System**

1       **31)** List of Engineering Change Orders

2       **32)** Sneeringer CV

3       **33)** The following documents expected to be produced in response to subpoenas  
4       issued on 11/18/2020 and not yet received.

5           **a)** the Logic and Accuracy Tests done by each of the county’s Early Voting  
6           Directors done before the election on November 3 (identified on pp. 45-46 of  
7           county manual)

8           **b)** the Logic and Accuracy tests done AFTER the election which are done “after  
9           the election to verify the program has not been altered or edited.”

10          **c)** the Comprehensive Stress Test (p. 37)

11          **d)** the On-site Test Prints done on the equipment (pp 37, 39, 45 and 46)

12          **e)** the Hand Count Audit draw (p 46)

13          **f)** File containing the “digital copies of every ballot with a digital audit mark that  
14          is affixed detailing how the ballot was counted.” (p. 45 manual)

15          **g)** Copies of every technical bulletin that went out on election day.

16          **h)** Any materials of any kind that shows all possible instructions and messages  
17          displayed on check in pads used by voters on election day and all possible  
18          instructions and messages displayed on tabulators used at voting centers on  
19          election day.

20       **II) Lay Witnesses**

21           **1)** Laurie Aguilera [27.5 direct/re-direct].<sup>2</sup>

22           **2)** Damien Aguilera [13/re-direct].

23           **3)** Donovan Drobina [27.5 direct/re-direct].

24           **4)** Joshua D. Banko [20 direct/re-direct]. In addition to topics in Declaration, topics  
25           of testimony may include election day procedures at polling centers, use of the  
26           “third-tray”, information contained on ballots, polling place procedures, the

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28       <sup>2</sup> All times are estimates only. Unused portions Plaintiffs’ three hours will be reserved for  
other purposes such as cross of the other parties’ witnesses and/or opening and closing  
statements.

1 meaning of various messages displayed by the check-in kiosks and voting  
2 equipment, the operation and function of the County’s electronic voting system,  
3 his training as a poll clerk, and the Poll Worker Training Manual, his  
4 communications with Defendants’ employees and volunteers related to the subject  
5 matter of the action.

6 **5)** Maricopa County 30(b)(6) Representative most qualified to testify as to the  
7 quantity and type of technical equipment or equipment issues that needed to be  
8 addressed by voting system “troubleshooters” on election day, to testify as to the  
9 same. [15 direct/re-direct].

10 **6)** Scott Jarrett [We believe this will also be the county’s witness, please let us know  
11 if this is not the case].

12 **a)** Director of Elections Day and Emergency Voting for Maricopa County  
13 Elections Department. We have been informed that he is the 30(b)(6)  
14 Representative listed immediately below.

15 **7)** Maricopa County 30(b)(6) Representative [See above].

16 **a)** Person most knowledgeable to testify regarding allegations in paragraphs 3.1 -  
17 3.41 of the Complaint, to testify as to the same.

18 **8)** 30(b)(6) Poll worker(s) most knowledgeable to provide first-hand information as  
19 to the events and circumstances complained of by Plaintiff Aguilera, to testify as  
20 to the same. [15direct/re-direct].

21 **9)** 30(b)(6) Poll worker(s) most knowledgeable to provide first-hand information as  
22 to the events and circumstances complained of by Plaintiff Drobina, to testify as to  
23 the same [15 direct/re-direct].

24 **10)** Sean Atkinson or representative of Kolodin Law Group PLLC [15 direct/re-  
25 direct].

26 **a)** As to his process for collecting declarations of non-witnesses.

27 **b)** As to his communication with Defendants regarding his attempt to observe the  
28 electronic adjudication process.



1 Assistant Director and will testify about the training of poll workers, poll worker protocol  
2 and other matters related to the 2020 general election. [20 minutes direct/redirect; 12  
3 minutes cross.]

4 3. Janine Petty – Ms. Petty is the Assistant Director of Election Services at the  
5 Arizona Secretary of State’s Office. She will testify concerning official Secretary of  
6 State documents and the Secretary of State’s Equipment Certification Committee and  
7 issues related to that Committee. [10 minutes direct/redirect; 7 minutes cross]

8 **II). Exhibits**

9 40. Final General Election Manual – Poll worker Training (2020)

10 41. Final November 2020 General Election Day and Emergency Voting Plan

11 42. Hands on Activity Outline.

12 43. Tabulator Aid (09/14/2020)

13 44. Excerpt of November 2020 Training Power Point and associated video pertaining  
14 to Using the Precinct Based Tabulator.

15 45. Certified letter from Secretary of State re pre-election L&A

16 46. Certified letter from Secretary of State re post-election L&A

17 47. Certification letter from Secretary of State, accepting recommendation from the  
18 Certification Committee that Dominion tabulators with electronic adjudication  
19 capabilities are certified for use in Arizona elections.

20 48. Arizona Secretary of State List of Voting Equipment by County

21 49. Arizona Secretary of State Certified Vote Tabulating Equipment List

22 50. Arizona Secretary of State Certification Advisory Committee Minutes

23 51. Combined correspondence between Attorney General’s Office and Maricopa  
24 County pertaining to Sharpie Markers (3 letters) (Nov. 2020) (listed ONLY as  
25 evidence to rebut any sharpie testimony if such testimony is allowed).

26 52. Image Cast Evolution Internal Memorandum regarding approved pens dated  
27 06/04/2015 (listed ONLY as evidence to rebut any sharpie testimony if such  
28 testimony is allowed).

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Respectfully submitted this 18<sup>th</sup> day of November, 2020

By /s/Christopher Alfredo Viskovic

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**I CERTIFY** that a copy of this document will be served upon any opposing parties in conformity with the applicable rule of procedure.

By /s/Christopher Alfredo Viskovic

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