

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF ANTRIM**

WILLIAM BAILEY

Plaintiff

Case No. 20-9238-CZ

v.

ANTRIM COUNTY

HON. KEVIN A. ELSENHEIMER

Defendant

SECRETARY OF STATE JOCELYN
BENSON

Intervenor-Defendant.

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EXHIBIT 1

**PLAINTIFF'S COLLECTIVE RESPONSE TO DEFENDANTS' and NON-PARTY
TOWNSHIPS' MOTIONS TO QUASH AND FOR PROTECTIVE ORDERS**

Respectfully submitted

DePERNO LAW OFFICE, PLLC

Dated: May 7, 2021

/s/ Matthew S. DePerno _____

Matthew S. DePerno (P52622)

Attorney for Plaintiff

Exhibit 1

EXHIBIT A

Plaintiff, William Bailey, by and through his attorneys and expert witnesses shall conduct a forensic review and audit the following information and documentation at the at the KEARNEY TOWNSHIP HALL, 4820 AERO PARK DR., BELLAIRE, MI 49615 on the date identified on the front page of the subpoena:

1. all election tapes from the November 3, 2020, election;
2. all paper ballots for the November 3, 2020 election;
3. all system logs for the November 3, 2020 election;
4. any vote tabulators in your possession or control;
5. any modems in your possession or control;
6. all election media, including but not limited to, all compact flash cards and poll books and USB drives used in the November 3, 2020 election;
7. all election reports and tallies, .pdf files, and spreadsheets used in the November 3, 2020 election;
8. all canvasser paperwork and notes used in the November 3, 2020 election.

DATA RETENTION

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

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