

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**ASSOCIATION OF COMMUNITY)
ORGANIZATIONS FOR REFORM)
NOW, et al.,)
)
 Plaintiffs,)
)
 v.)
)
CATHY COX, et al.,)
)
 Defendants.)**

**CIVIL ACTION NO.
1:06-CV-1891-JTC**

**SECRETARY OF STATE’S
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO ACORN**

COMES NOW the SECRETARY OF STATE OF THE STATE OF
GEORGIA, Defendant herein in her official capacity, and pursuant to Fed. R. Civ.
Proc. 34, makes these her first requests for production of documents to Plaintiff
Association of Community Organizations for Reform Now (hereinafter “ACORN”
or “you”).

INSTRUCTIONS

The documents requested below should be delivered to the Defendants’
counsel within 30 days of the date of service of this request. These requests apply
to drafts as well as final versions of documents; if you have drafts and final

versions of a document, you should produce both. The word “document” is used in these requests in its broadest sense to mean all kinds of documents, whether printed, copied, handwritten, or stored on any type of electronic media (including a computer, such as email). The documents produced should be separated into marked groups so that it is possible to discern which request they respond to. The documents may be “Bates” numbered at your discretion (or as agreed upon by counsel) as long as the material on the documents is not obliterated by the Bates numbers; Bates numbering will allow you to produce the documents with a list identifying the documents by numbered pages are responsive to each request.

REQUESTS

Please produce for inspection and copying the following (and if no documents are available in response to the request please so state):

1.

Copies of voter registration applications made or collected by ACORN for persons registering to vote in Georgia after September 2006.

2.

Copies of voter registration applications made or collected by ACORN for persons registering to vote in Georgia between September 30, 2004 and September 30, 2006.

3.

All sign-in sheets, logs, or registers made or used at “voter registration drives”(as that phrase is used in the Complaint) that were conducted by you in 2004, 2005 or 2006.

4.

All grant applications, financial assistance applications, or any other documents related to awards of financial assistance or grants to ACORN for it to conduct voter registration drives in Georgia at any time during the years 2004, 2005, and or 2006.

5.

All letters and emails, and all enclosures to those documents, exchanged between employees, volunteers or officers of ACORN and Project Vote and/or Project Vote/Voting for America, Inc. (“Project Vote”) in 2004, 2005, and 2006 which concerned or related to voter registration activities or programs in Georgia.

6.

All letters and emails, and all enclosures to those documents, exchanged between employees, volunteers or officers of ACORN and Working Assets and/or

Working Assets, Inc. and/or Michael Kleschnick in 2004, 2005, and 2006 which concerned or related to voter registration activities or programs in Georgia.

7.

All letters and emails, and all enclosures to those documents, exchanged between employees, volunteers or officers of ACORN and Proteus Fund and/or Margaret Gage in 2004, 2005, and 2006 which concerned or related to voter registration activities or programs in Georgia.

8.

All handouts, flyers, or advertisements for “voter registration drives” (as that phrase is used in the Complaint) held in 2004, 2005 or 2006.

9.

All letters and emails, and all enclosures to those documents, exchanged between Dana Williams and Brian Kettenring in 2004, 2005 and 2006.

10.

All letters and emails, and all enclosures to those documents, exchanged between Dana Williams and Stephanie L. Moore in 2004, 2005 and 2006.

11.

All letters and emails, and all enclosures to those documents, exchanged between Brian Kettenring and Stephanie L. Moore in 2004, 2005, and 2006 and which concerned, discussed or related to voter registration.

12.

All documents (except those that may be pleadings in the present case) related to, discussing, or describing ACORN's voter registration activities in Georgia in 2004, 2005, and 2006.

13.

Any contract, letter, or memorandum of representation between ACORN and Brad Heard. To the extent any litigation work product or attorney-client privileged communications exist in such a document, they may be redacted.

14.

All documents used for or concerning the training of volunteers, employees, or officers of ACORN to conduct "voter registration drives" in Georgia or to process, transmit, copy, safeguard, or follow-up on voter registration applications.

15.

Copies of all complaints that have been made against or received by Project

Vote relating to voter registration activities anywhere in the United States at any time between 2004 to 2006.

16.

The deposition of Mac Stuart (a former employee of ACORN in Florida) taken in civil litigation between Mac Stuart and ACORN.

17.

Any affidavits filed by Mac Stuart (a former employee of ACORN in Florida) in the civil litigation between Mac Stuart and ACORN.

Respectfully submitted,

THURBERT BAKER 033887
Attorney General

DENNIS DUNN 269350
Deputy Attorney General

/s/Stefan Ritter
STEFAN RITTER 606950
Senior Assistant Attorney General

Office of the Attorney General
40 Capitol Square, S.W.
Atlanta, Georgia 30334-1300
(404) 656-3330

SIGNATURE CERTIFICATION

I certify that the originally executed document contains the signatures of all filers indicated herein and therefore represents consent for filing of this document.

/s/Stefan Ritter
STEFAN RITTER 606950
Senior Assistant Attorney General

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CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the within and foregoing **SECRETARY OF STATE'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO ACORN** with the Clerk of Court using the CM/ECF system, which will send notification of filing to the following CM/ECF participant:

Bradley Heard, Esq.
bheard@moldenholley.com

Brian W. Mellor, Esq.
electioncounsel1@projectvote.org

Elizabeth S. Westfall, Esq.
ewestfall@advancementproject.org

A printed copy of the foregoing document has been sent via United States mail, first class postage prepaid to Plaintiffs' counsel:

Bradley E. Heard
Molden Holley Fergusson Thompson & Heard
One Park Tower
34 Peachtree Street, NW, Suite 1700
Atlanta, Georgia 30303-4501

This 12th day of January, 2007.

/s/Stefan Ritter
STEFAN RITTER
Georgia Bar No. 606950
Attorney for Defendants