



## AlaFile E-Notice

03-CV-2008-900749.00

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# NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

DONNA BAKER ET AL v. BETH CHAPMAN ET AL  
03-CV-2008-900749.00

The following discovery was FILED on 8/8/2008 11:23:36 AM

Notice Date: 8/8/2008 11:23:36 AM

**MELISSA RITTENOUR**  
**CIRCUIT COURT CLERK**  
MONTGOMERY COUNTY, ALABAMA  
251 S. LAWRENCE STREET  
MONTGOMERY, AL 36102

334-832-4950



**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA**

DONNA BAKER, et al.,

Plaintiffs,

v.

BETH CHAPMAN, et al.,

Defendants.

Civil Action No.

03-CV-2008-900749.00

**PLAINTIFF’S FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS DIRECTED TO ALL DEFENDANTS**

COME NOW Donna Baker, Kristen Hall, and Annette McWashington Pruitt, Plaintiffs in the above matter, pursuant to Rule 34 of the Alabama Rules of Civil Procedure, and request that Defendants Beth Chapman, Nell Hunter, Jean Kirkland, Beatrice Rogers, and Donna Jordan produce each of the following documents or things, within thirty days, as provided in said rule, or at an earlier date as agreed to by the parties or as ordered by the Court. Production shall be made at the offices of Plaintiffs’ counsel, the American Civil Liberties Union Foundation of Alabama, 207 Montgomery Street, Suite 910, Montgomery, Alabama 36104.

**DEFINITIONS AND INSTRUCTIONS**

1. The term “documents” shall have the meaning ascribed to it in Ala. R. Civ. P. 34(a). This definition includes, without limitation, any electronic mail, CD-Roms, DVD-Roms, computer disk reports, and other electronic media.

2. The terms “you,” “your” or “Defendant(s)” refer to Beth Chapman, Nell Hunter, Jean Kirkland, Beatrice Rogers, and/or Donna Jordan and are intended to embrace and include each and every agent, servant, employee, representative, private investigator, auditor, attorney,

and any others who have acted or purported to act, or been employed or retained by those Defendants or on behalf of Defendants in regard to this case.

3. All documents shall be produced that respond to any part or clause of any paragraph of any request, regardless of whether any objection is raised as to any other part or any request.

4. If any responsive document is withheld, in whole or in part, for any reason, including but not limited to any claim of privilege, confidentiality, or work-product, set forth separately with respect to each such document: (a) the type of document, *i.e.*, letter memorandum, etc.; (b) the author of the document; (c) the addressee of the document; (d) the date of the document; (e) the identity of all persons having received copies of the document, seen the document, or to whom the document was disclosed; (f) the subject matter of the document; (g) the nature of the privilege or work-produce rule relied upon in withholding production of the document, and (h) a brief statement or synopsis of the matters dealt with in the document and/or the circumstances surrounding the making of the document.

5. If a portion of any responsive document is protected from disclosure by privilege, work-product, or otherwise, any such document must be produced with the portion claimed to be protected redacted. If any part of a document is redacted, set forth separately for each such redaction the reason(s) for the redaction.

6. If any responsive document was, but is no longer in your possession or subject to the control of the responding party, state whether it is (a) missing or lost; (b) destroyed; (c) transferred, voluntarily or involuntarily, to others; or (d) otherwise disposed of, and in each instance, explain the circumstances surrounding such disposition thereof and state the date or approximate date thereof.

7. If a document was prepared in several copies or if additional copies were thereafter made, and if any such copies were not identical or are no longer identical by reason of any notation or modification of any kind whatsoever, including without limitation notations on the front or back or any of the pages thereof, then such non-identical copy is a separate document and must be produced.

8. The documents produced in response to this Request for Production of Documents should be segregated and clearly marked or labeled as to the specific request to which such documents are responsive and are being produced. Otherwise, such documents shall be produced as they are kept in their usual course of business, including a production of the files from which such documents are taken, along with all other documents residing in those files.

#### **DOCUMENTS REQUESTED**

1. Any and all documents, including but not limited to operating instructions, memoranda, recommendations, guidelines, or employee training documents exchanged between Defendants and any and all Boards of Registrars regarding the registration of elector applicants who have criminal convictions.

2. Any and all documents, including but not limited to advisory opinions, memoranda, recommendations, guidelines, or employee training documents exchanged between Defendants and the Attorney General's office regarding the registration of elector applicants who have criminal convictions.

3. Any and all documents, including but not limited to advisory opinions, recommendations, guidelines, or employee training documents exchanged between the Attorney General's office and any and all Boards of Registrars regarding the registration of elector applicants who have criminal convictions.

4. Any and all documents showing the name and race of all persons disfranchised for reason of criminal conviction, and the offenses for which the individuals were disfranchised.

Date: August 8, 2008

Respectfully submitted,

s/ Allison E. Neal

Allison E. Neal  
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s/ Robert D. Segall

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s/ Laughlin McDonald

Laughlin McDonald\*  
Neil Bradley\*  
Nancy G. Abudu\*  
AMERICAN CIVIL LIBERTIES UNION  
VOTING RIGHTS PROJECT  
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*\*Admitted pro hac vice*

ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 8th day of August, 2008, an accurate and complete copy of the Plaintiff's First Request for Production of Documents Directed to all Defendants was sent via electronic mail to the following counsel for Defendant Beth Chapman:

Jim Davis, Office of the Attorney General, jimdavis@ago.state.al.us.

I further certify that on this the 8th day of August, 2008, an accurate and complete copy of the Plaintiff's First Request for Production of Documents Directed to all Defendants was sent via First Class pre-paid U.S.P.S. mail to the following individuals:

Beth Chapman, Alabama Secretary of State, P.O. Box 5616, Montgomery, Alabama 36103-5616;

Jim Davis, Office of the Attorney General, Alabama State House, 11 South Union Street, Third Floor, Montgomery, AL 36130;

Nell Hunter, Registrar for Jefferson County, 716 Richard Arrington Jr Blvd N Ste A-410, Birmingham, Alabama 35203-0115;

M. David Barber, Jefferson County District Attorney, 801 Richard Arrington Jr. Boulevard North, Suite L-01, Birmingham, AL 35203;

Jean Kirkland, Registrar for Monroe County, P.O. Box 972, Monroeville, Alabama 36461-0972;

Beatrice Rogers, Registrar for Monroe County, P.O. Box 972, Monroeville, Alabama 36461-0972;

Donna Jordan; Registrar for Monroe County, P.O. Box 972, Monroeville, Alabama 36461-0972; and

Tommy Chapman, Monroe County District Attorney, P.O. Box 397, Monroeville, AL 36461-0397.

s/ Allison E. Neal  
Allison E. Neal