

**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**

**GEORGIA COALITION FOR THE PEOPLE’S AGENDA’S OBJECTIONS
AND RESPONSES TO DEFENDANTS’ FIRST INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and the orders of this Court, Plaintiff Georgia Coalition for the People’s Agenda (“GCPA” or “Plaintiff”) submits the following objections and responses to Defendants’ First Interrogatories:

GENERAL OBJECTIONS

The following General Objections apply to every paragraph of Defendants’ First Interrogatories:

1. Plaintiff objects to every interrogatory that calls for privileged information, including, without limitation, information protected by the attorney-client privilege.

2. Plaintiff objects to every interrogatory that calls for information prepared in anticipation of litigation or for trial absent a showing of substantial need by Defendants.

3. Plaintiff objects to every interrogatory that calls for the production of any information containing or reflecting the mental impressions, conclusions, opinions and/or legal theories of any attorney for Plaintiff, on the grounds that such information is protected by the attorney work product doctrine.

4. Plaintiff objects to every interrogatory that is overly broad, unduly burdensome, harassing, duplicative or which requests documents which are already in the possession of Defendants.

5. Plaintiff objects to every interrogatory that calls for information which is neither relevant to the subject matter of the pending Complaint nor reasonably calculated to lead to the discovery of admissible evidence in connection with the pending Complaint.

6. Plaintiff objects to every interrogatory, and to every introductory “definition” or “instruction,” that seeks to impose obligations beyond those required by the Federal Rules of Civil Procedure, as reasonably interpreted and supplemented by local court rules.

RESPONSES TO INTERROGATORIES

Subject to and without waiver of the foregoing General Objections, Plaintiff responds to Defendants' specific Interrogatories as follows:

1. Please identify (providing the information called for in the instructions) each person who prepared or assisted in preparing the responses to these interrogatories.

RESPONSE

These objections and responses were drafted and prepared by undersigned counsel and are believed to be true, correct, and complete, subject to review and correction by the appropriate corporate representatives of Plaintiff.

2. Please identify (providing the information called for in the instructions) each criminal, civil or administrative action or complaint to which GCPA (or any subsidiary or affiliated organization of GCPA or any organization or person under GCPA's supervision or control) has been a defendant, respondent, or target of an investigation, regarding voter registration activities or conduct in 2005, 2006, and/or 2007.

RESPONSE

Plaintiff objects to this Interrogatory on the grounds that it is vague, overly broad, and subject to varying interpretations. Plaintiff further objects to this

Interrogatory on the grounds and to the extent that it may subject it to undue burden, oppression, annoyance, and embarrassment. Plaintiff further objects to this Interrogatory to the extent that it is neither relevant to the asserted claims and defenses of any party in the litigation, nor likely to lead to the discovery of admissible evidence in connection therewith. Plaintiff further objects to this Interrogatory because the probative value of any documents received is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or by considerations of undue delay, waste of time, or needless presentation of unsubstantiated evidence.

3. Please describe in detail GCPA's voter registration activities that have taken place in Georgia during the 2007 calendar year and identify the person or persons responsible for those activities.

RESPONSE

Plaintiff objects to this Interrogatory on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation, nor likely to lead to the discovery of admissible evidence in connection therewith. Plaintiff further objects to this Interrogatory on the grounds that it is vague, ambiguous, and overly broad, and that compliance with the Interrogatory would be unduly burdensome to Plaintiff and would outweigh any probative value of

the evidence sought to be obtained in connection with said Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it is calculated to subject Plaintiff to harassment, intimidation, and oppression, in that it has the effect of invading, intruding into, and chilling the First Amendment associational and privacy interests of Plaintiff and its constituents. *See, e.g., NAACP v. Alabama*, 357 U.S. 449 (1958); *Talley v. California*, 362 U.S. 60 (1960); *Gibson v. Florida Legislative Investigation Committee*, 372 U.S. 539 (1963); *Watchtower Bible & Tract Society v. Village of Stratton*, 536 U.S. 150 (2002). Subject to and without waiver of the foregoing objections and the General Objections, Plaintiff refers Defendants to the portions of Helen Butler's deposition, wherein she generally describes the voter registration activities (small and large, formal and informal) undertaken by GCPA in Georgia.

4. Please describe in detail GCPA's voter registration activities that have taken place in Georgia during the 2006 calendar year and identify the person or persons responsible for those activities.

RESPONSE

Please see the response to Interrogatory No. 3, which is restated and incorporated herein by this reference.

5. Please describe in detail GCPA's voter registration activities that have taken place in Georgia during the 2005 calendar year and identify the person or persons responsible for those activities.

RESPONSE

Please see the response to Interrogatory No. 3, which is restated and incorporated herein by this reference.

6. Please state the location and date of each "voter registration drive" (as that phrase is used in your Complaint) held in Georgia at any time from 2005 to the present.

RESPONSE

Please see the response to Interrogatory No. 3, which is restated and incorporated herein by this reference.

7. Please identify (providing the information called for in the instructions) each organization that providing funding to GCPA (or any subsidiary or affiliated organization of GCPA) for voter registration activities in Georgia in 2004, 2005, 2006 and/or 2007.

RESPONSE

Plaintiff objects to this Interrogatory on the grounds that it is neither relevant to the asserted claims and defenses of any party in the litigation, nor

likely to lead to the discovery of admissible evidence in connection therewith. Plaintiff further objects to this Interrogatory on the grounds that it is vague, ambiguous, and overly broad. Plaintiff further objects to this Interrogatory on the grounds that it is calculated to subject Plaintiff to harassment, intimidation, and oppression, in that it has the effect of invading, intruding into, and chilling the First Amendment associational and privacy interests of Plaintiff and its constituents. *See, e.g., NAACP v. Alabama*, 357 U.S. 449 (1958); *Talley v. California*, 362 U.S. 60 (1960); *Gibson v. Florida Legislative Investigation Committee*, 372 U.S. 539 (1963); *Watchtower Bible & Tract Society v. Village of Stratton*, 536 U.S. 150 (2002).

This 30th day of April, 2007.

s/ Bradley E. Heard, Esq.

Georgia Bar No. 342209

Counsel for All Plaintiffs

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** Admitted Pro Hac Vice*

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Book Antiqua and a point size of 13.

/s Bradley E. Heard, Esq.
Georgia Bar No. 342209

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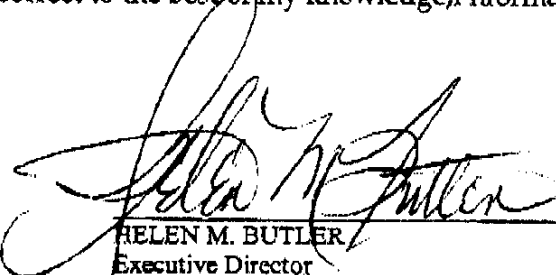
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VERIFICATION

I hereby declare under penalty of perjury that the facts stated in the foregoing Plaintiff Georgia Coalition for the People's Agenda's Objections and Responses to Defendant's First Interrogatories to Plaintiff are true and correct to the best of my knowledge, information, and belief.



HELEN M. BUTLER
Executive Director
Georgia Coalition for the People's Agenda

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CERTIFICATE OF SERVICE OF DISCOVERY

This will certify that I have this day caused to be served a copy of the within and foregoing Plaintiff's GCPA's Objections and Responses to Defendants' First Interrogatories upon the following parties by placing the same in the United States Mail, postage prepaid, addressed to:

Stefan E. Ritter, Esq.
Georgia Department of Law
40 Capital Sq SW
Atlanta, GA 30334-1300

Brian W. Mellor, Esq.
1486 Dorchester Avenue
Dorchester MA 02122

Elizabeth S. Westfall, Esq.
ADVANCEMENT PROJECT
1730 M Street, NW, Suite 910
Washington, DC 20036

This 30th day of April, 2007.

Respectfully Submitted,

s/ Bradley E. Heard, Esq.
Georgia Bar No. 342209