

**From:** Heather Covert </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DD00F23F35F34D30B901D0B930A46F53-HEATHER COV>  
**Sent:** Monday, April 05, 2021 9:53:54 AM  
**To:** Warren Petersen <votewarren@gmail.com>  
**Subject:** FW: Questions for Maricopa County

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**From:** Karen Fann <KFann@azleg.gov>  
**Sent:** Monday, April 5, 2021 9:21 AM  
**To:** Vince Leach <VLeach@azleg.gov>; Rick Gray <RGray@azleg.gov>; Sonny Borrelli <sborrelli@azleg.gov>; David Gowan <dgowan@azleg.gov>; Sine Kerr <SKerr@azleg.gov>; Nancy Barto <NBarto@azleg.gov>; Michelle Ugenti-Rita <mugenti-rita@azleg.gov>; David Livingston <dlivingston@azleg.gov>; J.D. Mesnard <JMesnard@azleg.gov>; Tyler Pace <TPace@azleg.gov>; Thomas T.J. Shope <tshope@azleg.gov>; Kelly Townsend <ktownsend@azleg.gov>; Wendy Rogers <WRogers@azleg.gov>; Paul Boyer <PBoyer@azleg.gov>; Warren Petersen <wpetersen@azleg.gov>  
**Subject:** FW: Questions for Maricopa County

# Redacted-Legislative Privilege

*Karen Fann*  
*President of the Senate*  
*Tel: 602.926.5874*

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**From:** Jack Sellers (BOS) <[Jack.Sellers@Maricopa.Gov](mailto:Jack.Sellers@Maricopa.Gov)>  
**Sent:** Monday, April 5, 2021 8:15 AM  
**To:** Karen Fann <[KFann@azleg.gov](mailto:KFann@azleg.gov)>  
**Cc:** Richard Bohan (BOS) <[Richard.Bohan@Maricopa.Gov](mailto:Richard.Bohan@Maricopa.Gov)>  
**Subject:** RE: Questions for Maricopa County

President Fann,

I am responding to your email from April 2nd. As you know, Maricopa County performed the audits of the election required and permitted by law. As required by law they were bipartisan and transparent. There has been no suggestion that those audits were in any way deficient. The County then properly authorized two further forensic examinations of its machines that it was permitted to perform as possessor of the machines. The process of selecting the vendors, which were both properly certified to perform their examinations, was open. The examination of the machines was transparent. Your office sent a representative to observe the process.

The statutes that the Legislature enacted and the Governor signed into law do not authorize nor permit the County to perform a recount of the vote or an audit of the election, which is essentially an election contest. While the superior court's ruling found that the subpoenas were valid, and so the County must provide you the items requested in it, Maricopa County cannot be involved in supporting your audit as to do so may expose it to liability for which it has no similar legal protection.

To avoid any confusion, I want to be clear that the audit is not a joint effort between the County and the Senate Republican Caucus. Maricopa County will not communicate with your vendors or interpret Arizona law for them. Many of your auditors' questions can be answered by reviewing the Election Procedures Manual, the early vote and election day plans, as well as the power points from the hearing that occurred last year before the Senate Judiciary Committee. We suggest the Cyber Ninjas begin by reviewing those items, watching the hearing, and reviewing the Arizona statutes governing elections. We ask that any future communications be made officially from the Senate to limit any potential disputes. Accordingly, going forward, please direct your communications to our counsel, Joe LaRue at the Maricopa County Attorney's Office, and he will respond directly.

Jack Sellers  
Chairman, Maricopa County Board of Supervisors

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**From:** Karen Fann <[KFann@azleg.gov](mailto:KFann@azleg.gov)>  
**Sent:** Friday, April 2, 2021 4:45 PM  
**To:** Jack Sellers (BOS) <[Jack.Sellers@Maricopa.Gov](mailto:Jack.Sellers@Maricopa.Gov)>; Jack Sellers (BOS) <[Jack.Sellers@Maricopa.Gov](mailto:Jack.Sellers@Maricopa.Gov)>; Steve Tully <[stully@hinshawlaw.com](mailto:stully@hinshawlaw.com)>; Kory Langhofer <[kory@statecraftlaw.com](mailto:kory@statecraftlaw.com)>; John Allen <[azallen@cox.net](mailto:azallen@cox.net)>; Ken Bennett <[kbazos@gmail.com](mailto:kbazos@gmail.com)>  
**Cc:** Clint Hickman (BOS) <[Clint.Hickman@Maricopa.Gov](mailto:Clint.Hickman@Maricopa.Gov)>; Bill Gates (BOS) <[Bill.Gates@Maricopa.Gov](mailto:Bill.Gates@Maricopa.Gov)>; Steve Chucuri (BOS) <[Steve.Chucuri@Maricopa.Gov](mailto:Steve.Chucuri@Maricopa.Gov)>; Greg Jernigan <[GJernigan@azleg.gov](mailto:GJernigan@azleg.gov)>; Wendy Baldo <[wbaldo@azleg.gov](mailto:wbaldo@azleg.gov)>; Warren Petersen <[wpetersen@azleg.gov](mailto:wpetersen@azleg.gov)>  
**Subject:** Fwd: Questions for Maricopa County

Chairman Sellers: I am disappointed the County has decided to not allow the audit to be performed at the Maricopa County facilities. I had hoped we would be able to do this together in the spirit of transparency and the desire to answer our constituents questions about the election. We are arranging for alternative secure facilities to perform the audit and will advise as soon as possible where and when we can take delivery of the subpoenaed items. In the interim, our vendor has a number of questions to help prepare for the audit. He was informed all questions needed to be submitted by me or our designated representative, Ken Bennett. Could you please give us instructions as to who we should submit any questions to and in what form? Below is the email we received from him asking for information. It would be appreciated if you could assist us with the needed answers.

Thanking you in advance,  
Senate President Karen Fann

Sent from my iPad

Begin forwarded message:

**From:** Douglas Logan <[dlogan@cyberninjas.com](mailto:dlogan@cyberninjas.com)>  
**Date:** April 1, 2021 at 5:45:11 PM MST  
**To:** Karen Fann <[kfann@azleg.gov](mailto:kfann@azleg.gov)>  
**Cc:** [kbazos@gmail.com](mailto:kbazos@gmail.com)  
**Subject:** Questions for Maricopa County

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Thanks,  
Doug Logan  
Chief Executive Officer  
Cyber Ninjas  
(o) (941)-3-NINJAS