



May 5, 2022

VIA ELECTRONIC MAIL: [REDACTED]

[REDACTED]
General Counsel

Attn: [REDACTED]

State Bar of Georgia

Office of the General Counsel

104 Marietta Street, N.W., Suite 100

Atlanta, GA 30303

Re: Grievance Against William Bradley Carver, Sr.

Dear Ms. [REDACTED]:

This letter responds to Mr. Carver's April 7, 2022 filing with your office. Mr. Carver fails entirely to address the substance of the Grievance filed against him.

As you know, the Grievance identified the following violations by Mr. Carver:

- Rule of Professional Conduct 8.4(a)(8) (Committing a Criminal Act Bearing on a Lawyer's Trustworthiness) – Mr. Carver engaged in illegal conduct that reflects adversely on his honesty and trustworthiness. We noted that O.C.G.A. § 16-10-20.1 prohibits filing, entering, or recording any document in a public record knowing that such document is false or contains a materially false, fictitious, or fraudulent statement or representation; O.C.G.A. § 16-10-20 prohibits making a false, fictitious, or fraudulent statement or representation or using any false writing or document that contains a false, fictitious, or fraudulent statement; O.C.G.A. § 16-10-23 prohibits holding oneself out as a public officer with intent to mislead; and O.C.G.A. § 16-10-71 prohibits making a false statement in a that purports to be made under lawful oath or affirmation.
- Rule of Professional Conduct 3.3 (Candor to Tribunal) – Mr. Carver violated the duty of candor to a tribunal by submitting a certificate claiming to be the duly appointed electors from the State of Georgia to the United States District Court.
- Rule of Professional Conduct 8.4(a)(4) (Engaging in Acts Involving Dishonest, Fraud, Deceit, or Misrepresentation) – Mr. Carver engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation by participating in the false elector effort.

- Rule of Professional Conduct 8.4(a)(1) (Violating and Assisting Others in Violating the Rules of Professional Conduct) – Mr. Carver assisted others to engage in conduct that violated the Rules of Professional Conduct.

Mr. Carver cannot, and does not even attempt to, explain his conduct in the context of these Rules of Professional Conduct. Rather, he offers three points in response: (1) that your office has previously dismissed a grievance filed by another individual, who is not an attorney; (2) that he was participating in an effort to preserve an “ongoing” election challenge; and (3) The 65 Project’s motives are suspect.

We respond to each of Mr. Carver’s points in turn, as well as provide additional facts that support the Grievance.

1. The Prior Grievance Does Not Appear to Have Placed Mr. Carver’s Conduct in the Context of Rules Violations

Mr. Carver’s response provides the letter notifying the prior complainant that your office was dismissing his grievance. Mr. Carver did not include the actual grievance itself, so it is not possible for us to compare the prior grievance with the one filed by The 65 Project. However, your office stated that it based the dismissal on the following:

The Supreme Court of Georgia has authorized the State Bar of Georgia to discipline attorneys if they violate any of the Rules set forth in the Georgia Rules of Professional Conduct. If the attorney has not violated one of these Rules, we are unable to take action against him or her. Though the State Bar of Georgia functions as the disciplinary branch of the Supreme Court of Georgia for attorneys licensed in Georgia, we are not a court of law, nor do we function as one. This is a matter that should be addressed with the court.

Though the State Bar of Georgia is unable to provide any legal advice or representation, you may wish to consider going to court with your own lawyer in an effort to address your concerns. Should you proceed with an action against Mr. Carver, dismissal of your original grievance by our office does not affect your right to file a new grievance once a court has ruled.

This explanation suggests that the prior complainant focused on the illegal nature of Mr. Carver’s conduct, but did not address how Mr. Carver’s actions specifically violated Georgia’s Rules of Professional Conduct. The 65 Project’s Grievance, however, did directly tie Mr. Carver’s actions to the applicable Rules.

Of particular note, too, is that the illegal nature of Mr. Carver’s actions represents only one of several bases for discipline. It does not appear from the above-quoted letter to the prior complainant that the earlier grievance raised the fact that Mr. Carver submitted an untrue filing

to a federal court, implicating Rule 3.3's duty of candor to a tribunal. Nor is it clear that the complainant raised the issue of Mr. Carver assisting others with violating rules of professional conduct.

Put simply, Mr. Carver's reliance on a dismissal of a prior grievance carries no weight.

2. Mr. Carver's Explanation Regarding Preserving Ongoing Election Challenge Does Not Justify Violating the Rules of Professional Conduct

Mr. Carver excuses his conduct by asserting that he was seeking to "preserve an ongoing election challenge." Mr. Carver's explanation lacks credibility.

As noted in the Grievance, Mr. Carver was participating in a national scheme. However, other false electors made clear that the documents they were signing were conditional:¹

CERTIFICATE OF THE VOTES OF THE 2020 ELECTORS FROM NEW MEXICO	

WE, THE UNDERSIGNED, on the understanding that it might later be determined that we are the duly elected and qualified Electors for President and Vice President of the United States of America from the State of New Mexico, do hereby certify the following:	
(A) That we convened and organized at the State Capitol, in Santa Fe, New Mexico at 12:00 noon on the 14th day of December, 2020, to perform the duties enjoined upon us;	
(B) That being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President, by distinct ballots; and	
(C) That the following are two distinct lists, one, of all the votes for President; and the other, of all the votes for Vice President, so cast as aforesaid:	
FOR PRESIDENT	
Names of the Persons Voted For	Number of Votes
DONALD J. TRUMP of the State of Florida	5
FOR VICE PRESIDENT	
Names of the Persons Voted For	Number of Votes
MICHAEL R. PENCE of the State of Indiana	5

¹ See Exhibit 1

**CERTIFICATE OF THE VOTES OF THE
2020 ELECTORS FROM PENNSYLVANIA**

WE, THE UNDERSIGNED, on the understanding that if, as a result of a final non-appealable Court Order or other proceeding prescribed by law, we are ultimately recognized as being the duly elected and qualified Electors for President and Vice President of the United States of America from the State of Pennsylvania, hereby certify the following:

(A) That we assembled in the City of Harrisburg, Pennsylvania, the seat of government of this Commonwealth, at 12:00 noon on the 14th day of December, 2020, to perform the duties enjoined upon us;

(B) That being so assembled, we proceeded to vote by ballot, and balloted first for President and then for Vice President, by distinct ballots; and

(C) That the following are two distinct lists, one, of all the votes for President; and the other, of all the votes for Vice President, so cast as aforesaid:

FOR PRESIDENT

Names of the Persons Voted For	Number of Votes
DONALD J. TRUMP of the State of Florida	20

FOR VICE PRESIDENT

Names of the Persons Voted For	Number of Votes
MICHAEL R. PENCE of the State of Indiana	20

In contrast, the certificate Mr. Carver signed included no conditional language:²

STATE OF GEORGIA
COUNTY OF FULTON

**CERTIFICATE OF THE VOTES OF THE
2020 ELECTORS FROM GEORGIA**

WE, THE UNDERSIGNED, being the duly elected and qualified Electors for President and Vice President of the United States of America from the State of Georgia, do hereby certify the following:

(A) That we convened and organized at the State Capitol, in the City of Atlanta, County of Fulton, Georgia, at 12:00 noon on the 14th day of December, 2020, to perform the duties enjoined upon us;

(B) That David J. Shafer presided and Shawn Still served as Secretary for the meeting.

(C) That the undersigned 2020 Electors from the State of Georgia cast each of their respective ballots for President of the United States of America, as follows:

FOR DONALD J. TRUMP – 16 VOTES

JOSEPH BRANNAN
JAMES “KEN” CARROLL
VIKKI TOWNSEND CONSIGLIO
CAROLYN HALL FISHER
HON BURT JONES
GLORIA EAY GODWIN
DAVID G. HANNA
MARK W. HENNESSY
MARK AMICK
JOHN DOWNEY
CATHLEEN ALSTON LATHAM
DARYL MOODY
BRAD CARVER
DAVID SHAFER

² See Exhibit 2.

 JAMES "KEN" CARROLL (SEAL)	 BRAD CARVER (SEAL)
 VIKKI TOWNSEND CONSIGLIO (SEAL)	 CATHLEEN ALSTON LATHAM (SEAL)
 CAROLYN HALL FISHER (SEAL)	 DARAL MOODY (SEAL)
 JOHN DOWNEY (SEAL)	 BURT JONES (SEAL)
 GLORIA KAY GODWIN (SEAL)	 DAVID SHAFFER (SEAL)
 DAVID G. HANNA (SEAL)	 SHARON STILL (SEAL)
 MARK W. HENNESSY (SEAL)	 C.B. YADAV (SEAL)

If, as Mr. Carver asserts, he only sought to “preserve the ongoing election challenge,” he could have ensured that the certificate included the qualifying language that the Pennsylvania and New Mexico alternate electors inserted.

Further, in his response, Mr. Carver labels himself an “alternate” elector. That is not accurate. The Republican electors in Pennsylvania and New Mexico can fairly lay claim to that title, because they presented themselves as alternates, who would become the electors only upon being recognized as such based on a court’s non-appealable final judgment. In contrast, Mr. Carver and the others made false statements with their certificate – that they were the duly appointed electors from Georgia. Mr. Carver knew they were false. And Mr. Carver knew that his false statement swearing to be a duly appointed elector would then be transmitted to the United States District Court.

Indeed, he only played this role because other previously selected electors refused to participate in the scheme. Mr. Carver misleads the Office of General Counsel by stating, “I was also informed that one of our identified Electors was not able to be at the State Capitol the next day to perform this necessary task, and I was asked to serve in that capacity.” In truth, **four of the sixteen**, or twenty-five percent, of the original Republican electors did not attend the December 14, 2020 meeting of false electors:

December 14, 2020

VIA HAND DELIVERY

The Honorable Brian P. Kemp
Governor, State of Georgia
206 Washington Street
111 State Capitol
Atlanta, GA 30334

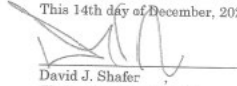
RE: Notice of Filling of Electoral College Vacancy

Dear Governor Kemp,


In accordance with O.C.G.A. § 21-2-12, I hereby give you notice of the following:

1. On December 14, 2020, 12 of the 16 electors pledged to Donald J. Trump for President and Michael R. Pence for Vice President assembled in accordance with O.C.G.A. § 21-2-11;
2. 4 electors, John A. Isakson, Patrick Garland, CJ Pearson, Susan Holmes did not appear at the time appointed by law;
3. The Electors present proceeded to fill those vacancies;
4. The Electors elected by unanimous voice vote, Brad Carver, Mark Amick, John Downey, Burt Jones persons of the same political party as the absent Electors;
5. As the presiding officer of the Georgia Electoral College, I am immediately transmitting their names to you, and ask that you notify them in writing of their election as a Presidential Elector to fill the vacant Elector positions, and of their duty to perform, along with the other Electors, the duties required of them by the Constitution and laws of the United States.

This 14th day of December, 2020.


David J. Shafer
Chairman, 2020 Georgia
Electoral College Meeting

Attest:


Shawn Still
Secretary, 2020 Georgia
Electoral College Meeting

John A. Isakson, son of former Senator Johnny Isakson, was originally slated to participate as a Republican elector. He balked, and has stated:

It seemed like political gamesmanship, and that's not something I would have participated in. We have a process for certifying the election. We have a process for challenging the election. The challenges failed, so I wouldn't have participated in something that was going against all of that.³

If Mr. Isakson knew that the effort amounted to “political gamesmanship” because “the [election] challenges failed,” Mr. Carver should have been well aware of that, as well.

Finally, in a footnote, Mr. Carver incorrectly asserts that the “Complainants argue that all election challenge cases had been dismissed by December 14, 2020.” He then suggests that “a plain review of the case docket reveals these contentions are entirely inaccurate. In fact, the election challenge was ongoing and active until it was voluntarily dismissed on January 7, 2021 because it had become moot.”

In truth, the Grievance stated that by December 14, 2020, the courts, including the Georgia Supreme Court, had **rejected** all of Mr. Trump's and his allies' attempts to overturn Georgia's

³ B. Reinhard, et al., *As Giuliani Coordinated Plan for Trump Electoral Votes in States Biden Won, Some Elections Balked*, Washington Post (Jan. 20, 2022), available at https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430_story.html.

election. A plain review of the case docket proves this statements' truth – and Mr. Isakson's statement substantiates the well-known understanding of Mr. Trump's efforts by December 14, 2020. Further, the docket also demonstrates that the election challenge Mr. Carver asserts "was ongoing and active," had precisely zero filings between December 12, 2020, when the Supreme Court of Georgia rejected the challenge, and January 7, 2021, when Mr. Trump voluntarily dismissed the matter. Despite having filed numerous emergency appeals and requests, after the Supreme Court of Georgia issued its December 12 order, Mr. Trump's team took no steps to continue the election challenge. Therefore, on December 14, 2020, Mr. Carver had no basis for believing an election challenge was "ongoing **and** active."⁴

Since the original complainant's filing, and even since The 65 Project's Grievance, a federal court has determined that the effort to prevent the certification of Mr. Biden's victory by rejecting the duly appointed electors from Georgia and other states constituted a criminal conspiracy.⁵ In actuality, Mr. Carver participated in an effort that was not about an election challenge, but instead was a precondition to Mr. Eastman's proposed "January 6 scenario" that would allow Vice President Pence to reject Georgia's electoral votes. As Mr. Eastman provided as the basis for the actions he pressured Mr. Pence to take: "seven states have transmitted dual slates of electors to the President of the Senate."⁶ In other words, the false elector scheme served as a necessary aspect of a criminal effort. That is why the Select Committee to Investigate the January 6th Attack on the United States Capitol has subpoenaed David Shafer⁷ and Shawn Still,⁸ who served as chair and secretary, respectively, of the false Georgia electors group.

Mr. Carver's response contains many misleading statements, which should give the Office of General Counsel pause and which require further investigation.

3. The 65 Project is a Bipartisan Effort to Protect Democracy by Holding Accountable Lawyers Who Engage in Fraudulent and Malicious Efforts to Overturn Legitimate Elections

Mr. Carver seeks to mask his conduct by questioning the motives of The 65 Project. It hardly seems relevant to an inquiry about the actions that Mr. Carver took in 2020, but to the extent that it matters, The 65 Project is a bipartisan effort. Prominent Republicans serve on our advisory board and our volunteer teams of lawyers include attorneys from across the political spectrum.

⁴ Mr. Carver's references to the 1960 Hawaii presidential election are inapposite. In that matter, an actual ongoing and active election challenge existed that involved a recount.

⁵ *Eastman v. Thompson, et al.*, Case No. 8:22-cv-00099 (C.D. Cal.), Order Re Privilege of Documents Dated January 4-7, 2021 at 33, 36, 40, available at <https://storage.courtlistener.com/recap/gov.uscourts.cacd.841840/gov.uscourts.cacd.841840.260.0.pdf>.

⁶ See <https://cdn.cnn.com/cnn/2021/images/09/20/eastman.memo.pdf>.

⁷ See https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022-1-28.BGT%20Letter%20to%20Shafer%20-%20Cover%20Letter%20and%20Schedule_Redacted.pdf. See Exhibit 3.

⁸ https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022-1-28.BGT%20Letter%20to%20Still%20-%20Cover%20Letter%20and%20Schedule_Redacted.pdf. See Exhibit 4.

The fact that Mr. Carver mentions The 65 Project multiple times in his response, but never once mentions the Rules of Professional Conduct demonstrates the problem. Just as he does in his responsive letter, Mr. Carver in December 2020 ignored the Rules of Professional Conduct, instead choosing “political gamesmanship” over his obligations as an attorney.

For the reasons set forth above, as well as those discussed in our original Grievance, we respectfully request that the Disciplinary Board investigate Mr. Carver’s conduct and impose appropriate discipline.

Sincerely,

A handwritten signature in cursive script that reads "Michael Teter".

Michael Teter
Managing Director, The 65 Project

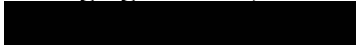


Exhibit 1

CERTIFICATE OF THE VOTES OF THE 2020 ELECTORS FROM PENNSYLVANIA

WE, THE UNDERSIGNED, on the understanding that if, as a result of a final non-appealable Court Order or other proceeding prescribed by law, we are ultimately recognized as being the duly elected and qualified Electors for President and Vice President of the United States of America from the State of Pennsylvania, hereby certify the following:

- (A) That we assembled in the City of Harrisburg, Pennsylvania, the seat of government of this Commonwealth, at 12:00 noon on the 14th day of December, 2020, to perform the duties enjoined upon us;
- (B) That being so assembled, we proceeded to vote by ballot, and balloted first for President and then for Vice President, by distinct ballots; and
- (C) That the following are two distinct lists, one, of all the votes for President; and the other, of all the votes for Vice President, so cast as aforesaid:


FOR PRESIDENT

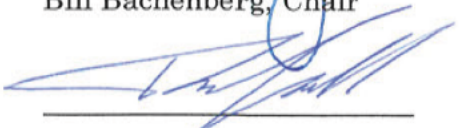
Names of the Persons Voted For	Number of Votes
DONALD J. TRUMP of the State of Florida	20

FOR VICE PRESIDENT

Names of the Persons Voted For	Number of Votes
MICHAEL R. PENCE of the State of Indiana	20

IN WITNESS WHEREOF, we, the undersigned, have hereunto, at the Capitol, in the City of Harrisburg, in the Commonwealth of Pennsylvania, on this 14th day of December, 2020, subscribed our respective names.


Bill Bachenberg, Chair


Tom Carroll


Chuck Coccodrilli

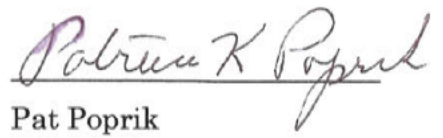

Sam DeMarco III


Christie DiEsposti


Charlie Gerow


Leah Hoopes


Andre McCoy

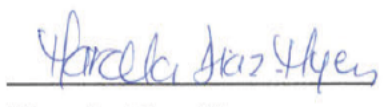

Pat Poprik


Suk Smith


Lou Barletta


Ted Christian

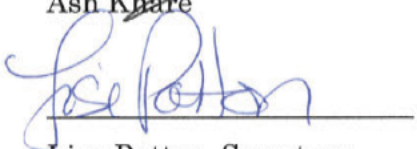

Bernadette Comfort


Marcela Diaz-Myers


Josephine Ferro


Kevin Harley


Ash Khare


Lisa Patton, Secretary


Andy Reilly


Calvin Tucker

CERTIFICATE OF THE VOTES OF THE 2020 ELECTORS FROM NEW MEXICO

WE, THE UNDERSIGNED, on the understanding that it might later be determined that we are the duly elected and qualified Electors for President and Vice President of the United States of America from the State of New Mexico, do hereby certify the following:

- (A) That we convened and organized at the State Capitol, in Santa Fe, New Mexico at 12:00 noon on the 14th day of December, 2020, to perform the duties enjoined upon us;
- (B) That being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President, by distinct ballots; and
- (C) That the following are two distinct lists, one, of all the votes for President; and the other, of all the votes for Vice President, so cast as aforesaid:

FOR PRESIDENT

Names of the Persons Voted For	Number of Votes
DONALD J. TRUMP of the State of Florida	5

FOR VICE PRESIDENT


Names of the Persons Voted For	Number of Votes
MICHAEL R. PENCE of the State of Indiana	5

IN WITNESS WHEREOF, we, the undersigned, have hereunto, at the Capitol, in Santa Fe, in the State of New Mexico, on this 14th day of December, 2020, subscribed our respective names.


JEWELL POWDRELL, Chairperson


DEBORAH W. MAESTAS, Secretary


LUPE GARCIA


ROSIE TRIPP


ANISSA FORD-TINNIN

Exhibit 2

David J. Shafer

Chairman, Georgia Republican Party

Chairman, Electoral College of Georgia

MEMORANDUM

TO: President of the Senate (By Registered Mail)
United States Senate
Washington, D.C. 20510

Archivist of the United States (By Registered Mail)
700 Pennsylvania Avenue, NW
Washington, DC 20408

Secretary of State (By Certified Mail)
State of Georgia
214 State Capitol
Atlanta, GA 30334

Chief Judge, U.S. District Court (By Certified Mail)
Northern District of Georgia
2188 Richard D. Russell Federal
Office Building and U.S. Courthouse
75 Ted Turner Drive, SW
Atlanta, GA 30303

FROM: David J. Shafer, Chairperson, Electoral College of Georgia

DATE: December 14, 2020

RE: Georgia's Electoral Votes for President and Vice President

Pursuant to 3 U.S.C. § 11, enclosed please find duplicate originals of Georgia's electoral votes for President and Vice President, as follows: two (2) duplicate originals for the President of the Senate and the Archivist, and one (1) duplicate original for the Secretary of State and Chief Judge.



David J. Shafer

STATE OF GEORGIA
COUNTY OF FULTON

**CERTIFICATE OF THE VOTES OF THE
2020 ELECTORS FROM GEORGIA**

WE, THE UNDERSIGNED, being the duly elected and qualified Electors for President and Vice President of the United States of America from the State of Georgia, do hereby certify the following:

- (A) That we convened and organized at the State Capitol, in the City of Atlanta, County of Fulton, Georgia, at 12:00 noon on the 14th day of December, 2020, to perform the duties enjoined upon us;
- (B) That David J. Shafer presided and Shawn Still served as Secretary for the meeting.
- (C) That the undersigned 2020 Electors from the State of Georgia cast each of their respective ballots for President of the United States of America, as follows:

FOR DONALD J. TRUMP – 16 VOTES

JOSEPH BRANNAN
JAMES “KEN” CARROLL
VIKKI TOWNSEND CONSIGLIO
CAROLYN HALL FISHER
HON BURT JONES
GLORIA KAY GODWIN
DAVID G. HANNA
MARK W. HENNESSY
MARK AMICK
JOHN DOWNEY
CATHLEEN ALSTON LATHAM
DARYL MOODY
BRAD CARVER
DAVID SHAFER

SHAWN STILL

C.B. YADAV

(D) That the undersigned 2020 Electors from the State of Georgia cast each of their respective ballots for Vice President of the United States of America, as follows

FOR MICHAEL R. PENCE – 16 VOTES

JOSEPH BRANNAN

JAMES “KEN” CARROLL

VIKKI TOWNSEND CONSIGLIO

CAROLYN HALL FISHER

HON BURT JONES

GLORIA KAY GODWIN

DAVID G. HANNA

MARK W. HENNESSY

MARK AMICK

JOHN DOWNEY

CATHLEEN ALSTON LATHAM

DARYL MOODY

BRAD CARVER


DAVID SHAFER

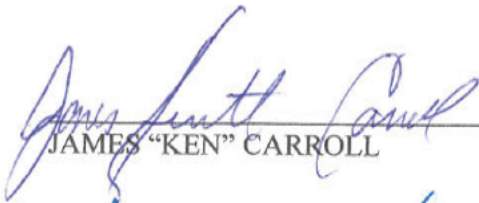
SHAWN STILL

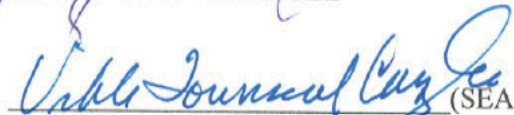
C.B. YADAV

Witness the hands and seals of the undersigned as the duly elected and qualified Electors of the President and Vice President of the United States of America from the State of Georgia, this 14th day of December, 2020.


 (SEAL)
JOSEPH BRANNAN

 (SEAL)
MARK AMICK

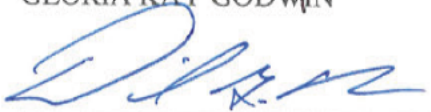
 (SEAL)
JAMES "KEN" CARROLL

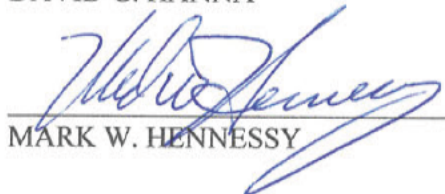
 (SEAL)
VIKKI TOWNSEND CONSIGLIO

 (SEAL)
CAROLYN HALL FISHER

 (SEAL)
JOHN DOWNEY

 (SEAL)
GLORIA KAY GODWIN

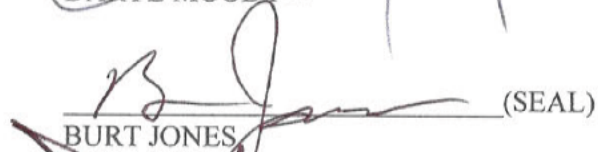
 (SEAL)
DAVID G. HANNA

 (SEAL)
MARK W. HENNESSY

 (SEAL)
BRAD CARVER

 (SEAL)
CATHLEEN ALSTON LATHAM

 (SEAL)
DARYL MOODY

 (SEAL)
BURT JONES

 (SEAL)
DAVID SHAFER

 (SEAL)
SHAWN STILL

 (SEAL)
C.B. YADAV

December 14, 2020

VIA HAND DELIVERY

The Honorable Brian P. Kemp
Governor, State of Georgia
206 Washington Street
111 State Capitol
Atlanta, GA 30334

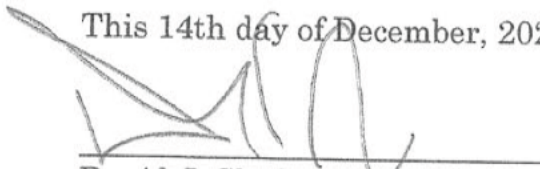
RE: Notice of Filling of Electoral College Vacancy

Dear Governor Kemp,

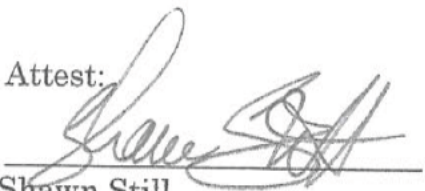
In accordance with O.C.G.A. § 21-2-12, I hereby give you notice of the following:

1. On December 14, 2020, 12 of the 16 electors pledged to Donald J. Trump for President and Michael R. Pence for Vice President assembled in accordance with O.C.G.A. § 21-2-11;
2. 4 electors, John A Isakson, Patrick Garland, Cj Pearson, Susan Holmes did not appear at the time appointed by law;
3. The Electors present proceeded to fill those vacancies;
4. The Electors elected by unanimous voice vote, Brad Carver, Mark Amick, John Downey, Burt Jones persons of the same political party as the absent Electors;
5. As the presiding officer of the Georgia Electoral College, I am immediately transmitting their names to you, and ask that you notify them in writing of their election as a Presidential Elector to fill the vacant Elector positions, and of their duty to perform, along with the other Electors, the duties required of them by the Constitution and laws of the United States.

This 14th day of December, 2020.


David J. Shafer
Chairman, 2020 Georgia
Electoral College Meeting

Attest:


Shawn Still
Secretary, 2020 Georgia
Electoral College Meeting

CERTIFICATE OF FILLING VACANCY OF THE 2020 ELECTORS FROM GEORGIA

Upon the call of the roll, a vacancy became known due to the absence of
Elector

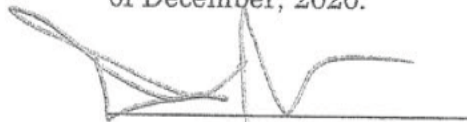
John A. Isakson

Thereupon, by nomination duly made and seconded,

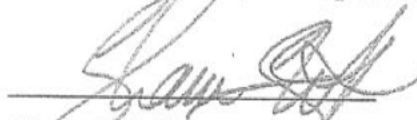
John Downey

Was elected by the Electors present, as an Elector of President and Vice President of the United States of America for the State of Georgia to fill the vacancy in the manner provided by law. This Elector participated in the proceedings as set forth in the record of the Electoral College.

IN WITNESS WHEREOF, the undersigned
Chairperson and Secretary of the
Electoral College of Georgia hereunto
Subscribe their names this 14th day
of December, 2020.



David J. Shafer, Chairperson



Shawn Still, Secretary

CERTIFICATE OF FILLING VACANCY OF THE 2020 ELECTORS FROM GEORGIA

Upon the call of the roll, a vacancy became known due to the absence of
Elector

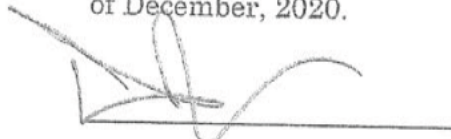
Susan Holmes

Thereupon, by nomination duly made and seconded,

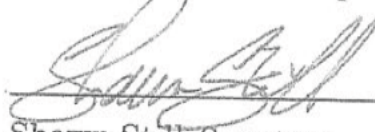
Brad Carver

Was elected by the Electors present, as an Elector of President and Vice President of the United States of America for the State of Georgia to fill the vacancy in the manner provided by law. This Elector participated in the proceedings as set forth in the record of the Electoral College.

IN WITNESS WHEREOF, the undersigned
Chairperson and Secretary of the
Electoral College of Georgia hereunto
Subscribe their names this 14th day
of December, 2020.



David J. Shafer, Chairperson



Shawn Still, Secretary

CERTIFICATE OF FILLING VACANCY OF THE 2020 ELECTORS FROM GEORGIA

Upon the call of the roll, a vacancy became known due to the absence of
Elector

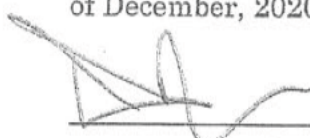
Patrick Gartland

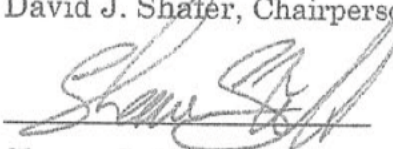
Thereupon, by nomination duly made and seconded,

Mark Amick

Was elected by the Electors present, as an Elector of President and Vice President of the United States of America for the State of Georgia to fill the vacancy in the manner provided by law. This Elector participated in the proceedings as set forth in the record of the Electoral College.

IN WITNESS WHEREOF, the undersigned
Chairperson and Secretary of the
Electoral College of Georgia hereunto
Subscribe their names this 14th day
of December, 2020.



David J. Shafer, Chairperson

Shawn Still, Secretary

CERTIFICATE OF FILLING VACANCY OF THE 2020 ELECTORS FROM GEORGIA

Upon the call of the roll, a vacancy became known due to the absence of
Elector

CJ Pearson

Thereupon, by nomination duly made and seconded,

Hon. Burt Jones

Was elected by the Electors present, as an Elector of President and Vice President of the United States of America for the State of Georgia to fill the vacancy in the manner provided by law. This Elector participated in the proceedings as set forth in the record of the Electoral College.

IN WITNESS WHEREOF, the undersigned
Chairperson and Secretary of the
Electoral College of Georgia hereunto
Subscribe their names this 14th day
of December, 2020.



David J. Shafer, Chairperson

Shawn Still, Secretary

December 14, 2020

I, Brian P. Kemp, Governor of the State of Georgia, in accordance with O.C.G.A. § 21-2-12, hereby give notice of the following to _____, _____, and _____ [names of the substituted electors]:

1. On December 14, 2020, _____ of the 16 electors pledged to Donald J. Trump for President and Michael R. Pence for Vice President assembled in accordance with O.C.G.A. § 21-2-11;

2. _____ electors, _____ [name], _____ [name], and _____ name . . . [etc.], did not appear at the time appointed by law;

3. The Electors present then proceeded to fill the vacancies;

4. The Electors elected by unanimous voice vote, _____, _____, and _____, persons of the same political party as the absent Electors;

5. Immediately following that vote of the Electors, David Shafer, the presiding officer of the Electors, transmitted the names of the substitute Electors to me;

6. By this Certificate, I am hereby notifying _____, _____, and _____ of their election to fill the vacant Elector positions.

Witness my hand and seal of
of my office this 14th day of
December, 2020.

Brian P. Kemp, Governor

Exhibit 3

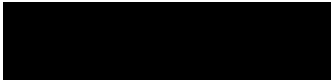


One Hundred Seventeenth Congress

Select Committee to Investigate the January 6th Attack on the United States Capitol

January 28, 2022

Mr. David Shafer



Dear Mr. Shafer:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”) hereby transmits a subpoena that compels you to produce the documents set forth in the accompanying schedule by February 11, 2022, at 10 a.m., and to appear for a deposition on February 21, 2022, at 10 a.m.

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations. The inquiry includes examination of how various individuals and entities coordinated their activities leading up to the events of January 6, 2021.

The Select Committee seeks information from you on a narrow range of issues. We have sincere respect for your privacy, and we are not seeking information about your political views or your efforts in the 2020 presidential campaign more generally. Rather, we are seeking information about your role and participation in the purported slate of electors casting votes for Donald Trump and, to the extent relevant, your role in the events of January 6, 2021.

Based on publicly available information and information provided to the Select Committee, we believe that you have documents and information that are relevant to the Select Committee’s investigation. For example, according to documents sent to the National Archives, you were a purported Electoral College elector who met with other purported electors on or about December 14, 2020 to cast votes for former President Trump and former Vice President Pence despite the fact that your state had made a final determination that Joseph Biden, Jr. and Kamala Harris were the winners of the November 2020 presidential election and the appointment of their electors had been certified.¹ Your delegation of purported electors for former President Trump and former Vice

¹ Documents on file with the Select Committee. Under the Constitution, each state “shall appoint” electors for President and Vice President pursuant to state law (Article II, Section 2, clause 1). The executive of the state is required to send under seal to the Archivist of the United States “a certificate of such ascertainment of the electors appointed, setting forth the names of such electors,” and shall do so “as soon as practicable” in cases where there has been “a final determination provided for by law of a controversy or contest concerning the appointment” of the electors (3 U.S.C. § 6).

President Pence then sent an alleged “Certificate of the Votes” of the purported electors to Congress for consideration by former Vice President Pence, in his role as President of the Senate, during the Joint Session of Congress on January 6, 2021.² The existence of these purported alternate-electoral votes was used as a justification to delay or block the certification of the election during the Joint Session of Congress on January 6, 2021.³

Accordingly, the Select Committee seeks documents and a deposition regarding these matters that are within the scope of the Select Committee’s inquiry. A copy of the rules governing Select Committee depositions, and document production definitions and instructions are attached. Please contact staff for the Select Committee at 202-225-7800 to arrange for the production of documents.

Sincerely,



Bennie G. Thompson
Chairman

² *Id.*

³ See, e.g., Documents on file with the Select Committee; *READ: Trump lawyer’s full memo on plan for Pence to overturn the election*, CNN (September 21, 2021), found at <https://www.cnn.com/2021/09/21/politics/read-eastman-memo/index.html>;

Exhibit 4



One Hundred Seventeenth Congress

Select Committee to Investigate the January 6th Attack on the United States Capitol

January 28, 2022

Mr. Shawn Still



Dear Mr. Still:

Pursuant to the authorities set forth in House Resolution 503 and the rules of the House of Representatives, the Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”) hereby transmits a subpoena that compels you to produce the documents set forth in the accompanying schedule by 2 p.m. on February 11, 2022, and to appear for a deposition at 2 p.m. on February 21, 2022.

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify and evaluate lessons learned and to recommend to the House and its relevant committees corrective laws, policies, procedures, rules, or regulations. The inquiry includes examination of how various individuals and entities coordinated their activities leading up to the events of January 6, 2021.

The Select Committee seeks information from you on a narrow range of issues. We have sincere respect for your privacy, and we are not seeking information about your political views or your efforts in the 2020 presidential campaign more generally. Rather, we are seeking information about your role and participation in the purported slate of electors casting votes for Donald Trump and, to the extent relevant, your role in the events of January 6, 2021.

Based on publicly available information and information provided to the Select Committee, we believe that you have documents and information that are relevant to the Select Committee’s investigation. For example, according to documents sent to the National Archives, you were a purported Electoral College elector who met with other purported electors on or about December 14, 2020 to cast votes for former President Trump and former Vice President Pence despite the fact that your state had made a final determination that Joseph Biden, Jr. and Kamala Harris were the winners of the November 2020 presidential election and the appointment of their electors had been certified.¹ Your delegation of purported electors for former President Trump and former Vice

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Sincerely,

A handwritten signature in blue ink that reads "Bennie G. Thompson". The signature is fluid and cursive, with the first name "Bennie" and last name "Thompson" clearly legible.

Bennie G. Thompson
Chairman

² *Id.*

³ See, e.g., Documents on file with the Select Committee; *READ: Trump lawyer’s full memo on plan for Pence to overturn the election*, CNN (September 21, 2021), found at <https://www.cnn.com/2021/09/21/politics/read-eastman-memo/index.html>;