IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DONALD J. TRUMP FOR PRESIDENT, INC., et al.,) 2:20-cv-966-NR
Plaintiffs,	
v.	}
KATHY BOOCKVAR, et al.,	
Defendants.	}

ORDER GRANTING MOTIONS TO COMPEL [ECF 366, ECF 368]

After considering the parties' submissions on the motions to compel, the Court hereby ORDERS as follows:

- 1) As to the motion to compel filed by the Democratic Party Intervenors [ECF 366], Plaintiffs shall respond fully to the Democratic Intervenors' Interrogatory Nos. 1-9 and Document Requests Nos. 1-4 and 9 with specific information or documents requested and/or specifically identify by Bates number which document(s) produced are responsive to each Document Request and Interrogatory. If there are no responsive documents, Plaintiffs must state as much.
- 2) As to the motion to compel filed by the Sierra Club Intervenors [ECF 368], the Court finds that instances of voter fraud are relevant to the claims and defenses in this case, particularly since Plaintiffs are reserving their right to introduce such evidence or retain an expert regarding the same. Plaintiffs shall produce such evidence in their possession, and if they have none, state as much. More specifically, Plaintiffs must respond fully to the Sierra Club Intervenors' Document Request Nos. 1 and 15, "as narrowed to include documents, data, analysis and communications relating to allegations

in the Amended Complaint concerning potential or actual fraud or voter misconduct," including as relates to: a) "non-uniform procedures concerning drop boxes in Pennsylvania"; b) "fraudulent voting resulting from the use of drop boxes, absentee ballots, or vote-by-mail in Pennsylvania"; c) "fraud resulting from the use of third-party groups to collect absentee or mail ballots in Pennsylvania"; d) "the existence and/or prevalence of fraud, ballot harvesting, ballot manipulation or destruction, or duplicitous voting in Pennsylvania"; and e) "the prevalence and/or counting of absentee or mail ballots in Pennsylvania that lack a secrecy envelope, whose envelope contains

3) Plaintiffs shall provide supplemental responses and documents consistent with the foregoing no later than **August 14, 2020**.

any text, mark, or symbol which reveals the elector's identify, political

affiliation, or candidate preference, or whose envelope does not include on the

outside envelope a completed declaration signed by the elector."

4) Pursuant to Rule 37(a)(5)(A)(ii), the Court finds that Plaintiffs' positions were substantially justified, and so will not award reasonable expenses or attorneys' fees.

DATED this 13th day of August, 2020.

BY THE COURT:

/s/ J. Nicholas Ranjan

United States District Judge

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