

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

COAKLEY PENDERGRASS; TRIANA
ARNOLD JAMES; ELLIOTT
HENNINGTON; ROBERT RICHARDS;
JENS RUECKERT; and OJUAN GLAZE,

Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official
capacity as the Georgia Secretary of State;
WILLIAM S. DUFFEY, JR., in his official
capacity as chair of the State Election
Board; MATTHEW MASHBURN, in his
official capacity as a member of the State
Election Board; SARA TINDALL
GHAZAL, in her official capacity as a
member of the State Election Board;
EDWARD LINDSEY, in his official
capacity as a member of the State Election
Board; and JANICE W. JOHNSTON, in
her official capacity as a member of the
State Election Board,

Defendants.

CIVIL ACTION FILE
NO. 1:21-CV-05339-SCJ

**SECOND DECLARATION OF JONATHAN P. HAWLEY IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, Jonathan P. Hawley, hereby declare under penalty of perjury under the laws
of the United States as follows:

1. I am over the age of 18 and competent to make this declaration. I am an associate with the law firm Elias Law Group LLP and am admitted to practice law in the States of Washington, California, and Montana and the District of Columbia and before multiple federal courts of appeals and district courts. I am admitted in this Court *pro hac vice* in the above-captioned matter as counsel for Plaintiffs.

2. I submit this declaration to provide the Court true and correct copies of certain documents submitted in support of Plaintiffs' motion for summary judgment.

Exhibit 28 is a true and correct copy of the declaration of Coakley Pendergrass, *see* ECF No. 34-5, dated January 3, 2022.

Exhibit 29 is a true and correct copy of the declaration of Triana Arnold James, *see* ECF No. 34-6, dated December 16, 2021.

Exhibit 30 is a true and correct copy of the declaration of Elliott Hennington, *see* ECF No. 34-7, dated December 21, 2021.

Exhibit 31 is a true and correct copy of the declaration of Robert Richards, *see* ECF No. 34-8, dated December 16, 2021.

Exhibit 32 is a true and correct copy of the declaration of Jens Rueckert, *see* ECF No. 34-9, dated December 20, 2021.

Exhibit 33 is a true and correct copy of the declaration of Ojuan Glaze, *see* ECF No. 34-10, dated December 29, 2021.

Exhibit 34 is a true and correct copy of excerpts from the deposition transcript of Coakley Pendergrass, *see* ECF No. 159, dated December 15, 2022.

Exhibit 35 is a true and correct copy of excerpts from the deposition transcript of Triana Arnold James, *see* ECF No. 160, dated December 7, 2022.

Exhibit 36 is a true and correct copy of excerpts from the deposition transcript of Elliott Hennington, *see* ECF No. 164, dated December 13, 2022.

Exhibit 37 is a true and correct copy of excerpts from the deposition transcript of Robert Richards, *see* ECF No. 161, dated December 5, 2022.

Exhibit 38 is a true and correct copy of excerpts from the deposition transcript of Jens Rueckert, *see* ECF No. 162, dated February 7, 2023.

Exhibit 39 is a true and correct copy of excerpts from the deposition transcript of Ojuan Glaze, *see* ECF No. 163, dated December 14, 2022.

Exhibit 40 is a true and correct copy of excerpts from the deposition transcript of William S. Cooper, *see* ECF No. 167, dated February 14, 2023.

Exhibit 41 is a true and correct copy of excerpts from the deposition transcript of Dr. John R. Alford, *see* ECF No. 165-2, dated February 23, 2023.

Exhibit 42 is a true and correct copy of excerpts from the deposition transcript of Dr. Maxwell Palmer, *see* ECF No. 168, dated February 22, 2023.

3. Additionally, I submit this declaration to provide the Court an index of the exhibits filed in support of Plaintiffs' motion for summary judgment that also appear elsewhere on the docket.

Exhibit	Attorney Declaration	ECF No.
Expert Report of William S. Cooper, dated December 5, 2022	Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 1	174-1, 174-2
	Declaration of Jonathan P. Hawley in Opposition to Defendants' Motion for Summary Judgment, Ex. 1	190-1, 190-2
Expert report of Dr. Maxwell Palmer, dated December 12, 2022	Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 2	174-3
	Declaration of Jonathan P. Hawley in Opposition to Defendants' Motion for Summary Judgment, Ex. 2	190-3
Supplemental expert report of Dr. Maxwell Palmer, dated December 22, 2022	Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 3	174-4
	Declaration of Jonathan P. Hawley in Opposition to Defendants' Motion for Summary Judgment, Ex. 3	190-4

Exhibit	Attorney Declaration	ECF No.
Expert report of Dr. Orville Vernon Burton, dated December 5, 2022	Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 4	174-5
	Declaration of Jonathan P. Hawley in Opposition to Defendants' Motion for Summary Judgment, Ex. 4	190-5
Expert report of John B. Morgan, dated January 23, 2023	Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 6	174-7
	Plaintiffs' Notice of Corrected Filing, Ex. 5	192-1
Expert report of Dr. John R. Alford, dated February 6, 2023	Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 7	174-8
	Declaration of Jonathan P. Hawley in Opposition to Defendants' Motion for Summary Judgment, Ex. 6	190-10
Declaration of Coakley Pendergrass, dated January 3, 2022	Declaration of Kevin J. Hamilton in Support of Plaintiffs' Motion for Preliminary Injunction, Ex. 5	34-5
	Second Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 28	____-1
Declaration of Triana Arnold James, dated December 16, 2021	Declaration of Kevin J. Hamilton in Support of Plaintiffs' Motion for Preliminary Injunction, Ex. 6	34-6
	Second Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 29	____-2

Exhibit	Attorney Declaration	ECF No.
Declaration of Elliott Hennington, dated December 21, 2021	Declaration of Kevin J. Hamilton in Support of Plaintiffs' Motion for Preliminary Injunction, Ex. 7	34-7
	Second Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 30	____-3
Declaration of Robert Richards, dated December 16, 2021	Declaration of Kevin J. Hamilton in Support of Plaintiffs' Motion for Preliminary Injunction, Ex. 8	34-8
	Second Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 31	____-4
Declaration of Jens Rueckert, dated December 20, 2021	Declaration of Kevin J. Hamilton in Support of Plaintiffs' Motion for Preliminary Injunction, Ex. 9	34-9
	Second Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 32	____-5
Declaration of Ojuan Glaze, dated December 29, 2021	Declaration of Kevin J. Hamilton in Support of Plaintiffs' Motion for Preliminary Injunction, Ex. 10	34-10
	Second Declaration of Jonathan P. Hawley in Support of Plaintiffs' Motion for Summary Judgment, Ex. 33	____-6

Dated: May 3, 2023

Respectfully submitted,

By: **Jonathan P. Hawley**

Jonathan P. Hawley*

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*Admitted *pro hac vice*