

EXHIBIT 2

**IN THE CIRCUIT COURT OF
COLE COUNTY, MISSOURI**

JAKE MAGGARD et al.,)

Plaintiffs,)

v.)

STATE OF MISSOURI et al.,)

Defendants.)

Case No. 25AC-CC09120

**PLAINTIFF GREGG LOMBARDI'S RESPONSES AND OBJECTIONS TO
DEFENDANTS' FIRST REQUESTS FOR PRODUCTION**

Pursuant to Rule 58.01, Plaintiff Gregg Lombardi responds to the first requests for production served by Defendants State of Missouri and Denny Hoskins, in his official capacity as Missouri Secretary of State.

PRELIMINARY STATEMENT

This action involves a narrow legal question: Does the State's unprecedented refusal to suspend House Bill 1 despite the timely receipt of 691 boxes of signed referendum petitions violate Missourians' constitutional rights? None of these requests seeks information that has any bearing on that legal issue. Plaintiff therefore objects to each request individually and all collectively.

At the hearing on January 8, counsel for Defendants claimed that these requests are intended to obtain information about whether Plaintiffs were recruited by or are acting as proxies for People Not Politicians or its counsel. Given this stated objective, and in the interest of expediting resolution of this action and providing Defendants with responsive information—but without conceding that

any such information is at all relevant to this action or is likely to lead to relevant information, and without waiving any objections—Plaintiff responds to these requests accordingly.

GENERAL OBJECTIONS

Plaintiff objects to Defendants’ definitions and instructions to the extent they are inconsistent with the Missouri Rules of Civil Procedure. Plaintiff also objects to any use of the terms “each,” “all,” or “any” as it is not possible to represent that every possible document or response is exhaustive to meet such a request. All production and responses are based upon a reasonable and diligent search conducted by Plaintiff.

RESPONSES AND OBJECTIONS

1. Documents relating to communications between you, your agent(s), or anyone acting on your behalf, and People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians.

Response: Plaintiff has not been contacted about this lawsuit by, been offered assistance regarding this lawsuit by, or discussed the filing of this lawsuit with People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians, nor was Plaintiff recruited as a proxy to bring this lawsuit by People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians. Plaintiff therefore has no communications or documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

2. Documents relating to or reflecting communications between you, your agent(s), or anyone acting on your behalf, and Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn.

Response: Plaintiff has not been contacted about this lawsuit by, been offered assistance regarding this lawsuit by, or discussed the filing of this lawsuit

with Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn, nor was Plaintiff recruited as a proxy to bring this lawsuit by Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn. Plaintiff therefore has no communications or documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

3. Documents relating to or reflecting communications between you, your agent(s), or anyone acting on your behalf, and Stinson LLP, Charles ("Chuck") Hatfield, or any entities or individuals affiliated with Stinson LLP, Charles ("Chuck") Hatfield or acting on behalf of Stinson LLP or Charles ("Chuck") Hatfield.

Response: Plaintiff has not been contacted about this lawsuit by, been offered assistance regarding this lawsuit by, or discussed the filing of this lawsuit with Stinson LLP, Charles ("Chuck") Hatfield, or any entities or individuals affiliated with Stinson LLP or Charles ("Chuck") Hatfield or acting on behalf of Stinson LLP or Charles ("Chuck") Hatfield, nor was Plaintiff recruited as a proxy to bring this lawsuit by Stinson LLP, Charles ("Chuck") Hatfield, or any entities or individuals affiliated with Stinson LLP or Charles ("Chuck") Hatfield or acting on behalf of Stinson LLP or Charles ("Chuck") Hatfield. Plaintiff therefore has no communications or documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks

information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

4. Documents relating to or reflecting communications between you and anyone who contacted you concerning the decision to file this lawsuit or the facts of your claim, including any entities that contacted you about being a plaintiff in this lawsuit.

Response: Plaintiff was not contacted by People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians; Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn; Stinson LLP, Charles ("Chuck") Hatfield, or any entities or individuals affiliated with Stinson LLP or Charles ("Chuck") Hatfield or acting on behalf of Stinson LLP or Charles ("Chuck") Hatfield; or Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP concerning the decision to file this lawsuit, the facts of his claim, or his decision to be a plaintiff in this lawsuit, and therefore has no documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

5. Documents relating to any funding being provided for this lawsuit.

Response: Funding for this lawsuit has not been provided by People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians; Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn; Stinson LLP, Charles ("Chuck") Hatfield, or any entities or individuals

affiliated with Stinson LLP or Charles (“Chuck”) Hatfield or acting on behalf of Stinson LLP or Charles (“Chuck”) Hatfield; or Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP, and Plaintiff therefore has no documents to that effect.

This response notwithstanding, Plaintiff objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff’s associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) (“It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one’s associations.”).

6. Documents relating to your involvement in the referendum petitions challenging HB1, including any volunteer efforts, participation in calls or meetings concerning HB1, collection of signatures, or donations.

Response: Plaintiff signed a petition to refer HB1 to the people for approval or rejection. Plaintiff had no other involvement in the referendum petitions challenging HB1, and therefore has no documents to that effect.

This response notwithstanding, Plaintiff objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

7. Documents relating to or reflecting communications between you, your agent(s), or anyone acting on your behalf, and Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP.

Response: Plaintiff has not been contacted about this lawsuit by, been offered assistance regarding this lawsuit by, or discussed the filing of this lawsuit with Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP, nor was Plaintiff recruited as a proxy to bring this lawsuit by Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP. Plaintiff therefore has no communications or documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around

political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) (“It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one’s associations.”).

8. Documents considered by any non-retained expert in reaching opinions intended to be offered at trial.

Response: At this time, Plaintiff does not intend to offer any expert opinions at trial and therefore has no documents to that effect, and further believes this action can be resolved solely on the law and judicially noticeable facts.

This response notwithstanding, Plaintiff objects to this request on the basis that discovery is ongoing and additional expert witnesses might yet be identified. As there is currently no court-ordered schedule for discovery in this case, Plaintiff has not developed an expert witness list. Plaintiff reserves the right to supplement his response to this request at the appropriate time pursuant to any order of the Court or agreement of the parties.

9. Any exhibits you intend to use at trial.

Response: At this time, Plaintiff intends to use the exhibits attached to his preliminary-injunction motion.

This response notwithstanding, Plaintiff objects to this request on the basis that discovery is ongoing and additional exhibits might yet be identified. As there is currently no court-ordered schedule for pretrial filings in this case, Plaintiff has

not developed an exhibit list. Plaintiff reserves the right to supplement his response to this request at the appropriate time pursuant to any order of the Court or agreement of the parties.

10. Documents relating to any fee agreements, fee arrangements, retainer agreements, or contracts with any attorney, law firm, litigation funder, or third-party investigator involved in this case.

Response: Plaintiff has not received legal advice, funding, or resources relating to this lawsuit from People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians; Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn; Stinson LLP, Charles (“Chuck”) Hatfield, or any entities or individuals affiliated with Stinson LLP or Charles (“Chuck”) Hatfield or acting on behalf of Stinson LLP or Charles (“Chuck”) Hatfield; or Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP, and therefore has no documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to

Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

11. Documents showing any payments made by you or on your behalf for legal services, investigation costs, expert fees, or litigation funding relating to this case.

Response: Neither Plaintiff nor anyone acting on his behalf has made payments relating to this lawsuit to People Not Politicians or any entities or individuals affiliated with People Not Politicians or acting on behalf of People Not Politicians; Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn; Stinson LLP, Charles ("Chuck") Hatfield, or any entities or individuals affiliated with Stinson LLP or Charles ("Chuck") Hatfield or acting on behalf of Stinson LLP or Charles ("Chuck") Hatfield; or Jenner & Block LLP, or any entities or individuals affiliated with

Jenner & Block LLP or acting on behalf of Jenner & Block LLP, and therefore has no documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff's associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) ("It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.").

12. Documents relating to any meetings, phone calls, or discussions with anyone who encouraged or assisted you in bringing this lawsuit.

Response: Plaintiff has not had meetings, phone calls, or discussions relating to this lawsuit with People Not Politicians or any entities or individuals

affiliated with People Not Politicians or acting on behalf of People Not Politicians; Richard Von Glahn or any entities or individuals affiliated with Richard Von Glahn or acting on behalf of Richard Von Glahn; Stinson LLP, Charles (“Chuck”) Hatfield, or any entities or individuals affiliated with Stinson LLP or Charles (“Chuck”) Hatfield or acting on behalf of Stinson LLP or Charles (“Chuck”) Hatfield; or Jenner & Block LLP, or any entities or individuals affiliated with Jenner & Block LLP or acting on behalf of Jenner & Block LLP, and therefore has no documents to that effect.

This response notwithstanding, Plaintiff objects to this request as not proportional to the needs of this action. Plaintiff further objects to this request as unlikely to lead to the discovery of relevant information. Plaintiff further objects to this request to the extent it requests information protected by the attorney-client privilege, work-product doctrine, or other applicable privilege. Plaintiff further objects to this request as seeking information already or equally available to Defendants and/or within the possession, custody, and control of Defendants or third parties. Plaintiff further objects to this request to the extent it seeks information that is privileged under the First Amendment because disclosure would chill the exercise of Plaintiff’s associational rights, as well as those of other persons with whom Plaintiff associates for the purpose of organizing around political issues in the State of Missouri. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449, 462 (1958) (“It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute . . . a restraint on

freedom of association This Court has recognized the vital relationship between freedom to associate and privacy in one's associations.”).

13. The Cole County Circuit Court slip opinion in *Kaw Transp. Co. v. Whitmer*, No. CV181-778cc (Cole Cnty. Cir. Ct. Sept. 29, 1981), referenced in paragraph 20 of the Petition.

Response: This slip opinion is included as Exhibit 14 to Plaintiffs' preliminary-injunction motion.

**AMERICAN CIVIL LIBERTIES UNION
OF MISSOURI FOUNDATION**

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