

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JUDICIAL WATCH, INC., *

Plaintiff *

v. * Case No. 17-cv-2006-EH

LINDA H. LAMONE, et al., *

Defendants. *

* * * * *

**DEFENDANT LINDA LAMONE’S FIRST SET OF INTERROGATORIES
TO PLAINTIFF JUDICIAL WATCH, INC.**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Linda H. Lamone, State Administrator of Elections, propounds this First Set of Interrogatories to plaintiff, Judicial Watch, Inc. (“Judicial Watch”), and requests that Judicial Watch respond to these interrogatories under oath within thirty (30) days in accordance with the Federal Rules of Civil Procedure and the Instructions and Definitions set forth below.

DEFINITIONS

Notwithstanding any definitions set forth below, each word or term used in these interrogatories is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure. As used in these interrogatories, the following terms are to be interpreted in accordance with these definitions:

1. “All” means “any and all”; “any” means “any and all.”

2. “And” and “or” each encompasses both “and” and “or.” Both terms should be construed disjunctively and conjunctively as necessary to bring within the scope of the interrogatory all documents that might otherwise be construed as falling outside its scope.

3. “Communication” means the transmittal of any information in any manner. The term “communication” includes, but is not limited to, any oral, written, or electronic correspondence and evidence thereof, no matter how that correspondence or evidence is stored, memorialized, or fixed. It furthermore includes, but is not limited to, any summaries, reviews, reports, notes, logs, records, journals, minutes, or outlines concerning or memorializing the transmittal of information.

4. “Document” is used in its broadest sense and is meant to include all items referred to and included within the scope of the Federal Rules of Civil Procedure. The term “document” is specifically meant to include, but is not limited to, any and all electronic documents and data, no matter how they are stored. The term “document” also is meant to include, but is not limited to, all original and non-identical copies, and all non-identical drafts or versions of any document.

5. To “identify” a document means to state the document’s type or classification, general subject matter, date, author, addresses, and recipients; or, alternatively, to produce the document. If the document has been destroyed, “identify” also means to state the date of its destruction, the reason for its destruction, and the identity of the person who destroyed it.

6. To “identify” a person means to provide that person’s full name, last known address and telephone number, and last known job title and employer or business

affiliation. Once a person has been identified in a response to a request according to this definition, only the name of the person needs to be listed in response to subsequent discovery requesting the identification of that person.

7. To “identify” an incident or event means, at a minimum, to state the date or dates on which the event occurred, identify the persons participating in the event, state the place or places at which the event occurred, and state with particularity what transpired during the incident or event.

8. “Including” means “including, but not limited to.”

9. “Relating to” means concerning, constituting, evidencing, describing, effecting, relating to, referring to, pertaining to, or about, either directly or indirectly, or being in any way logically or factually connected with the specified subject matter. Any request for documents “relating to” any subject matter includes a request for documents reflecting communication about that subject matter.

10. “You” and “your” include the person to whom these interrogatories are addressed, and all of that person’s agents, representatives, and attorneys.

INSTRUCTIONS

1. Respond with all information in your possession, custody, or control, or in the possession, custody, or control of your agents, servants, employees, attorneys, accountants, or other persons acting or purporting to act on your behalf.

2. To the extent provided by the Federal Rules of Civil Procedure, the interrogatories are intended to be continuing in nature. You are requested to supplement

your responses to the interrogatories if new or additional information responsive to the requests becomes available.

3. As used herein, the plural of any word includes the singular, and the singular includes the plural.

4. As used herein, the masculine gender of any word includes the feminine and the neuter, and the feminine of any word includes the masculine and the neuter.

5. The past tense of any verb used herein includes the present tense, and the present tense includes the past tense.

6. No part of any interrogatory should be left unanswered merely because an objection is interposed to another part of the interrogatory. If a partial or incomplete response is provided, state that the answer is partial or incomplete, specify which portions of the interrogatory have not been answered, and state with particularity the reason or reasons those portions have not been answered.

7. If asserting an objection to all or part of an interrogatory based on privilege, work product, or other protection from disclosure, identify the nature of the privilege or protection. Include the information set forth in Federal Rule of Civil Procedure 26(b)(5)(A)(ii) and Discovery Guideline 10(d).

8. If you perceive any ambiguity in the instructions, definitions, or interrogatories contained herein, set forth the particular matter or matters deemed ambiguous and the construction applied in answering.

9. If you object to answering any interrogatory on the grounds that responding would be unduly burdensome, describe the burden or expense of the proposed discovery.

INTERROGATORIES

1. Identify all persons likely to have discoverable information that you may use to support your claims or rebut the defenses in this case, and provide a description of the subject matter of all such information likely to be possessed by each person.

2. Describe by category and location all documents, electronically stored information and tangible things that you have in your possession, custody or control and may use to support your claims or rebut the defenses in this case.

3. Describe by category and location all documents, electronically stored information and tangible things that you have in your possession, custody or control relating to Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland that is the subject matter of this lawsuit, including all documents relating to Judicial Watch's decision to request the voter list, the reasons Judicial Watch made the request, the purposes for which Judicial Watch intends to use the list, and any broader effort to obtain copies of similar lists from other jurisdictions of which Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland, is a part.

4. Identify all persons who participated in Judicial Watch's decision to request a copy of the list of registered voters in Montgomery County, Maryland that is the subject matter of this lawsuit, and describe the role each person played in the decision.

5. Identify all persons you consulted in any way concerning Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland that is the subject matter of this lawsuit, including any actual or potential financial supporters of

Judicial Watch.

6. Identify any communications you had with any third party, other than your attorneys, concerning Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland that is the subject of this lawsuit, including in your answer the parties to each communication, the subject matter of each communication and the date of each communication.

7. Identify any communications you had with any third party, other than your attorneys, concerning this lawsuit, including in your answer the parties to each communication, the subject matter of each communication and the date of each communication.

8. Identify any other jurisdiction for which Judicial Watch has sought a copy of a list of registered voters, as part of a broader effort to obtain copies of such lists of which Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland, is a part, including in your answer an identification of those jurisdictions, if any, for which Judicial Watch has obtained a copy of any such list in response to its request.

9. If you contend that any defendant has made any admission and/or declaration against interest relating to any claims or defenses involved in this lawsuit, identify the person making each such admission or declaration, the substance of each such admission or declaration, the date of each such admission or declaration and identify all documents relating to each such admission or declaration.

10. Identify anyone you expect to call as a witness in this action, and for each individual state with specificity the subject matter of their testimony.

11. Identify all documents that you provided to actual or potential financial supporters of Judicial Watch relating to this lawsuit or to Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland.

12. Identify any Russian nationals or agents of the Russian government with whom you have communicated concerning this lawsuit, Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland, the purposes for which you are seeking a copy of the list of registered voters in Montgomery County, Maryland, and/or any broader effort to obtain copies of similar lists from other jurisdictions of which Judicial Watch's request for a copy of the list of registered voters in Montgomery County, Maryland, is a part.

BRIAN E. FROSH
Attorney General of Maryland

/s/ Robert A. Scott
ROBERT A. SCOTT (Fed. Bar # 24613)
Assistant Attorney General
Office of the Attorney General
Civil Division
200 St. Paul Place
Baltimore, Maryland 21202
rscott@oag.state.md.us
(410) 576-7055; (410) 576-6955 (fax)

Dated: September 10, 2018

Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 10th day of September, 2018, a copy of the foregoing Interrogatories to Plaintiff, was sent by first class mail, postage pre-paid, and e-mail to:

Robert D. Popper (rpopper@judicialwatch.org)
Judicial Watch, Inc.
425 Third Street SW, Suite 800
Washington, D.C. 20024

/s/ Robert A. Scott _____
Robert A. Scott