

Exhibit 9

Exhibit 9

From: [Allie Bones](#)
To: [Kanefield, Joe](#)
Subject: Elections Procedures Manual
Date: Tuesday, November 30, 2021 1:10:00 PM
Attachments: [image001.png](#)

Joe,

As a follow up to my voicemail, I am checking in on the status of the AG's review of the Elections Procedures Manual. Tomorrow is December 1st, and with a December 31st date looming, we have yet to hear from your office with regards to the status of your review. Please let me know if you would like to discuss further and we can arrange a call.

Thanks,

Allie



Allie Bones (She | Her | Hers)
Assistant Secretary of State
Arizona Secretary of State
Email: abones@azsos.gov
Office: 602-542-4919
Cell: 602-540-5348

1700 W. Washington St., 7th Fl. | Phoenix, AZ | 85007

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Exhibit 10

Exhibit 10

Re: Elections Procedures Manual

tim timlasota.com <tim@timlasota.com>

Wed 12/1/2021 4:26 PM

To: Allie Bones <ABones@azsos.gov>

Cc: Bo Dul <bdul@azsos.gov>

Sure. Hi Bo.

I will be in touch on timing as promptly as I can.

Sent from my iPhone

On Dec 1, 2021, at 4:17 PM, Allie Bones <ABones@azsos.gov> wrote:

Thanks, Tim. Can you please be sure to include Bo Dul who is our General Counsel now in your correspondence. Also, we are curious as to the status and when we might receive any feedback. By this time in 2019, discussions were well underway.

Thanks,

Allie

<image001.png> Allie Bones (She | Her | Hers)
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From: tim timlasota.com <tim@timlasota.com>**Sent:** Wednesday, December 1, 2021 4:01 PM**To:** Allie Bones <ABones@azsos.gov>**Subject:** Elections Procedures Manual

Hi Allie:

I just wanted to let you know that I have been retained by the Attorney General's Office and I will be General Brnovich's point of contact on the Elections Procedures Manual. Please direct any correspondence to me.

Very truly yours,

Tim

Timothy A. La Sota, PLC

2198 East Camelback Road, Suite 305

Phoenix, Arizona 85016

602-515-2649

Exhibit 11

Exhibit 11



KATIE HOBBS
SECRETARY OF STATE

December 10, 2021

The Honorable Mark Brnovich
Attorney General
2005 North Central Avenue
Phoenix, AZ 85004

Re: AGO Review of the 2021 Elections Procedures Manual

Mr. Brnovich,

Arizona law requires the Secretary of State to “prescribe rules to achieve and maintain the maximum degree of correctness, impartiality, uniformity and efficiency on the procedures for early voting and voting, and of producing, distributing, collecting, counting, tabulating and storing ballots.” These rules, prescribed in the Election Procedures Manual, must be issued by December 31 of odd-numbered years. Importantly, the law says that the Manual “shall be approved by the Governor and Attorney General” before issuance. *See* A.R.S. § 16-452.

You are, of course, familiar with this process as we successfully navigated it just two years ago. On October 1, 2019, my Office submitted a Manual for review. On November 12, your Office sent its “Initial Review” of the Manual, including a spreadsheet of more than 100 items that our Offices discussed during at least four meetings and countless emails over several weeks. While many of those items were based on your own misunderstanding of election administration, we worked in good faith to provide clarification and reach agreement. Eventually, the Manual was approved by you and Governor Ducey, marking the first successful update in five years.

This year, my Office met with County Recordors, Elections Directors, and their staff on a monthly basis to update and improve the Manual and received, reviewed, and incorporated public feedback. Once again, we submitted a Manual for review on October 1. After receiving no response from your Office, we reached out on November 15 to inquire about the status of your review. We similarly received no response. On December 1, we reached out again and received correspondence from Tim La Sota, stating that he had been retained by your Office and will be the “point of contact” on the Manual. Your decision to retain outside counsel for this review is quite curious, particularly since your website currently lists review of the Manual as an instance in which your Office’s Election Integrity Unit defends “the integrity of our elections.”

It’s unfortunate that your Office can apparently find time to chase Cyber Ninjas conspiracies when it’s politically expedient, while choosing to burden taxpayers with additional expenses—presumably at the rate of hundreds of dollars an hour—to perform your basic statutory duties. Though to be clear, it’s doubtful that the work done by Mr. La Sota fulfills your statutory duties, given the alarming incompetence it demonstrates. The December 9 letter from Mr. La Sota states that the enclosed “draft of the . . . Manual [contains] changes identified in redlined form,” and further states that “[t]he Attorney General will not approve the manual . . . unless those changes are made.” The document, however, contains no redlines. Instead, comment bubbles are interspersed throughout, with no indication of what text the comments are actually

referencing. Indeed, some comments are entirely irrelevant to the substance of the text on the page on which those comments appear. Based on what Mr. La Sota sent, no reasonable person can be certain what “changes” the Attorney General is demanding or why. For example:

- On page 29, a comment seems to indicate a sentence about A.R.S. § 16-542, in the section on the timeframe to mail ballots, should be removed based on the Arizona Supreme Court’s recent decision in *ASBA v. Arizona*. But that statute was not affected by *ASBA* nor was it or any other law relating to the timeframe to mail ballots altered by S.B. 1819.
- On page 69, three comments insist that the “proposed regulations exceed the scope of the Secretary’s statutory authority or contravene an election statute’s purpose,” but the comments appear on an otherwise blank page. These comments are all substantially the same, though they appear to reference no underlying text of the Manual.
- Other comments similarly insist the “proposed regulations exceed the scope of the Secretary’s statutory authority or contravene an election statute’s purpose,” but appear on text that simply states verbatim the cited statute’s mandates.
- On page 77, in a section on factors to consider when selecting voting locations, a comment states: “Discuss with Governor’s staff. May contravene A.R.S. § 16-1005(E).” There is no rational connection between selecting voting locations and the ballot collection ban.
- Interestingly, a handful of other comments also state “Discuss with Governor’s Staff” or similar, which I assume indicate coordination between the offices and which Mr. La Sota carelessly forgot to delete.

Ultimately, a failure to take seriously your statutory duty to review and approve the Manual is a detriment to voters and election officials across Arizona. As you recently heard from County officials, an updated Manual is an important resource to ensure the proper performance of their legal duties. I’d hoped that we’d be able to replicate the orderly and bipartisan approval process we shared in 2019, as I noted in my letter accompanying the Manual’s submission. Instead, you’ve waited until the 11th hour to condition your approval on the acceptance of your demands, while simultaneously providing those demands through a third party in an indecipherable document. One can only speculate as to why you have chosen this drastically different path as we head into the 2022 election year. But you’ve left little time for meaningful discussion of any proposed changes or consultation with the County Recorders and Election Directors who have spent countless hours collaborating with my Office to update the Manual.

Regardless, I ask that your Office immediately work in good faith with my Office, County officials, and the Governor to approve the Elections Procedures Manual prior to the December 31 statutory deadline. Any further delay and posturing is inexcusable.

Sincerely,



Katie Hobbs
Arizona Secretary of State

cc: Tim La Sota
Governor Doug Ducey