

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

AMERICAN COUNCIL OF THE BLIND	)	
OF INDIANA, et al.,	)	
	)	
Plaintiffs,	)	Case No. 1:20-cv-3118-JMS-MJD
	)	
v.	)	
	)	
INDIANA ELECTION COMMISSION, et	)	
al.,	)	
	)	
Defendants.	)	

**PLAINTIFFS’ FINAL WITNESS AND EXHIBIT LIST**

Plaintiffs American Council of the Blind of Indiana, Indiana Protection and Advocacy Services Commission, Rita Kersh, Kristin Fleschner and Wanda Tackett (collectively, “Plaintiffs”), by counsel, in accordance with the Case Management Plan provides the following final list of witnesses that may be called at trial and list of exhibits that may be utilized at trial. Plaintiffs reserve the right to supplement or amend this list, as necessary, at any time prior to trial.

**Witnesses**

1. Rita Kersh may testify regarding her experiences voting absentee as a person with a print disability.
2. Kristin Fleschner may testify regarding her experiences voting absentee as a person with a print disability.
3. Wanda Tackett may testify regarding her experiences voting absentee as a person with a print disability.
4. Dee Ann Hart may testify regarding barriers faced by American Council of the Blind Indiana (“ACBI”)’s members when voting absentee and ACBI’s advocacy to remove those barriers.

5. Lou Ann Blake may provide expert testimony regarding the use and functionality of remote accessible vote-by-mail (“RAVBM”) systems across the United States.
6. Terri Youngblood Savage may provide expert testimony regarding the accessibility of documents and signature requirements in Indiana’s absentee voting program for voters with print disabilities.
7. Ted Selker may provide expert testimony regarding the security of RAVBM systems in which voters return marked ballots online.
8. Emily Munson may testify regarding her experiences voting absentee in the May 3, 2022 primary as a person with a print disability.
9. Katrina Anderson may testify regarding her experiences voting absentee in the May 3, 2022 primary as a person with a print disability.
10. Barbara Salisbury may testify regarding her experiences voting absentee as a person with a print disability.
11. Any witness identified by Defendants.
12. Any expert witness identified by Defendants.
13. All witnesses necessary for purposes of impeachment and/or rebuttal.
14. All witnesses necessary for authentication of documents.

### **Exhibits**

1. Sept. 2021 Order Adopting Absentee Procedures for Voters with Print Disabilities.
2. 2022 Indiana Election Administrator’s Manual.
3. New accessible absentee ballot application and voter registration (ABS-PVD) form.
4. PowerPoint presentation of Baker-Tilley offering remote absentee voting systems, including a RAVBM option.
5. Email from Baker-Tilley to Defendants attaching PowerPoint presentation offering remote absentee voting systems, including a RAVBM option (05/14/21).
6. Email from Defendants to Baker-Tilley and Civix declining the RAVBM option (05/14/21).

7. Civix's plan for accessible absentee ballot application and voter registration process.
8. PowerPoint presentation of Valerie Warycha at Dec. 2021 Election Administrator's conference.
9. Memorandum of Angela Nussmeyer and Bradley King on touchscreen signature requirement for absentee ballot applications.
10. Dec. 2021 Election Administrator's conference "Processing Absentee Applications" PowerPoint.
11. Declarations of Kristin Fleschner.
12. Declarations of Rita Kersh.
13. Declarations of Wanda Tackett.
14. Declarations of Dee Ann Hart.
15. Declarations of Lou Ann Blake.
16. Declarations of Terri Youngblood Savage.
17. Declaration of Ted Selker.
18. Order on defendants' motion to exclude expert testimony of Terri Youngblood Savage in *Meyer, et al. v. Sullivan, et al.*
19. Expert Report of Lou Ann Blake.
20. Expert Report of Terri Youngblood Savage.
21. Expert Report of Ted Selker.
22. Transcript of deposition of Bradley King (12/16/21).
23. Transcript of deposition of Bradley King (12/20/21).
24. Transcript of deposition of Bradley King (12/21/21).
25. Transcript of Seth Cooper deposition.
26. Transcript of Jay Phelps deposition.

27. Letter from Defendant Secretary of State to U.S. Election Assistance Commission requesting federal CARES Act funding.
28. Copy of *Charlson v. Galvin*, No. SJ-2020-0588 (Mass. Aug. 25, 2020).
29. Copy of *Powell v. Benson*, No. 2:20-cv-11023-GAD-MJH (E.D. Mich. May 1, 2020).
30. Voting System by County Excel Spreadsheet from Defendant Indiana Secretary of State's website.
31. Amendment #7 to Contract EDS A27-19-024 between Defendant Secretary of State and Baker-Tilley.
32. Email thread among Defendants regarding approval of new ABS-VPD form (February 2022).
33. ABS-VPD Form Electronic Submission through Indiana Voters Functional Specification Document.
34. Email from Civix to Defendants regarding ABS-VPD form submission on Indianavoters.com (January 2022).
35. Indiana Statewide Voter Registration System Modernization Project Amendment 3 – Statement of Work 3 (ABS-PDV)
36. Indiana-Civix Statewide Voter Registration System Contract #54912.
37. Civix e-Ballot Solution two-pager.
38. Defendant Indiana Election Commission (“IEC”) FRCP 30(b)(6) deposition notice.
39. Indiana Election Commission (“IEC”) Order No. 2020-37 Concerning Emergency Provisions Affecting 2020 Primary Election.
40. IEC Meeting Minutes (4/22/20).
41. IEC Meeting Minutes (2/25/21).
42. Fiscal Years 2020-2021 Agency Budget Summary.
43. U.S. Election Assistance Commission 2020 Grant Expenditure Report.
44. Federal Post Card Application Voter Registration and Absentee Ballot Request Form.

45. Indiana Absentee Comprehensive Tracking County Summary Spreadsheets.
46. Coversheet and Affidavit for Uniformed and Overseas Citizens Absentee Voting Act Voters.
47. Email from Defendant Secretary of State to Baker-Tilley regarding accessible absentee voting systems for print disabled voters in other states (5/5/21).
48. New Mexico Secretary of State Innovation in Election Administration – Clearie Award Submission.
49. April 2019 Professional Services Contract between Defendant Secretary of State and Baker-Tilley.
50. Email from Defendant Secretary of State to Baker-Tilley regarding Senate Bill 398 program proposal (4/26/21)
51. Baker-Tilley – Senate Enrolled Act 398 Open Questions & Considerations List.
52. Memorandum of Defendant Secretary of State regarding the definition of print disabled voters.
53. Draft ABS-VPD form attached to email from Valerie Warycha to marissa@g2strategiesllc.com (11/22/21).
54. Uncertified rough draft deposition transcript of Bradley King (12/16/21).
55. Defendants’ Answer to Complaint and Amended Complaint.
56. Email from Baker Tilley to Civix regarding standard operating procedure for voters with print disabilities (3/29/22).
57. Baker-Tilley draft standard operating procedure for voters with print disabilities.
58. Emails between Civix and Baker-Tilley amending timeline for ABS-VPD form (March 2022).
59. Defendants’ answers to Plaintiffs’ interrogatories.
60. Defendants’ responses to Plaintiffs’ request for production of documents.
61. Plaintiffs’ answers to Defendants’ interrogatories.

62. Plaintiffs' responses to Defendants' request for production of documents.
63. Transcript of 30(b)(6) deposition of Civix.
64. Transcript of 30(b)(6) deposition of ACBI.
65. Transcript of deposition of Bryan Finney (4/5/22).
66. Transcript of deposition of Aaron Wilson (4/5/22).
67. Declaration of Emily Munson.
68. Declaration of Katrina Anderson.
69. All affidavits or declarations filed at any time in this matter.
70. All written discovery responses in this matter.
71. All deposition transcripts and deposition exhibits in this matter.
72. The reports and curriculum vitae of any expert witness disclosed in this matter
73. All exhibits necessary for purposes of impeachment and/or rebuttal.

Respectfully submitted,

/s/ Jelena Kolic

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