

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

Senator Jay Costa, Senator Anthony H. Williams,  
Senator Vincent J. Hughes, Senator Steven J.  
Santarsiero, and Senate Democratic Caucus,  
Petitioners

v.

Senator Jacob Corman III, Senate Pro Tempore,  
Senator Cris Dush, and Senate Secretary-  
Parliamentarian Megan Martin,  
Respondents

Commonwealth of Pennsylvania, Pennsylvania  
Department of State, and Veronica  
Degraffenreid, Acting Secretary of the  
Commonwealth of Pennsylvania,  
Petitioners

v.

Senator Cris Dush, Senator Jake Corman, and the  
Pennsylvania State Senate Intergovernmental  
Operations Committee,  
Respondents

Arthur Haywood, Julie Haywood,  
Petitioners

v.

Veronica Degraffenreid, Acting Secretary of  
State Commonwealth of Pennsylvania,  
Respondents

**CASES CONSOLIDATED**

No. 310 MD 2021

No. 322 MD 2021

No. 323 MD 2021

**APPLICATION FOR LEAVE TO FILE A SURREPLY IN SUPPORT OF  
COMMONWEALTH PETITIONERS' APPLICATION FOR SUMMARY  
RELIEF**

Commonwealth Petitioners seek leave to file a response to the Committee's Reply Brief in Further Support of Cross-Application for Summary Relief, which presents new facts and makes new arguments. Commonwealth Petitioners'

proposed response is attached to this application as Exhibit 1. In support of this application, Commonwealth Petitioners state as follows:

1. Key considerations in this case include who has access to nine million Pennsylvanians' personal information, what they will do with that information, and how they will protect that information.

2. When the Committee voted on September 15, 2021, to issue the subpoena at issue here, it had not selected a vendor to receive and review all registered Pennsylvanians' personal information. Tr. (Sept. 15, 2021) at 20:6-14 (Pa. Ex. C).

3. Commonwealth Petitioners' briefs, therefore, have been unable to address how the Committee's chosen vendor affects the issues presented.

4. On November 19, 2021, after Commonwealth Petitioners had filed their final brief provided for by this Court's November 5, 2021, Order, the Committee announced that it had hired Envoy Sage, LLC to conduct the Committee's election "investigation." *Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections* (Nov. 19, 2021), <https://senatorcrisdushpa.com/2021/11/19/envoy-sage-selected-to-conduct-impartial-investigation-of-pennsylvanias-elections/>.

5. The Committee's reply brief, filed three days after announcing that it had hired Envoy, makes representations about the significance of its arrangement

with Envoy and about Envoy's qualifications to perform the intended election "investigation." Comm. Reply Br. at 9-15. The Committee argues that certain of Commonwealth Petitioners' "claims are invalid" in light of its contract with Envoy. *Id.* at 15. The Committee added to its appendix both a letter from Envoy's president and the contract with Envoy, Comm. App'x at 1275a-1311a.

6. Because the Committee's reply presents an issue that Commonwealth Petitioners have had no previous opportunity to address, Commonwealth Petitioners' respectfully request leave to submit a surreply that responds to the Committee's chosen vendor and the arguments made about the significance and appropriateness of that choice.

7. This Court may grant leave to file a surreply when a party raises new issues in a reply brief. *See* Pa. R.A.P. 2113.

8. Consistent with Pennsylvania Rule of Appellate Procedure 3707, Commonwealth Petitioners have conferred with counsel for all parties in these consolidated cases about the relief sought in this application. Counsel for all parties has indicated that they do not oppose this application for leave.

For the foregoing reasons, Commonwealth Petitioners respectfully request that the Court grant this application for leave and docket the Surreply in Support of Commonwealth Petitioners' Application for Summary Relief, attached as Exhibit 1.

Dated: December 6, 2021

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**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: December 6, 2021

*/s/ Michael J. Fischer*

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# **Exhibit 1**

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

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**CASES CONSOLIDATED**

No. 310 MD 2021

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**SURREPLY IN SUPPORT OF COMMONWEALTH PETITIONERS’  
APPLICATION FOR SUMMARY RELIEF**

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## ARGUMENT

Following a partisan and opaque selection process, the Senate Republican Caucus has handed the reins of the Senate Intergovernmental Operations Committee's election "investigation" to Envoy Sage, LLC. Envoy is a recently formed company with no election experience, no apparent physical presence, and, at most, two identifiable employees. Envoy's president and founder recently published an article alleging that technology companies conspired with the Democratic Party and others to "launch[] an information war" against President Trump, and comparing acts of the Democratic Party to the terror tactics of various totalitarian regimes. Steve Lahr, *Taming Thought Engineers*, American Greatness (Oct. 24, 2020) (Pa. Ex. Q-1)

The Republican Caucus's selection of such an unqualified, biased actor to take over the Committee's "investigation" is further evidence that the Subpoena lacks any legitimate legislative purpose. It also makes abundantly clear that the supposed interest in receiving nine million Pennsylvanians' sensitive personal information does not outweigh those same individuals' constitutional right to maintain control of that information. Additionally, the agreement with Envoy provides no assurance that Envoy is capable of safeguarding the sensitive information it would receive, or that the Committee, the Republican Caucus, or Envoy has a grasp on what securing sensitive data entails. The selection of Envoy

thus only heightens the concern that compliance with the Subpoena would put all Pennsylvania voters at risk for financial fraud and identify theft.

### **I. Envoy Has No Documented Experience in Election Matters**

The Senate Republican Caucus—and not the Committee—has hired Envoy to be the “prime contractor . . . regarding the conduct of an investigation by the [Republican Caucus] into the 2020 General and 2021 Primary Elections in the Commonwealth of Pennsylvania.” Comm. App’x at 1279a. In this role, Envoy apparently would assume responsibility for reviewing and analyzing all information received from the Department and all election submissions and affidavits the Committee solicited through its website. *Id.* at 1277a-1278a. Envoy also would analyze “election integrity initiatives across the nation” and “election audit reports conducted in other U.S. States.” *Id.* at 1278a, 1280a. Envoy has agreed to “[p]rovide subject matter expertise regarding election systems and election integrity legislation.” *Id.* at 1280a.

The Republican Caucus has assigned these challenging and weighty responsibilities to Envoy despite Envoy’s lack of election-related experience of any sort. Envoy has no documented experience investigating elections, preparing election integrity legislation, analyzing voter lists, or reviewing voter registration systems. In fact, public records demonstrate that Envoy is barely more than a year old, registering first in Iowa in August 2020 and then in Florida in September 2021

after Envoy's president, Steven Lahr, purchased a house there. Business No. 639287, Business Entity Summary, Iowa Sec. of State (filed Aug. 5, 2020) (Pa. Ex. Q-2);<sup>1</sup> Doc. No. M21000012150, Fl. Sec. of State (filed Sept. 10, 2021) (Pa. Ex. Q-3).<sup>2</sup>

Envoy's website provides a cursory summary of four past projects, but none involves elections or election systems, voter registration, or election integrity legislation. *Envoy Sage* (Pa. Ex. Q-4). Neither the contract with Envoy nor the

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<sup>1</sup> Exhibits attached to this brief are properly a part of the record. Arguments in the Committee's reply brief about what may be considered as part of the record for summary relief, and the availability of summary relief given that record, Comm. Reply Br. at 16-19; *see also* Comm. Br. at 33-34, again ignore governing standards. Summary relief is available "[a]t any time after the filing of a petition for review," Pa.R.A.P. 1532(b), when there is no genuine dispute of material fact and the right to relief is clear, *Hosp. & Healthsystem Ass'n of Pa. v. Com.*, 77 A.3d 587, 602 (Pa. 2013). This Court has stated explicitly that the record that informs that evaluation "is the same as that for a summary judgment motion" and thus includes "the pleadings and other documents of record, such as exhibits." *Allen v. Pa. Bd. of Prob. & Parole*, 207 A.3d 981, 984 n.4 (Pa. Commw. Ct. 2019); *see also Borough of Bedford v. Dep't of Env't Prot.*, 972 A.2d 53, 60 n.6 (Pa. Commw. Ct. 2009); *Meggett v. Pa. Dep't of Corrections*, 892 A.2d 872, 879 n.13 (Pa. Commw. Ct. 2006). Review does not encompass "facts not established by the record," including those made in briefs. *Erie Indem. Co. v. Coal Operators Cas. Co.*, 272 A.2d 465, 466-67 (Pa. 1971); *see also Lin v. Bd. of Revision of Taxes of City of Philadelphia*, 137 A.3d 637, 646 (Pa. Commw. Ct. 2016). So, as the Committee's reply notes, summary relief is unavailable where *the record* demonstrates a material factual dispute or omits facts necessary to determine a party's right to relief. Comm. Reply Br. at 17-18 (citing cases). And the Committee has not identified any material dispute in the record, including that Senators Cris Dush and Jake Corman have failed to consistently or plausibly explain the Subpoena. Although the Committee suggests that there are disputes about certain Senators' motivations, or that further discovery of their motivations is needed, *id.* at 18-19, no further evidence of any Senator's motivations is needed to determine that the Commonwealth Petitioners have a clear right to relief. Pa. Opp'n & Reply Br. at 22-25.

<sup>2</sup> While the contract with Envoy lists the company's principal place of business as the office of a tax preparation company in Dubuque, Iowa, *see infra* at 11-12, it is not clear that Envoy maintains any other connection to Iowa following Mr. Lahr's apparent relocation to Florida.

Committee’s reply brief identifies any experience Envoy has with election matters generally or reviewing voter registration information specifically. When specifically asked at a November 23 press conference about past election-related experience, Mr. Lahr identified none. Press Conference Tr. (Nov. 23, 2021) at 4:23-5:11, 11:11-12:14, 15:20-16:21 (Pa. Ex. Q-5). Likewise, on the frequently asked questions section of the Committee’s investigation website, the question “[w]hat experience does the vendor have investigating elections?” is answered without providing a single example of prior election work. *PA Election Investigation – Restoring Faith in Our Elections* (Pa. Ex. Q-6).

Hiring an entity without any experience with election systems, election procedures, or voter registration and list maintenance—the purported subjects of this “investigation”—evinces a disinterest in an actual review of those matters and again signals that the Subpoena has not been issued for the election-related purposes the Committee claims.

## **II. The Republican Caucus Has Selected a Partisan Actor to Perform its Election “Investigation”**

The Republican Caucus’s chosen vendor further exhibits that the Subpoena has not been issued for a legitimate legislative purpose, but instead is part of the nationwide effort to undermine electoral confidence in democratic institutions. Pa. Br. at 7-19; Pa. Opp’n & Reply Br. at 3-6. Indeed, rather than using a transparent process to select a vendor qualified to perform the review the Committee purports

to be undertaking, Senator Dush conducted an opaque, partisan selection process and the Republican Caucus then hired a partisan actor.

While the General Assembly requires, as the default, that executive agencies award contracts based on a competitive bidding process and justify their contracting decisions in a written, publicly-available explanation, 62 Pa. Cons. Stat. §§ 106.1(b)(4), 512, 513(g), Senator Dush chose Envoy in consultation only with counsel for the Republican Caucus and behind closed doors, Tr. (Sept. 15, 2021) at 20:6–21:12 (Pa. Ex. C); *PA Election Investigation – Restoring Faith in Our Elections* (Pa. Ex. Q-6). Indeed, Senator Dush refused to answer questions about how he intended to evaluate possible vendors. Tr. (Sept. 15, 2021) at 21:13–30:18. And rather than operating transparently and inviting public oversight from the outset, a Caucus spokesperson falsely informed the public that no vendor agreement would be finalized during this litigation. Andrew Seidman, *Pa. Republicans won't hire a contractor for 2020 election review until a judge gives the OK, aide says*, Philadelphia Inquirer (Oct. 3, 2021) (Pa. Ex. Q-7).

The shrouded, partisan selection process produced a partisan result. Mr. Lahr has made political donations exclusively to Republican candidates and committees. *See* FEC Individual Contributors (Pa. Ex. Q-8). He did so as recently as October 2020, donating to Senator Lindsey Graham's campaign committee in advance of the 2020 general election. *Id.*

Additionally, Mr. Lahr published an article last year in which he wrote that “[t]oday, tech giants are collaborating with news agencies, students, academia, Hollywood, and the Democratic Party to restrict speech.” *Taming Thought Engineers* (Pa. Ex. Q-1). In that article, Mr. Lahr suggested that that collaboration was a modern version of “university students, academia, and the Nazi party in Germany collaborat[ing] to burn hundreds of thousands of books for being ‘un-German.’” *Id.* Mr. Lahr also accused “tech giants, in close collaboration with many Democrats” of having “launched an information war, wielding their version of the truth” once former President Trump was elected. *Id.* According to Mr. Lahr, that war has been fought with algorithms that “promote positive stories from the Left to the first page, while the opposite is often true for stories coming from the Right.” *Id.* He went on to attack Facebook’s decision to institute fact checks as “farcical” and “leftist,” and alleged that “Google and Twitter use covert internal censors and algorithms to drive searchers toward a leftist viewpoint.” *Id.* All of this, Mr. Lahr wrote, is reminiscent of the Soviet Union having dissidents “killed or sent to gulags,” of the Cuban revolution’s leaders “imprison[ing] those who failed to comply,” and of the “Khmer Rouge and its truth campaign [having] sowed the killing fields.” *Id.*

Despite Mr. Lahr’s political activity and views, Senator Dush included in his announcement of Envoy’s selection a statement from Mr. Lahr that Envoy could

perform its work with “no political affiliations clouding our judgment.” *Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania’s Elections* (Nov. 19, 2021) (Pa. Ex. Q-9). Even after Mr. Lahr’s partisan donations became public, the Committee’s election investigation website still claims that Envoy has no political affiliations. *PA Election Investigation – Restoring Faith in Our Elections* (Pa. Ex. Q-6). A Republican Caucus spokesperson suggested that the Caucus was unaware of the extent of Mr. Lahr’s political affiliations before the Committee selected Envoy, and brushed aside Mr. Lahr’s failure to disclose his political donations as an “honest mistake.” Mark Scolfro, *Senate GOP hires firms to review Pennsylvania’s 2020 election*, AP News (Nov. 19, 2021) (Pa. Ex. Q-10).

Senator Dush and the Republican Caucus engaged in an opaque, partisan selection process, in which they failed to identify political affiliations discoverable through basic vetting, and selected a partisan actor who has promoted dangerous conspiracy theories about one political party. Doing so is more evidence that the Subpoena does not advance any legitimate legislative objective but instead is part of the ongoing partisan effort to undermine the electorate’s belief in democratic systems. Pa. Opp’n & Reply Br. at 3-6.

### **III. Envoy Has Not Shown It Can Protect Voters’ Personal Information**

When performing Article 1, Section 1’s balancing test, courts assess whether the entity demanding access to personal information has established that it can

protect that information. Pa. Opp'n & Reply Br. at 42, 51. Here, hiring Envoy does not moot—or even mitigate—the security risks of turning over nine million voters' personal information. *Contra* Comm. Reply Br. at 14-15.

To start, the Subpoena still directs that voters' personal information initially be turned over to counsel for the Republican Caucus, Subpoena at 1 (Pa. Ex. D), who plans to secure that information “just like any other legal documents,” Tr. (Sept. 15, 2021) at 24:10-20; *see* Ferrante Second Suppl. Decl. ¶¶ 10-11 (Pa. Ex. R) (reiterating that the Committee has not demonstrated its own ability to secure voters' personal information). That data will then be given to Envoy, but the Republican Caucus's contract with Envoy provides no information about data lifecycle management, including how Envoy will receive the data, how it will store the data, where it will store the data, who will have access to the data, how the data will be protected from unauthorized access, or how Envoy will delete the data. Ferrante Second Suppl. Decl. ¶¶ 12, 19-21; *contra* Comm. Reply Br. at 10-14. Mr. Lahr's commitment to comply with “Industry Best Practices for Information Security, Handling, and Disposal,” Comm. App'x at 1275a, is meaningless without specifics explaining the protocols that would be in place, Ferrante Second Suppl. Decl. ¶¶ 14-18. Moreover, “industry best practices” is not a term of art, and Envoy does not explain which purported “industry best practices” it intends to follow. *Id.* ¶ 17. And giving lip service to “industry best practices” does not do anything to

guarantee robust security and privacy protections. *See* Pa. Opp'n & Reply Br. at 51; Jessica Huseman and Derek Willis, *The Voter Fraud Commission Wants Your Data — But Experts Say They Can't Keep It Safe*, ProPublica (Oct. 23, 2017) (Pa. Ex. N-30).

In comparison, when the Department has entered contracts for election-related services, it has required vendors to comply with all Information Technology Policies issued by the Governor's Office of Administration, which prescribe in detail how a vendor must handle data in transit, data at rest, data cleansing, and personally identifying information, among other things. Marks Suppl. Decl. ¶¶ 9-18, 27, 33-34 (Pa. Ex. O); Pa. Opp'n & Reply Br. at 12-14.

The Republican Caucus's agreement with Envoy also shows it has not conducted any security due diligence to verify Envoy's security infrastructure and competence. Ferrante Second Suppl. Decl. ¶¶ 13, 18-24. Indeed, the Caucus signed the contract just one day after Mr. Lahr provided general statements in a two-paragraph letter about Envoy's security practices. Comm. App'x at 1275a, 1276a; Ferrante Second Suppl. Decl. ¶¶ 14-18, 22-24.

Even if the contract with Envoy described appropriate security measures, neither the Republican Caucus nor Committee has established that Envoy is capable of actually securing any data it receives. Envoy appears to be an entity comprising, at most, two individuals. Its website lists no employees. *Envoy Sage*

(Pa. Ex. Q-3). Its Florida registration lists Mr. Lahr as Envoy’s Manager, Member, and Authorized Person. Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida, Doc No. M21000012150, Fl. Sec. of State (filed Sep. 10, 2021) (Pa. Ex. Q-11). Nothing in the Republican Caucus’s contract with Envoy hints at who, besides Mr. Lahr, works there. Indeed, even though the contract lists 26 labor categories necessary to complete the work, Comm. App’x at 1303a, it does not provide any details about who will perform each role.

At his November 23 press conference, Mr. Lahr identified just one other person affiliated with Envoy, but did not describe that person’s responsibilities. Press Conference Tr. (Nov. 23, 2021) at 8:25-9:13. When asked specifically how many people were “on his team,” Mr. Lahr responded, “[O]ur team has got the ability to scale. When we need more members and more expertise, we add them to the team either as full time effort 1099 or subcontractors and when we need to contract we’re able to do that. So we are very agile in growing the team rapidly with expertise and supporting the client as needed during the investigatory process.” *Id.* at 14:14-15:17. Hiring temporary employees or contractors, some of whom may need to access data remotely, only multiplies the avenues for misuse, unauthorized disclosure, or malicious attack. *See* Ferrante Suppl. Decl. ¶¶ 27-31 (Pa. Ex. P); Ferrante Second Suppl. Decl. ¶ 12. As a comparison, the Department’s

recent contract with BPro, which the Department hired to modernize the SURE system, detailed which employees—all of whom had undergone a background check—would be responsible for the day-to-day execution of the project and their relevant experience. Comm. App’x at 374a-376a, 513a-516a.

In addition to an utter lack of any qualified personnel, Envoy also lacks a single principal place of business, raising questions about its legitimacy and ability to protect sensitive information.

Envoy’s website does not list a physical location. *Envoy Sage* (Pa. Ex. Q-4). Envoy’s Iowa registration lists its principal place of business as a single-family home that Mr. Lahr recently sold. *Compare* Iowa Business Entity Summary (Pa. Ex. Q-2), *with* Warranty Deed, Doc. No. 2021-00009747, Dubuque Cnty. Recorder (recorded June 11, 2021) (Pa. Ex. Q-12). Envoy’s Florida registration and Attachment B to the contract, on the other hand, list Envoy’s principal place of business as the address of a tax preparation company operated by Envoy’s Iowa registered agent. *Compare* Doc. No. M21000012150, Fl. Sec. of State (Pa. Ex. Q-3) *and* Comm. App’x at 1279a, *with* Iowa Business Entity Summary (Pa. Ex. Q-2) *and* U.S. Tax Service – Kevin Kelly, CPA, Chamber of Commerce (Pa. Ex. Q-13). Correspondence with the Committee identifies Envoy’s principal place of business at a third location, a single-family home Mr. Lahr recently purchased in Florida. *Compare* Comm. App’x at 1275a-1276a, *with* General Warranty Deed, Instrument

No. 2964264, Charlotte Cnty., Fl. Clerk of the Cir. Ct. and Cnty. Comptroller (recorded June 25, 2021) (Pa. Ex. Q-14).

By contrast, BPro has a single principal place of business, *see Contact*, BPro (Pa. Ex. Q-15); Business ID DB039408, Business Entity Detail, S.D. Sec. of State (Pa. Ex. Q-16), and the Department’s contract with BPro documented how it has a “fully secured building,” with building access “controlled by unique key cards” and “cameras [to] ensure that all building entrants are recorded,” Comm. App’x 6a, 333a, 363a-364a.

Envoy’s lack of physical presence magnifies the security concerns. Data protection requires physical infrastructure; without a physical presence Envoy lacks a secure building, secure networks, and a secure, private server in which to store and review the requested data. Without a physical location, Envoy will have to store and review the data remotely using cloud-based services—which simply means storing the data on servers owned and operated by other companies in large data centers. But remote access to sensitive personal data stored by yet another company multiplies the risks, since the data is now vulnerable when at rest on the other company’s servers, when accessed by Envoy remotely, *and* when reviewed on the computers, printers, and networks used by Envoy’s employees or contractors. Ferrante Second Suppl. Decl. ¶¶ 19-21.

The Committee and the Republican Caucus want the Department to turn over the personal information of more than nine million Pennsylvania voters. Disclosing that information presents serious risks that have not been appropriately mitigated. The Committee has not adequately shown how the information will be used, much less how it will be transmitted, where it will be stored, how it will be electronically and physically secured, who will have access to it, how it will be disposed of, or whether Envoy can adhere to any security terms. Without that, the Committee's claim that it "can appropriately protect the data when it is produced," Comm. Reply Br. at 9, lacks factual basis.

#### **IV. The Republican Caucus's Contract with Envoy Shows that the Purported Purposes of this "Investigation" are Pretextual**

Finally, the contract with Envoy is further evidence that the Committee's justifications for the Subpoena are implausible and pretextual. Pa. Br. at 28-29; Pa. Opp'n & Reply Br. at 6-10. The Committee's reply identifies the "real" reason for the Subpoena as "examining the effects of Act 77 and 12 on recent elections and examining whether additional legislation is needed to improve the current elections laws in light of the results of the inquiry." Comm. Reply Br. at 32 n.17. But the Republican Caucus's agreement with Envoy says nothing about Act 77 or Act 12, and does not instruct Envoy to review the effect of those laws. Instead, the charge is to suggest remedial legislation based on a freewheeling "investigation" of the

2020 general election and the 2021 primary election. Comm. App'x at 1277a, 1279a.

In addition, several of the tasks the Caucus has hired Envoy to perform have no connection to Act 77 or Act 12, confirming that the real purpose of the Subpoena is to undermine confidence in Pennsylvania's elections. These include to "[p]rovide analysis of election audit reports conducted in other U.S. States," *id.* at 1280a; to analyze "election integrity initiatives across the nation," *id.* at 1278a; and to "[d]eliver consultation and advisory services regarding potential further subjects of investigation related to the 2020 General and 2021 Primary Elections," *id.* at 1280a. The same is true of several of the contract's identified labor categories, including "Toner & Ink Analyst," "AI [Artificial Intelligence] SME [Subject-Matter Expert]," "Paper/Document Analyst," and "Imagery Analyst," Comm. App'x at 1277a-1278a, 1308a-1310a, jobs that are more suited to an Arizona-style "audit" than a serious effort to develop legislation, Pa. Br. at 14-16.

The sweeping and untethered "investigation" contemplated by the contract is additional evidence that reviewing the effect of Act 77 and Act 12 is not the Subpoena's actual purpose.

## CONCLUSION

Commonwealth Petitioners' Application for Summary Relief should be granted, the Committee's Cross-Application for Summary Relief should be denied, and the Subpoena should be quashed.

Dated: December 6, 2021

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State and Petitioner/Respondent Acting  
Secretary of the Commonwealth  
Veronica Degraffenreid*

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: December 6, 2021

*/s/ Michael J. Fischer*

\_\_\_\_\_  
Michael J. Fischer

# **Exhibit Q**

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

Senator Jay Costa, Senator Anthony H. Williams,  
Senator Vincent J. Hughes, Senator Steven J.  
Santarsiero, and Senate Democratic Caucus,  
Petitioners

v.

Senator Jacob Corman III, Senate Pro Tempore,  
Senator Cris Dush, and Senate Secretary-  
Parliamentarian Megan Martin,  
Respondents

Commonwealth of Pennsylvania, Pennsylvania  
Department of State, and Veronica  
Degraffenreid, Acting Secretary of the  
Commonwealth of Pennsylvania,  
Petitioners

v.

Senator Cris Dush, Senator Jake Corman, and the  
Pennsylvania State Senate Intergovernmental  
Operations Committee,  
Respondents

Arthur Harwood, Julie Haywood  
Petitioners

v.

Veronica Degraffenreid, Acting Secretary of  
State Commonwealth of Pennsylvania  
Respondents

**CASES CONSOLIDATED**

No. 310 MD 2021

No. 322 MD 2021

No. 323 MD 2021

**SECOND SUPPLEMENTAL DECLARATION OF JACOB BOYER**

I, Jacob Boyer, declare under the penalty of perjury as follows:

1. I am a Deputy Attorney General with the Pennsylvania Office of Attorney General, and a member in good standing of the bar of Pennsylvania. I have personal knowledge of the facts stated herein, and, if called upon, could and would testify competently to them.

2. I make this Supplemental Declaration in support of the Surreply in Support of Commonwealth Petitioners' Application for Summary Relief.

3. Attached to this declaration as Exhibit Q-1 is a true and correct copy of *Taming Thought Engineers* by Steve Lahr published by American Greatness on October 24, 2020. The URL from which the exhibit was obtained (<https://amgreatness.com/2020/10/24/taming-thought-engineers/>) is current as of December 3, 2021.

4. Attached to this declaration as Exhibit Q-2 is a true and correct copy of a business entity summary for Envoy Sage, LLC, accessed from the Iowa Secretary of State's business entity search (<https://sos.iowa.gov/search/business/search.aspx>).

5. Attached to this declaration as Exhibit Q-3 is a true and correct copy of a corporate summary for Envoy Sage, LLC, accessed from the Florida Department of State's Division of Corporation's records search (<https://dos.myflorida.com/sunbiz/search/>).

6. Attached to this declaration as Exhibit Q-4 is a true and correct copy of all content from Envoy Sage, LLC's website. The URL from which the exhibit was obtained (<https://www.envoysage.com/>) is current as of December 3, 2021.

7. Attached to this declaration as Exhibit Q-5 is a true and correct copy of a transcript from a press conference held by Senator Cris Dush and Steven Lahr on November 23, 2021.

8. Attached to this declaration as Exhibit Q-6 is a true and correct copy of a website titled PA Election Investigation — Restoring Faith in Our Elections. The URL from which the exhibit was obtained (<https://paelectioninvestigation.com/>) is current as of December 6, 2021.

9. Attached to this declaration as Exhibit Q-7 is a true and correct copy of *Pa. Republicans won't hire a contractor for 2020 election review until a judge gives the OK, aide says* by Andrew Seidman published in the Philadelphia Inquirer on October 3, 2021. The URL from which the exhibit was obtained (<https://www.inquirer.com/news/pa-republicans-election-review-subpoena-contractor-20211003.html>) is current as of December 3, 2021.

10. Attached to this declaration as Exhibit Q-8 is a true and correct copy of the results of a search for "Steven Lahr" in the Federal Election Commission's

individual contributor's database (<https://www.fec.gov/data/receipts/individual-contributions/>).

11. Attached to this declaration as Exhibit Q-9 is a true and correct copy of a press release titled *Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections* released on November 19, 2021. The URL from which the exhibit was obtained (<https://senatorcrisdushpa.com/2021/11/19/envoy-sage-selected-to-conduct-impartial-investigation-of-pennsylvanias-elections/>) is current as of December 3, 2021.

12. Attached to this declaration as Exhibit Q-10 is a true and correct copy of *Senate GOP hires firms to review Pennsylvania's 2020 election* by Mark Scolfro published by the AP News on November 19, 2021. The URL from which the exhibit was obtained (<https://apnews.com/article/donald-trump-pennsylvania-elections-senate-elections-iowa-82ddd8009eb3922ec41b6fd1a1ae089a>) is current as of December 3, 2021.

13. Attached to this declaration as Exhibit Q-11 is a true and correct copy of an Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida for Envoy Sage, LLC, obtained through the Florida Department of State's Division of Corporations.

14. Attached to this declaration as Exhibit Q-12 is a true and correct copy of a warranty deed for 1655 Rolling Hills Drive, Dubuque, Iowa 52001, obtained through the Dubuque County Recorder's Index.

15. Attached to this declaration as Exhibit Q-13 is a true and correct copy of the Chamber of Commerce profile for "U.S. Tax Service – Kevin Kelly, CPA." The URL from which the exhibit was obtained (<https://www.chamberofcommerce.com/united-states/iowa/dubuque/accountants-certified-public-cpa/1336607635-u-s-tax-service-kevin-kelly-cpa>) is current as of December 3, 2021.

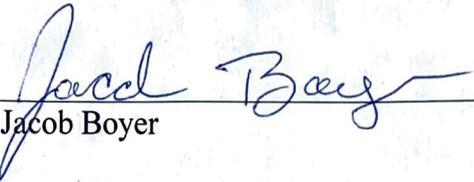
16. Attached to this declaration as Exhibit Q-14 is a true and correct copy of a general warranty deed for 4409 Crew Court, Port Charlotte, Florida, 33952, obtained through the office of the Clerk of the Circuit Court & County Comptroller for Charlotte County.

17. Attached to this declaration as Exhibit Q-15 is a true and correct copy of the "Contact" page for BPro. The URL from which the exhibit was obtained (<https://bpro.com/contact/>) is current as of December 3, 2021.

18. Attached to this declaration as Exhibit Q-16 is a true and correct copy of the filing information for BrandonPro Inc., obtained by from the South Dakota Secretary of State's Business Information Search (<https://sosenterprise.sd.gov/BusinessServices/Business/FilingSearch.aspx>).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 6, 2021

  
\_\_\_\_\_  
Jacob Boyer

# Exhibit Q-1

GREAT AMERICA

# Taming Thought Engineers

If entities engage in censorship, information manipulation, algorithm-driven deception, speech restrictions, or purposeful news placement they should be appropriately regulated, taxed or punished.

By *Steve Lahr*



*October 24, 2020*

**B**ig Tech is peddling a new technology cocktail it claims will produce unbiased news and impartial information searches. In truth, Google, Facebook, Twitter, YouTube, and now Spotify, are using new digital tools to manipulate information in a deceptive campaign to influence viewpoints and control behavior

X

social and psychological research, combined with unwitting and unauthorized experimentation on consumers, some of these tech giants have devised ways to change your mind and shape your views about political topics and candidates.

Search engines cleverly elevate or demote items returned on consumer queries to promote a specific point of view. News aggregators blend fact with opinion to change your perception, judgement, and preferences. Algorithms promote positive stories from the Left to the first page, while the opposite is often true for stories coming from the Right.

Information manipulation has become a standard practice for these large tech companies. It is sold as balanced news and neutral data searches. In the past this was called propaganda and brainwashing—now we call it Googling.

The virtually omniscient power to deceive, force speech conformity, and impact the thoughts of millions of consumers, presents a danger to individualism, privacy, and freedom. As with dangerous narcotics or weapons of mass destruction, it should be appropriately monitored and regulated.

This ongoing assault on free speech is justified with waifish claims from the perpetrators and their useful idiots about the need to preserve decency and personal dignity; and more noble yet, to avoid fake news and hate speech. If such claims sound familiar, they should—at least to those who still read history. Book-burners throughout the ages have uttered similar oaths.

China's Qin Dynasty (213–210 B.C.) buried Confucian scholars alive and burned books. The Mongols sacked Baghdad and destroyed its grand library in 1258. That really showed the West how it's done. In the 1930s, university students, academia, and the Nazi party in Germany collaborated to burn hundreds of thousands of books for being “un-German.” Today, tech giants are collaborating with news agencies, students, academia, Hollywood, and the Democratic Party to restrict speech.

control, topic conformity, and serve as self-appointed arbiters of the truth. Intolerance and censorship are the re-imagined weapons of the Left.

How long before we enter a *Nineteen Eighty-Four* scenario when entities or governments arbitrate “the truth”? Or are we already there? The Soviet Union proved this could be done, even by means of low tech, for most of the 20th century. Millions of people who failed to conform were killed or sent to gulags, and nonconforming news articles were routinely spiked. The Cuban revolution allowed no deviation from the approved truth, imprisoning those who failed to comply; while the Khmer Rouge and its truth campaign sowed the killing fields. So it goes with “the truth.”

After President Trump was elected, tech giants, in close collaboration with many Democrats, launched an information war, wielding their version of truth. Facebook recently outsourced truth judgment with its notorious “fact checks.” This farcical business decision was no less leftist than when they did it secretly and internally. Google and Twitter use covert internal censors and algorithms to drive searchers toward a leftist viewpoint.

Some of these companies perfected censorship and information manipulation while servicing authoritarian regimes like China and Russia. Google led the way, growing and prospering under such regimes. They were inspired by this power and are implementing many of the same thought engineering techniques and censorship for a political objective in the United States. In a healthy republic, censoring the executive branch while permitting speech from the nation’s enemies might be considered sedition.

What can be done?

Legislators, attorneys general, and government agencies should move quickly to protect citizens. They should examine appropriate legislation, regulation, taxation, and legal recourse against companies that manipulate information to deceive their customers. These might look similar to previous consumer protection legislation, designed to protect citizens from confusing loans, credit applications, and deceptive

## Amendments to the Communications Decency Act could be considered.



Search



of violators to inform consumers. Warning label precedent was set for the tobacco and alcohol industries, and information manipulation is no less insidious. Antitrust suits should be explored where tech giants hold a monopoly, or a disproportionate market segment. Online information companies should be appropriately regulated and taxed based on their respective industry.

In short, if entities engage in censorship, information manipulation, algorithm-driven deception, speech restrictions, or purposeful news placement they should be appropriately regulated, taxed, or punished. Perhaps all three.

Share on   

### About Steve Lahr

Steven R. Lahr is a retired Army Special Forces Lieutenant Colonel, Security Consultant, and an authority on information operations, terrorism, and revolutionary warfare.

 Archive

 Photo: Akindo/Getty Images

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### 4 responses to “Taming Thought Engineers”

**stephen**

*10/25/20 at 4:35 am*

Entities like who ever at AG dropped discus?

**Lucius Severus Pertinax**

*10/25/20 at 4:51 am*

Excellent question!

**Orenv**

*10/25/20 at 6:29 am*

They are also keepers of our social score. Which they could sell to political parties who can reward/punish us for our apparent beliefs.

**Joe Bloe**

*10/25/20 at 1:54 pm*

Why do you want Disqus? It seems like a privacy concern to me and is designed for advertising to site users.

X



[Privacy Policy](#) [Terms of Service](#)

---

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# Exhibit Q-2

## Business Entity Summary

- **Summary**
- [Address](#)
- [Agent](#)
- [Filings](#)
- [Names](#)
- [Officers](#)
- [Stock](#)
- [Search Again](#)

[Print Certificate of Existence](#)

Searched: **Envoy Sage, LLC**

<b>Business No.</b>	<b>Legal Name</b>	<b>Status</b>
639287	ENVOY SAGE, LLC	Active
<b>Type</b>	<b>State of Inc.</b>	<b>Modified</b>
Legal	IA	No
<b>Expiration Date</b>	<b>Effective Date</b>	<b>Filing Date</b>
PERPETUAL	8/5/2020 2:09 PM	8/5/2020 2:09 PM
<b>Chapter</b>		
CODE 489 DOMESTIC LIMITED LIABILITY COMPANY		

## Names (Viewing 1 of 1)

<b>Type</b>	<b>Status</b>	<b>Modified</b>	<b>Name</b>
Legal	Active	No	ENVOY SAGE, LLC

## Registered Agent or Reserving Party

<b>Full Name</b>	
KEVIN T. KELLY	
<b>Address</b>	<b>Address 2</b>
755 TANGLEWOOD CT	
<b>City, State, Zip</b>	
DUBUQUE, IA, 52003	

## Home Office

<b>Full Name</b>	
<b>Address</b>	<b>Address 2</b>
16555 ROLLING HILLS ESTATES	
<b>City, State, Zip</b>	
DUBUQUE, IA, 52001	

[↑ Back to Top](#)

# Exhibit Q-3



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

## Detail by Entity Name

Foreign Limited Liability Company  
ENVOY SAGE, LLC

### Filing Information

**Document Number** M21000012150  
**FEI/EIN Number** NONE  
**Date Filed** 09/10/2021  
**State** IA  
**Status** ACTIVE

### Principal Address

1715 CENTRAL AVE  
DUBUQUE, IA 52001

### Mailing Address

1715 CENTRAL AVE  
DUBUQUE, IA 52001

### Registered Agent Name & Address

LAHR, STEVEN  
4409 CREWS CT  
PT CHARLOTTE, FL 33952

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

LAHR, STEVEN  
4409 CREWS CT  
PT CHARLOTTE, FL 33952

Title MBR

LAHR, STEVEN  
4409 CREWS CT  
PT CHARLOTTE, FL 33952

Title AP

LAHR, STEVEN

4409 CREWS CT  
PT CHARLOTTE, FL 33952

**Annual Reports**

**No Annual Reports Filed**

**Document Images**

[09/10/2021 -- Foreign Limited](#) [View image in PDF format](#)

# Exhibit Q-4



# Envoy Sage

## CRITICAL POINT CONSULTING SERVICES

During every crisis situation, there is a CRITICAL POINT where the right decision or right information makes the difference. Accordingly, we deliver rapid clarity, agile leadership, and creative solutions designed specifically for these chaotic moments.

# Services

YOUR STRATEGIC PARTNER DURING CHAOS, CRISIS & CHANGE -- C3

The future promises increasing levels of disorder, rapid market dynamics, and complex disinformation that can threaten your operations. We promise speed, agility, and entrepreneurial creativity delivered by proven professionals with integrity and discreet operations.



## Crisis & Risk Management

CONTINGENCY PREPARATION

- Crisis Planning & Response
  - Risk Mitigation
  - Signature Reduction
- Stability Support Operations



## Research & Investigation

A COMPREHENSIVE APPROACH

- Sensitive Investigations
  - Digital Forensics
- Due Diligence Research
  - Competitor Research
- Multi-Environment Market Research



## Market Influence & Media Messaging

SUCCESS DURING MARKET CHAOS

- Offensive & Defensive Market Engagement
  - Rapid Media Response
    - Full Spectrum Communications Operations



## Competitive Business Measures

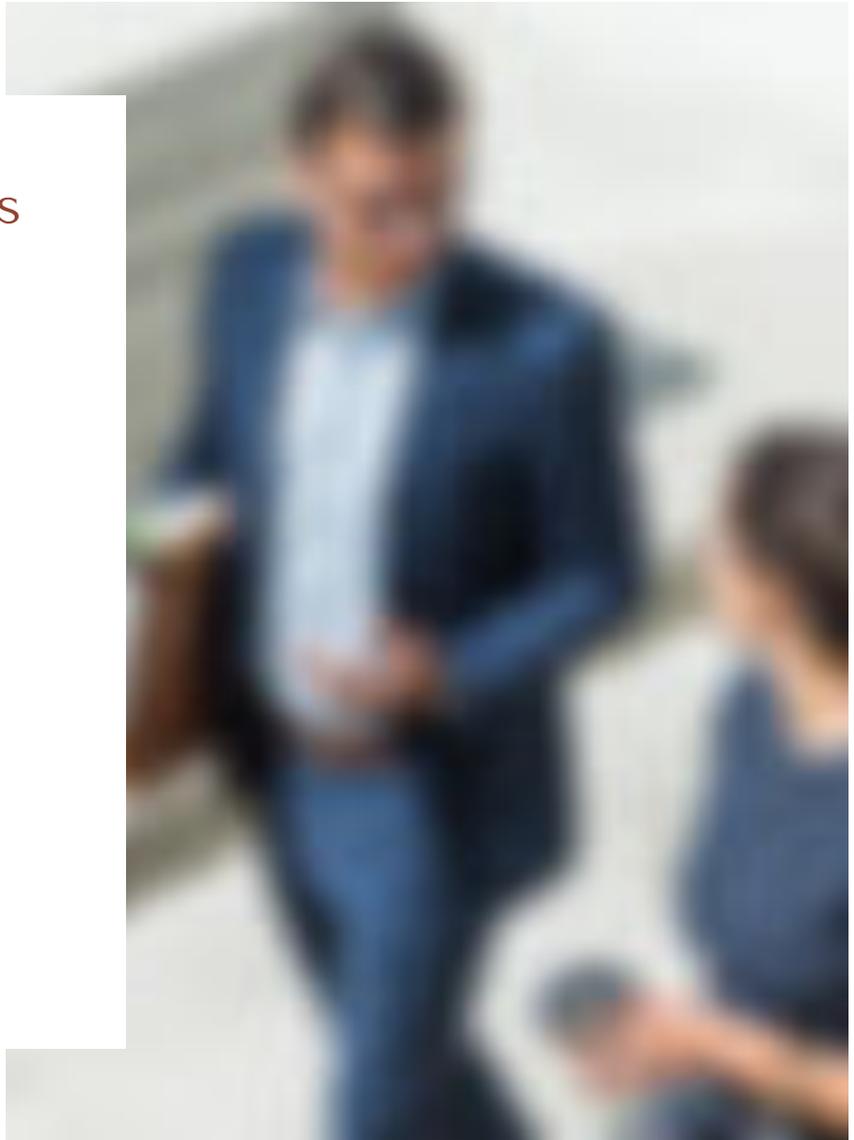
SET CONDITIONS FOR SUCCESS

- Competitive Intelligence

- Multi-Source Analytics
- Predictive Analysis
- Red Team/Black Hat Analysis

## Operating Principles for C3

- Complete mission focus on client success
- Professionalism with integrity and candor
- The best subject matter expertise – recent and relevant skills/experience
- Proven processes and effective systems
- The right equipment, software, forensic applications, and tools
- Properly prepared – thoughtful plans with contingency options
- Precise execution with agility & speed
- Discreet and secure operations
- Excellent and rapid communications
- Leveraging Lessons Learned
- Media Operations overlaid in all projects





## About

### CONSULTING SERVICES TAILORED FOR CRISIS, CHAOS & CHANGE - C3

Our capability to operate and succeed in C3 environments was forged during global pursuit and counter-terrorism operations. Envoy Sage leadership and personnel are veterans from the United States Special Operations Command and Intelligence organizations. Our company president is a proven and successful serial entrepreneur, who founded, operated, and transitioned several lucrative ventures. He brings this expertise and experience to every project. We provide analysts, technical professionals, cyber, and digital forensic experts that honed their skills during Nationally-Directed operations, and have customized services for commercial application. Our information and media specialists bring decades of effective Information Operations applied across various domains, platforms, industries, and environments.

## Proven Performance

PAST PROJECTS



### Fraud Investigation - Oil Industry

Conducted investigation that involved digital forensics, physical evidence, and global tracking. Discovered internal fraud and embezzlement.



### Due Diligence Research - International Commerce

Performed due diligence research for an international corporation that was considering an acquisition of a foreign company. Our research uncovered asset and financial anomalies that was a driver in the decision to not acquire.



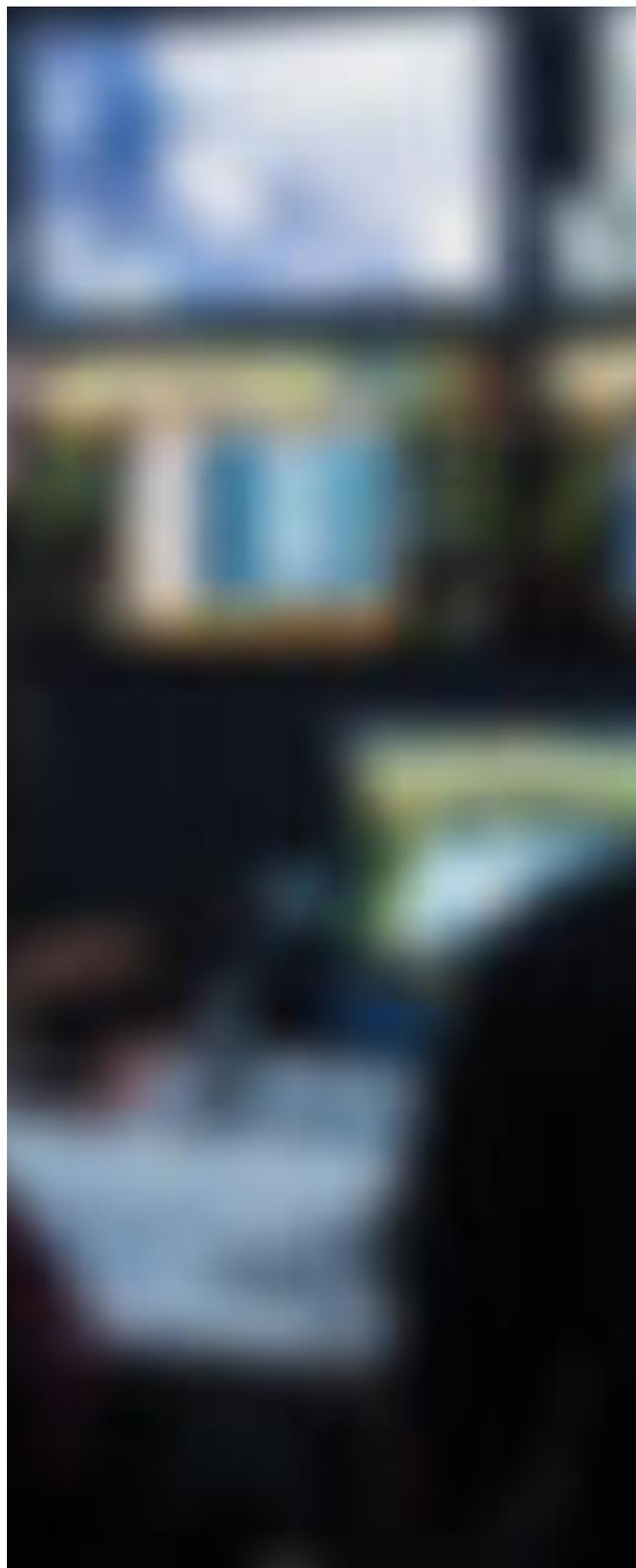
### Information Operations - Government and Public Space

Exposed disinformation delivered by three coordinating NGOs, which was harming our client. We built and helped execute a Media Information Operation to expose the disinformation and successfully counter the damaging narratives.



### Competitive Intelligence - Business Development

This project involved the collection of information for a client (government contract firm) that was used to build a competitive proposal. We gathered and analyzed competitor service methodology, which was critical to our client's winning proposal.





International Association of  
Computer Industry Specialists --  
Member



National Council of Investigation &  
Security Services --  
Member



Vigilant Torch Association -  
Co-Founder

# Contributions

- Green Beret Foundation
- Vigilant Torch Foundation
- Veterans of Foreign Wars
- American Legion

## Contact

Name \*

Enter your name

Email \*

Enter your email

Subject

Type the subject

Message

Type your message here...

**Submit**

---

Envoy Sage, LLC

contact@envoysage.com

202.379.3045

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# Exhibit Q-5

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Transcription of Press Conference based on Audio File Envoy  
Sage press conference\_otter\_ai

1 (Beginning of Audio Recording.)

2 SENATOR DUSH: All right, thanks --  
3 thanks (inaudible) people to get off instead  
4 of being blocked off or missing part of this.  
5 Good afternoon. My name is Senator Cris  
6 Dush. I'm chairman of the Senator  
7 Intergovernmental Operations Committee, and I  
8 appreciate you taking the time to join  
9 today's media call.

10 As chair of the Senate  
11 Intergovernmental Operations Committee, one  
12 of my tasks is to lead our PA election  
13 investigation efforts. Today we find  
14 ourselves at a crossroads when it comes to  
15 the integrity of our election process. An  
16 F&M poll conducted in August reflected the  
17 first time in the history of the poll a  
18 noticeable number of Pennsylvania voters  
19 mentioned election integrity as one of the  
20 state's pressing issues.

21 And 40 percent of all Pennsylvania  
22 voters in that Franklin and Marshall poll  
23 supported the PA election investigation.

24 As elected officials representing the  
25 people of our commonwealth, it is our

1 responsibility to ensure that people can have  
2 trust in our elections and in the process,  
3 and we must earn their trust.

4 To accomplish that, we must find out  
5 where the weaknesses and strengths are in our  
6 system and make appropriate changes to  
7 address those weaknesses so we can ensure  
8 election integrity.

9 That is why we have contracted with  
10 Envoy Sage, LLC. In a few moments, you will  
11 hear from Steve Lehr, president of Envoy  
12 Sage, the firm selected to help with the  
13 investigation.

14 Please keep in mind, this is an  
15 investigation, and we must protect the  
16 reliability of that investigation, which  
17 means that information and updates will be  
18 provided as we are able through the committee  
19 and Envoy Sage. But that may not occur as  
20 often as some might prefer.

21 With that, I will now turn this call  
22 over to our call moderator, Dawn Lush, who  
23 will walk you through a few instructions.  
24 Thank you, Dawn.

25 DAWN LUSH: Thank you, Senator. And

1 again, there was a question if there would be  
2 follow-up questions after the Q&A portion.  
3 You can always ask your question and maybe  
4 press Star 3 again, but there will be no  
5 back-and-forth. You will be put live in the  
6 line, you will have an opportunity to ask  
7 your question, and then you will be muted so  
8 that Steve can answer your question.

9 If you have follow-up questions,  
10 please press Star 3 to go through the  
11 screening process again, and with that, I'm  
12 going to turn it over to Steve Lehr,  
13 president of Envoy Sage, LLP. Steve, take it  
14 away.

15 STEVE LEHR: Thank you, Dawn. And  
16 thank you, Senator Dush.

17 Hello, everyone. It's a pleasure to  
18 speak with you today. My name's Steve Lehr,  
19 and I'm the president of Envoy Sage. My  
20 company was selected to assist the Senate  
21 Intergovernmental Operations Committee with  
22 Pennsylvania election investigation.

23 Our firm was chosen after an extensive  
24 interview process. It is an honor to have  
25 been chosen to assist in this effort. I've

1           been conducting complex research  
2           investigations, audits, and analysis for more  
3           than 35 years. This experience was garnered  
4           first in the military and then in the private  
5           sector.

6                     In both arenas, I've built and led  
7           teams and successfully delivered crucial  
8           information and intelligence, which were the  
9           result of extensive, complicated, and  
10          sensitive investigation and research, and  
11          multi-discipline analysis.

12                    We routinely and effectively handled,  
13          transported, and protected highly classified  
14          governmental material and personal  
15          information. We did so while maintaining  
16          chain of custody requirements and DOD  
17          protocols for evidence, even when operating  
18          in dynamic, strict, and high-risk  
19          environments.

20                    This past performance provides a  
21          strong foundation as we move forward to  
22          support the Senate investigation. Our role  
23          is to provide investigative expertise, tools,  
24          and analysis that are not organic to the  
25          Senate.

1                   We are focused exclusively on election  
2 integrity. Our team will begin with an  
3 examination of the 2020 general and the 2021  
4 primary elections in the Commonwealth of  
5 Pennsylvania, followed by an analysis of  
6 voter submissions made the committee's  
7 website.

8                   Next will be a review of previous  
9 election audit-related materials, and then we  
10 will provide recommendations based on  
11 analysis of fact for future election and  
12 voting integrity legislation.

13                   We are aware that there is a subpoena  
14 currently undergoing a legal challenge in the  
15 Commonwealth court, and to the extent those  
16 are yet undecided, I will not discuss the  
17 procedures or efforts that we may or may not  
18 take in the future regarding the materials  
19 requested in that subpoena.

20                   Our function here is the provide the  
21 committee with clarity, facts, and analysis.  
22 We have no preconceived notions of what we  
23 will or will not find. Facts as they are  
24 gathered, both digital and physical, will  
25 drive our investigative services.

1                   We will handle all concerns, data, or  
2                   information presented by the citizens of the  
3                   Commonwealth through the website or to us by  
4                   the committee with fidelity due diligence,  
5                   and the utmost discretion. Our team will  
6                   diligently and professionally protect and  
7                   secure any and all personal information that  
8                   we are tasked to analyze if such information  
9                   comes available to use at any time during the  
10                  investigation.

11                  Envoy Sage follows industry best  
12                  practices for information security, handling,  
13                  and disposal. Our company policies,  
14                  standards, and procedures meet or exceed the  
15                  contract requirements as well as the  
16                  guidelines from the National Institute of  
17                  Standards in Technology, their cybersecurity  
18                  framework or NIST CSF, as well as DOD  
19                  protocols for the protection of PII and  
20                  sensitive data.

21                  The Senate has made it very clear our  
22                  efforts must meet the highest standards of  
23                  professional ethics and integrity. They have  
24                  engaged in a good-faith contract with Envoy  
25                  Sage, and we will fulfill our contractual

1 obligations in a manner that keeps with the  
2 highest traditions of investigatory  
3 procedure, ethics, and professional conduct.  
4 Thank you.

5 I will now turn it back to our call  
6 moderator for Q&A.

7 DAWN LUSH: Okay, thanks everybody.  
8 We're going to take our first call. Joe  
9 Natcha (phonetic) from the Tribune Review in  
10 Greensburg, you're live on the air.

11 JOE NATCHA: Yes, Senator, how was  
12 Envoy Sage selected? There was a no-bid  
13 contract, obviously. How many companies bid?  
14 How many companies were interviewed for this  
15 process?

16 SENATOR DUSH: Yeah, thank you for the  
17 question. That's really a response required  
18 by the Committee. I'm not permitted to  
19 discuss that as part of our contract. Thank  
20 you.

21 DAWN LUSH: And thanks for that call.  
22 Next, we have Danielle -- pardon if I don't  
23 pronounce it correctly -- Danielle Ohl,  
24 Spotlight PA. You're live.

25 DANIELLE OHL: Yeah, thanks. My

1 question is -- can you tell us the names of  
2 the people who work for Envoy Sage and what  
3 they do for the firm?

4 STEVEN LEHR: Well, thank you for the  
5 question. That might take all day. I'll  
6 tell you, my name's Steve Lehr. I'm the  
7 founder and president, and we've got sitting  
8 in the room, Mike Mull (phonetic), and then  
9 we've got a great team of staff personnel as  
10 well as (inaudible) that support us and help  
11 us drive our -- conduct our analysis,  
12 conclusions, research, and investigation.  
13 Thank you.

14 DAWN LUSH: Eddie Kizo (phonetic) from  
15 WNTF in Philly, you are next.

16 EDDIE KIZO: Yes, thank you. So  
17 Senator, if something is found, right, what  
18 is the next step after this? For example,  
19 (inaudible) Philadelphia was on the cover of  
20 the Inquirer ballot harvesting. Nothing  
21 happened to him, and that story went away.  
22 So what happens next after this process?  
23 Thank you.

24 SENATOR DUSH: Thank you very much for  
25 the -- for the question. I will certainly

1 refer that question to the committee, and it  
2 would be more appropriate for the committee  
3 and the chair to answer that.

4 DAWN LUSH: Okay. Dan Murphy at  
5 PennLive. You're on the air.

6 DAN MURPHY: Hi there. I was  
7 wondering as a follow-up to Danielle's  
8 question of how many people on your team will  
9 have access to the information. It sounds  
10 like you said there's so many that you  
11 couldn't name them all. And also, with  
12 regard to the previous examinations that  
13 legislative committees have done into the  
14 election, I was wondering if you're familiar  
15 with what -- what their work what they found  
16 did and didn't work with the 2020 election  
17 and what will this \$270,000 that taxpayers  
18 are going to spend on this going to buy them  
19 that they haven't already heard?

20 SENATOR DUSH: Thank you very much.  
21 Again, I've got the same response about the  
22 question. It's getting into the details of  
23 how we'll conduct the investigation, and I'm  
24 not at liberty to discuss those procedures.  
25 That is a more appropriate question for the

1 committee that is conducting the  
2 investigation. Thank you.

3 DAWN LUSH: Okay. We've got Andrew  
4 Seidman, although Andrew, I don't see where  
5 you're calling from. Andrew, where are you  
6 calling from, what organization?

7 ANDREW SEIDMAN: Hi, yes. I'm calling  
8 from the Philadelphia Inquirer.

9 DAWN LUSH: Okay, thanks. Go ahead,  
10 Andrew. You're live.

11 ANDREW SEIDMAN: Thank you. Mr. Lehr,  
12 I understand you can't speak much about --  
13 about the investigation. Can you tell us a  
14 little bit more about your past experience?  
15 What is your relevant experience that you  
16 bring to this investigation, and have you --  
17 either for Envoy Sage or your previous  
18 companies ever investigated an election or  
19 election administration? That's my first  
20 question.

21 And my second question is what do you  
22 make of -- what is your assessment of the  
23 reviews that took place earlier this year in  
24 Arizona, and do you see that as a potential  
25 model for your review?

1                   STEVEN LEHR: Thank you very much for  
2                   that -- for that question. With regard to  
3                   the first part of your question about the  
4                   investigation, what I would say is that going  
5                   back to my opening remarks, I've got 35 years  
6                   conducting investigation, complex research,  
7                   and then doing multi-functional analysis.  
8                   That goes to due diligence, finding  
9                   personnel, conducting intelligence, and  
10                  garnering facts, and providing those facts  
11                  and analysis to the stakeholders. We think  
12                  that will set -- be very valuable to the  
13                  Senate committee investigating this -- and  
14                  could you repeat the second question, please?

15                 DAWN LUSH: I'm sorry, he is no longer  
16                 on the air right now. Let's see --

17                 STEVEN LEHR: Oh, I recall now. You  
18                 had a question about whether the  
19                 investigation in other states, specifically  
20                 Arizona, might be a useful guide.

21                 You know, we have followed the  
22                 investigations in other states. Some of  
23                 their process and procedures may or may not  
24                 be useful to the investigation. To the  
25                 extent that some of those process and

1 procedures are useful, we will certainly take  
2 them under advisement and incorporate them  
3 into our system.

4 But we don't want to come into the  
5 investigation with any preconceived notions,  
6 and certainly, we want to stay impartial and  
7 don't want this to devolve into a, you know,  
8 media event. Thank you.

9 DAWN LUSH: Thank you, Steve. We're  
10 going to go now to Justin at City and State  
11 PA. Justin, you're live.

12 JUSTIN SWEITZER: Yeah, hi. Thanks  
13 for taking my question. My question centers  
14 around donations that you've made, Mr. Lehr,  
15 in the past to Republican candidates. I know  
16 that Democrats have been very critical of  
17 this election investigation effort, calling  
18 it a partisan effort.

19 So I wanted to see what your response  
20 would be to their claims that your kind of  
21 history of donating to Republican candidates  
22 only underscores that this is a partisan  
23 review.

24 STEVEN LEHR: Yeah, thank you very  
25 much for that question. You know, I think

1           some of the items that I saw in the press  
2           were referencing a recent donation a couple  
3           years ago to Lindsay Graham for \$250. You  
4           know, that's a family member of mine donated  
5           that amount.

6                     As an American citizen, I don't think  
7           it takes away my ability to, on the personal  
8           side, provide a support to candidates on the  
9           left or the right. I've supported candidates  
10          that are Democrats and candidates that are  
11          Republicans, and I have worked professionally  
12          for both administrations, Democrat and  
13          Republican, and I've been able to put a  
14          firewall between my personal and professional  
15          business dealings, and I've been quite  
16          successful and hired by and have been  
17          continued to be hired by both -- both  
18          administrations. And I see myself as very  
19          bipartisan, fair, and will conduct myself as  
20          such.

21                    DAWN LUSH: Thank you, Steve. Next up  
22           is Marley Parish of Capitol Star. Go ahead,  
23           Marley.

24                    MARLEY PARISH: Hi, thanks for taking  
25           my question. This is following up on

1 Danielle and Dan's question. How many people  
2 are on your team, and is that going to be  
3 enough in terms of conducting this  
4 investigation and going through all the  
5 information that was referenced in opening  
6 remarks?

7 STEVEN LEHR: Yeah, certainly. Thanks  
8 for the question. Our team has got the  
9 ability to scale when we need more members  
10 and more expertise. We add them to the team,  
11 either as a fulltime effort, 1099, or  
12 subcontractors. And when we need to  
13 contract, we're able to do that.

14 So we are very agile in growing the  
15 team rapidly with expertise and supporting  
16 the client as needed during the investigatory  
17 process. Thank you.

18 DAWN LUSH: (Inaudible) Mark Levy with  
19 the Associated Press. You're up.

20 MARK LEVY: Hi, Mr. Lehr. So what I  
21 think I hear you saying is that you don't  
22 have any experience specific to elections,  
23 but given your description of the past work  
24 you've done, I was wondering if there is a  
25 contract that you could describe in detail

1 the work you did on it, something that maybe  
2 you're particularly proud of that would give  
3 us sort of a sense of what you mean when you  
4 say you've handled information, done  
5 investigations?

6 STEVEN LEHR: Yeah, thank you for  
7 that. Most of our work is confidential and  
8 classified at the highest levels from the --  
9 for the U.S. Government and the Department of  
10 Defense. So I'm not at liberty to discuss  
11 those contracts and especially the details of  
12 those contracts.

13 I will leave it with you to reiterate  
14 what we said earlier. We handled a great  
15 deal of personal information and classified  
16 information while we conducted investigations  
17 for government agencies and -- and the  
18 Department of Defense. That information,  
19 those techniques, our procedures will be very  
20 valuable to the Senate investigation. Thank  
21 you.

22 DAWN LUSH: Okay. And we have time  
23 for one more caller. Jonathan Lai with the  
24 Inquirer. Jonathan, you're on.

25 JONATHAN LAI: Okay, thanks. This is

1 a question for Steve. I heard what you said  
2 about no preconceived notions, and I know you  
3 can't get too deep into (inaudible). But I'm  
4 still a little confused as to what exactly  
5 you'll be doing, and I'm wondering if you can  
6 tell us some of the specific types of  
7 questions you're trying to answer.

8 So for example, are you trying to find  
9 voter fraud specifically? You know, what are  
10 some of the things you're trying to  
11 determine?

12 STEVEN LEHR: Yeah. Thank you for  
13 that question. You know, we're focused on an  
14 examination of the -- of -- we're focused on  
15 election integrity, and our team, as I  
16 mentioned earlier, is going to begin with an  
17 examination of the 2020 general and 2021  
18 primary elections in the Commonwealth of  
19 Pennsylvania.

20 Then we're going to shift and conduct  
21 an analysis of voter submissions made to the  
22 committee's website, followed by a review of  
23 previous election audit-related materials,  
24 and then we're going to provide  
25 recommendations based on analysis of fact for

1 future election and voting integrity  
2 legislation. Thank you.

3 DAWN LUSH: Okay. That wraps up the  
4 Q&A portion of our call. We have some final  
5 words from Senator Dush. Go ahead, Senator.

6 SENATOR DUSH: Yes, thank you, and  
7 this is Senator Dush, and I want to thank all  
8 the reporters and media outlets for being  
9 part of this call.

10 I offer special thanks to Steve for  
11 making himself available today, and I think  
12 this call was informative and helpful, and I  
13 look forward to seeing the great work Envoy  
14 Sage is going to do in helping us investigate  
15 and strengthen our election system.

16 We will continue to keep you informed  
17 as the next steps of the investigation as  
18 that information is available. Thank you,  
19 all, again, for participating.

20 AUTOMATED VOICE: The Access Live  
21 event has ended.

22 (End of Audio Recording.)  
23  
24  
25

CERTIFICATE

1  
2  
3 I, Wendy Sawyer, do hereby certify that I was  
4 authorized to and transcribed the foregoing recorded  
5 proceedings and that the transcript is a true record, to  
6 the best of my ability.  
7  
8

9 DATED this 2nd day of December, 2021.

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14 WENDY SAWYER, CDLT  
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# Exhibit Q-6

## PA Election Investigation — Restoring Faith in Our Elections



*In order to identify and address election irregularities and strengthen our voting laws, the Senate Intergovernmental Operations Committee is conducting a thorough investigation into the 2020 General Election and the 2021 Primary Election.*

*Our work will build upon previous reviews by the Senate Special Committee on Election Integrity and Reform and the House State Government Committee. However, our approach will be focused on digging much deeper into the problems and irregularities that have been reported in the system and working to rectify those issues.*

**Senator Cris Dush**

## A Responsible, Thoughtful and Transparent Investigation

The investigation will include public hearings, eyewitness testimony from Pennsylvanians, a deep-dive review into our voting system, and recommendations for legislative improvements. The goal is to create a fair, transparent process everyone can believe in.

---

## Sign Up for Updates

**Subscribe to stay connected with Senator Dush's "Inside the Election Investigation" e-newsletter.**

**First Name:**

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# Pennsylvania Election Integrity Investigation

## 1. Gathering Evidence



Invite Pennsylvanians to share election fraud testimony.  
Gather information at public hearings.

## 2. Election Integrity Investigation



Request/subpoena & inspect election materials.

## 3. Report & Legislative Action



Report findings & legislative recommendations to  
General Assembly.

## Subpoenas Issued



The Senate Intergovernmental Operations Committee met on September 15, 2021, to approve a subpoena for data, communications and other materials from the Pennsylvania Department of State.

[Read the full language of the subpoena here.](#)

This information will be critical to the committee's review of our elections, providing a clearer picture of potential problems with the state's voter registration system and any

other voting irregularities.

## Submit Your Testimony Now



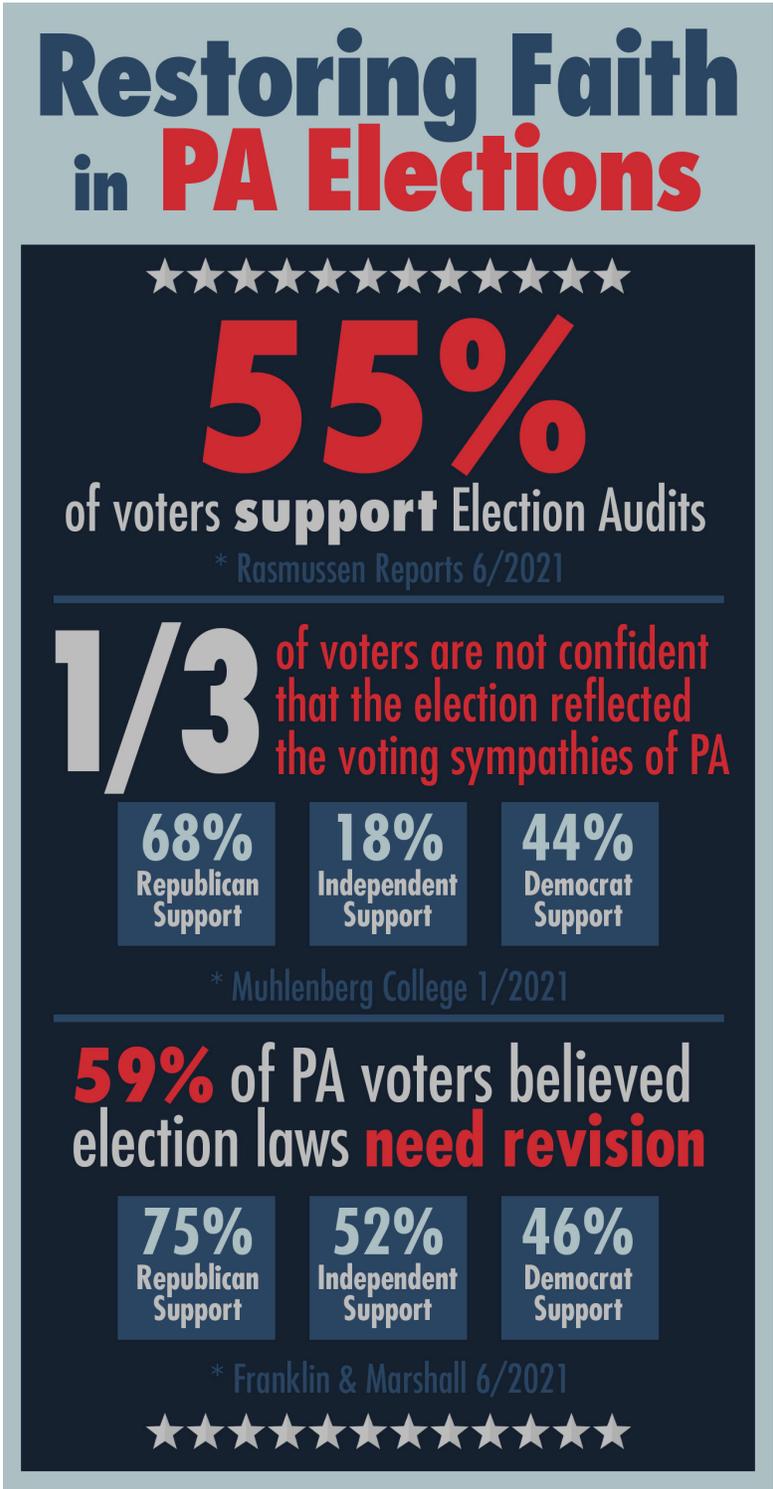
Gathering firsthand testimony from Pennsylvanians is an important part of the investigation. If you witnessed or were personally and directly affected by election improprieties, please consider sharing your stories here.

Please note testimony is only being accepted if you are willing to sign a sworn affidavit and potentially testify at a future hearing.

[Submit your testimony here.](#)

## A Crisis of Confidence in PA Voting Systems

Public opinion polls have revealed a troubling crisis of confidence in our election system.



Without a thorough investigation of our elections, these problems will continue to fester and discourage participation in the democratic process.

### Frequently Asked Questions

Why are lawmakers trying to get my Social Security number and Driver License number? -

That information is necessary to help identify any duplicate registrations, fake registrations, and any votes resulting from those ineligible registrations. Having that information allows us to complete a thorough investigation to ensure every vote cast in every election comes from a living, legal, registered voter.

The General Assembly having this information is no different than any other branch of government having this information. Lawmakers frequently have access to this type of information to help constituents manage problems with the Unemployment Compensation system and other concerns, and no problems have been reported.

Hasn't the state already conducted two audits? 

The two audits mandated by the state were completed, but were limited in size and scope. These reviews are routine and not designed to address broader concerns about election security and integrity. Our investigation and audit are intended to go much further.

How will the investigation be funded? 

The investigation will be funded through Senate accounts. As such, every effort will be made to minimize costs while still providing a thorough examination of our elections.

Will you do the same type of audit as Arizona? 

Although we have learned valuable lessons from Arizona, the process will differ in many ways. We will work with the vendor to determine best practices and allow the investigation to follow wherever the evidence leads.

## Vendor Frequently Asked Questions

What experience does the vendor have in investigating elections? 

The team at Envoy Sage has decades of experience in research, investigation, program management, and communications, all of which will be necessary to conduct a thorough review of Pennsylvania's elections. Their team includes analysts, technical professionals, and digital forensic experts who honed their skills during nationally directed operations.

How much is the vendor being paid? 

The contract language, available [here](#), shows a cost of approximately \$270,000.

Who chose the vendor? 

Senator Cris Dush (R-25) in consultation with Senate leadership and Republican members of the Intergovernmental Operations Committee chose the vendor through a rigorous process where merit, competence, impartiality, political affiliations, and more were considered to ensure that the vendor would be more than capable of conducting a fair and thorough investigation of Pennsylvania's elections.

How will the vendor protect my personal information? 

Envoy Sage is well-suited to protect the personal information of Pennsylvania voters, as they not only have handled sensitive information for government agencies, but also have kept classified information safe for the Department of Defense. In fact, much of their team either previously or currently maintains high-level clearances to complete investigations for the most senior levels of government.

Furthermore, the language protecting voters' personal information that is included in the Senate's contract with Envoy Sage is consistent with the language that the Pennsylvania Department of State uses when they contract with third party vendors to maintain the State Uniform Registry of Electors (SURE) system. If this language is strong enough to safeguard sensitive voter information with the Department's third-party vendors, then it's strong enough to do so for this investigation too.

If you would like to learn more about the contract restrictions placed on the vendor and the protections added to safeguard personal information and taxpayer dollars,

the contract language is available [here](#).

What political affiliations does this vendor have? 

None – they are not political. The vendor has never worked for a political party or candidate and does not engage in political advocacy. They have worked with the Department of Defense for both Democrat and Republican Administrations. Furthermore, the contract explicitly prohibits the vendor from engaging in any future political activities to ensure this investigation is completed in a professional, non-partisan manner.

If you would like to learn more about the contract restrictions placed on the vendor and the protections added to prohibit political activities, the contract language is available [here](#).

How can we be sure this vendor will conduct a fair, thorough, and objective review of Pennsylvania elections? 

Envoy Sage is committed to conducting a fair, thorough, and impartial investigation into Pennsylvania's elections. With decades of experience working under both Republican and Democrat Administrations at the federal level and no political affiliations clouding their judgement, Envoy Sage is entering into this project with no pre-conceived notions for what they will or will not find as they investigate the Commonwealth's election systems and data. Envoy Sage's team includes analysts, technical professionals, and digital forensic experts who investigated countless matters of national significance throughout their careers.

Envoy Sage's impressive and extensive investigative resume, coupled with the strict guidelines baked into the contract to ensure that the investigation is impartial and thorough, speaks to Envoy Sage's ability to produce legitimate and useful results.

If you would like to learn more about the contract restrictions placed on the vendor and the protections added to prohibit political activities, protect the personal information of Pennsylvania voters, and ensure a fair and objective review of our elections, the contract language is available [here](#).

How long has this vendor been in the business of conducting investigations? 

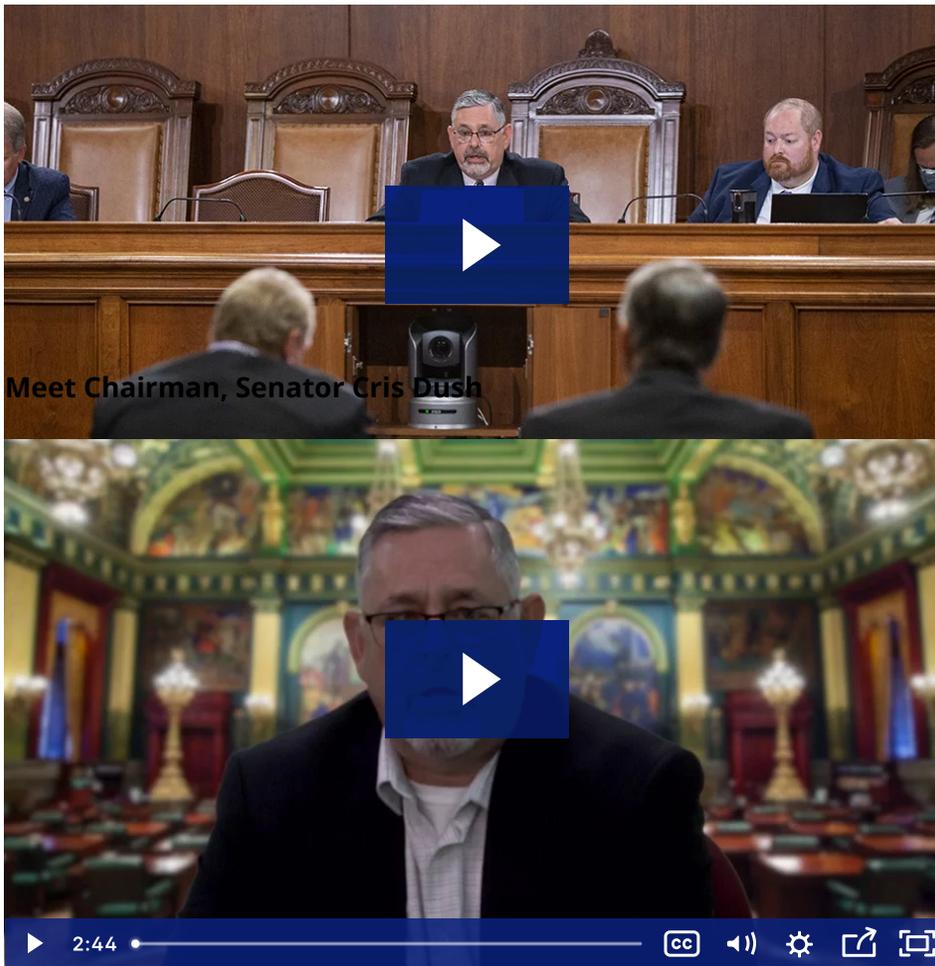
Envoy Sage personnel have decades of experience in research, investigation, program management, and communications, all of which will be necessary to conduct a thorough review of Pennsylvania's elections. Envoy Sage's team has been involved in conducting high-level investigations through many iterations of the company. The President only recently sold his previous investigative and analytics business and merged it with another company because it was so successful.

## Committee Videos & Hearings

### Public Hearing — September 15, 2021



### Public Hearing — September 9, 2021



## In the News

### Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections

Nov 19, 2021

Envoy Sage, a service-disabled veteran-owned small business specializing in research, investigation, program management, and crisis communications, announced earlier today that it has been selected by Pennsylvania State Senator Cris Dush (R-25) in consultation with Senate Republican leadership and members of the Intergovernmental Operations Committee to conduct a thorough investigation of Pennsylvania's elections.

## Dush: Commonwealth Court Filing Reaffirms Legislature's Authority to Conduct Election Investigation

Oct 22, 2021

Fighting back against the false narratives and cheap scare tactics of Attorney General Josh Shapiro and Senate Democrats, Senator Cris Dush (R-Jefferson) and Senate Republicans responded in court today with a filing that reaffirms the General Assembly's role to provide oversight and transparency of Pennsylvania's elections.

[Listen](#)

## Senator Dush Provides Update on Election Integrity Investigation

Oct 21, 2021

HARRISBURG – Senator Cris Dush (R-Jefferson) provided an update today on the status of the Senate Intergovernmental Operations Committee's effort to conduct a thoughtful, responsible review of recent elections. The Attorney General and Senate Democrats sought to block...

## Op-Ed: Don't Be Fooled by Democrats' Election Investigation Scare Tactics

Oct 1, 2021

Since lawmakers voted to subpoena information from the state's voter registration system two weeks ago, many Pennsylvania Democrat Leaders have made wild accusations about what will happen to this data when it is eventually turned over by the Department of State.

## Senate Panel Votes to Issue a Subpoena for Election-Related Documents from Department of State

Sep 15, 2021

To continue its legislative investigation into the integrity of recent elections, the Senate Intergovernmental Operations Committee voted today to issue subpoenas for a variety of different materials from the Pennsylvania Department of State. [Key Points](#)

## Media Advisory – Senate Intergovernmental Operations Committee Plans Subpoena Vote September 15

Sep 12, 2021

The Senate Intergovernmental Operations Committee will meet on Wednesday, September 15, at 9:30 a.m. in Room 8E-B of the Capitol Building in Harrisburg to vote on subpoenas as part of the committee's investigation into recent elections.

## Work Begins on Election Integrity Investigation – Department of State Refuses to Cooperate

Sep 9, 2021

As the Senate Intergovernmental Operations Committee began its investigation into the 2020 General Election and the 2021 Primary Election today, key witness testimony was missing due to the refusal of Department of State officials to participate.

## Senate Intergovernmental Operations Committee Invites Public to Submit Sworn Testimony in Election Investigation

Sep 2, 2021

The Senate Intergovernmental Operations Committee has created a special webpage for Pennsylvania residents to submit sworn testimony regarding problems they have personally experienced with the state's election system, according to Committee Chair Senator Cris Dush (R-Jefferson).

## Senator Cris Dush Issues Statement on Election Integrity Review

Aug 21, 2021

"The people of Pennsylvania are experiencing a crisis of confidence in our elections, and I take my newfound responsibility to conduct an election integrity investigation very seriously.

# Exhibit Q-7



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# Pa. Republicans won't hire a contractor for 2020 election review until a judge gives the OK, aide says

Senate Democrats and state Attorney General Josh Shapiro sued to block a subpoena seeking voter records. A judge has yet to rule.



Pennsylvania Sen. Cris Dush (R., Jefferson), chairman of the committee reviewing the 2020 election.

Matt Rourke / AP

by Andrew Seidman

Published Oct 3, 2021

Pennsylvania Senate Republicans say they won't hire a private contractor to assist with their [review of the 2020 election](#) until a judge weighs in on the matter.

A GOP-led Senate committee [subpoenaed Gov. Tom Wolf's administration](#) last month



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General Counsel Shapiro [sued to block the subpoena](#) in Commonwealth Court, and the Wolf administration did not hand over the records Friday. A judge has yet to issue a ruling in the cases.

Republicans say they are awaiting court review before they hire a vendor.

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“We’re not going to finalize anything with a vendor and spend taxpayer dollars until we can make sure that the investigation is allowed to move forward by the courts,” Jason Thompson, a spokesperson for the Senate committee leading the review, said Sunday. “We’re proceeding with an abundance of caution when talking about spending taxpayer dollars.”

**WHY WE'RE NOT CALLING IT AN AUDIT**

The Inquirer is not currently referring to attempts by Pennsylvania Republicans to investigate the 2020 presidential election as an audit because there's no

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politicians will play a role; how the review will be documented; how election equipment and ballots, if obtained, would be secured; and what the scope of any review would be. [Joe Biden won Pennsylvania by more](#)

[than 80,000 votes.](#) State and county audits affirmed the outcome, and [there is no evidence of any significant fraud.](#)

The subpoena seeks records from the Department of State on all nine million registered voters, including nonpublic personal information such as their driver's license numbers and the last four digits of their Social Security numbers.

Sen. Cris Dush (R., Jefferson), chairman of the panel that issued the subpoena, has said the records will help lawmakers investigate potential election fraud. Senate Republicans have been interviewing potential vendors to help review those records and aid the broader inquiry.

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GOP lawmakers issued the subpoena after former President Donald Trump and his allies spent months urging Republican

legislatures in Pennsylvania and other swing states he lost to reexamine the election.

President Joe Biden won Pennsylvania by more than 80,000 votes. Neither litigation nor post-election audits turned up evidence to the contrary.

[Senate Democrats filed a lawsuit](#) on Sept. 17 alleging the subpoena tramples on the authority of the executive and judicial branches and violates state election law, which they say prohibits the disclosure of voters' private information to a third-party vendor.

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In response. lawvers for Republicans said in



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undertake the investigation.

The Senate Intergovernmental Operations Committee “is analyzing whether to make, alter, or repeal election laws,” wrote outside

counsel Matthew H. Haverstick, of the law firm Kleinbard LLC. “It is doing so through a factual investigation. That investigation is being conducted in part by subpoena. And the subject matter of the investigation — elections — is not only arguably within the Senate’s power, but also constitutionally committed to the Senate’s (and House’s) purview in multiple sections.”

Republicans also disputed Democrats’ claim that sharing voters’ personal information with a private vendor would violate state law, noting that the Department of State is currently under contract with a firm that helps administer the statewide voter registration database.

“There is no reason to believe or suggest that any contract with a third-party vendor to review this information as part of the committee’s investigation would not contain the same types of protections against unlawful disclosure as would any contract entered into by the Department of State as it relates to this information,” court papers say.

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figures, the Philly suburbs, and upcoming elections.

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# Exhibit Q-8

Home › Campaign finance data › Browse data › Individual contributions

# Individual contributions

Viewing 5 filtered results for: [Reset filters](#)

"steven lahr"

Contributor name	Recipient	State	Employer	Receipt date	Amount
LAHR, STEVEN	<u>TEAM GRAHAM, INC.</u>	IA		10/14/2020	\$250.00
LAHR, STEVEN	<u>PERKINS FOR CONGRESS</u>	VA	SILVERBACK 7	06/30/2011	\$500.00
LAHR, STEVEN	<u>BACHMANN FOR CONGRESS</u>	MN	INFORMATION REQUESTED	02/15/2010	\$20.00
LAHR, STEVEN MR.	<u>NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE</u>	VA	SILVERBACK 7 LLC	05/22/2007	\$500.00
STEVENS, LAHRUE JR	<u>THIBODAUX FOR CONGRESS '96</u>	LA	PHYSICIAN	05/03/1996	\$1,000.00

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Showing 1 to 5 of 5 entries

# Exhibit Q-9

« **Senate Votes to Help PA's Economy**

**and Veterans**

**Senator Dush Statement on the  
Selection of Envoy Sage to Conduct  
Impartial Investigation of Pennsylvania's  
Elections »**

# **Envoy Sage Selected to Conduct Impartial Investigation of Pennsylvania's Elections**

Posted on Nov 19, 2021

(Dubuque, IA) – Envoy Sage, a service-disabled veteran-owned small business specializing in research, investigation, program management, and crisis communications, announced earlier today that it has been selected by Pennsylvania State Senator Cris Dush (R-25) in consultation with Senate Republican leadership and members of the Intergovernmental Operations Committee to conduct a thorough **investigation of Pennsylvania's elections**.

Based in Dubuque, Iowa, Envoy Sage's team has decades of experience conducting investigations that are complex and large scale, regularly employing multi-discipline teams to do so, including analysts, technical professionals, and digital forensic experts who investigated countless matters of national significance throughout their careers.

Importantly, the company is well-suited to protect the personal information of voters, as they not only have handled sensitive information for government agencies, but also have kept classified information safe for the Department of Defense. Much of their team either previously or currently maintains high-level clearances to complete investigations for the most senior levels of government which required them to have the proper knowledge, skills, and experience handling evidence and preserving chain of custody.

“Envoy Sage is committed to conducting a fair, thorough, and impartial investigation into Pennsylvania’s elections,” said Steve Lahr, company President. “With decades of experience working under both Republican and Democrat Administrations at the federal level and no political affiliations clouding our judgement, we are entering into this project with no pre-conceived notions for what we will or will not find as we investigate the Commonwealth’s election systems and data. We understand that this objectivity is critical so that the Intergovernmental Operations Committee can use our results and recommendations as they craft future legislation to improve Pennsylvania’s elections.”

In addition to having no political associations, which includes refraining from actively supporting both current candidates and candidates who were on the 2020 or 2021 ballots in Pennsylvania, Envoy Sage is also contractually prohibited from engaging in any political or lobbying activities moving forward for the duration of the investigation, thereby ensuring that the process is impartial and fair.

The contract language sets the length the relationship between Envoy Sage and the Pennsylvania Senate Intergovernmental Operations Committee at no more than six months, with an option to extend if both parties deem necessary.

At this point in time, Envoy Sage is to provide planning and consulting services necessary to continue the investigation, including recommendations on how best to review whatever information is ultimately received from the Pennsylvania Department of State on the State Uniform Registry of Electors (SURE) system. The contract covers document analysis, consultation, review of election concerns and affidavits submitted to the committee, analysis of other election integrity initiatives across the nation, and more.

**CONTACT:**     **Steve Lahr** (Envoy Sage)  
                  **Jason Thompson** (Senate Republicans)



# Exhibit Q-10

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# Senate GOP hires firm to review Pennsylvania's 2020 election

By MARK SCOLFORD November 19, 2021

HARRISBURG, Pa. (AP) — Republicans in the Pennsylvania Senate said Friday they will pay up to \$270,000 over the next six months to have an Iowa consulting firm examine the 2020 election with an eye toward developing changes to state election law.

The “forensic investigation” is being launched in response to pressure from Republican supporters of former President Donald Trump upset over his 80,000-vote loss in the state, but is well short of the [Arizona-style “audit”](#) that many of them have clamored for.

A related [subpoena](#) issued by a GOP-controlled Senate committee, seeking voter data from the executive branch, is currently on hold awaiting a hearing in Commonwealth Court next month.

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## AP NEWS

Leader Kim Ward, R-Westmoreland, and Envoy Sage, a Dubuque, Iowa-based

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public in redacted form in the coming days.

The company will be paid out of a taxpayer-funded leadership account that Ward controls and the agreement can be extended, he said.

“The goal is to determine what flaws exist in our election system and to fix them through legislation,” Thompson said Friday.

Envoy Sage president Steve Lahr issued a statement saying company officials have no “pre-conceived notions for what we will or will not find” and that he considers objectivity to be critical.

Thompson initially said Lahr, who did not reply to a message seeking an interview, recalled making only a single political donation, several years ago, to a friend from his time in the military. Later Friday, Thompson said Lahr acknowledged also making donations to the National Republican Congressional Committee and to U.S. Sen. Lindsay Graham, a South Carolina Republican.

“I think that it was an honest mistake on his part,” Thompson said.

Lahr’s statement described the process ahead as including document analysis, review of concerns solicited from the public by the Senate and a look at election integrity initiatives in other states.

Senate Intergovernmental Operations Committee Chair Cris Dush, R-Jefferson, who is leading the review process, said in a statement that Envoy Sage had handled sensitive documents for other governmental entities.

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committee Dush chairs had no role in selecting the consultant, said Senate Minority Leader Jay Costa, D-Allentown.

had previously said they would wait until the subpoena litigation had been resolved.

“They agreed to wait, and then went ahead with hiring their own firm to carry out this political, unnecessary and costly witch hunt,” Costa said in a release. He also noted Senate President Pro Tempore Jake Corman, R-Centre, recently announced his entry into the [2022 gubernatorial primary](#).

Thompson said the firm was hired now in part because, in opposing the subpoena, Democrats had said they did not know who would be given the voter data.

Senate Democrats and state Attorney General [Josh Shapiro, a Democrat who also is in the race for governor](#), have sought to block the subpoena, calling it an abuse of legislative power and focusing on the demand for information about voters.

“They intend to entrust the personal, private data of 9 million Pennsylvanian voters to a company that has been in existence for barely one year and that has no election experience, other than donating to the Republican Party,” Shapiro’s office said in a statement. “We still have no information on how they intend to protect voters’ confidential information and what they plan to use it for.”

The subpoena seeks state elections officials’ communications with counties and the names of who voted in last year’s presidential election, including birth dates, addresses, driver’s license numbers and partial Social Security numbers.

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MA2100000/2150

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(Address)

(Address)

(City/State/Zip/Phone #)

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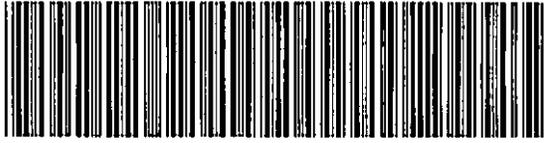
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21 SEP 10 AM 11:35  
CLERK OF STATE  
TALLAHASSEE, FLORIDA

*Handwritten signature*



APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 605.0902, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. ENVOY SAGE, LLC
(Name of Foreign Limited Liability Company; must include "Limited Liability Company," "L.L.C.," or "LLC.")

ENVOY SAGE2, LLC
(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida. The alternate name must include "Limited Liability Company," "L.L.C.," or "LLC.")

2. IOWA (Jurisdiction under the law of which foreign limited liability company is organized)
3. (FEI number, if applicable)

4. (Date first transacted business in Florida, if prior to registration.)
(See sections 605.0904 & 605.0905, F.S. to determine penalty liability)

5. 1715 CENTRAL AVE
(Street Address of Principal Office)

6. 4409 CREWS CT
(Mailing Address)

DUBUQUE, IA 52001

PORT CHARLOTTE, FL 33952

7. Name and street address of Florida registered agent: (P.O. Box NOT acceptable)

Name: STEVEN LAHR

Office Address: 4409 CREWS CT

PORT CHARLOTTE, Florida 33952
(City) (Zip code)

FILED
21 SEP 10 AM 11:35
STATE OF FLORIDA

Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

(Registered agent's signature)

8. For initial indexing purposes, list names, title or capacity and addresses of the primary members/managers or persons authorized to manage [up to six (6) total]:

<u>Title or Capacity:</u>	<u>Name and Address:</u>	<u>Title or Capacity:</u>	<u>Name and Address:</u>
<input checked="" type="checkbox"/> Manager	Name: STEVEN LAHR	<input type="checkbox"/> Manager	Name: _____
<input checked="" type="checkbox"/> Member	Address: 4409 CREWS CT	<input type="checkbox"/> Member	Address: _____
<input checked="" type="checkbox"/> Authorized	PORT CHARLOTTE, FL 33952	<input type="checkbox"/> Authorized	_____
Person	_____	Person	_____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____
<input type="checkbox"/> Manager	Name: _____	<input type="checkbox"/> Manager	Name: _____
<input type="checkbox"/> Member	Address: _____	<input type="checkbox"/> Member	Address: _____
<input type="checkbox"/> Authorized	_____	<input type="checkbox"/> Authorized	_____
Person	_____	Person	_____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____
<input type="checkbox"/> Manager	Name: _____	<input type="checkbox"/> Manager	Name: _____
<input type="checkbox"/> Member	Address: _____	<input type="checkbox"/> Member	Address: _____
<input type="checkbox"/> Authorized	_____	<input type="checkbox"/> Authorized	_____
Person	_____	Person	_____
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

**Important Notice:** Use an attachment to report more than six (6). The attachment will be imaged for reporting purposes only. Non-indexed individuals may be added to the index when filing your Florida Department of State Annual Report form.

9. Attached is a certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted)

10. This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

  
\_\_\_\_\_  
Signature of an authorized person  
STEVEN LAHR  
\_\_\_\_\_  
Typed or printed name of signee

**IOWA SECRETARY OF STATE  
PAUL D. PATE**



**CERTIFICATE OF EXISTENCE**

Issue Date: 9/7/2021

Name: ENVOY SAGE, LLC (489DLC - 639287)

Date of Incorporation: 8/5/2020

Duration: PERPETUAL

I, Paul D. Pate, Secretary of State of the State of Iowa, custodian of the records of incorporations, certify the following for the limited liability company named on this certificate:

- a. The entity is in existence and duly incorporated under the laws of Iowa.
- b. All fees, taxes and penalties required under the Revised Uniform Limited Liability Company Act and other laws due the Secretary of State have been paid.
- c. The most recent biennial report required has been filed with the Secretary of State.
- d. The Secretary of State has not administratively dissolved the limited liability company.
- e. The Secretary of State has not filed either a statement of dissolution or statement of termination.

Certificate ID: **CS229048**

To validate certificates visit:  
[sos.iowa.gov/ValidateCertificate](https://sos.iowa.gov/ValidateCertificate)

A handwritten signature in black ink that reads "Paul D. Pate". The signature is stylized and cursive.

Paul D. Pate, Iowa Secretary of State

# Exhibit Q-12



Doc ID: 010758060001 Type: GEN  
 Kind: WARRANTY DEED  
 Recorded: 06/15/2021 at 08:52:01 AM  
 Fee Amt: \$2,211.20 Page 1 of 1  
 Revenue Tax: \$2,199.20  
 Dubuque County Iowa  
 John Murphy Recorder

File **2021-00009747**

**Return To:** Tara L. Holste and Vanessa E. Holste, 16555 Rolling Hills Dr., Dubuque, IA 52001  
**Taxpayer:** Tara L. Holste and Vanessa E. Holste, 16555 Rolling Hills Dr., Dubuque, IA 52001  
**Preparer:** Brian J Kane, 2100 Asbury Rd., Ste. 2, Dubuque, IA 52001, Phone: (563) 582-7980



**WARRANTY DEED JOINT TENANCY**

For the consideration of Ten Dollars (\$10.00) and other valuable consideration, Steven R. Lahr and Debra K. Lahr, husband and wife, do hereby Convey to Tara L. Holste and Vanessa E. Holste, a married couple, as joint tenants with full rights of survivorship and not as tenants in common, the following described real estate in Dubuque County, Iowa:

Lot 1 of Lot 1 and Lot 2 of Lot 1 of Rolling Hills Estates No. 2, being partly in the City of Sageville, Dubuque County, Iowa, according to the recorded plat thereof.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

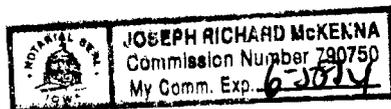
Dated: June 11, 2021.

Steven R. Lahr, Grantor

Debra K. Lahr, Grantor

STATE OF IOWA, COUNTY OF DUBUQUE

This record was acknowledged before me on June 11, 2021 by Steven R. Lahr and Debra K. Lahr, husband and wife.



Signature of Notary Public

500  
700  
DCAR

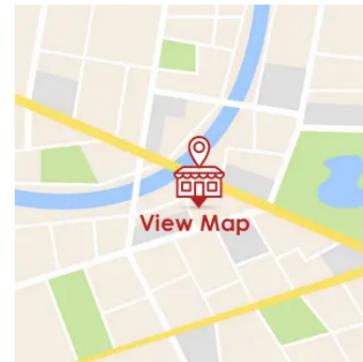
# Exhibit Q-13

**U.S. Tax Service - Kevin Kelly, CPA** (3 Reviews)



1715 Central Avenue  
Dubuque, IA 52001

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 [DIRECTIONS](#)

 [REVIEWS](#)

### Chamber Rating

3.7 (3 reviews)

2  
0  
0  
0  
1

#### ABOUT

U.S. Tax Service - Kevin Kelly, CPA is located at 1715 Central Avenue in Dubuque, Iowa 52001. U.S. Tax Service - Kevin Kelly, CPA can be contacted via phone at for pricing, hours and directions.

#### CONTACT INFO

#### QUESTIONS & ANSWERS

**Q** Where is U.S. Tax Service - Kevin Kelly, CPA located?

**A** U.S. Tax Service - Kevin Kelly, CPA is located at 1715 Central Avenue, Dubuque, IA 52001

**Q** How big is U.S. Tax Service - Kevin Kelly, CPA?

**A** U.S. Tax Service - Kevin Kelly, CPA employs approximately 20+ people.

**Q** How is U.S. Tax Service - Kevin Kelly, CPA rated?

**A** U.S. Tax Service - Kevin Kelly, CPA has a 3.7 Star Rating from 3 reviewers.

### U.S. TAX SERVICE - KEVIN KELLY, CPA REVIEWS

Google (3)



**RICH BARRY**



Sep 5th, 2021

Kevin does not answer or return phone calls. He has had my taxes for 5 months now and they're not finished. He answered the phone and asked if he could call me right back. I said sure. The problem is that was 3 months ago. I keep calling and leaving messages asking for my paperwork back.



**JESSICA OCLON**



Jul 20th, 2020

First year, Kevin hand delivered my forms! Great, and friendly service. Effective problem solver, too. Thank you



JESSICA COLE



### Overall Rating

( 3 Reviews)

2  
0  
0  
0  
1

YOUR RATING:

# Exhibit Q-14

Prepared By and Return To:  
Steven R. Greenberg, Esquire  
Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A.  
2033 Main Street, Suite 500  
Sarasota, FL 34237

File Number: 77902-131345  
Purchase Price: \$1,305,000.00

## General Warranty Deed

Made this June 22, 2021 A.D., by **Joseph Imbasciani and Christine M. Imbasciani, husband and wife**, whose post office address is: 20232 Sedley Ave., Port Charlotte, FL 33954, hereinafter called the Grantor, to **Steven Raymond Lahr and Debra Kim Lahr, husband and wife**, whose post office address is: 4409 Crews Court, Port Charlotte, Florida 33952-9758, hereinafter called the Grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth**, that the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Charlotte County, Florida, viz:

**Lot 11, Block 2101A, PORT CHARLOTTE SUBDIVISION, SECTION 36, a Subdivision, according to the plat thereof, as recorded in Plat Book 6, Page 8A, of the Public Records of Charlotte County, Florida.**

**Parcel ID#: 402226331010**

SUBJECT TO covenants, restrictions, easements, conditions and limitations of record, and taxes for 2021 and thereafter.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

**In Witness Whereof**, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in our presence:

*Amurph*

(Signature of first Witness)

**Angie Murph**

(Printed name of first Witness)

*Joseph Imbasciani*

Joseph Imbasciani

*Natalie G. Coldiron*

(Signature of second Witness)

Natalie G. Coldiron

(Printed name of second Witness)

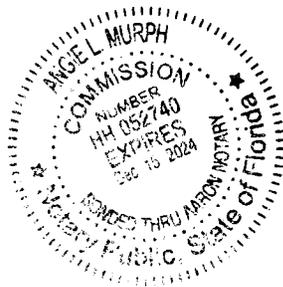
*Christine M. Imbasciani*

Christine M. Imbasciani

STATE OF FL  
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me, by means of [] physical presence or [] online notarization, this 16 day of June, 2021, by **Joseph Imbasciani and Christine M. Imbasciani, husband and wife**,  who is/are personally known to me or  who produced FL DL as identification.

(NOTARIAL SEAL)



*Amurph*

NOTARY PUBLIC

**Angie Murph**

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

# Exhibit Q-15

800.946.2776



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Last

Email \*

Your Message \*

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5 x 5 = \*

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# Here for you

## Contact us

On behalf of BPro Inc, we thank you for the opportunity to provide you with information about our company and software. We look forward to working with you and are dedicated to providing excellent services with our commitment to modern technology to fit all your election or business needs.

Should you require additional information or clarification, please do not hesitate to reach me directly at the contact information included below.

Sincerely,

Brandon Campea  
President / Senior Software Engineer

## Contact Information

### BPro Inc

102 E 6th Avenue  
Fort Pierre, SD 57532  
(605) 224-8114

### Pierre, South Dakota

The Main Office of BPro Inc  
(local) 605-224-8114  
(toll free) 800-946-2776  
(fax) 605-224-1665

### Fargo, North Dakota

BPro Inc, North Dakota Office

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# Exhibit Q-16



# OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

## Filing Information

Name: BrandonPro Inc.

---

### General Information

SOS Business ID DB039408  
Filing Type: Business Corporation - Domestic  
12/23/1997  
Status: Good Standing  
Duration Term: Perpetual

Registered Agent Address  
Brandon Campea  
102 EAST 6TH AVENUE  
FORT PIERRE, SD 57532

Principal Address  
102 E 6TH AVENUE  
FORT PIERRE, SD 57532

The following document(s) was/were filed in this office on the date(s) indicated below:

<u>Date Filed</u>	<u>Filing Description</u>	<u>Image #</u>
11/24/2021	2021 Annual Report	B0200-3135
01/21/2021	Articles of Amendment	B0162-7620
11/18/2020	2020 Annual Report	B0158-7383
01/16/2020	2019 Annual Report	B0125-7223
11/21/2018	2018 Annual Report	B0081-0058
10/31/2017	2017 Annual Report	B0043-6748
10/27/2016	2016 Annual Report	
12/09/2015	2015 Annual Report	
12/08/2014	2014 Annual Report	
10/29/2013	2013 Annual Report	
08/26/2013	2012 Annual Report	
12/07/2012	2012 Annual Report	
12/19/2011	2011 Annual Report	
11/24/2010	2010 Annual Report	
01/27/2010	2010 Annual Report	
01/08/2009	Statement of Change	
12/03/2008	2008 Annual Report	
12/13/2007	2007 Annual Report	
09/05/2007	Statement of Change	
11/30/2021 9:40:38 AM		

## Filing Information

Name: BrandonPro Inc.

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12/01/2006 2006 Annual Report  
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12/01/2004 2004 Annual Report  
12/01/2003 2003 Annual Report  
12/31/2002 2002 Annual Report  
12/01/2001 2001 Annual Report  
01/26/2001 2001 Annual Report  
12/20/1999 1999 Annual Report  
01/04/1999 1999 Annual Report  
12/23/1997 Initial Filing

DB039408

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

Senator Jay Costa, Senator Anthony H. Williams,  
Senator Vincent J. Hughes, Senator Steven J.  
Santarsiero, and Senate Democratic Caucus,  
Petitioners

v.

Senator Jacob Corman III, Senate Pro Tempore,  
Senator Cris Dush, and Senate Secretary-  
Parliamentarian Megan Martin,  
Respondents

Commonwealth of Pennsylvania, Pennsylvania  
Department of State, and Veronica  
Degraffenreid, Acting Secretary of the  
Commonwealth of Pennsylvania,  
Petitioners

v.

Senator Cris Dush, Senator Jake Corman, and the  
Pennsylvania State Senate Intergovernmental  
Operations Committee,  
Respondents

Arthur Harwood, Julie Haywood  
Petitioners.

v.

Veronica Degraffenreid, Acting Secretary of  
State Commonwealth of Pennsylvania  
Respondents

**CASES CONSOLIDATED**

No. 310 MD 2021

No. 322 MD 2021

No. 323 MD 2021

**SECOND SUPPLEMENTAL EXPERT DECLARATION OF**  
**ANTHONY J. FERRANTE**

I, Anthony J. Ferrante, declare and affirm under the penalties of 18 Pa. Cons. Stat. § 4904 as follows:

1. I am a Senior Managing Director and the Global Head of Cybersecurity at FTI Consulting, Inc. (“FTI”). I have been retained by the Pennsylvania Department of State (“DOS”) and asked to provide my professional opinion as to the potential security and privacy risks surrounding the subpoena issued by the Pennsylvania State Senate’s Intergovernmental Operations Committee (“SIOC”).

2. I submitted a Declaration in support of Petitioners’ application for summary relief on October 13, 2021 (Pa. Ex. H) and a Supplemental Declaration in support of Petitioners’ opposition to Respondents’ Cross Application for summary relief on November 8, 2021 (Pa. Ex. P). I submit this Second Supplemental Declaration in support of Petitioners’ sur-reply.

3. If called as a witness, I could and would testify competently to the matters set forth below.

**SUPPLEMENTAL MATERIALS REVIEWED**

4. In addition to materials I reviewed in my initial Declaration and my Supplemental Declaration, I have also reviewed the Respondents’ Reply in Support

of Cross-Application for Summary Relief (“Comm. Reply Brief”) and the appended contract with Envoy Sage, LLC.

### **SUMMARY OF SUPPLEMENTAL OPINIONS**

5. Based on my review of the SIOC’s motions and supporting materials, I hereby reincorporate and reassert the opinions in my initial Declaration and Supplemental Declaration.

### **DETAILED SUPPLEMENTAL OPINIONS**

6. Respondents claim that “the only actual question before the Court is whether the [SIOC] can appropriately protect the data when it is produced.”<sup>1</sup> Now that a contract has been entered into with a vendor—Envoy Sage, LLC (“Envoy”)—Respondents assert that the answer to this question is an “overwhelming yes.”<sup>2</sup>

7. Respectfully, in my opinion, the answer to “whether the [SIOC] can appropriately protect the data” is not an “overwhelming yes,” and the fact that Respondents believe so is highly concerning.

8. The Respondents appear to believe that the Petitioners’ security-related concerns are now moot due to the fact that Envoy has now been retained. This is false.

---

<sup>1</sup> Comm. Reply Brief at 9.

<sup>2</sup> Comm. Reply Brief at 10.

9. There are several reasons why the Petitioners' previously stated concerns remain valid.

10. First, the SIOC initially maintained that the data would be held in the Senate Republican legal counsel's office until a contract with a vendor was finalized. Senator Dush stated that the information would be "held in a secure location" and they would "take proper care of it", without articulating what specific technical controls and governance processes would be put in place to adequately protect and secure the data in question.

11. Although the SIOC has now entered into a contract with a vendor, it remains unclear whether the SIOC still expects the DOS to transfer the data to them in the first instance before it is delivered to Envoy. If this is the case, Respondents have yet to demonstrate that the SIOC is prepared to receive, handle, or transfer the data requested in a secure manner.

12. Second, a provision in the contract with Envoy refers to Envoy's responsibility to maintain the privacy, security and integrity of information and materials *in its subcontractors' possession*.<sup>3</sup> Envoy's use of subcontractors is by itself concerning. The use of subcontractors would allow additional unidentified vendors to access the requested data. This reintroduces the previous issues of evaluating unknowns, including additional transfers of data under unknown

---

<sup>3</sup> Comm. Reply Brief at. 13; Comm. App'x at 1287a (provision 12.2).

parameters and handling by unknown additional entities. In addition to creating additional data transfer points where security may not be adequately considered or implemented, the use of subcontractors increases the likelihood of the data being held in an unsecure environment.

13. Third, it appears that the SIOC entered into the contract with Envoy without performing sufficient or possibly any security due diligence. There is no evidence, for example, that the SIOC submitted any security questionnaires, conducted interviews, reviewed documents, or performed on-site visits. These are standard practices to verify a vendor's security infrastructure and competence. There is also no evidence or indication that the SIOC plans to carry out any diligence-related activity before or after Envoy receives any data.

14. Fourth, it appears that Envoy has not provided sufficient detail on its security infrastructure, competence, or practices. The only inquiry related to security appears in the form of a letter from Envoy's president, Steven Lahr, to the Senate Republic Caucus General Counsel (Ms. Clark). In the letter, Mr. Lahr references provisions in the Master Services Agreement and provides general statements related to security methods employed by Envoy.<sup>4</sup>

15. Specifically, Mr. Lahr states the following:

---

<sup>4</sup> Comm. App'x at 1275a.

- a. Envoy “follows Industry Best Practices for Information Security, Handling and Disposal”
- b. Envoy’s information security policies, standards and procedures “adhere to, or are more rigorous than” guidance from the National Institute of Standards and Technology Cybersecurity Framework (NIST CSF), the SANS Institute, and the Multi-State Information Sharing & Analysis Center (MS-ISAC).
- c. Envoy’s tools use military grade encryption (256-bit AES), and provide users with two-factor authentication (2FA) and biometric logins.

16. It is unclear, however, how the above statements are implemented in practice. For example, which specific tools use 256-bit AES and 2FA? Are they the tools that will be used to transfer, store, and analyze the data requested? Furthermore, in the absence of the policies, standards, and procedures in question and the lack of provision for subsequent scrutiny of them, it is impossible to comment on Envoy’s adherence to the frameworks specified above.

17. Additionally, Mr. Lahr uses the phrase “Industry Best Practices for Information Security, Handling and Disposal” as if it is a set term of art. However,

this phrase is broad and can be interpreted differently depending on the type of industry and information in question.

18. There is no evidence that the SIOC took any steps to verify or validate any of the above claims made by Mr. Lahr. Again, it is standard practice to verify or validate security claims by a vendor prior to entering into a contract.

19. Finally, there are multiple other crucial considerations that appear to have not been contemplated by the SIOC. Where will the data be stored, for example? If Envoy owns and operates its own servers, how are they securing stored data? If Envoy utilizes the cloud, has due diligence been conducted to ensure that the cloud provider is capable of securely storing its data?

20. Additionally, does Envoy have a physical office, a remote environment, or a combination of the two? Remote or hybrid environments in particular introduce a lack of control over cybersecurity methods employed by an organization's workforce. If such environments are not properly managed, remote workers may engage in risky behavior, such as utilizing insecure Wi-Fi, thus increasing an organization's attack surface.

21. The answers to both of these questions have significant ramifications for the technological and procedural controls that would need to be applied in each case to ensure that the data was adequately protected as it was transferred, stored, accessed, and handled.

22. The noticeable lack of inquiry into these questions further underscores the weakness of the diligence process carried out by the SIOC in relation to their arrangement with Envoy and their security-related claims.

23. Apparently, the SIOC believed that Mr. Lahr's statements were sufficient for it to enter into the contract with Envoy. Notably, this letter from Mr. Lahr to Ms. Clark is dated November 18, 2021, one day before the contract was signed – a strikingly short timeframe which further suggests the impossibility of SIOC carrying out an appropriate level of due diligence to ensure an adequate level of protection for the data in question.

24. In addition to the above claims by Mr. Lahr, Respondents utilize provisions of the contract to justify their claim that Petitioners' security concerns are moot. However, it is unclear how the SIOC plans to enforce the provisions in the contract or how Envoy plans to implement them. It is also unclear that they will be verified or enforced before Envoy receives any data.

25. Given the above-enumerated inadequacies in the SIOC's due diligence, as well as the lack of facts relating to Envoy's security infrastructure and practices, I reiterate and reaffirm my opinion that providing confidential data on millions of Pennsylvania voters to the SIOC and then to Envoy entails significant and grave security risks to the confidentiality of that data.

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I declare under penalty of perjury under the laws that the foregoing is true and correct.

Executed on December 6, 2021



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Anthony J. Ferrante