

Exhibit A

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**UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA
HELENA DIVISION**

BOB BROWN; HAILEY SINOFF;
and DONALD SEIFERT,

Plaintiffs,

vs.

CHRISTI JACOBSEN, in her
official capacity as Montana
Secretary of State,

Defendant.

Cause No.

6:21-cv-92-PJW-DWM-BMM

**Plaintiffs' Responses
to Defendant's First
Discovery Requests**

The contract between Plaintiffs' counsel and Plaintiffs' expert has not yet been executed. When it is, Plaintiffs will supplement their production.

REQUEST FOR PRODUCTION NO. 10: Please produce all data, photographs, videos, and other information upon which the opinions of each expert identified in your Answer to Interrogatory No. 16 are based.

RESPONSE: Please see the expert report of the Honorable Jim Regnier, disclosed on February 7, 2022.

REQUEST FOR ADMISSION NO. 1: Please admit that Defendant Christi Jacobsen has no authority to draw or approve PSC districts.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 2: Please admit that Defendant Christi Jacobsen does not represent the State of Montana.

RESPONSE: Object that this request is too vague for Plaintiffs to admit or deny. Defendant is sued strictly in her official capacity as the Montana Secretary of State. The Secretary of State is elected statewide and performs exclusive functions on behalf of the State of Montana, so she clearly does represent the State under some meaning of the relevant

terms. Further object that Defendant's "relative access to relevant information" regarding her own role in State government is greater than Plaintiffs. Fed. R. Civ. P. 26(b)(1).

Plaintiffs do not object to answering this request to the degree that Defendant is asking whether the State of Montana is not a named party defendant in this litigation represented by Defendant Christi Jacobsen. Pursuant to this clarification, Plaintiffs respond as follows: Admit.

REQUEST FOR ADMISSION NO. 3: Please admit that amending Mont. Code Ann. § 69-1-104 requires an act of the Montana Legislature.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 4: Please admit that Defendant Christi Jacobsen cannot amend Mont. Code Ann. § 69-1-104.

RESPONSE: Admit.

REQUEST FOR ADMISSION NO. 5: Please admit that Plaintiffs Sinoff and Seifert are not eligible to vote for a Public Service Commissioner in either the 2022 primary or general election.

RESPONSE: Admit.

correspondence or other tangible evidence in your possession, custody, or control which support your Answers to the above Interrogatories or the allegations of your Complaint.

RESPONSE: There are none.

REQUEST FOR PRODUCTION NO. 14: If you assert a claim of privilege to the production of any document requested, please provide a written privilege log that identifies each document individually and for each such document, provides the following information: (i) the nature or type of privilege claimed; (ii) a statement of the facts upon which the claim of privilege is based; (iii) the nature of the document, e.g., letter, memo, minutes, etc.; (iv) the date it bears, if any; (v) the identity of the person preparing or sending it; (vi) the identity of each person receiving it or any copy; and (vii) the subject matter of the document.

RESPONSE: Not applicable.

DATED this 7th day of February, 2022.

/s/ Constance Van Kley
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that this document was served upon the following via email on February 7, 2022:

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