

EXHIBIT D

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, ET AL.,	:	
	:	
Plaintiff,	:	Civil Action No.: 1:17-cv-2989-AT
	:	
vs.	:	
	:	
BRAD RAFFENSPERGER, ET AL.,	:	
	:	
Defendant.	:	

DECLARATION OF MICHAEL BARNES

Pursuant to 28 U.S.C. § 1746, I, Michael Barnes, make the following declaration:

1.

I am over twenty-one years of age and am under no legal disability that would prevent me from making this declaration.

2.

I currently am the Director of the Center for Election Systems, Office of Secretary of State – Brad Raffensperger (“CES”). I was formerly Director of the Center for Election Systems at Kennesaw State University (“KSU”), which was an outside contractor with the Office of the Secretary of State, from 2010 until December 31, 2017. Beginning on January 1, 2018, all elections functions that were previously performed at KSU were moved to an internal department in the Office of the Secretary of State. I first began working at CES KSU in 2005. Prior to that time, I was the Assistant Director of Elections for the Georgia Secretary of State, and in that position I directed the State of Georgia’s transfer to a uniform system of voting, i.e., direct-recording electronic voting machines (“DREs”).

3.

In my work as CES Director, I am familiar with the operation of DREs in Georgia elections as well as certain paper records kept in connection with such operation, including records sometimes referred to as “poll tapes” and “Recap sheets” or “Recap forms.”

4.

Fulton County, Georgia includes portions of Georgia’s Fifth, Sixth, Eleventh, and Thirteenth Congressional Districts. Grady High School, in Atlanta, Fulton County, Georgia was a polling site for voters from three precincts in Fulton County—06G, 02J, and 02K—for the November 6, 2018 election. The final Recap sheet from the Grady High School polling site (“GHS”) for the November 6, 2018 election is attached hereto as **Exhibit A**. That document shows that fifteen different DREs were in use for voting at GHS over the course of the day on November 6, 2018. Poll tapes for a given polling site print with a “Machine ID” number, one for each DRE used at that site on election day, as well as a “Machine Serial” number that corresponds to a serial number on each DRE (and which also appear on the corresponding Recap sheet). Machine ID numbers count upward from zero for each polling site, so poll tapes for GHS from the November 6, 2019 election should have Machine IDs from zero to fourteen.

5.

“Federal-only ballots” refer to ballots built for voters, such as citizens living overseas, who are entitled to vote only for federal races. GEMS must account for these ballots by assigning them to a particular precinct in each county. For example, while GHS is located in Georgia’s Fifth Congressional District, in the process of building the Fulton County GEMS database for the November 6, 2018 election, all of the Fulton County federal-only ballots also were assigned to precinct 02J at GHS. In addition to federal races in the Fifth Congressional District, the poll tapes for GHS therefore will reflect races for other Congressional Districts located within Fulton County (i.e., the Sixth, Eleventh, and Thirteenth Congressional Districts) but should show zero votes cast for those other federal races on the DREs at GHS on election day.

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

Executed this 10th day of July, 2019.



Michael Barnes

Exhibit A



OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

the attached 1 page is a true and correct copy of the Direct Record Electronic Voting Machine Recap for Fulton County precincts 06G, 02J, and 02K at the Grady High School Polling Location from the 2018 General Election held on November 6, 2018; all as the same appear on file and record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 16th day of January, in the year of our Lord Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Third.



Brad Raffensperger
Brad Raffensperger, Secretary of State

ELECTION: (Check One) General
 Primary
 Runoff (if applicable)
 Special
 Presidential Preference Primary

USE BALL POINT PEN
 Bear Down - You Are Making Three Copies

WHITE sheet to Secretary of State
 YELLOW sheet to Superintendent
 PINK sheet to Clerk of Superior Court or Municipal Clerk

DATE OF ELECTION Nov 6, 2018
 COUNTY / MUNICIPALITY Fulton
 PRECINCT 02J/K & 06G

TIME LAST VOTER VOTED 7:05
 NUMBER OF REGISTERED VOTERS IN PRECINCT 4951

DIRECT RECORD ELECTRONIC VOTING MACHINE RECAP

SECTION A: RECORD EACH UNIT

DRE UNIT NUMBER	Before Polls Open SEAL NUMBER	Before Polls Open COUNT NUMBER	After Polls Close SEAL NUMBER	After Polls Close COUNT NUMBER
108255	07163016	0	1662620	12
108510	0591785	0	1721971	153
124301	0591769	0	1671669	149
136081	0591800	0	1605952	141
143944	0591796	0	1662612	140
129841	0591772	0	1721626	138
133778	0591750	0	1605954	125
110984	0591773	0	1655066	140 135
125680	0591741	0	1721552	140
107677	0591788	0	1701930	136
124373	0515551	0	1721925	37
149744	0479899	0	1714892	44
144033	0479928	0	1714893	35
116073	0479952	0	1714894	37
123643	0479954	0	1714891	39

SECTION B: TOTAL OF ALL VOTES CAST (ALL UNITS COMBINED)

SECTION C: NUMBERED LISTS and VOTER CERTIFICATES

<u>ExpressPoll (See ExpressPoll Recap)</u>	<u>Supplemental</u>	<u>Total Voter's Certificates</u>
Democratic Primary _____	Democratic Primary _____	Democratic Primary _____
Republican Primary _____	Republican Primary _____	Republican Primary _____
General/Special _____	General/Special _____	General/Special _____
Total (a) <u>1461</u>	Total (b) _____	Total (c) <u>1461</u>

SECTION D: TOTAL NUMBER OF PERSONS VOTING AS SHOWN BY:

- 1. Results Tapes (or Accumulator Tape Results) (Total from Section B above) = 1461
- 2. "Voters Marked" (See ExpressPoll Recap) _____ + Supplemental List _____ = 1461
- 3. Numbered Lists on ExpressPoll (a) _____ + Supplemental (b) _____ = 1461
- 4. Voter's Certificates (c) = 1461

NOTE: Numbers from D1, D2, D3, and D4 should match. If not, explain difference here: _____

We, the undersigned Managers, hereby certify that the above is a true and correct accounting on this the Nov day of 2018. SIGNED IN TRIPLICATE

[Signature] Manager [Signature] Assistant Manager [Signature] Assistant Manager