IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

COMMON CAUSE OF GEORGIA,	*	
AS AN ORGANIZATION,	*	
	*	
Plaintiff,	*	CIVIL ACTION FILE NO.
	*	1:18-CV-05102-AT
v.	*	
	*	
BRAD RAFFENSPERGER, IN HIS	*	
OFFICIAL CAPACITY AS	*	
SECRETARY OF STATE	*	
OF GEORGIA,	*	
·	*	
Defendant.	*	

MOTION TO QUASH SUBPOENA BY NON-PARTY GEORGIA DEPARTMENT OF HUMAN SERVICES

COMES NOW the Georgia Department of Human Services ("the Department"), a non-party in the action, by and through counsel, Christopher M. Carr, Attorney General for the State of Georgia, and pursuant to the Federal Rules of Civil Procedure moves to quash Plaintiff's subpoena, which is attached to the Memorandum of Law filed contemporaneously in support of this motion as Exhibit "1." Fed. R. Civ. P. 45(d)(3)(A). The motion is filed on the following grounds: (1) the requests for information in the subpoena are overly broad, vague and unduly burdensome and (2) much of the information sought is confidential by federal and state law.

WHEREFORE, the Department respectfully requests that its Motion to

Quash Subpoena be granted. A memorandum of law in support of this Motion is

filed concurrently herewith.

This 15th day of March, 2019.

Respectfully submitted,

CHRISTOPHER M. CARR 112505 Attorney General

ANNETTE M. COWART 191199 Deputy Attorney General

SHALEN S. NELSON636575Senior Assistant Attorney General

<u>s/PENNY L. HANNAH</u> 323563 Senior Assistant Attorney General

PLEASE SEND ALL COMMUNICATIONS TO:

PENNY L. HANNAH Senior Assistant Attorneys General 40 Capitol Square, S.W. Atlanta, Georgia 30334-1300 Telephone: 404-656-3357 Facsimile: 404-463-1062

CERTIFICATION OF COMPLIANCE WITH RULE AND ORDER

I do hereby certify that the foregoing MOTION TO QUASH SUBPOENA BY NON-PARTY GEORGIA DEPARTMENT OF HUMAN SERVICES was prepared in 14-point Times New Roman in compliance with Local Rule 5.1(C).

> <u>s/PENNY L. HANNAH</u> Georgia Bar No. 323563 Senior Assistant Attorney General Counsel for Georgia Department of Human Services

PLEASE SEND ALL COMMUNICATIONS TO:

PENNY L. HANNAH Senior Assistant Attorney General 40 Capitol Square, S.W. Atlanta, Georgia 30334-1300 Telephone: 404-656-3387 phannah@law.ga.gov

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the within and foregoing MOTION TO QUASH SUBPOENA BY NON-PARTY GEORGIA DEPARTMENT OF HUMAN SERVICES with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

> Sugarman Law LLP F. Skip Sugarman

Paul, Weiss, Rifkind, Wharton & Garrison LLP Robert A. Atkins Farrah R. Berse Makiko Hiromi William E. Freeland Melina M. Meneguin Layerenza Jake Struebing

Brennan Center for Justice At New York University School of Law Myrna Perez Lawrence D. Norden Wendy R. Weiser Maximillian Feldman Jake Struebing

This 15th day of March, 2019.

<u>s/PENNY L. HANNAH</u> Georgia Bar No. 323563 Senior Assistant Attorney General Counsel for Georgia Department of Human Services