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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91267937
Party	Defendant Stroll to the Polls, Inc.
Correspondence address	RAMONA PRIOLEAU STROLL TO THE POLLS INC 2266 FIFTH AVE #728 NEW YORK, NY 10037 UNITED STATES Primary email: gotv@strolltothepolls.org No phone number provided
Submission	Motion to Compel Discovery or Disclosure
Filer's name	Ramona Prioleau
Filer's email	gotv@strolltothepolls.org
Signature	/Ramona Prioleau/
Date	11/22/2022
Attachments	Motion to Compel Initial Disclosures re 91267937 - 11222022.pdf(839126 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Alpha Kappa Alpha Sorority Opposer, v. Stroll to the Polls, Inc. Applicant.	Opposition No. 91267937 Mark: STROLL TO THE POLLS Serial No. 90012428 Filed: June 20, 2020 Published: Nov. 03, 2020

MOTION TO COMPEL SUPPLEMENTAL INITIAL DISCLOSURES

Pursuant to TBMP § 401.02 and Fed. R. Civ. P. 26(a)(1)(A)(i), Stroll to the Polls, Inc. (the "**Applicant**"), moves to compel Opposer Alpha Kappa Alpha Sorority ("Opposer") to fully comply with its mandatory initial disclosure obligations. In support of this Motion, Applicant states as follows:

I. INTRODUCTION

The Applicant

The Applicant is the owner and successor-in-interest to the trademark "STROLL TO THE POLLS" (the "**Applicant's Mark**") and Application Serial No. 90012428 (the "**Applicant's Application**"). The Applicant is a New York State Not-for-Profit Corporation which is formed as a charitable corporation. The Applicant partners with companies, non-profits, institutions, and community-based organizations that are committed to registering and mobilizing voters. The Applicant is a nonpartisan organization and does not coordinate or partner with partisan organizations.

This proceeding concerns a dispute regarding the Applicant's Mark in connection with "Aprons; Bibs, not of paper; Bodysuits; Dresses; Footwear; Hats; Jackets and socks; Pants; Shirts; Skirts; Swimwear" under International Class 25 (the "**Applicant's Goods**"). The Applicant's Application was filed on June 20, 2020, with a date of first use in commerce of 2018.

II. BACKGROUND

1. On March 7, 2022, Applicant served Opposer its initial disclosures (See Exhibit A).

2. On March 18, 2022, Opposer served Applicant its initial disclosures, identifying then-Executive Director of Alpha Kappa Alpha Sorority, Cynthia D. Howell as its witness pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i) (See Exhibit B).

3. On June 21, 2022, Applicant served Opposer a Notice of Deposition of Cynthia D. Howell, originally scheduled for July 22, 2022 (See Exhibit C).

4. Pursuant to a Board Order dated August 11, 2022, the Opposer received an extension until August 8, 2022, to respond to Applicant's discovery requests (See 35 TTABVUE).

5. By email dated August 10, 2022, Applicant's former counsel recapped an August 9, 2022 meeting during which Opposer's counsel acknowledged that Cynthia Howell will not be that person to act as Opposer's Fed. R. Civ. P. 26(a)(1)(A)(i) witness. Furthermore, in the same email, Applicant's former counsel requested:

> supplemental initial disclosure so that Applicant will know the identity of such AKA Witness and plan accordingly. As a reminder – as you know, Opposer had asked for an extension for the deposition until August 8th, Applicant opposed the extension, but in reality, we are now beyond Applicant's originally sought deposition date and Opposer's initially requested extension date.
> (See Exhibit D)

6. By email dated August 10, 2022, Opposer's counsel emailed Applicant's former counsel, stating "AKA will amend its initial disclosures in due course when it identifies the individual(s) most likely to have relevant knowledge regarding this matter." (See Exhibit E)

7. By email dated September 28, 2022, Applicant's former counsel emailed Opposer's counsel, requesting Opposer's Fed. R. Civ. P. 26(a)(1)(A)(i) witness, stating in relevant part:

> We note and remind you that our client had originally sought to depose the now former AKA president - Dr. Glover. AKA had offered, instead, the now former executive director - Cynthia Howell -- for deposition. Noting the recent changes in leadership within multiple levels of the AKA organization, STTP now seeks clarification on whom within the AKA organization will now be primarily responsible for the decision-making process with respect to these ongoing opposition proceedings. In particular, we would like you to advise us on the identity and position of … the individual(s) you will be offering for deposition(s) and that arguably such person have prior and has now / those persons had prior and have now all of the pertinent information regarding this matter for … meaningful deposition(s) ….
>
> (See Exhibit F)

8. By email dated September 28, 2022, Opposer's counsel emailed Applicant's former counsel, stating "[a]s previously noted, AKA will amend its initial disclosures to identify the person(s) with relevant knowledge in due course." (See Exhibit G).

III. STANDARD OF REVIEW

9. Each party to an inter partes proceeding must serve initial disclosures that identify "each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment." See Fed. R. Civ. P. 26(a)(1); Trademark Rules 2.116(a) and 2.120(a)(2). See also TBMP § 533.02(b) (3d ed. 2011). Parties are also required to supplement their respective initial disclosures "in a timely manner if the party learns that in some material respect the disclosure or response is incomplete

or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing." Fed. R. Civ. P. 26(e)(1)(A); Trademark Rules 2.116(a) and 2.120(a)(1). See also Great Seats, Inc. v. Great Seats, Ltd., 100 USPQ2d 1323, 1326 (TTAB 2011); Galaxy Metal Gear Inc. v. Direct Access Technology Inc., 91 USPQ2d 1859, 1861 (TTAB 2009).

10. Additionally, the Board has stated that, unless seasonably remedied, a party's failure to identify a witness in its initial disclosures deprives the adverse party of the opportunity to seek discovery of the identified witness, and this fact "must [be] consider[ed] … as one of the relevant circumstances … in determining whether to strike [the witness's] testimony deposition." Jules Jurgensen/Rhapsody, Inc. v. Baumberger, 91 USPQ2d 1443, at 1444-45 (TTAB 2009). Cf. Great Seats, 100 USPQ2d at 1326 n.5 ("If the identity of the witness is known when initial disclosures are made, and the relevant knowledge of the witness is known, then a party may have to disclose the identity of the witness when making initial disclosures, even if the party has no plans at that time to rely on testimony from the witness.").

11. Under the estoppel sanction, a party that fails to provide information via disclosure or appropriate response to a discovery request may, upon motion or objection by its adversary, be precluded from using that information or witness at trial, "unless the failure was substantially justified or is harmless." Fed. R. Civ. P. 37(c)(1); Trademark Rule 2.116(a). See Great Seats, 100 USPQ2d at 1326-27.

IV. ARGUMENT

12. A motion to compel may be filed when a party fails to produce requested documents or responses. See, e.g., 37 C.F.R. 2.120(e)(1). If the non-moving party cannot show that neglect of its discovery obligations was excusable, the Board generally should order that

discovery responses be provided without objection. See No Fear, Inc. v. Rule, 54 USPQ2d 1551, 1554 (TTAB 2000). Here, Petitioner cannot show that its neglect of its discovery obligations was excusable.

Opposer's Supplemental Initial Disclosures

13. For instance, with respect to Opposer's Supplemental Initial Disclosures, Opposer's counsel on multiple occasions has claimed that "AKA will amend its initial disclosures to identify the person(s) with relevant knowledge in due course" (See Exhibits E and G). To date, Opposer has not amended its initial disclosures despite multiple good faith attempts by Applicant to confer by correspondence on August 10, 2022 as well as September 28, 2022 to obtain such amended initial disclosures and to resolve the issues presented in the motion, and has been unable to reach agreement. See Trademark Rule 2.120(f)(1).

14. At a minimum, Opposer's failure to amend its initial disclosures and name AKA's Witness has harmed Applicant's ability to depose Opposer's witness following the Board's Order dated August 11, 2022.

IV. CONCLUSION

15. To this date, Applicant has not received supplemental initial disclosures from Opposer, nor has Applicant received any demonstration of excusable neglect from Opposer concerning its failure to provide the required information by Opposer's supplemental initial disclosure obligations. Accordingly, pursuant to Fed. R. Civ. P. 37(a) and 37 C.F.R. 2.120(e), Applicant respectfully requests that the Board compel Opposer to immediately serve supplemental initial disclosures in full compliance with Fed. R. Civ. P. 26(e).

16. Alternatively, Applicant moves that the Board preclude Opposer from using witnesses and information at trial because Opposer's failure to amend its initial disclosures has harmed Applicant as noted above. Nor, is Opposer's failure to amend its initial disclosures substantially justified based on emails received from Opposer (See Exhibits E and G). Fed. R. Civ. P. 37(c)(1); Trademark Rule 2.116(a). See Great Seats, 100 USPQ2d at 1326-27.

Respectfully submitted,

Dated: November 22, 2022

By: /s/Ramona Prioleau

Ramona Prioleau
Stroll to the Polls, Inc.
2266 Fifth Ave., #728
New York, NY 10037
gotv@strolltothepolls.org

APPLICANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the attached Motion to Compel Supplemental Initial Disclosures was served on the Attorney for the Opposer on the date listed below via email:

Jessica A Ekhoff
Pattishall Mcauliff Newbury Hilliard & Geraldson LLP
200 South Wacker Drive Suite 2900
Chicago, IL 60606
jae@pattishall.com
fgt@pattishall.com
pam@pattishall.com

Dated: November 22, 2022 By: /s/Ramona Prioleau
Ramona Prioleau

MOTION TO COMPEL
EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Alpha Kappa Alpha Sorority Opposer, v. Stroll to the Polls, Inc. Applicant.	Opposition No. 91267937 Mark: STROLL TO THE POLLS Serial No. 90012428 Filed: June 20, 2020 Published: Nov. 03, 2020

APPLICANT'S RULE 26 INITIAL DISCLOSURES

Applicant, Stroll to the Polls, Inc. ("Applicant") hereby makes the following disclosures required under Fed.R.Civ.P. 26(a)(l) based upon information reasonably available to it at this time. These disclosures are preliminary and discovery is ongoing. The Applicant therefore reserves the right to correct, amend, or modify these disclosures based on new information.

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Subject to the limitations set forth in Fed.R.Civ.P. 26(a)(l)(A), Applicant identifies the following individuals, each of whom is likely to have discoverable information that Applicant may use to support its claims or defenses:

Name/Title	Address & Phone Number	Subject Matter
Ramona Prioleau Chair	Stroll to the Polls, Inc. 2266 Fifth Ave., #728 New York, NY 10037	Adoption of STROLL TO THE POLLS mark, continuing use of mark in commerce, and type of goods associated with mark

Applicant reserves the right to amend the list of persons upon identification of other individuals through discovery or otherwise through the process of the proceedings.

B. A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

Subject to the limitations set forth in Fed.R.Civ.P. 26(a)(1)(B), Applicant identifies the following categories of documents which Applicant may use to support its claims or defenses. By making this disclosure, Applicant does not represent that it is identifying every potentially relevant document upon which it may rely for purposes of this proceeding. Applicant's continuing investigation and discovery may reveal additional relevant documents and Applicant therefore reserves the right to supplement this disclosure accordingly. Applicant does not waive its right to object to the production of any particular document disclosed herein on the basis of any valid objection as to its discoverability or admissibility. However, Applicant will not produce any documents that are privileged or otherwise protected from disclosure. Applicant will also only produce confidential documents in accordance with the Protective Order now in force as entered by the Board. Applicant identifies the following initial list of documents:

1. Documents concerning Applicant's ownership and use of its STROLL TO THE POLLS family of marks.
2. Documents concerning Applicant's priority in the STROLL TO THE POLLS marks.
3. Documents concerning the nature of the goods and/or services that are offered under Applicant's STROLL TO THE POLLS marks.
4. Documents concerning the marketing and promotion of the goods and services offered under Applicant's STROLL TO THE POLLS mark.
5. Documents concerning the facts and circumstances underlying Applicant's claims and defenses set forth in its Answer.

Applicant notes that there may be documents in the possession, custody or control of Opposer and/or third parties that are relevant to the claims and defenses in this proceeding, including but not limited to:

1. Documents associated with Opposer's claims in the Notice of Opposition;
2. Documents related to the use of Applicant's Mark by Opposer; and
3. Documents related to the marketing of Opposer's goods using Applicant's Mark.

Applicant reserves the right to amend this list of document categories upon identification of additional types of documents through discovery or otherwise through the process of the proceedings. In addition, Applicant may rely on documents in the public domain to support any of its claims or defenses.

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing the nature and extent of injuries suffered,

Applicant asserts that no damages are required to be claimed in this administrative action.

D. For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not applicable in this matter.

Respectfully submitted,

Dated: March 7, 2022

By: /s/Willard A Stanback

Willard A Stanback
Willard Alonzo Stanback PC
36 West Lafayette St Ste 103
Trenton, NJ 08608

Attorney for Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Applicant's Rule 26 Initial Disclosures was served on the Attorney for the Applicant on the date listed below via email:

Jessica A. Ekhoff
Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP
200 South Wacker Drive, Suite 2900
Chicago, IL 60606
JAE@pattishall.com
fgt@pattishall.com
pam@pattishall.com

Dated: March 7, 2022

By: /s/Willard A Stanback
Willard A Stanback

MOTION TO COMPEL
EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Serial No. 90/012,428	)	
	)	
Mark: STROLL TO THE POLLS	)	
	)	
ALPHA KAPPA ALPHA SORORITY,	)	
	)	Opposition No. 91,267,937
Opposer,	)	
	)	
v.	)	
	)	
STROLL TO THE POLLS, INC.	)	
	)	
Applicant.	)	
	)	
	)	
	)	

ALPHA KAPPA ALPHA SORORITY'S INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and 37 C.F.R. §2.120(a), Opposer, Alpha Kappa Alpha Sorority ("AKA") hereby submits its initial disclosures in this matter to Applicant, Stroll to the Polls, Inc., as follows:

INTRODUCTORY STATEMENT

The following disclosures are based upon the information reasonably available to AKA as of this date. By making these disclosures, AKA does not represent that it is identifying every witness or document possibly relevant to this proceeding. AKA's disclosures represent a good faith effort to identify information that AKA reasonably believes relevant to the factual disputes alleged with particularity in the pleadings, as required by Rule 26(a)(1). AKA's disclosures are made without in any way waiving: 1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay, or any other proper ground, to the use of any such

information, for any purpose, in whole or in part, in this proceeding or in any other action; and 2) the right to object on any and all grounds, at any time, to any discovery request involving or relating to the subject matter of these disclosures. Pursuant to Rule 26(b) of the Federal Rules of Civil Procedure, AKA will not disclose or produce privileged communications or trial preparation materials.

1. Witnesses (Fed. R. Civ. P. 26(a)(1)(A)(i)). AKA identifies the following individual likely to have discoverable information that AKA may use to support its claims or defenses:

Witness	Title	Topics
Cynthia D. Howell	Executive Director, Alpha Kappa Alpha Sorority	AKA's use of "Stroll to the Polls"; third-party use of "Stroll to the Polls"; and the meaning of "Stroll to the Polls."

The above witness should only be contacted through AKA's counsel. AKA reserves the right to supplement these Initial Disclosures with the identities of other witnesses identified through the course of discovery and otherwise.

2. Documents (Fed. R. Civ. P. 26(a)(1)(A)(ii)). AKA discloses the following categories of documents in its possession, custody, or control that AKA may use to support its claims or defenses:

(a) Documents relating to AKA's use of "Stroll to the Polls";

(b) Documents relating to third-party uses of "Stroll to the Polls"; and

(c) Documents relating to the meaning of "Stroll to the Polls".

The foregoing documents are located at the offices of AKA or its counsel. AKA reserves the right to supplement these initial disclosures with additional categories of documents as appropriate.

3. **Damages (Fed. R. Civ. P. 26(a)(1)(A)(iii)).** Not applicable to proceedings before the Board. T.B.M.P. § 401.02.

4. **Insurance Agreements (Fed. R. Civ. P. 26(a)(1)(A)(iv).** Not applicable to proceedings before the Board. T.B.M.P. § 401.02.

Dated: March 18, 2022

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON LLP

By: /Jessica A. Ekhoff/

Jessica A. Ekhoff
Felicia G. Traub
200 South Wacker Drive, Suite 2900
Chicago, Illinois 60606
(312) 554-8000
jae@pattishall.com
fgt@pattishall.com

Attorneys for Opposer,
Alpha Kappa Alpha Sorority

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ALPHA KAPPA ALPHA SORORITY'S INITIAL DISCLOSURES was served upon the counsel for Stroll to the Polls, Inc. identified below by email on March 18, 2022:

Willard A. Stanback
WILLARD ALONZO STANBACK PC
36 West Lafayette St. Ste. 103
Trenton, NJ 08608
willardalonzo@stanback-pc.com

/Jessica A. Ekhoff/

MOTION TO COMPEL
EXHIBIT C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Alpha Kappa Alpha Sorority Opposer, v. Stroll to the Polls, Inc. Applicant.	Opposition No. 91267937 Mark: STROLL TO THE POLLS Serial No. 90012428 Filed: June 20, 2020 Published: Nov. 03, 2020

NOTICE OF DEPOSITION OF CYNTHIA HOWELL

Please take notice that, pursuant to Trademark Rule 2.120(b), 37 C.F.R. § 2.120(b), and Rule 30 of the Federal Rules of Civil Procedure, Applicant Stroll to the Polls, Inc. ("**Applicant**"), will take the deposition upon oral examination of Cynthia Howell in connection with the above-captioned proceeding. The deposition will commence on Friday, July 22, 2022 at 9:30 am, remotely via video teleconference for the safety and convenience of all parties during the ongoing Covid-19 pandemic, or at such time and place as may be agreed to by the parties. The deposition will continue from day to day until completed.

The deposition will be taken before a Notary Public (or another officer duly authorized to administer oaths) and will be recorded by stenographic means. Applicant reserves the right to use any information produced through the deposition process for the purpose of discovery or for other such purposes as may be permitted under the Federal Rules of Civil Procedure, the Federal Rules

of the Evidence, and/or the rules of the Trademark Trial and Appeal Board.

Respectfully submitted,

Dated: June 21, 2022

By: /s/Willard A Stanback

Willard A Stanback
Willard Alonzo Stanback PC
36 West Lafayette St Ste 103
Trenton, NJ 08608
Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this foregoing *Notice of Deposition of Glenda Glover* was served by email to the attorney for the Opposer on the date listed below via email:

Jessica A. Ekhoff
Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP
jae@pattishall.com, fgt@pattishall.com, pam@pattishall.com

Dated: June 21, 2022

By: /s/Willard A Stanback
Willard A Stanback

MOTION TO COMPEL
EXHIBIT D

From: willardalonzo@stanback-pc.com <willardalonzo@stanback-pc.com>
Sent: Wednesday, August 10, 2022 12:43 PM
To: 'Jessica A. Ekhoff' <JAE@pattishall.com>
Cc: 'Caron Johnson' <caron@stanback-pc.com>; 'Felicia G. Traub' <FGT@pattishall.com>
Subject: [redacted] Discovery

Good afternoon, Jessica:

I have now had an opportunity to have a conversation with my client ("**Applicant**") about the highlights of the call you and I had yesterday - Tuesday. With the information I provided to Applicant, I am authorized to inform you of the following:

[redacted]

- Kindly note, however, that it is imperative for Applicant to understand who will be speaking on behalf of Opposer [redacted]. It's my understanding from the call you and I had that Cynthia Howell will not be that person [redacted] to act as Opposer's Fed. R. Civ. P. 26(a)(1)(A)(i) witness (the "**AKA Witness**"). Accordingly, Applicant respectfully requests that Opposer identify the person [redacted]. We assume – you can of course let me know if my assumption is flawed -- that the person speaking on behalf of Opposer [redacted] would be the newly designated AKA Witness. Kindly provide, as soon as possible, a supplemental initial disclosure so that Applicant will know the identity of such AKA Witness and plan accordingly. As a reminder – as you know, Opposer had asked for an extension for the deposition until August 8th, Applicant opposed the extension, but in reality, we are now beyond Applicant's originally sought deposition date and Opposer's initially requested extension date.

- It is Applicant's understanding that Ms. Howell has not been authorized to act on behalf of Opposer in this matter since last month. Noting also that Opposer served discovery responses on August 5, 2022, Applicant would like to understand if the responses were prepared with the input of Ms. Howell and/or by one or more other representatives of Opposer. Applicant respectfully requests that the names of the Opposer's representatives that provided meaningful input into the responses (including Ms. Howell if applicable) be provided so Applicant can better prepare for the AKA Witness deposition.

- [redacted]

Kindly let me know if the approach outlined above (AKA's provision of a supplemental initial disclosure [redacted] the identity of the [redacted] possible AKA Witness, [redacted] works for AKA. If not, STTP will shift its resources [redacted] to seeking the long-awaited deposition of the AKA Witness.

All the best,

Willard

WILLARD ALONZO STANBACK

"BUILDING ON IDEAS"®

36 West Lafayette Street

Suite 103

Trenton, NJ 08608

willardalonzo@stanback-pc.com

O: 855-614-1111

F: 609-751-5121

M: 646-734-4204

S: willard.stanback2

MOTION TO COMPEL
EXHIBIT E

From: Jessica A. Ekhoff <JAE@pattishall.com>
Sent: Wednesday, August 10, 2022 3:34 PM
To: 'willardalonzo@stanback-pc.com' <willardalonzo@stanback-pc.com>
Cc: 'Caron Johnson' <caron@stanback-pc.com>; Felicia G. Traub <FGT@pattishall.com>
Subject: RE: [redacted] Discovery

Willard,

Thank you for your message. I have discussed it with AKA and they have asked me to provide the following response:

- [redacted]
- AKA will amend its initial disclosures in due course when it identifies the individual(s) most likely to have relevant knowledge regarding this matter.
- [redacted]

Regards,

Jessica

PATTISHALL McAULIFFE

Jessica A Ekhoff
Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP
200 South Wacker Drive
Suite 2900
Chicago, IL 60606-5896
Direct: (312)554-7942 Main: (312) 554-8000 Fax: (312) 554-8015
JAE@pattishall.com www.pattishall.com

MOTION TO COMPEL
EXHIBIT F

From: willardalonzo@stanback-pc.com <willardalonzo@stanback-pc.com>
Sent: Wednesday, September 28, 2022 12:58 AM
To: 'Jessica A. Ekhoff' <JAE@pattishall.com>
Cc: 'Caron Johnson' <caron@stanback-pc.com>; 'Felicia G. Traub' <FGT@pattishall.com>
Subject: RE: AKA/ Stroll to the Polls, Inc. -- Opposition [redacted]

Good (early) morning, Jessica:

This email is in further response to your email of September 20th (thanks for it), including an inquiry arising from what you wrote.

[redacted]

[redacted]

We note and remind you that our client had originally sought to depose the now former AKA president - Dr. Glover. AKA had offered, instead, the now former executive director - Cynthia Howell -- for deposition. Noting the recent changes in leadership within multiple levels of the AKA organization, STTP now seeks clarification on whom within the AKA organization will now be primarily responsible for the decision-making process with respect to these ongoing opposition proceedings. In particular, we would like [redacted] confirmation that that person / those persons will be the individual(s) you will be offering for deposition(s) and that arguably such person have prior and has now / those persons had prior and have now all of the pertinent information regarding this matter for both meaningful deposition(s) [redacted]

Thank you for your attention to this matter.

All the best,

Willard

WILLARD ALONZO STANBACK

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F: 609-751-5121

M: 646-734-4204

S: willard.stanback2

MOTION TO COMPEL
EXHIBIT G

From: Jessica A. Ekhoff <JAE@pattishall.com>
Sent: Wednesday, September 28, 2022 11:39 AM
To: 'willardalonzo@stanback-pc.com' <willardalonzo@stanback-pc.com>
Cc: 'Caron Johnson' <caron@stanback-pc.com>; Felicia G. Traub <FGT@pattishall.com>
Subject: RE: AKA/ Stroll to the Polls, Inc. -- Opposition [redacted]

Dear Willard,

[redacted]

As previously noted, AKA will amend its initial disclosures to identify the person(s) with relevant knowledge in due course.

[redacted]

Regards,

Jessica

PATTISHALL McAULIFFE

Jessica A Ekhoff
Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP
200 South Wacker Drive
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JAE@pattishall.com www.pattishall.com