

True the Vote Requests Special Master in Konnech Case

By **Wendi Strauch Mahoney** - March 15, 2023



True the Vote/Engelbrecht/Locals

A [March 14 filing](#) from [True the Vote \(TTV\)](#) asked the court to appoint a special master in its lawsuit against Konnech to “take possession of, and/or to oversee the creation of mirror-image copies of the data stored on the approximately 102 electronic storage devices” currently in the custody of the Los Angeles County District Attorney’s Office. The devices listed in Exhibit “A” are the property of facilities owned by Konnech, Inc. and its CEO, Eugene Wei Yu.

Partial List of Known Items Seized from Konnech by Los Angeles County

From residence:

Dell Latitude 5520 laptop
Dell XPS Laptop
Centurytel thumb drive
Seagate 80GB drive
Centurytel thumb drive
Seagate drive
My Passport Ultra drive
Foldable thumb drive
Silver thumb drive, foldable key chain
Black/silver foldable thumb drive
Lexar 16 GB thumb drive
Silver/blue thumb drive (X2)
Blue foldable thumb drive
Black foldable thumb drive
Gray RSA key (X3)
Sandisk 16GB thumb drive
Verbatim thumb drive
White foldable thumb drive
Silver/blue centurytel thumb drive
Apple Iphone in clear/red case
Huawei phone
White Apple Iphone
Silver/black Dell laptop Inspiron
Fuji Film 16MB memory card
Olympus 16MB memory card

From Okemos office:

(4X) hard drives from Dell desk top computer
Dell EMC – Challenger C1
Dell EMC – Challenger SV
Dell EMC – Konnech backup
Dell EMC – Challenger C2
Dell EMC – Konnech Inc
Dell EMC – Power edge R640
Juniper network
Dell power edge R630
Dell power edge R620
Dell power edge R710
Dell power edge R710

Dell power edge R740 XD
Dell power edge R7
Dell power edge T10 (710?)
Dell power edge T630 (7630?)
Dell power edge T630 (7630?)
Dell Inspiron laptop
Seagate external hard drive
WD SSD
Intel SSD
Samsung SSD 350 Pro
(19X) Dell external hard drives
(7X) Sandisk external hard drives
(6X) Tablet – Visual Land
(2X) Dell Power Edge R430
Dell external hard drive

From East Lansing office

Black/silver foldable thumb drive
Dell Laptop
Juniper Networks SRX345
LADA BOI Property – 6TB WD external hard drive (downloads from Nate)

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Notably, the filing also mentions “multiple other individuals and entities” who “seek to inspect the Seized Devices” in their “litigation against Konnech and/or Yu,” including VoterGA and the Sheriff of Johnson County, Kansas. In December, VoterGA [subpoenaed records](#) from Konnech related to an

[amendment](#) that expanded its original case. The original [complaint seeks to ban](#) the “outsourcing of private voter data (to entities like ERIC or Konnech) by a Secretary of State (SOS).”

Founder of True the Vote, Catherine Engelbrecht, discusses the outsourcing of voter data and updates on Konnech in her [Locals broadcast](#) on March 13. She states that no state needs [ERIC](#) to help keep voter rolls clean. Engelbrecht says it is “entirely doable” for states to do it themselves. States are beginning to heed that advice and are now leaving ERIC in favor of handling their own voter registration rolls.

TTV Requests Special Master to Inspect Konnech Devices

According to this latest filing, TTV seeks the appointment of a special master to prevent the “spoliation of discoverable evidence,” in part because other entities now wish to inspect the devices. True the Vote alleges Konnech and Yu may have “violated state or federal laws or regulations” related to the storage of electronic data—“specifically concerning American poll workers and elections software—outside of the United States.”

UncoverDC wrote a [column](#) about TTV’s emergency motion to prevent data spoliation on Konnech’s devices filed in February. The motion to prevent the spoliation of evidence and to preserve the data was [granted on March 3](#). TTV alleges that Konnech may have breached private data from American election workers and that the data is allegedly being stored on servers in China. Any data stored on Chinese servers are the property of the Chinese Communist party, according to TTV.

Exhibit “D” of the filing is of particular interest because it shows a “table of jurisdictions that have employed Konnech to handle election software.” *Forty-one* jurisdictions are listed in the table. The jurisdictions come from Konnech’s DeKalb County Request for Proposal (RFP). Exhibit “D” is “*exceptional*,” according to Engelbrecht because this lawsuit “*involves many jurisdictions, including some of the largest battleground counties in the country.*”

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KONNECH CLIENTS WHO IMPLEMENTED ELECTION SOFTWARE OVER PAST 17 YEARS (from Konnech's DeKalb RFP)					
STATES	VOTERS	VOTE CENTERS	POLL WORKERS	COUNTIES	POPULATION
Alaska (Direct Pilot ABVote Service)	501,000	441	5,000	20	736,000
Montana UOCAVA Ballot Delivery and Disabled Voter Services	656,000	550	6,000	56	1,005,000
New Jersey UOCAVA Ballot Delivery	5,494,000	3,500	35,000	21	8,865,000
Nevada UOCAVA Ballot Delivery	1,339,000	1,200	10,000	17	2,759,000
District of Columbia Total ABVote App, DCBOEE site and Motor Vehicle System Integration	465,000	143	2,200	1	658,000
Queensland Australia	3,389,473	N/A	10,000	N/A	5,071,000
COUNTY/STATE/COUNTRY	VOTERS	VOTE CENTERS	POLL WORKERS	COUNTIES	POPULATION
CANADA					
Calgary County, Canada	700,000	300	3915	N/A	1,285,711
Edmonton County, Canada	623,854	300	3848	N/A	812,000
Regina County, Canada	175,800	30	540	N/A	232,000
CALIFORNIA					
Alameda County, CA	1,160,000	796	5000	N/A	1,510,000
Contra Costa County, CA	900,000	781	5000	N/A	1,156,530
Fresno County, CA	715,000	791	5170	N/A	1,006,250
Los Angeles County, CA	6,216,686	7000	80,000	N/A	10,015,940
Orange County, CA	651,000	500	5000	N/A	1,405,360
San Francisco County, CA	503,899	250	3001	N/A	883,305
Sonoma County, CA	300,000	24	350	N/A	496,801
Santa Clara County, CA	998,343	824	5000	N/A	1,924,000
COLORADO					
Adams County, CO	250,000	20	200	N/A	469,000
Denver County, CO	394,100	51	510	N/A	727,211
Douglas County, CO	168,000	15	250	N/A	320,000
Jefferson County, (state unknown)	387,951	20	350	N/A	586,370
FLORIDA					
Alachua County, FL	153,000	69	N/A	N/A	251,000
Brevard County, FL	404,000	129	260	N/A	550,823
Hillsborough County, FL	763,000	279	3200	N/A	1,278,000
Leon County, FL	187,000	99	904	N/A	284,000

Loudon County, FL	210,000	70	1100	N/A	363,000
GEORGIA					
DeKalb County, GA	NEW CONTRACT	NEW CONTRACT	NEW CONTRACT	N/A	NEW CONTRACT
INDIANA					
Allen County, IN	244,000	115	816	N/A	360,000
Indianapolis/Maron County, IN	184,121	75	390	N/A	372,096
KANSAS					
Johnson County, KS	350,000	286	1800	N/A	567,000
NEW JERSEY					
Bergen County, NJ	457,111	250	2100	N/A	932,202
Union County, NJ	364,000	433	1600	N/A	575,345
MICHIGAN					
Detroit County, MI	500,000	188	5313	N/A	680,000
MASSACHUSETTS					
Boston County, MA	350,000	160	1421	N/A	645,966
MINNESOTA					
Minneapolis County, MN	270,000	115	1730	N/A	400,000
MISSOURI					
St. Charles County, MO	256,000	114	736	N/A	368,000
St. Louis County, MO	750,000	438	4523	N/A	317,000
PENNSYLVANIA					
Alleghany County, PA	922,325	1337	6527	N/A	1,250,578
TEXAS					
Travis County, TX	634,000	257	1115	N/A	1,121,000
VIRGINIA					
Fairfax County, VA	700,000	200	5000	N/A	1,131,000
Prince William County, VA	220,000	103	1100	N/A	430,000

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Exhibit “D”/TTV/March 14, 2023 filing

Konnech contends TTV is defaming them by alleging the company “stored U.S. election data in China.” Konnech also maintains that TTV may have accessed one or more of its computers “in violation of the Computer Fraud and Abuse Act (CFAA).” TTV believes appointing an independent special master to inspect the evidence will help address Konnech’s concerns in a factual and unbiased way. A special master would also complete the inspection in an efficient and timely manner.

Due to a lack of trust between the two parties, there is great concern on the part of TTV that devices or evidence will be “damaged or destroyed, by accident or purposely.” TTV believes such destruction would “severely [handicap]” TTV’s case. The Plaintiff “says it has not damaged or destroyed” the evidence “yet.”

TTV has already shown evidence of “tamper[ing] with witnesses and the delet[ion] of data” at Konnech’s “[Australian subsidiary](#)...as laid out in the Defendants’ [Motion to Inspect](#)” in February. TTV states in the filing it is willing to share or even cover the cost of a special master to alleviate Konnech’s concerns over having to “bear an unreasonable cost and to suffer an undue delay” in the case and concerning the return of their devices.

True the Vote has suggested the forensic services of Aaron Hughes to inspect the evidence. Hughes is a “qualified expert” listed in Exhibit “E” of the filing. According to the documentation, Hughes is the “founder and President of Vidoc Razor, LLC.” Vidoc Razor “performs computer security and forensics services for clients throughout the U.S. He has 20 years of experience and has “provided training for attorneys and law enforcement at local and Federal levels.” TTV also stated it is open to other experts who might be “willing to do the job.” An itemized proposal detailing the device breakdown and associated costs for Hughes’ inspection is listed in Exhibit “E.” The projected cost of such an inspection will be \$80,300.00.

On page 4 of the filing, TTV mentions that the dismissal by the Los Angeles County District Attorney of the criminal complaint filed by TTV against Mr. Yu is “not unusual.” In fact, there is a “Speedy Trial Statute governing California state court proceedings” that may have impacted the DA’s decision. TTV believes the DA may have been worried about delays because of the “enormous volume of data” seized

and the “slow pace of the bureaucratic machinery” in LA County. According to the filing, the case can “be refiled once the prosecution is ready,” according to the filing.

Most important, though, is that according to T T V, “[n]o court has found the underlying search warrant to have been improvidently granted. T he governing presumption is that the magistrate or issuing court in California found probable cause. Nothing has changed since the warrant was issued that would alter that presumption.” T rue the Vote also states in the filing that its request for a special master comes now because a prior request would have been “futile, or at least suboptimal” because the “[prior bench](#) was so hostile.”

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