

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ASHLEY DIAMOND,

Plaintiff,

v.

No. 5:20-cv-00453-MTT

TIMOTHY WARD, *et al.*,

Defendants.

**DECLARATION OF ELIZABETH LITTRELL
IN SUPPORT OF PLAINTIFF'S MOTION FOR LIMITED EXPEDITED DISCOVERY
AND TO COMPEL PRODUCTION OF DOCUMENTS**

1. I am a Senior Supervising Attorney at the Southern Poverty Law Center and one of Plaintiff Ashley Diamond's attorneys in the above-captioned case.

2. On April 16, 2021, I served limited requests for expedited discovery on Defendants Timothy Ward, Sharon Lewis, Javel Jackson, Robert Toole, Grace Atchison, Ahmed Holt, Jack Sauls, Benjamin Ford and Brooks Benton ("GDC Defendants") via electronic mail as stipulated to by the Parties. A true and correct copy of the email is attached as Exhibit A. A true and correct copy of the requests served are attached as Exhibit B.

3. On April 20, 2021, I sent an email request to counsel for GDC Defendants seeking their position on the request for expedited production. A true and correct copy of the email sent is attached as Exhibit C.

4. On April 21, 2021, I received an email response from counsel for GDC Defendants setting out that they would need additional time to assess the production requested in order to provide their position, which they anticipated being able to do by April 26, 2021. A true and correct copy of the email is attached as Exhibit D.

5. I presumed that counsel were operating in good faith and sought not to unduly increase litigation by filing a motion for expedited discovery before receiving GDC Defendants' position on the request.

6. The Parties spoke late afternoon on April 26, 2021. Mr. Chalmers, counsel for GDC Defendants, relayed that they would respond to only *one* of the five requests for documents, claiming that producing communications concerning Plaintiff would be unduly burdensome given the expedited nature of the request. I do not recall if there were additional justifications mentioned for refusal to provide. I offered to provide narrowed and more targeted requests and my co-counsel offered to provide search terms. Mr. Chalmers agreed to consider the amendments to production if we chose to send.

7. On April 27, 2021, I sent counsel for GDC Defendants correspondence retracting the four document requests that Mr. Chalmers objected were overbroad and replacing each with narrowed requests with targeted and limiting search terms, requesting documents by May 5, 2021. A true and correct copy of the email is attached as Exhibit E. A true and correct copy of the replacement requests served are attached as Exhibit F.

8. On May 4, 2021, GDC Defendants served Plaintiff with Objections and Responses to Plaintiff's Expedited Interrogatories, in relevant part, as follows:

INTERROGATORY 1

For each person the Defendants intend to call to testify at the hearing on Plaintiffs Motions, ECF Nos. 50-51, please identify the individual's name, title, job responsibilities, and provide a brief description of the testimony the individual is expected to provide.

RESPONSE

As indicated on the Court status zoom conference call held on April 28, 2021, Defendants may call the following persons: Ahmed Holt, Grace Atchison, Dr. Sharon Lewis, Dr. Marc

Weinstein, Coastal State Prison (CSP) Correctional Officer Courtney Brown, and CSP Lieutenant Khaliah Reeves. Defendants may also call CSP Warden Brooks Benton and CSP Deputy Warden of Care and Treatment Carl Betterson.

9. A true and correct copy of the Objections are attached as Exhibit G.

10. I sent an email to GDC Defendants' counsel on May 4, 2021, requesting the courtesy of a response on the outstanding narrowed and second discovery request. A true and correct copy of the email is attached as Exhibit H. No response was received.

11. On May 5, 2021, lead counsel for Plaintiff and GDC Defendants conferred by telephone on the matters contained in Plaintiff's Motion for Limited Expedited Discovery and to Compel Production of Documents. Defendants relayed that the objections asserted in the original requests for production of documents apply equally to the narrowed replacement requests. All counsel agreed that an impasse was at hand.

Pursuant to 28 U.S.C. § 1746, I hereby declare and state under penalty of perjury that the foregoing is true and correct.

Dated: May 5, 2021

/s/ Elizabeth Littrell

Elizabeth "Beth" Littrell

Counsel for Plaintiff Ashley Diamond

CERTIFICATE OF SERVICE

I hereby certify that, on this date, the foregoing document and all attachments were served on all counsel of record through the Court's CM/ECF system.

/s/ Maya Rajaratnam

Maya G. Rajaratnam

Counsel for Plaintiff Ashley Diamond

EXHIBIT A

From: Beth Littrell

Sent: Friday, April 16, 2021 3:53 PM

To: Roger Chalmers <rchalmers@law.ga.gov>

Cc: Robert Shapiro <RShapiro@LAW.GA.GOV>; Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; 'Annarita McGovern' <amcgovern@satchermcgovernlaw.com>; 'Terry Long' <tlong@satchermcgovernlaw.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>

Subject: Diamond v. Ward: Limited Expedited Discovery and Protective Order subject to Scheduling Order

Roger:

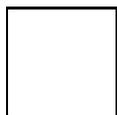
As a follow-up to our last conversation, Plaintiff's positions on the two outstanding matters referenced above are as follows. Regarding limited expedited discovery, mentioned by the Court at the status conference, by us in our motions, and as incorporated into the Scheduling Order, Plaintiffs seek narrowly tailored, limited discovery in anticipation of the upcoming hearing which we seek to expedite by agreement to responses within 15 days given the recently scheduled May 12 hearing. Attached please find our limited expedited discovery requests.

As a reciprocal courtesy, we are willing to agree to your to file a Notice with the Court today delaying execution of the protective order governing discovery that we sent to you several weeks ago and which is due to be completed by today.

Please let us know your position on these matters at your earliest convenience.

Thanks,

Beth



Beth Littrell she/her/hers

Sr. Supervising Attorney | Legal

Southern Poverty Law Center

T 404.221.5876 F 404.221.5857

beth.littrell@splcenter.org | www.splcenter.org

Admitted in Georgia

EXHIBIT B

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ASHLEY DIAMOND,
Plaintiff,

v.

TIMOTHY WARD, et al.,
Defendants.

CASE NO. 5:20-CV-00453-MTT

**PLAINTIFF’S EXPEDITED REQUEST FOR PRODUCTION OF DOCUMENTS TO
CERTAIN GEORGIA DEPARTMENT OF CORRECTION DEFENDANTS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and Rule 26(c) of the United States District Court for the Middle District of Georgia (“Local Rules”), Plaintiff Ashley Diamond, by her undersigned attorneys, hereby requests that Defendants Ward, Lewis, J. Jackson, Holt, Toole, Ford, Sauls, Benton, and Atchison (“GDC Defendants”) produce for examination, inspection and copying, copies of all documents responsive to the following Expedited Request for Production of Documents (“Requests”) within fifteen () days¹ of service of these Requests. Plaintiff reserves the right to propound additional discovery requests.

DEFINITIONS

1. “Document(s)” shall have the full meaning ascribed to it in Rule 34(a)² of the Federal Rules of Civil Procedure and shall be deemed to include “electronically stored

¹ Concurrent with service of expedited discovery, Plaintiff has requested that Defendant agree to respond within the 15-day window in consideration of a May 12, 2021 evidentiary hearing.

² Fed. R. Civ. P. 34(a) further references “documents or electronically stored information—including writings, drawings, graphs, charts, photographs, sound recordings, images, and other

information” (“ESI”) as also defined in Rule 34. Examples of documents include, but are not limited to, all writings in any form, emails, memos, notes, correspondence, records, calendar entries, log books, SCRIBE materials, disciplinary materials, grievance materials, photographs, audio and video recordings, electronic messages, instant messages, all other forms of electronic communication, and other data or data compilations of whatever nature stored in any medium (including those from which information can be obtained or translated if necessary into a reasonably useable form). A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “Communication” means any written transmittal of information, including but not limited to text messages, emails, statements, admissions, denials, inquiries, discussions, conversations, negotiations, agreements, understandings and meetings.

3. “Georgia Department of Corrections” or “GDC” means the Georgia Department of Corrections and each of its divisions, subsidiaries, affiliates, controlled entities, officers, directors, employees, agents, attorneys, consultants, contractors, and representatives, and any other person who currently or formerly acted or purported to act on its behalf for the time period relevant to this action.

4. “PREA Notice” means any complaint, report, or allegation of sexual abuse, harassment, or assault concerning Plaintiff, including without limitation notices submitted by third parties or Plaintiff’s attorneys.

5. The term “Defendants” “You” or “Your” means GDC Defendants Ward, Lewis, J. Jackson, Holt, Toole, Ford, Sauls, Benton, and Atchison,, and where applicable, the party’s

data or data compilations—stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form” and “any designated tangible things.” *Id.* 34(a)(A)–(B).

successors and predecessors in interest, and the party's secretaries, admins, employees, partners, agents, consultants, and others purporting to act on the party's behalf.

6. In addition, the following definitions and constructions apply:
 - a. "All" means "any and all" and "any" means "any and all."
 - b. The terms "concern" or "concerning" means relating to, regarding, referring to, describing, evidencing or constituting.
 - c. The term "concern" or "concerning" means all Documents that assess, concern, comprise, constitute, contain, consider, review, describe, discuss, evaluate, embody, evidence, identify, record, reflect, regard, show, state, or refer or relate, explicitly or implicitly, or were generated as a result of the subject matter of the Request.
 - d. The term "including" as used herein means including without limitation.
 - e. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - f. The use of the singular form of any word includes the plural and vice versa.

INSTRUCTIONS

1. Any Request seeking the production of Documents or Communications should be construed as a request for Documents and Communications, as those terms are defined above.
2. Documents and Communications that are responsive, in whole or in part, to any portion of any of these Requests shall be produced in their entirety, without abbreviation or redaction, along with any attachments, drafts, and non-identical copies, including copies that differ due to handwritten notes or other notes or markings.
3. If there are no responsive Documents or Communications for a particular Request or part of a Request, You will state so in writing.

4. To the extent that You object to any Request herein, specify (i) whether Documents and Communications are being withheld on the basis of the objection, and (ii) if any Documents and Communications are being produced notwithstanding the objection. If You object to any Request herein only in part, specify the portion of the Request You deem objectionable and produce all Documents and Communications responsive to the remainder of the Request.

7. If You redact or withhold any Document or Communication on grounds of attorney-client privilege, work product, or any other claim of immunity from discovery, then provide a privilege log separately identifying (i) each document withheld; (ii) the type of document withheld (memorandum, letter, report, e-mail, etc.); (iii) the date of its creation, (iv) its subject matter; (v) its author; (vi) all persons who drafted, sent, received or were to receive any copy or version of it; and (vii) the basis for redacting or withholding the document.

8. If You are unable to locate a Document or Communication because it was destroyed or not preserved, you will indicate that in your Response.

5. For purposes of expedited discovery, You shall produce all Documents and Communications responsive to these Requests as follows:

- a. Generally. Documents and Communications shall be produced in the manner specified by Federal Rules of Civil Procedure 34(b)(2)(E)(i), accompanied by an indication of the Document Custodian and file location from which every Document was produced, and shall be produced as text readable PDFs, with each document a separate document.
- b. Video, Audio, Databases, and Proprietary Files. You will produce these files in native format for audio, video, and ESI (i.e. msg, doc, xls, ppt, mpeg, mp3), and otherwise meet and confer with Plaintiff regarding the production of video, audio, databases, and any proprietary file formats (non-Microsoft or Corel Suite compatible files).

- c. Bates Numbering. You will produce all imaged Documents and Communications with a legible, unique page identifier (“Bates Number”) electronically “burned” onto the image in the lower right hand corner or at a location that does not obliterate, conceal, or interfere with any information from the source document. The Bates numbering convention shall be in the format “X#####” where “X” represents the short character abbreviation for relevant Defendant and “#####” represents the eight-digit sequential number of the page being produced by that Defendant,” proceeding sequentially.
- d. Documents Containing Fixed Notes. For Documents and Communications that contain fixed notes (*e.g.*, post-it notes), the pages will be scanned both with and without the notes. Those pages will be treated as part of the same document.
- e. Related Documents. Documents and Communications responsive to these Requests shall be produced together with any and all drafts, non-identical copies, and parent or children files (*e.g.*, cover letters/emails, attachments, archive files such as zip, files with embedded Documents or Communications, enclosures, Documents and Communications in a binder or folder). All such Documents and Communications shall be produced as separate files, but be assigned the same attachment range as a way of identifying the parent-child relationship. Documents and Communications attached to each other, including by staple, clip, tape, or maintained together in physical folders or binders, shall also be treated as related documents for purposes of this paragraph, and any labels, text, or markings on the folder or binder must be scanned and produced.

9. You will meet and confer with Plaintiff as soon as practicable regarding search processes and criteria (such as date ranges, custodians, search locations, search terms, key words,

etc.) to identify responsive Documents and Communications in advance of Your deadline to respond to these Requests so as to facilitate the expeditious production of responsive Documents and Communications.

10. You shall supplement Your production in accordance with any ESI agreement or stipulation subsequently executed.

11. This Request is continuing in nature. In accordance with Rule 26(e) of the Federal Rules of Civil Procedure, You are required promptly to serve supplementary responses and produce additional documents if You obtain further or different information.

REQUESTS FOR PRODUCTION

1. Non-public Documents identified in Defendants' Initial Disclosures as being relevant to claims or defenses, including without limitation:

- GDC institutional file for Ashley Diamond (2012 to present);
- GDC medical and mental health records and counseling case notes for Ashley Diamond (2012 to present);
- GDC grievances history and grievances submitted by Ashley Diamond and all related documents (October 29, 2019 to present);
- GDC disciplinary history and disciplinary reports for Ashley Diamond and all related documents (October 2019 to present);
- GDC emergency and incident reports for Ashley Diamond and all related documents (October 29, 2019 to present);
- GDC PREA reports for Ashley Diamond and all related documents³ (2012 to present);
- GDC Statewide Classification Committee documentation concerning housing assignments of Ashley Diamond (September 01, 2019 to present).

³ "All related documents" includes, without limitation, reports, videos, recordings, classification materials, and photographic evidence relating to all Plaintiff's complaints or allegations of sexual assault (including complaints made by Plaintiff's attorneys and third-parties), and investigations into the same.

2. All non-privileged Communications sent or received by Defendants from October 1, 2019 to Present concerning Plaintiff's health and healthcare needs, including without limitation her gender dysphoria, Post Traumatic Stress Disorder, suicide risk, and castration attempts.
3. All non-privileged Communications sent or received by Defendants from October 1, 2019 to Present concerning Plaintiff's housing or safety within GDC, including without limitation housing placements, transfer requests, and her eligibility for transfer to a female facility.
4. All non-privileged Communications sent or received by Defendant Benton from September 29, 2020 to Present concerning Plaintiff, including without limitation communications concerning Plaintiff and/or Justin Riley following the allegations against them of sexual misconduct on October 31, 2020.
5. All Documents and Communications sent by, or on behalf of, GDC Defendants, or any administrator at Coastal, concerning Plaintiff's eligibility for parole or transfer, including communications sent to the Georgia Board of Pardons and Paroles, since October 2020.

Served this, the 16th Day of April, 2021

/s/ Elizabeth Littrell
Elizabeth Littrell, Ga. Bar No. 454949
Maya G. Rajaratnam*
Southern Poverty Law Center
P.O. Box 1287
Decatur, GA 30031
Phone: (404) 221-5876
Fax: (404) 221-5857
Email: beth.littrell@splcenter.org

Email: maya.rajaratnam@splcenter.org

Tyler Rose Clemons*
Southern Poverty Law Center
201 St. Charles Avenue, Suite 2000
New Orleans, LA 70170
Phone: (504) 526-1530
Fax: (504) 486-8947
Email: tyler.clemons@splcenter.org

A. Chinyere Ezie*
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
Phone/Fax: (212) 614-6467
Email: cezie@ccrjustice.org

Counsel for Plaintiff Ashley Diamond
** Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2021, a true and correct copy of the foregoing document was served on counsel of record for GDC via electronic mail:

Dated: April 16, 2021

/s/ Elizabeth Littrell

Elizabeth Littrell, Ga. Bar No. 454949

Southern Poverty Law Center

P.O. Box 1287

Decatur, GA 30031

Phone: (404) 221-5876

Fax: (404) 221-5857

Email: beth.littrell@splcenter.org

EXHIBIT C

From: Beth Littrell <beth.littrell@splcenter.org>

Sent: Tuesday, April 20, 2021 10:12 AM

To: Roger Chalmers <rchalmers@law.ga.gov>

Cc: Robert Shapiro <RShapiro@LAW.GA.GOV>; Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; 'Annarita McGovern' <amcgovern@satchermcgovernlaw.com>; 'Terry Long' <tlong@satchermcgovernlaw.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>

Subject: RE: Diamond v. Ward: Limited Expedited Discovery and Protective Order subject to Scheduling Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Roger:

At your earliest convenience, please let us know whether your clients will agree to the requested limited expedited discovery schedule we have proposed so that we know whether we will need to engage in additional motion practice prior to the hearing.

Thanks,

Beth



Beth Littrell she/her/hers

Sr. Supervising Attorney | Legal

Southern Poverty Law Center

T 404.221.5876 F 404.221.5857

beth.littrell@splcenter.org | www.splcenter.org

Admitted in Georgia

EXHIBIT D

From: Roger Chalmers <rchalmers@law.ga.gov>

Sent: Wednesday, April 21, 2021 9:19 AM

To: Beth Littrell <beth.littrell@splcenter.org>

Cc: Robert Shapiro <RShapiro@LAW.GA.GOV>; Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; 'Annarita McGovern' <amcgovern@satchermcgovernlaw.com>; 'Terry Long' <tlong@satchermcgovernlaw.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>

Subject: RE: Diamond v. Ward: Limited Expedited Discovery and Protective Order subject to Scheduling Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth – Thanks for your email. We’re working as quickly as we can to assess your discovery requests and give you our position. We’re not ready to do that at this time. As you know, we’re also continuing our work on your motions. We’ll get back to you once we have assessed your requests. My expectation is that we will have a response for you by this upcoming Monday, and so we will suggest some times for a call then.

Roger



Roger Chalmers

Senior Assistant Attorney General - Section Chief

Office of the Attorney General Chris Carr

General Litigation

Tel: (404) 458-3220

rchalmers@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia, 30334

EXHIBIT E

From: Beth Littrell

Sent: Tuesday, April 27, 2021 11:36 AM

To: Roger Chalmers <rchalmers@law.ga.gov>

Cc: Robert Shapiro <RShapiro@LAW.GA.GOV>; Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; 'Annarita McGovern' <amcgovern@satchermcgovernlaw.com>; 'Terry Long' <tlong@satchermcgovernlaw.com>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>

Subject: RE: Diamond v. Ward: Limited Expedited Discovery and Protective Order subject to Scheduling Order

Roger:

Pursuant to our conversation today in which you relayed that Defendants object to Plaintiff's Limited Expedited Discovery Requests for Production Nos. 2-5, in order to expeditiously resolve the issues in anticipation of the pending emergency motions before the Court, Plaintiff proposes the following solutions, as set forth in more detail in the attached correspondence.

First, to the extent Defendants' objections arise out of overbreadth and/or burden with respect to the definition of "communication," Plaintiff agree to limit the definition to seek documents communicated via emails and GDC intranet systems. Plaintiff further agrees to limit the requests to particular parties, as set forth below. Finally, we have provided search terms which are universally applicable to most, if not all, software and applications and should allow be easily deployed to limit the number of "hits" to only relevant documents and to limit the documents for privilege review.

We believe these good faith proposals should ameliorate any concerns regarding burden, and that these simple searches can be conducted within a week, up to and including [May 5, 2021](#). Given the pending [April 28](#) Status Conference and [May 12](#) Hearing, please let us hear from you regarding this proposal to resolve the issues as set forth herein no later than [noon, May 28, 2021](#).

Respectfully,

Beth



Beth Littrell she/her/hers
Sr. Supervising Attorney | Legal
Southern Poverty Law Center
T 404.221.5876 F 404.221.5857
beth.littrell@splcenter.org | www.splcenter.org
Admitted in Georgia

EXHIBIT F



Fighting Hate
Teaching Tolerance
Seeking Justice

Southern Poverty Law Center
PO Box 1287
Decatur, GA 30031-1287
404.521.6700
www.splcenter.org

Roger Chalmers
Robert Shapiro
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia, 30334

Re: *Diamond v. Ward, et. al*, No. 5:20-cv-00453-MTT
Plaintiff's Proposed Amendments to Resolve Defendants' Objections to Plaintiff's
Limited Expedited Discovery Requests for Production

Counsel:

Pursuant to our conversation today in which you relayed that Defendants object to Plaintiff's Limited Expedited Discovery Requests for Production Nos. 2-5, in order to expeditiously resolve the issues in anticipation of the pending emergency motions before the Court, Plaintiff proposes the following solutions.

First, to the extent Defendants' objections arise out of overbreadth and/or burden with respect to the definition of "communication," Plaintiff agree to limit the definition to seek documents communicated via emails and GDC intranet systems. Plaintiff further agrees to limit the requests to particular parties, as set forth below. Finally, we have provided search terms which are universally applicable to most, if not all, software and applications and should allow be easily deployed to limit the number of "hits" to only relevant documents and to limit the documents for privilege review.¹

I. Definitions

Plaintiff agrees to narrow the definition of "Communication" as set forth below.

As propounded: "Communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise), including but not limited to telephone calls, voice recordings, emails, text messages, letters, postcards, notes, cards, instant messages, text chats, voice chats, tweets, notes, memoranda, speeches, lectures, seminars, conferences, and conversations.

¹ Plaintiffs agreements and modifications set forth herein are for the purposes of expedited discovery, without prejudice to her right to receive comprehensive production pursuant to the Federal Rules of Civil Procedure following the hearing on Plaintiff's Motion for Preliminary Injunction scheduled for May 12, 2021.

As modified: “Communication” means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise) limited to emails and information sent via any service or application used by Georgia Department of Corrections (e.g., Teams, Happeo, Google Messenger, Slack, etc.)

II. Request for Production

Plaintiff agrees to the modifications set forth below.

Request for Production No. 2

As propounded: All non-privileged Communications sent or received by Defendants from October 1, 2019 to Present concerning Plaintiff’s health and healthcare needs, including without limitation her gender dysphoria, Post Traumatic Stress Disorder, suicide risk, and castration attempts.

As modified: Communications sent or received by Defendant Lewis, J. Jackson, Sauls, or Benton, concerning Ashley Diamond's gender dysphoria, Post Traumatic Stress Disorder, suicide risk, and castration attempts.

Search Terms: “Diamond” and the following terms:

- “gender dysphoria”
- GD
- “Gender Identity”
- GID
- “Post Traumatic Stress Disorder”
- “PTSD”
- suicide!²
- castrat!

Request for Production No. 3

As propounded: All non-privileged Communications sent or received by Defendants from October 1, 2019 to Present concerning Plaintiff’s housing or safety within GDC, including without limitation housing placements, transfer requests, and her eligibility for transfer to a female facility.

As modified: Communications sent or received by Defendant Lewis, J. Jackson, Sauls, Holt, Toole, Atchison, or Benton concerning Ashley Diamond's sexual assault allegations, requests for a safety transfer, or female facility placement.

Search Terms: “Diamond” and the following terms:

² Use of the exclamation point (“!”) herein references use as a truncation character available to reduces searches by allowing a search engine to do a root search in order to locate documents containing the indicated root regardless of ending variations among the words (i.e., e.g., in order for suic! to capture, e.g., suicidal, suicidality, suicide, suicides, etc.)

- PREA
- transfer!
- placement
- hous!
- women!
- female
- Arrendale
- Whitworth
- Pulaski
- “PDC”
- Emanuel
- “sexual assault!”
- “sexual abuse!”
- sexual!
- rape!
- harass!
- safe!
- unsafe

Request for Production No. 4

As propounded: All non-privileged Communications sent or received by Defendant Benton from September 29, 2020 to Present concerning Plaintiff, including without limitation communications concerning Plaintiff and/or Justin Riley following the allegations against them of sexual misconduct on October 31, 2020.

As modified: Communications sent or received by Defendant Benton concerning disciplinary reports and charges against Ashley Diamond or Justin Riley.

Search Terms: “Diamond” and the following terms:

- disciplinary
- DR
- Riley
- STG
- “Security Threat”
- gang

Request for Production No. 5

As propounded: All Documents and Communications sent by, or on behalf of, GDC Defendants, or any administrator at Coastal, concerning Plaintiff’s eligibility for parole or transfer, including communications sent to the Georgia Board of Pardons and Paroles, since October 2020.

As modified: Documents and Communications sent by or on behalf of Defendant Benton or personnel at Coastal to representatives of the Georgia Board of Pardons and Paroles.

We believe these good faith proposals should ameliorate any concerns regarding burden, and that these simple searches can be conducted within a week, up to and including May 5, 2021. Given the pending April 28 Status Conference and May 12 Hearing, please let us hear from you regarding this proposal to resolve the issues as set forth herein no later than noon, April 28, 2021.

Respectfully,
/s Beth Littrell
On behalf of All Counsel for Plaintiff Ashley
Diamond

EXHIBIT G

to lead to the discovery of admissible evidence. Because this discovery set is expedited and limited and for use in relation to a pending motion for preliminary injunction, Defendants' objection takes into account and is premised upon that limited purpose and scope.

3. Defendants object to each Interrogatory to the extent that it seeks information or documents protected from disclosure by the attorney-client privilege, deliberative process privilege, attorney work product doctrine, or any other applicable privilege or legal protection from disclosure. Any disclosure of such protected material is inadvertent and is not a waiver of an applicable right or privilege.

4. Defendants object to each Interrogatory to the extent that it seeks information or documents not in his possession, custody or control.

5. Defendants object to each Interrogatory to the extent that it is not limited to a time period relevant to this case.

6. Defendants' investigation and development of facts and circumstances relating to this action is ongoing. The responses and objections herein are made without prejudice to, and are not a waiver of, Defendants' right to supplement, clarify, revise, or correct any of the responses and objections herein based on information or documents obtained or made available in discovery, and to use and rely on such other facts or documents in discovery and at trial.

7. Defendants incorporate by reference every general objection set forth above into each specific response set forth below. A specific response may repeat a general objection for emphasis or some other reason. The failure to include any general objection in any specific response does not waive any general objection to that request.

OBJECTIONS AND RESPONSES TO INTERROGATORIES

Subject to the foregoing General Objections, Defendants respond to the Interrogatories as follows:

INTERROGATORY 1

For each person the Defendants intend to call to testify at the hearing on Plaintiffs Motions, ECF Nos. 50-51, please identify the individual's name, title, job responsibilities, and provide a brief description of the testimony the individual is expected to provide.

RESPONSE

As indicated on the Court status zoom conference call held on April 28, 2021, Defendants may call the following persons: Ahmed Holt, Grace Atchison, Dr. Sharon Lewis, Dr. Marc Weinstein, Coastal State Prison (CSP) Correctional Officer Courtney Brown, and CSP Lieutenant Khaliah Reeves. Defendants may also call CSP Warden Brooks Benton and CSP Deputy Warden of Care and Treatment Carl Betterson.

The title, job responsibilities, and brief description of the testimony each of these individuals is expected to provide is set forth in the declarations filed with the Court in connection with Defendants' response to Plaintiff's motion for preliminary injunction.

INTERROGATORY 2

Identify every Person who has had a role in implementing GDC SOP 220.09, "Classification and Management of Transgender and Intersex Offenders" with respect to Plaintiff or otherwise determining the housing placements and transfers available to her by name, title, and job responsibilities.

RESPONSE

Pursuant to Fed. R. Civ. P. 33(d), Defendants refer to the Declarations of Grace Atchison and Ahmed Holt, and to the business records referenced therein.

INTERROGATORY 3

Identify every Person who has had a role in implementing GDC SOP 507.04.68, “Management and Treatment of Offenders Diagnosed with Gender Dysphoria” with respect to Plaintiff or otherwise determining the gender dysphoria treatment available to her, by name, title, and job responsibilities.

RESPONSE

Pursuant to Fed. R. Civ. P. 33(d), Defendants refer to the Declarations of Dr. Sharon Lewis and Dr. Marc Weinstein, and to the medical and mental health records referenced therein.

INTERROGATORY 4

Identify every Person who has received a PREA Notice concerning Ms. Diamond since October 29, 2019, by name, title, and job responsibilities, and approximate date of such Notice.

RESPONSE

Pursuant to Fed. R. Civ. P. 33(d), Defendants refer to the Declarations of Grace Atchison and Carl Betterson, and to PREA records referenced therein.

INTERROGATORY 5

Identify all Documents or Communications You intend to present or rely on in connection with the hearing on Plaintiff’s Motions, ECF Nos. 50-51.

RESPONSE

Defendants refer to their response to Plaintiff’s motion for preliminary injunction and the other referenced motions, and to the documents referenced in and attached to their responses.

INTERROGATORY 6

For each Request for Admission that you deny, please explain and otherwise provide the basis for your denial.

RESPONSE

Defendants deny the first request for admission within Plaintiff's Expedited Requests for Admission to Certain Georgia Department of Correction [sic] Defendants on the basis that a transgender woman has been housed in a GDC women's facility. Defendants deny in part and admit in part the second request for admission and refer to the explanation that is provided within the response to that request for admission.

Respectfully submitted,

Christopher M. Carr 112505
Attorney General

Kathleen M. Pacious 558555
Deputy Attorney General



Roger A. Chalmers 118720
Senior Assistant Attorney General

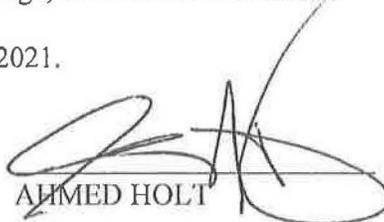
Robert B. Shapiro 932554
Assistant Attorney General

PLEASE ADDRESS ALL
COMMUNICATIONS TO
Roger A. Chalmers
State Law Department
40 Capitol Square SW
Atlanta, GA 30334
Tel: (404) 458-3220
Fax: (404) 651-5304
Email: rchalmers@law.ga.gov

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that I have reviewed the foregoing interrogatory responses and that the facts stated therein are true and correct to the best of my knowledge, information and belief.

This 3rd day of May, 2021.


AHMED HOLT

CERTIFICATE OF SERVICE

I certify that on this date I served the foregoing by electronic mail on the following counsel of record:

Tyler Rose Clemons
Andrea Chinyere Ezie
Elizabeth Littrell
Annarita L. McGovern
Terry Lynn Long
Maya Gyan Rajaratnam

This 3rd day of May, 2021.



Roger A. Chalmers

the needs of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence. Because this discovery set is expedited and limited and for use in relation to a pending motion for preliminary injunction, Defendants' objection takes into account and is premised upon that limited purpose and scope. Without limitation, this objection applies to the form of production that is requested in paragraph 5 of the "Instructions" with the Document Requests. Defendants are producing herewith documents as they are kept in the usual course of business and are organizing their production to correspond to the categories in Request No. 1 below. Defendants will meet and confer with Plaintiffs in discovery on the search for and production of electronically stored information.

3. Defendants object to each Document Request to the extent that it seeks information or documents protected from disclosure by the attorney-client privilege, deliberative process privilege, attorney work product doctrine, or any other applicable privilege or legal protection from disclosure. Any disclosure of such protected material is inadvertent and is not a waiver of an applicable right or privilege.

4. Defendants object to each Document Request to the extent that it seeks information or documents not in his possession, custody or control.

5. Defendants object to each Document Request to the extent that it is not limited to a time period relevant to this case.

6. Defendants' investigation and development of facts and circumstances relating to this action is ongoing. The responses and objections herein are made without prejudice to, and are not a waiver of, Defendants' right to supplement, clarify, revise, or correct any of the responses and objections herein based on information or documents

obtained or made available in discovery, and to use and rely on such other facts or documents in discovery and at trial.

7. Defendants incorporate by reference every general objection set forth above into each specific response set forth below. A specific response may repeat a general objection for emphasis or some other reason. The failure to include any general objection in any specific response does not waive any general objection to that request. Pursuant to Fed. R. Civ. P. 34(b)(2)(C), unless specifically noted below, the above stated general objections are preserved but no responsive materials are being withheld on the basis of the general objections.

OBJECTIONS AND RESPONSES TO REQUEST FOR PRODUCTION

Subject to the foregoing General Objections, Defendants respond to the Document Requests as follows:

DOCUMENT REQUEST 1

Non-public Documents identified in Defendants' Initial Disclosures as being relevant to claims or defenses, including without limitation:

- GDC institutional file for Ashley Diamond (2012 to present);
- GDC medical and mental health records and counseling case notes for Ashley Diamond (2012 to present);
- GDC grievances history and grievances submitted by Ashley Diamond and all related documents (October 29, 2019 to present);
- GDC disciplinary history and disciplinary reports for Ashley Diamond and all related documents (October 2019 to present);
- GDC emergency and incident reports for Ashley Diamond and all related documents (October 29, 2019 to present);
- GDC PREA reports for Ashley Diamond and all related documents³ (2012 to present);
- GDC Statewide Classification Committee documentation concerning housing assignments of Ashley Diamond (September 01, 2019 to present).

RESPONSE

Defendants object to this Document Request to the extent that it seeks production of documents for the time period 2012 to present, on the grounds that the request is not relevant to a claim or defense in this case as it is currently presented at this stage of the case, that is not proportional to the needs of the case again as it is currently presented at this stage of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence pertaining to the issues raised in Plaintiff's motion for preliminary injunction and related motions.

Subject to the stated objections, Defendants are producing herewith all existing responsive documents in all of the listed categories for the time period October 2019 to the present.

DOCUMENT REQUEST 2

All non-privileged Communications sent or received by Defendants from October 1, 2019 to Present concerning Plaintiff's health and healthcare needs, including without limitation her gender dysphoria, Post Traumatic Stress Disorder, suicide risk, and castration attempts.

RESPONSE

Defendants object to this Document Request on the grounds that it seeks information or material that is not relevant to a claim or defense in this case, that is not proportional to the needs of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence.

Defendants further object to this Document Request on the grounds that it seeks information that is not relevant to a claim or defense in this case as it is currently presented at this stage of the case, that is not proportional to the needs of the case again as it is currently presented at this stage of the case, and/or that is overly broad, unduly

burdensome or not reasonably calculated to lead to the discovery of admissible evidence pertaining to the issues raised in Plaintiff's motion for preliminary injunction and related motions.

Defendants specifically object to this Document Request on the additional basis that the information sought is voluminous and burdensome to collect, review for responsiveness and privilege or other objection or need for protection, and produce in the limited time period before the Court's consideration of Plaintiff's motions. This document request is more appropriately addressed in the context of full merits discovery, not in expedited discovery the purpose of which is to address the limited asserted grounds for relief in Plaintiff's pending motions. No objection or limitation pertaining to the discovery of and/or production of electronically stored information is waived by this response.

DOCUMENT REQUEST 3

All non-privileged Communications sent or received by Defendants from October 1, 2019 to Present concerning Plaintiff's housing or safety within GDC, including without limitation housing placements, transfer requests, and her eligibility for transfer to a female facility.

RESPONSE

Defendants object to this Document Request on the grounds that it seeks information or material that is not relevant to a claim or defense in this case, that is not proportional to the needs of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence.

Defendants further object to this Document Request on the grounds that it seeks information that is not relevant to a claim or defense in this case as it is currently presented at this stage of the case, that is not proportional to the needs of the case again

as it is currently presented at this stage of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence pertaining to the issues raised in Plaintiff's motion for preliminary injunction and related motions.

Defendants specifically object to this Document Request on the additional basis that the information sought is voluminous and burdensome to collect, review for responsiveness and privilege or other objection or need for protection, and produce in the limited time period before the Court's consideration of Plaintiff's motions. This document request is more appropriately addressed in the context of full merits discovery, not in expedited discovery the purpose of which is to address the limited asserted grounds for relief in Plaintiff's pending motions. No objection or limitation pertaining to the discovery of and/or production of electronically stored information is waived by this response.

DOCUMENT REQUEST 4

All non-privileged Communications sent or received by Defendant Benton from September 29, 2020 to Present concerning Plaintiff, including without limitation communications concerning Plaintiff and/or Justin Riley following the allegations against them of sexual misconduct on October 31, 2020.

RESPONSE

Defendants object to this Document Request on the grounds that it seeks information or material that is not relevant to a claim or defense in this case, that is not proportional to the needs of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence.

Defendants further object to this Document Request on the grounds that it seeks information that is not relevant to a claim or defense in this case as it is currently

presented at this stage of the case, that is not proportional to the needs of the case again as it is currently presented at this stage of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence pertaining to the issues raised in Plaintiff's motion for preliminary injunction and related motions.

Defendants specifically object to this Document Request on the additional basis that the information sought is voluminous and burdensome to collect, review for responsiveness and privilege or other objection or need for protection, and produce in the limited time period before the Court's consideration of Plaintiff's motions. This document request is more appropriately addressed in the context of full merits discovery, not in expedited discovery the purpose of which is to address the limited asserted grounds for relief in Plaintiff's pending motions. No objection or limitation pertaining to the discovery of and/or production of electronically stored information is waived by this response.

DOCUMENT REQUEST 5

All Documents and Communications sent by, or on behalf of, GDC Defendants, or any administrator at Coastal, concerning Plaintiff's eligibility for parole or transfer, including communications sent to the Georgia Board of Pardons and Paroles, since October 2020.

RESPONSE

Defendants object to this Document Request on the grounds that it seeks information or material that is not relevant to a claim or defense in this case, that is not proportional to the needs of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence.

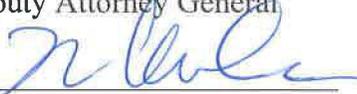
Defendants further object to this Document Request on the grounds that it seeks information that is not relevant to a claim or defense in this case as it is currently presented at this stage of the case, that is not proportional to the needs of the case again as it is currently presented at this stage of the case, and/or that is overly broad, unduly burdensome or not reasonably calculated to lead to the discovery of admissible evidence pertaining to the issues raised in Plaintiff's motion for preliminary injunction and related motions.

Defendants specifically object to this Document Request on the additional basis that the information sought is voluminous and burdensome to collect, review for responsiveness and privilege or other objection or need for protection, and produce in the limited time period before the Court's consideration of Plaintiff's motions. This document request is more appropriately addressed in the context of full merits discovery, not in expedited discovery the purpose of which is to address the limited asserted grounds for relief in Plaintiff's pending motions. No objection or limitation pertaining to the discovery of and/or production of electronically stored information is waived by this response.

Respectfully submitted,

Christopher M. Carr 112505
Attorney General

Kathleen M. Pacious 558555
Deputy Attorney General



Roger A. Chalmers 118720
Senior Assistant Attorney General

Robert B. Shapiro 932554
Assistant Attorney General

PLEASE ADDRESS ALL
COMMUNICATIONS TO
Roger A. Chalmers
State Law Department
40 Capitol Square SW
Atlanta, GA 30334
Tel: (404) 458-3220
Fax: (404) 651-5304
Email: rchalmers@law.ga.gov

CERTIFICATE OF SERVICE

I certify that on this date I served the foregoing by electronic mail on the following counsel of record:

Tyler Rose Clemons
Andrea Chinyere Ezie
Elizabeth Littrell
Annarita L. McGovern
Terry Lynn Long
Maya Gyan Rajaratnam

This 3rd day of May, 2021.


Roger A. Chalmers

RESPONSE

Denied in part and admitted in part. This request is denied to the extent it requests an admission that Plaintiff requested placement in a women's facility on the basis that upon initial assessment Plaintiff expressed comfort with and requested placement in a medium security men's prison. This request is admitted to the extent it requests an admission that Plaintiff's transgender status was a consideration in facility placement, on the basis that the applicable policy concerns the classification and management of transgender and intersex offenders. This request is denied to the extent that it requests an admission that Plaintiff's anatomy was a consideration in facility placement, and for explanation reference is made to the Classification Committee documentation served contemporaneously with this response, and further the request is denied to the extent it requests an admission that transgender offenders are assigned to gender-specific facilities based solely on their external genital anatomy.

Respectfully submitted,

Christopher M. Carr 112505
Attorney General

Kathleen M. Pacious 558555
Deputy Attorney General


Roger A. Chalmers 118720
Senior Assistant Attorney General

Robert B. Shapiro 932554
Assistant Attorney General

PLEASE ADDRESS ALL
COMMUNICATIONS TO
Roger A. Chalmers
State Law Department
40 Capitol Square SW
Atlanta, GA 30334
Tel: (404) 458-3220
Fax: (404) 651-5304
Email: rchalmers@law.ga.gov

CERTIFICATE OF SERVICE

I certify that on this date I served the foregoing by electronic mail on the following counsel of record:

Tyler Rose Clemons
Andrea Chinyere Ezie
Elizabeth Littrell
Annarita L. McGovern
Terry Lynn Long
Maya Gyan Rajaratnam

This 3rd day of May, 2021.



Roger A. Chalmers

EXHIBIT H

From: Beth Littrell

Sent: Tuesday, May 4, 2021 3:24 PM

To: Robert Shapiro <RShapiro@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Annarita McGovern <amcgovern@satchermcgovernlaw.com>; Terry Long <tlong@satchermcgovernlaw.com>

Cc: Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; Roger Chalmers <rchalmers@law.ga.gov>; Diego Soto <diego.soto@splcenter.org>

Subject: RE: Diamond v. Ward, et al.

Robert:

Thank you for this clarification.

Also, please let us know Defendants' position on the narrowed document request we sent April 27 seeking communications and providing narrowing search terms, as well as our second request for production sent April 30.

Respectfully,

Beth



Beth Littrell she/her/hers

Sr. Supervising Attorney | Legal

Southern Poverty Law Center

T 404.221.5876 F 404.221.5857

beth.littrell@splcenter.org | www.splcenter.org

Admitted in Georgia

This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify The Southern Poverty Law Center immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

From: Robert Shapiro <RShapiro@LAW.GA.GOV>

Sent: Tuesday, May 4, 2021 3:07 PM

To: Beth Littrell <beth.littrell@splcenter.org>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Annarita McGovern <amcgovern@satchermcgovernlaw.com>; Terry Long <tlong@satchermcgovernlaw.com>

Cc: Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; Roger Chalmers <rchalmers@law.ga.gov>; Diego Soto <Diego.Soto@splcenter.org>

Subject: RE: Diamond v. Ward, et al.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

That is correct, with the exception that Defendants' first production of documents also includes the Audio Files folder, which contains 11 total audio recordings. Only one of these recordings, Bates stamped DEF 1437, was filed as an exhibit in support of the response (Exhibit 21).

Best,



Robert Shapiro
Assistant Attorney General
Office of the Attorney General Chris Carr
General Litigation
Tel: (404) 458-3536
rshapiro@law.ga.gov
Georgia Department of Law
40 Capitol Square, SW
Atlanta, Georgia, 30334

From: Beth Littrell <beth.littrell@splcenter.org>

Sent: Tuesday, May 4, 2021 2:47 PM

To: Robert Shapiro <RShapiro@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Annarita McGovern <amcgovern@satchermcgovernlaw.com>; Terry Long <tlong@satchermcgovernlaw.com>

Cc: Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; Roger Chalmers <rchalmers@law.ga.gov>; Diego Soto <Diego.Soto@splcenter.org>

Subject: RE: Diamond v. Ward, et al.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Robert:

Can you confirm whether the documents produced as part of Defendants' first document productions is duplicative of the documents filed in support of your Opposition Brief? That is, are both sets of documents identical but for the case file stamp across the top of the latter documents?

Thanks,

Beth



Beth Littrell she/her/hers

Sr. Supervising Attorney | Legal

Southern Poverty Law Center

T 404.221.5876 F 404.221.5857

beth.littrell@splcenter.org | www.splcenter.org

Admitted in Georgia

This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify The Southern Poverty Law Center immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

From: Robert Shapiro <RShapiro@LAW.GA.GOV>

Sent: Tuesday, May 4, 2021 2:33 PM

To: Beth Littrell <beth.littrell@splcenter.org>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Annarita McGovern <amcgovern@satchermcgovernlaw.com>; Terry Long <tlong@satchermcgovernlaw.com>

Cc: Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; Roger Chalmers <rchalmers@law.ga.gov>; Diego Soto <Diego.Soto@splcenter.org>

Subject: RE: Diamond v. Ward, et al.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

The audio was produced as part of Defendants' first document productions. It is in the Audio Files folder, Bates stamped DEF 1437. I will upload it to the link below as well.

Thanks,



Robert Shapiro
Assistant Attorney General
Office of the Attorney General Chris Carr
General Litigation
Tel: (404) 458-3536
rshapiro@law.ga.gov
Georgia Department of Law
40 Capitol Square, SW
Atlanta, Georgia, 30334

From: Beth Littrell <beth.littrell@splcenter.org>

Sent: Tuesday, May 4, 2021 2:17 PM

To: Robert Shapiro <RShapiro@LAW.GA.GOV>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Annarita McGovern <amcgovern@satchermcgovernlaw.com>; Terry Long <tlong@satchermcgovernlaw.com>

Cc: Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; Roger Chalmers <rchalmers@law.ga.gov>; Diego Soto <Diego.Soto@splcenter.org>

Subject: RE: Diamond v. Ward, et al.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Robert:

Given that our offices are currently closed as a result of Covid-19, delaying receipt of a mailing, we have created a secure cloud-based location for easy uploading. Please upload the audio here:

<https://splc.app.box.com/f/94c7ad33c8894deb8d9928d9f5edc196>

Let us know if you encounter any technical difficulties or have other concerns.

Thanks,

Beth



Beth Littrell she/her/hers

Sr. Supervising Attorney | Legal

Southern Poverty Law Center

T 404.221.5876 F 404.221.5857

beth.littrell@splcenter.org | www.splcenter.org

Admitted in Georgia

This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify The Southern Poverty Law Center immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

From: Robert Shapiro <RShapiro@LAW.GA.GOV>

Sent: Tuesday, May 4, 2021 12:44 PM

To: Beth Littrell <beth.littrell@splcenter.org>; cezie <cezie@ccrjustice.org>; Tyler Clemons <Tyler.Clemons@splcenter.org>; Maya Rajaratnam <maya.rajaratnam@splcenter.org>; Annarita McGovern <amcgovern@satchermcgovernlaw.com>; Terry Long <tlong@satchermcgovernlaw.com>

Cc: Elizabeth M. Crowder <ecrowder@LAW.GA.GOV>; Roger Chalmers <rchalmers@law.ga.gov>

Subject: Diamond v. Ward, et al.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Counsel:

Attached please find a service copy of our letter to the Clerk of Court regarding the Notice of Conventional Filing of Exhibit 21 in support of Defendants' consolidated response.

Best,



Robert Shapiro
Assistant Attorney General
Office of the Attorney General Chris Carr
General Litigation
Tel: (404) 458-3536
rshapiro@law.ga.gov
Georgia Department of Law
40 Capitol Square, SW
Atlanta, Georgia, 30334

