

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF RICHMOND

JONATHON A. MOSELEY, Esq. )  
Additional Registered Voters may be Added )  
After Documents are Preserved )

Plaintiffs )

v. )

VIRGINIA STATE BOARD OF ELECTIONS )  
Washington Building, First Floor )  
1100 Bank Street, Richmond 23219 )  
**Serve:** Don Palmer, Secretary )

and )

Case No. \_\_\_\_\_

REPUBLICAN PARTY OF VIRGINIA )  
The Richard D. Obenshain Center )  
115 E. Grace Street )  
Richmond, Virginia 23219 )  
**Serve:** Pat Mullins, Chair )

Defendants )

\_\_\_\_\_ )

**PLAINTIFFS' -- AMENDED -- FIRST SET OF INTERROGATORIES**  
**TO DEFENDANT REPUBLICAN PARTY OF VIRGINIA**

COME NOW THE PLAINTIFF, *pro se*, and pursuant to Rule 4:8 of the Rules of the Supreme Court of Virginia, hereby respectfully propounds the following interrogatories to the Defendant the Virginia State Board of Elections, requesting that answers be provided to 1818 Library Street, Suite 500, Reston, Virginia 20190. **PLEASE SEE INSTRUCTIONS AND DEFINITIONS BELOW**, including limitations and accommodations on these requests.

**PLAINTIFFS' FIRST SET OF INTERROGATORIES TO THE**  
**REPUBLICAN PARTY OF VIRGINIA**

1. Identify and State how many petition signatures the Republican Party of Virginia received from the Virginia State Board of Elections requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States. *(Instruction: For the purpose of this interrogatory, include the count prior to your review of the signatures, counting all signatures whether considered valid or invalid.)*

ANSWERS TO INTERROGATORY NUMBER 1:

2. Identify and State how many petition signatures the Republican Party of Virginia counted as valid signatures of qualified voters requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States.

ANSWERS TO INTERROGATORY NUMBER 2:

3. Identify and State every specific different reason, type of defect, or category of

deficiency for which the Republican Party of Virginia disqualified petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States.

ANSWERS TO INTERROGATORY NUMBER 3:

4. Identify and State how many petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the address of the signer was incomplete on the petition form.

ANSWERS TO INTERROGATORY NUMBER 4:

5. Identify and State how many petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the address of the signer was illegible on the petition form.

ANSWERS TO INTERROGATORY NUMBER 5:

6. Identify and State how many petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the signer did not provide any address on the petition form.

ANSWERS TO INTERROGATORY NUMBER 6:

7. Identify and State how many petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the signer was actually identified as definitely not being registered to vote in Virginia. *(Instruction: Because it is improbable that the Republican Party of Virginia would be able to identify a signer as a fictitious person, as opposed to simply not appearing on the rolls of registered voters, you are requested to include in answer to this interrogatory any signers that you determined to be fictitious persons, although you are invited to separately identify such fictitious signers if you wish, such as if you have that information readily available.)<sup>1</sup>*

ANSWERS TO INTERROGATORY NUMBER 7:

**8.** Identify and State how many petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the circulator of the petition form upon which the signature appeared was not a registered voter in Virginia.

**ANSWERS TO INTERROGATORY NUMBER 8:**

**9.** Identify and State how many petition signatures, other than those already addressed in your answer to interrogatory number 8, requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the petition form upon which the signature appeared was not signed under oath pursuant to the signature form provided on the petition form.

**ANSWERS TO INTERROGATORY NUMBER 9:**

**10.** Identify and State all circulator(s) of petition forms requesting that Newt Gingrich

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<sup>1</sup> Instruction to Interrogatory No. 7 was incorrectly placed under Interrogatory No. 8 in original version

appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States which the Republican Party of Virginia determined were not registered voter(s) in Virginia. *(Note: You may provide these under protective order or confidentiality agreement to protect the names of circulators.)*

ANSWERS TO INTERROGATORY NUMBER 10:

**11.** Identify and State how many petition signatures, other than those already addressed in your answer to interrogatory number 8 and 10, requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia disqualified or did not count as valid because the petition form upon which the signature appeared was not properly filled out or prepared.

ANSWERS TO INTERROGATORY NUMBER 11:

**12.** Identify, Describe, and Explain what instructions the Republican Party of Virginia gave to all persons who reviewed petition signatures requesting that Newt Gingrich appear on the ballot for Virginia's March 6, 2012, primary election for the Republican nomination for President of the United States that the Republican Party of Virginia *reviewed*<sup>2</sup> to count the number of valid signatures.

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<sup>2</sup> Word "reviewed" added in amended version

ANSWERS TO INTERROGATORY NUMBER 12:

**INSTRUCTIONS AND DEFINITIONS**

1. These Instructions and Definitions are intended to clarify, not expand or enlarge, the Rules of the Virginia Supreme Court of Virginia and the Plaintiff intends for your responses to of course be governed by the Rules of the Virginia Supreme Court of Virginia. However, the following may be of assistance in your responses.

2. The following Definitions and Instructions also govern and clarify the interpretation and meaning of the following Interrogatories, which enables the wording of Interrogatories to be shorter and clearer, and thus these Definitions and Interrogatories form an essential part of each of the Interrogatories below.

3. As used herein, “you” refers to the Defendant(s).

4. The term “client” as used herein as synonymous with “customer.”

5. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party’s agents, employees, representatives, attorneys, and any other persons acting on the party’s behalf.

6. Where the knowledge or information in possession of a party is requested, such request includes knowledge of the party’s officers, directors, agents, representatives, employees, and, unless privileged, his attorneys.

7. Where an answer to an interrogatory is based on personal knowledge of a person other than the person signing the answers to these Interrogatories, identify the person on whose personal knowledge the information is based.

**8.** If any information is withheld because of a claim of privilege, state the name of the privilege and the facts which are asserted to support the claim of privilege.

**9.** Where the Interrogatory cannot be answered in full, state why, and furnish all available information nevertheless. Estimated data should be given when, but only when exact data cannot be supplied. Any estimated data should be identified as such. The source(s) and means of derivation of each estimate should be specifically set forth.

**10.** As used herein, “identify” or “identity”, when referring to an individual, a corporation or other entity, shall mean to set forth the full legal name, and if a corporation or other entity, its principal place of business, or if an individual, the present or last known address, his or her job title or titles, by whom employed and address of employment.

**11.** As used herein, the terms “document”, “book”, “records”, “correspondence”, or “writings” mean any handwritten, typewritten, printed, recorded, microfilmed or graphic material, however produced or reproduced, whether or not in the possession, custody or control of Defendant or any agent/legal representative or subordinate thereof, and whether or not claimed to be privileged against discovery on any grounds, including, but not limited to, letters, lists, inter/intra office memoranda, correspondence, manual(s), schedules, photographs, directives, sound recordings, ledgers, books of account, files, minutes and written statements of persons having knowledge of facts relevant to this case.

**12.** As used herein, “Person” shall include natural persons, as well as corporations, proprietorships, partnerships, joint ventures, associates, unions, governmental bodies and agencies, and any and all other entities.

**13.** As used herein, “Date” shall mean the exact day, month and year, if ascertainable, or, if not, the best approximation thereof including relationship to other events.

14. The word “or” is used in its inclusive sense. If, for example, an interrogatory requests identification of all documents indicating A or B, you should identify all documents which indicate B, as well as all documents which indicate both A and B. In other words, “or” may be read as “and/or”. Similarly, the word “any” may be read as “any and all”.

15. These Interrogatories are continuing in nature so as to require filing of supplemental answers and responses without further request should additional information, or information inconsistent with the information contained in the answers and responses to these Interrogatories become available to the party to whom these Interrogatories are directed.

16. Where additional space is needed to answer an interrogatory, attach additional sheets of paper, clearly identified as to specific interrogatory being answered.

Respectfully Submitted  
JONATHON MOSELEY

Plaintiffs, By Counsel

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 30, 2011, a copy of this Motion has been mailed by first-class mail, postage prepaid, to the Defendants at the addresses stated in the caption above

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Jonathon Moseley, Esq., VSB No. 41058