

EXHIBIT A

STATE OF MICHIGAN
COURT OF CLAIMS

MICHIGAN FAIR ELECTIONS
INSTITUTE,

Plaintiff,

No. 25-000179-MZ

v

HON. SIMA G. PATEL

MICHIGAN BUREAU OF ELECTIONS,

Defendant.

Thomas J. Lambert (P86348)
Attorney for Plaintiff
P.O. Box 144
Jamestown, Michigan 49427
616.275.2976
tlambert@tjplc.com

Heather S. Meingast (P55439)
Erik A. Grill (P64713)
Assistant Attorneys General
Attorneys for Defendant
P.O. Box 30736
Lansing, Michigan 48909
517.335.7659
meingasth@michigan.gov
grille@michigan.gov

AFFIDAVIT OF ADAM FRACASSI

I, Adam Fracassi, being duly sworn, voluntarily state as follows:

1. I can testify competently to the facts contained within this affidavit based upon my personal knowledge.
2. I am the Deputy Director of Elections with the Michigan Bureau of Elections (Bureau). The Bureau of Elections is an agency within the Michigan Department of State (Department). I have served in this capacity since September 16, 2024. I have been with the Bureau since May 6, 2018, and have served in a variety of different capacities.

3. In my current role, my responsibilities include supervising the public release of information, including coordinating with the work area that manages the state Qualified Voter File (QVF).

4. The Department of Technology, Management, and Budget (DTMB) is the state agency responsible for all of the Bureau of Elections information technology services, including the QVF.

5. DTMB has generally applicable policies and procedures for access to state-owned information technology to ensure security. These include the state-owned Qualified Voter File, Electronic Pollbook, and the eLearning database.

Qualified Voter File

6. The Qualified Voter File (QVF) is a state managed database that tracks voter registration, voter history, and voters' personal information. The QVF is a compilation of voter information that is entered by local clerks.

7. The requested records were for "copies of the underlying records referenced by the 'Entire State Next Election Voted List' standard report." *See* Plaintiff's Verified Complaint, Exhibit 1.

8. As the Bureau understands this request, Plaintiff is requesting the documents that triggered the data entries populating the report. The request was interpreted this way since the requestor specifically requested "copies of the underlying records referenced by the 'Entire State Next Election Voted List' standard report. For clarity, we are not requesting a copy of this report, rather we

are requesting copies of the underlying records in the tables queried to generate this report, whether the specific records would be included in the report or not.” *Id.*

9. Local clerks and their staff are responsible for entering the information into QVF regarding voting activity and retain all of the original documents (voter registration, absent voter application, and absent ballot return status). Once a clerk enters information into QVF, the information is not changed or altered by the Bureau and remains consistent across all reports run by the Bureau.


10. The Bureau is not provided with “copies of the underlying records referenced” by local clerks that are used to generate any of the reports from QVF as several provisions of Michigan Election Law and the Bureau’s administrative rules require the local clerks maintain custody of the records. See e.g. Mich comp laws §§ MCL 168.720j(10), 168.805, 168.811.

11. The Bureau generates reports from QVF using information entered into QVF from local clerks. The clerks maintain the original records that are used to enter voting information into QVF pursuant to the relevant laws and retention schedules.

12. The Bureau does not receive or maintain these records.

13. Therefore, the Bureau does not believe it has records responsive to this request, which is why the Bureau denied the FOIA request.

AFFIANT SAYS NOTHING FURTHER.


Adam Fracassi
Deputy Director of Elections

Michigan Department of State

Subscribed and sworn to before me, a Notary Public,

on the 26th day of January, 2026



Notary Public

Ingham County, Michigan

My Commission Expires: 4/30/29

Acting in the county of: Ingham

Jennifer L. McInerney
Notary Public - STATE OF MICHIGAN
County of Ingham
My Commission Expires April 30, 2029
Acting in the County of Ingham