



OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION

## CIVIL INVESTIGATIVE DEMAND

**To: Center for Technology and Civic Life,  
a.k.a. Center for Tech and Civic Life  
303 E. Wacker Drive  
Chicago, IL 60601**

*via email: [hello@techandcivicliflife.org](mailto:hello@techandcivicliflife.org) &  
[press@techandcivicliflife.org](mailto:press@techandcivicliflife.org)*

Pursuant to this office's specific authority under section 17.61 of the Texas Deceptive Trade Practices – Consumer Protection Act, sections 17.41-.63, Texas Business and Commerce Code (“DTPA”), Center for Technology and Civic Life, a.k.a. Center for Tech and Civil Life is hereby directed to produce the items listed in “**Exhibit A**” attached hereto. Such production is governed by the instructions and definitions on this page and subsequent pages.

You are to make available the documentary material described in “**Exhibit A**” to Steven Robinson, the undersigned Assistant Attorney General, or other authorized agent(s) identified by the Consumer Protection Division (“Division”). **This documentary material is to be produced by December 8, 2022 (the “return date”) for inspection and copying.** In lieu of producing the originals for inspection and copying at your principal place of business, you may deliver true copies of the requested documents to Steven Robinson by the return date. Copies of the requested materials may be sent to the Authorized Agent(s) below at the Office of the Attorney General, 300 W. 15<sup>th</sup> Street, Austin, Texas 78701.

The Division believes that Center for Technology and Civic Life, a.k.a. Center for Tech and Civil Life is in possession, custody, or control of documentary material relevant to the subject matter of an investigation of possible violations of §§ 17.46(a) and (b) of the DTPA, related to false, misleading, and/or deceptive practices in solicitations of donations.

**TAKE NOTICE THAT pursuant to section 17.62, Texas Business and Commerce Code, any person who attempts to avoid, evade, or prevent compliance, in whole or in part, with this directive by removing, concealing, withholding, destroying, mutilating, altering, or by any other means falsifying any documentary material may be guilty of a misdemeanor and on conviction is punishable by a fine of not more than \$5,000.00 or by confinement in the county jail for not more than one year, or both.**

**ISSUED THIS Thursday, November 10, 2022.**

*/s/ Steven Robinson*

Steven Robinson

Assistant Attorney General

Telephone: (512) 463-2185

Facsimile: (512) 473-8301

Email: [Steven.Robinson@oag.texas.gov](mailto:Steven.Robinson@oag.texas.gov)

## Instructions

1. **Read These Instructions/Definitions.** Read these instructions and definitions carefully.
2. **Duty to Preserve Documents.** All documents and/or other data which relate to the subject matter or requests of this Civil Investigative Demand must be preserved. *Any ongoing, scheduled or other process of document or data destruction involving such documents or data must cease even if it is your normal or routine course of business for you to delete or destroy such documents or data and even if you believe such documents or data are protected from discovery by privilege or otherwise.* Failure to preserve such documents or data may result in legal action and may be regarded as spoliation of evidence under applicable law.
3. **Relevant Dates.** Unless otherwise noted, the requests in this Civil Investigative Demand require production of documents for each year from January 1, 2019 to the final date of your production of responsive documents, herein called “the relevant time period.”
4. **Custody and Control.** In responding to this Civil Investigative Demand, you are required to produce not only all requested documents in your physical possession, but also all requested documents within your custody and control, including those within the possession of persons reasonably available to you or under your direction or control.
5. **Identification of Documents not in Custody or Control.** If any responsive document was, but no longer is, in your possession, custody or control, produce a description of each such document. The description shall include the following:
  - a. The name of each author, sender, creator, and initiator of such document;
  - b. the name of each recipient, addressee, or party for whom such document was intended;
  - c. the date the document was created;
  - d. the date(s) the document was in use;
  - e. a detailed description of the content of the document;
  - f. the reason it is no longer in your possession, custody or control; and
  - g. the document’s present whereabouts.

If the document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the document was destroyed or otherwise disposed of, and the date and manner of the destruction or disposal.

6. **Privileged Documents.** If any responsive document is withheld, in whole or in part, under any claim of privilege, provide a detailed privilege log that contains at least the following information for each document or partial document that you have withheld:
  - a. the document’s control numbers;
  - b. all authors of the document;
  - c. all addressees of the document;
  - d. all recipients of the document or of any copies of the document, to the extent not included among the document’s addressees;
  - e. the date of the document;

- f. a description of the subject matter of the document sufficient to determine the applicability of the privilege;
  - g. the nature or type of the privilege that is being asserted for the document (e.g., “attorney-client privilege”);
  - h. the specification(s) of the Demand to which the document is responsive;
  - i. the document control number(s) of any attachments to the document, regardless of whether any privilege is being asserted for such attachment(s); and
  - j. whether the document has been produced in redacted form, and if so, the range of the control numbers for the document.
7. **Trade Secrets.** It is your responsibility to clearly designate which, if any, of the requested documents contain trade secrets, in accordance with Section 17.61(f) of the Texas Business and Commerce Code.
8. **Consult Before Producing Documents.** Before processing or making copies of hard copy documents or electronically stored information in response to this Civil Investigative Demand, you must consult with the designated representative(s) of the Office of the Attorney General, (“OAG”) identified above and reach agreement on the format and method of production.

Likewise, before producing any *original* documents, you are required to consult with one of the designated representatives of the OAG identified above to obtain approval. If you produce original documents, the OAG cannot guarantee their return.

9. **You May Produce Copies.** Subject to the consultation requirement noted above, you may submit photocopies (with color photocopies where necessary to interpret the document) in lieu of original hard-copy documents, provided that such copies are accompanied by an affidavit of Center for Technology and Civic Life, a.k.a. Center for Tech and Civic Life stating that the copies are true, correct, and complete copies of the original documents, and (if appropriate) were generated and maintained in the ordinary course of your business, and provided that where the original contains colored text or images, a color copy must be provided.
10. **Non-identical Copies to be Produced.** Identical copies of responsive documents need not be produced. However, any copy of a document that differs in any manner, including but not limited to the presence of handwritten notations, different senders or recipients, etc. must be produced.
11. **No Redaction.** All materials or documents produced in response to this Civil Investigative Demand shall be produced, except as deemed privileged, in complete unabridged, unedited and unredacted form, even if portions may contain information not explicitly requested, or might include interim or final editions of a document.
12. **Documents to be Bates Numbered.** Mark each page or electronic medium (e.g., disk, tape, or CD) with individual or corporate identification and eight-digit consecutive document control numbers (e.g., DOE-12345678; CORP-12345678). Hardcopy bound pamphlets or books may be marked with a single identification and control number. Documents as to which privilege is asserted are to also receive identification and control numbers.

If your production will be more than one box or piece of electronic media, number each box or electronic media, as well as the total number of boxes/media (eg, box 1 of 13) and mark each with the name(s) of the person(s) whose files are contained therein, the requests(s) to which they are responsive, and the document control numbers contained therein.

13. **Document Organization.** *Each document and other tangible thing produced shall be clearly designated as to which request, and each sub-part of a request, that it satisfies. The documents produced shall be identified and segregated to correspond with the number and subsection of the request.*
14. **Production of Electronic Documents.** Unless otherwise agreed to in writing by the designated OAG representative, electronically stored information shall be produced in electronic form. Before you prepare documents or information for production in electronic form in order to comply with this Civil Investigative Demand (for example, before you attempt to process electronically stored information or image hard copy documents), you must consult with the designated representative(s) of the OAG identified above and reach agreement regarding the format and method of production.
15. **Questions.** Questions concerning this Civil Investigative Demand should be directed to Assistant Attorney General Steven Robinson at 512-463-2185.

## Definitions

1. **“You,” “your,” “the business,” “Center for Technology and Civic Life, a.k.a. Center for Tech and Civic Life” or “CTCL”** means Center for Technology and Civic Life, a.k.a. Center for Tech and Civic Life and any assumed names they do business as, their past and present officers, employees, agents and representatives, parents and predecessors, divisions, subsidiaries, affiliates, partnerships and joint ventures, and includes all persons and entities acting or purporting to act under the guidance or on behalf of any of the above. The terms “subsidiary,” “affiliate,” and “joint venture” refer to any firm in which there is total or partial ownership (25 percent or more) or control between the company and any other person or entity.
2. **“Document”** means the original and all non-identical copies (whether different from the original because of notes, underlining, attachments, or otherwise) of all computer files, and all written, printed, graphic or recorded material of every kind, regardless of authorship. It includes communications in words, symbols, pictures, photographs, sounds, films, and tapes, as well as electronically stored information, computer files, together with all codes and/or programming instructions and other materials necessary to understand and use such systems. The term “computer files” includes information stored in or accessible through computers or other information retrieval systems and includes but is not limited to drafts of documents, metadata, embedded, hidden and other bibliographic or historical data describing or relating to documents created, revised, or distributed on computer systems, as well as spreadsheets and their underlying cell formulae and other codes. Thus, you should produce documents that exist in machine-readable form, including documents stored in personal computers, portable computers, workstations, minicomputers, phones, pagers, personal data/digital assistants, archival voice storage systems, group and collaborative tools, electronic messaging devices, mainframes, servers, backup disks and tapes, archive disks and tapes, and other forms of offline storage, whether on or off your premises. This definition covers electronic mail messages (“e-mail”), text messages, voice mail, and all other documents in the possession of you and/or your directors, officers, managers, or employees, whether located at their home or office, whether on work or personal devices. Notice: Unless otherwise specified, the term "document" excludes bills of lading, invoices in non-electronic form, customs declarations, purchase orders, and other similar documents of a purely transactional nature.
3. **“Communication”** means any exchange or transmission of words or ideas to another person or an entity, including without limitation conversations, discussions, letters, memoranda, meetings, notes, speeches, or other transfer of information, whether written, oral, or by any other means, whether direct or indirect, formal or informal, and includes any document which abstracts, digests, transcribes or records any such communication.
4. **“Entity”** means legal or business entity of any kind and includes, without limitation, corporations, partnerships, joint ventures, associations, governmental bodies, and trusts.
5. **“Evidencing”** means having any tendency to make the existence of any fact related to the request more probable than it would be without the evidence.
6. **“Identify”** means
  - a. Regarding an individual, to identify that individual’s:
    - i. name;
    - ii. current or last known telephone numbers at business and home; and

- iii. current or last known business and home addresses.
  - b. Regarding a person other than an individual, to identify:
    - i. its full name;
    - ii. the nature of its organization;
    - iii. the address and telephone number of its principal offices and, if applicable, the state in which it is incorporated; and
    - iv. its principal line of business or activity.
  - c. Regarding any other tangible thing, to identify:
    - i. what it is, giving a reasonably detailed description thereof;
    - ii. when, where, and how it was made, if applicable;
    - iii. who made it, if applicable; and
    - iv. its current custodian or the person that had last known possession, custody, or control thereof.
7. **“Including”** means including, but not limited to.
8. **“Person”** includes you and means any entity or natural person.
9. **“Relate,” “related,”** and **“relating”** mean being in any way legally, logically, or factually connected with the subject matter of the request at issue.
10. The words **“and”** and **“or”** shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of the request, any document(s) that might be deemed outside its scope by another construction.
11. Unless the context otherwise clearly indicates, words used in the singular include the plural, the plural includes the singular, and the neuter gender includes the masculine and the feminine.

## **EXHIBIT A: DOCUMENTS TO BE PRODUCED**

1. Produce a copy of every version of CTCL's website for the relevant time period.
2. Produce a copy of every version of the "Donate" page of CTCL's website for the relevant time period.
3. Produce a copy of every version of the "Home," "About," and/or "Our Story" page(s) of CTCL's website for the relevant time period.
4. Produce documents identifying any public statement(s) made by CTCL and/or its employees, agent(s), representative(s), or other(s) speaking on its behalf that describe or characterize the nature of CTCL's mission and work.
5. Produce every letter, email, text message, or other written solicitation for donations or contributions sent by CTCL, or on behalf of CTCL, or soliciting donations or contributions to CTCL, sent during the relevant time period.
6. Produce documents identifying all Texas residents solicited by CTCL's written solicitations.
7. Produce a copy of every social-media posting and/or social-media advertisement of CTCL that sought or seeks to solicit funds including the date of the posting and/or advertisement.
8. Produce documents identifying CTCL's social-media account(s).
9. Produce documents identifying all Texas subscribers to the social-media accounts identified in response to Request Number 8.
10. Produce documents identifying all CTCL solicitations in Texas for the relevant time period.
11. Produce all scripts used by CTCL to solicit donations in Texas.
12. Produce documents identifying every donation or contribution received from any person or entity located in Texas, residing in Texas, having offices in Texas, or who conducts business in Texas.
13. Produce documents identifying any professional fundraiser who has solicited funds on behalf of CTCL, and identify any organized fundraising event conducted to raise funds, in whole or in part, for CTCL.
14. Produce documents identifying every grant provided or anticipated to be provided to any person or entity in Texas relating to any election(s) occurring in 2022, including the recipient(s) of any such grant and the person(s) involved in awarding and/or administering any such grant.
15. Produce a copy of any document(s) and communication(s) that relate to any Texas-related grant identified in response to Request Number 14.
16. Produce copies of all of CTCL's IRS Form 990s, for the period from 2012 to the present.
17. Produce copies of all of CTCL's charitable registration forms and/or charitable registration paperwork filed in any State.

18. Produce documents identifying every effort by CTCL to solicit donations or contributions from any individual or entity located in or residing in the State of Texas.
19. Produce all documents soliciting applications for grants to any public-sector entities relating to any election(s) to be conducted in 2022.
20. Produce any communications discussing or relating to the allocation of CTCL grant money within the State of Texas related to election(s) occurring in 2022.
21. Produce documents identifying all entities who received monetary disbursements from your organization for the relevant time period.

In lieu of producing documents responsive to Request No. 21, you may also produce a current, electronically searchable list (in Excel-compatible format), whether created as a query or report from existing applications or databases, or created separately, that contains the above-referenced information.

22. Produce documents identifying any agent(s), employee(s), or other representative(s) of CTCL that are or were involved in the granting or administration of any election-related grants or other funding granted in Texas or to Texas entities related to election(s) occurring in 2022.
23. Produce any documents and communications providing instructions or guidance to grant applicants or recipients of COVID-19 response grants on how the funds can or could be used.
24. Produce any documents and communications reflecting or relating to any invitation or solicitation by CTCL to any government entity, inviting or encouraging that government entity to apply for a grant.
25. Produce any documents and communications with, mentioning, or involving the U.S. Alliance for Election Excellence, or any individual associated with the U.S. Alliance for Election Excellence.
26. Produce any Documents and Communications with, mentioning, or involving Michael Spitzer-Rubenstein, a.k.a. Michael Spitzer Rubenstein.
27. Produce any Documents and/or Communications with, mentioning, or involving Amber McReynolds.
28. Produce any documents and/or communications with, mentioning, or involving the Texas Secretary of State's Office or any officer or individual associated with that Office.
29. Produce any documents and/or communications relating to access by CTCL, its employees, partners, or allied person(s) or organization(s), to raw voter data maintained by the election authority or authorities of any State.
30. Produce any documents and/or communications relating to sharing by CTCL, its employees, partners, or allied person(s) or organization(s), of raw voter data maintained by the election authority or authorities of any State, with any other individual or organization.



31. Produce any Documents or Communications with or mentioning any of the following persons or entities, or including any of the following words or phrases:

- a. The National Vote at Home Institute (a.k.a. "VoteAtHome" or "NVAHI")
- b. The Elections Group
- c. US Digital Response, a.k.a. Digital Response
- d. Center for Civic Design
- e. Kris Teske
- f. Voter Participation Center
- g. healthyvoting.org
- h. Simon and Company, Inc.
- i. New Venture Fund
- j. Center for Secure and Modern Elections (a.k.a. "CSME," "Centers for Secure and Modern Elections")

32. Produce documents sufficient to identify any allied or partner organization that CTCL worked with during the 2020 election cycle.