

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ELECTRONIC PRIVACY INFORMATION CENTER

Plaintiff,

v.

PRESIDENTIAL ADVISORY COMMISSION ON  
ELECTION INTEGRITY, et al.

Defendants.

Civ. Action No. 17-1320 (CKK)

**NOTICE**

Plaintiff Electronic Privacy Information Center (“EPIC”) hereby respectfully gives the Court notice of a Joint Letter that was sent today, July 19, 2018, to opposing counsel to make clear that neither EPIC nor the other plaintiffs (1) oppose the deletion of state voter data that was obtained by the Commission or (2) assert any litigation hold over the data.

On June 20, 2018, counsel for Defendants Presidential Advisory Commission on Election Integrity (“the Commission”) sent a letter to counsel for EPIC and five other plaintiffs engaged in separate litigation against the Commission. *See* Notice of Compliance Ex. A, ECF. No. 61–2. The letter stated that “the White House intends to destroy all state voter data” collected by the Commission and that the National Archives and Records Administration had deemed it “reasonable to dispose of” such data. *Id.* at 3. The letter also requested “written consent [from the plaintiffs] before proceeding further.” *Id.* at 4.

On July 19, 2018, counsel for EPIC and the five other plaintiffs sent the attached Joint Letter. *See* Ex. 1. The plaintiffs informed counsel that “We do not oppose the deletion of data

from state voter rolls that was provided to the Commission in response to Mr. Kobach's request, and we do not assert any litigation hold over the data." *Id.*

EPIC has at no time asserted a litigation hold over the voter data collected by the Commission, and EPIC does not believe that its consent is required for the White House to delete personal data that was unlawfully obtained. Nevertheless, the attached letter removes any doubt about the White House's ability to "execute the disposal" of the voter data, as it has committed to doing. Fourth Declaration of Charles C. Herndon ¶ 7, ECF No. 61-1.

EPIC also notes that after the January dissolution of the Commission and the deletion of all state voter data collected by the Commission, the Defendants will have unilaterally provided all substantive relief that EPIC sought in its Complaint.

Respectfully Submitted,

/s/ Marc Rotenberg  
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Dated: July 19, 2018

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