

Exhibit A

LAW OFFICES OF LINDA A. KERNS, LLC

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LINDA A. KERNS (PA, NJ, LL.M. IN TAXATION)

September 29, 2020

Via Email Only

Commissioner Lisa M. Deeley
Lisa.Deeley@phila.gov
City Hall Room 130
Philadelphia, PA 19107

Commissioner Al Schmidt
Al.Schmidt@phila.gov
City Hall Room 134
Philadelphia, PA 19107

Commissioner Omar Sabir
Omar.Sabir@phila.gov
City Hall Room 132
Philadelphia, PA 19107

Re: Transparency and Accountability in General Election 2020

Dear Commissioners:

I represent Donald J. Trump for President, Inc. (the "Campaign"). Today, the Philadelphia County Board of Elections denied, and continues to deny, the Campaign its statutory right to have watchers observe the voting process. Free and fair elections require transparency and accountability. All voters deserve as much. To the extent that your office prohibits the Campaign from monitoring the casting of ballots, the Campaign will seek court intervention.

The Office of the Philadelphia City Commissioners announced that as of September 29, 2020, seven satellite election offices would be opened in Philadelphia County. Pursuant to the notice published on www.philadelphiavotes.com: "These offices will allow voters to register to vote, if needed, request a mail-in ballot in-person, receive it, vote, and return it, all at the same location. In addition, voters could bring already voted ballots, making the satellite offices also drop-off locations." Accordingly, your office clearly announced to the public that voters would cast ballots at these satellite locations.

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As you know, the Pennsylvania legislature enshrined transparency into our law by mandating that each candidate shall be entitled to appoint poll watchers. 25 P.S. § 2687. Additionally, Pennsylvania law allows for the appointment of watchers at “any public session or sessions of the county board of elections....” 25 P.S. § 2650.

On September 29, 2020, qualified registered electors of Philadelphia County appeared at the satellite election offices on behalf of the Campaign to observe voters casting their ballots and to observe the operations of these satellite election offices as the business conducted appears to essentially be a public session of the county board of elections. Representatives of the County Board of Elections denied admission to these watchers.

At the satellite election office located at The Liacouras Center, 1776 N Broad St., the following exchange occurred between a Trump Campaign official¹ and Nick Custodio of the Philadelphia Board of Elections:

Trump Campaign Official: “Where [can] the Trump Campaign ... put their watchers on the inside?” Custodio responded that they must remain outside.

Trump Campaign Official: “So, it’s not a polling place, the inside?”

Custodio: “It’s not a polling place.”

Trump Campaign Official: “Are people voting inside?”

Custodio: “They are voting...they are voting inside our office.”

Trump Campaign Official: “So how is it not a polling place?”

Custodio: “This is a county board of elections officeonly those people who are in the act of being serviced by the board of elections are able to enter the office...this is not a polling place, this is an office.”

At Julia DeBurgos Elementary located at 401 West Lehigh Avenue, the following exchange occurred between a Trump Campaign Official and Commissioner Al Schmidt about access for poll watchers.

Schmidt: “The law department explained that these are not polling places. There are no votes being recorded here. It’s people filling out and requesting mail in ballot applications. So what they do is they go in, you fill out a mail in ballot application, you generate the mail in ballot application, you complete the ballot application and they drop it in a box.”

¹This Trump Campaign Official is a qualified registered elector of Philadelphia County.

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Trump Campaign Official: "So that's not voting?"

Schmidt: "The vote isn't being recorded, that's what I was trying to say."

Trump Campaign Official: "What does that mean?"

Schmidt: "I don't know, I'm not a lawyer. But here's what I can tell you. The law department explained that these aren't polling places, they are board of election offices just the same as the board of election office in city hall is a board of election office."

Trump Campaign Official: "I walk in, I apply, I'm given a ballot, I vote the ballot but you're saying that isn't voting."

Schmidt: "It's not a semantic conversation...."

Similar conversations occurred at each of the satellite election offices. No one questions that Philadelphians are voting at these locations. Accordingly, the denial to the Campaign of watchers lacks any rational basis and deprives the Campaign of its right to monitor the process. I also note that the Campaign is not requesting access to any non-public places. Board of Election offices are funded by the taxpayer and should be accessible to the public. If these satellite election offices are not polling places, then they are public places and the Campaign should not be denied access.

Kindly contact me so that we can remedy this violation of Pennsylvania law and ensure that candidates on the ballot in the current election have the ability to have watchers on their behalf as votes are being cast. I ask your cooperation in immediately providing watcher certificates to representatives of the Campaign and ensuring their access where votes are cast. If you are taking the position that these satellite election offices are not polling places, then I seek your confirmation that the public will be allowed access.

The entire debacle that played out in Philadelphia today should concern everyone who promotes election integrity. Why would a Philadelphia City Commissioner defer to lawyers from the City Law Department regarding the definition of voting? Commissioner Schmidt played semantic games while denying that he was doing so. Philadelphians deserve better.

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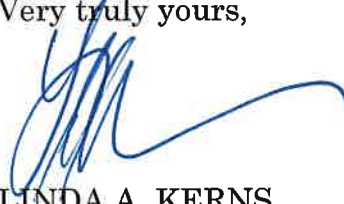
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If we have not satisfactorily resolved this matter by tomorrow at 5:00 pm, the Campaign will seek court intervention.

Very truly yours,



LINDA A. KERNS

LAK/lk

cc: Donald J. Trump for President, Inc.

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