

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

HON. FANI T. WILLIS,

Petitioner,

v.

**HON. BILL COWSERT, CHAIR
OF THE GEORGIA SENATE
SPECIAL COMMITTEE ON
INVESTIGATIONS, HON. GREG
DOLEZAL, VICE-CHAIR OF THE
GEORGIA SENATE SPECIAL
COMMITTEE ON
INVESTIGATIONS, HON. JASON
ESTEVEZ, HON. JOHN F.
KENNEDY, HON. BLAKE
TILLERY, HON. HAROLD
JONES, HON. THOMAS ‘BO’
HATCHETT, HON. STEVE
GOOCH and HON. GLORIA
BUTLER.**

Respondents.

CIVIL ACTION

FILE NO.

**PETITION FOR INTERLOCUTORY INJUNCTION
AND DECLARATORY RELIEF**

COMES NOW, PETITIONER HON. FANI T. WILLIS, by and through her attorney of record, and files her petition for declaratory and injunctive relief pursuant to O.C.G.A. § 9-4-1 et seq., O.C.G.A. § 9-5-8, and O.C.G.A. § 9-11-65, as follows:

PARTIES

1.

Petitioner Hon. Fani T. Willis (herein after “Willis”) is a resident of Fulton County and the State of Georgia and is the current District Attorney for Fulton County. She assumed her office on January 1, 2021.

2.

Respondent Hon. Bill Cowsert, Chair of the Georgia Senate Special Committee on Investigations (herein after “Cowsert”) is a resident of Athens-Clarke County, Georgia residing at 415 W Rutherford Street, Athens, Georgia 30606, and may be served at this address. He is currently a Republican member of the Georgia Senate and represents District 46.

3.

Respondent Hon. Greg Dolezal, Vice-Chair of the Georgia Senate Special Committee on Investigations (herein after “Dolezal”) is a resident of Forsyth County, Georgia residing at 5430 Travis Court, Cumming, Georgia 30040, and may be served at this address. He is currently a Republican member of the Georgia Senate and represents District 27.

4.

Respondent Hon. Jason Esteves, a member of the Georgia Senate Special Committee on Investigations (herein after “Esteves”) is a resident of Fulton County,

Georgia residing at 2255 Adams Drive NW, Atlanta, Georgia 30318, and may be served at this address. He is currently a Democratic member of the Georgia Senate and represents District 35.

5.

Respondent Hon. John F. Kennedy, a member of the Georgia Senate Special Committee on Investigations (herein after “Kennedy”) is a resident of Monroe County, Georgia residing at 5 Dunedin Court, Macon, Georgia 31210, and may be served at this address. He is currently a Republican member of the Georgia Senate and represents District 18.

6.

Respondent Hon. Blake Tillery, a member of the Georgia Senate Special Committee on Investigations (herein after “Tillery”) is a resident of Toombs County, Georgia and may be served at his office address at 404 Durden Street, Vidalia, Georgia 30474. He is currently a Republican member of the Georgia Senate and represents District 19.

7.

Respondent Hon. Harold Jones, a member of the Georgia Senate Special Committee on Investigations (herein after “Jones”) is a resident of Richmond County, Georgia residing at 3014 Breeze Hill Drive, August, Georgia 30906, and may be served at this address. He is currently a Democratic member of the Georgia Senate

and represents District 22.

8.

Respondent Hon. Thomas ‘Bo’x Hatchett, a member of the Georgia Senate Special Committee on Investigations (herein after “Hatchett”) is a resident of Habersham County, Georgia residing at 388 Habersham Terrace, Cornelia, Georgia 30531, and may be served at this address. He is currently a Republican member of the Georgia Senate and represents District 50.

9.

Respondent Hon. Steve Gooch, a member of the Georgia Senate Special Committee on Investigations (herein after “Gooch”) is a resident of Lumpkin County, Georgia residing at 425 South Chestatee Street, Dahlonega, Georgia 30533, and may be served at this address. He is currently a Republican member of the Georgia Senate and represents District 51.

10.

Respondent Hon. Gloria Butler, a member of the Georgia Senate Special Committee on Investigations (herein after “Butler”) is a resident of DeKalb County, Georgia residing at 6241 Southland Trace, Stone Mountain, Georgia 30087, and may be served at this address. She is currently a Democratic member of the Georgia Senate and represents District 55.

JURISDICTION AND VENUE

11.

This court has subject matter jurisdiction pursuant to Ga. Const. art. VI, § IV, para. I and O.C.G.A. § 9-4-2 and O.C.G.A. § 9-11-65.

12.

Venue is proper before this Court because one of the Respondents against whom substantial relief is prayed resides in this County. O.C.G.A. § 9-10-30.

FACTUAL BACKGROUND

13.

In February 2021, the Fulton County District Attorney's office launched an investigation into alleged efforts by former President Donald Trump and others to overturn the 2020 election victory of Democratic candidate Joseph R. Biden and instead unlawfully award the State of Georgia's electoral votes to Trump.

14.

The District Attorney's office convened a Special Purpose Grand Jury and presented evidence and testimony before it. The Grand Jury returned criminal indictments of the former president and 18 other defendants on August 14, 2023. That case has been ongoing in this Court ever since (the "Prosecution").

15.

From the beginning, the Prosecution has been under political attack by allies

of President Trump. Certain Members of the Committee are among those who have attacked it.

16.

During the course of the Prosecution, several defendants filed motions to disqualify Petitioner's office from the Prosecution as a result of her personal relationship with former Special Counsel Nathan Wade, who had helped secure the indictments in the Prosecution and shepherded the case towards trial until his resignation on March 15, 2024. This Court rejected those efforts on March 15, 2024 and held the Prosecution could move forward. That decision is currently on appeal before the Georgia Court of Appeals. (Case No. A24A1599, currently scheduled for oral arguments in December of 2024)

17.

On January 26, 2024, the Georgia Senate passed on a party-line vote Senate Resolution 465 creating the Committee. The Resolution targets Petitioner by name and claims (contrary to this Court's ultimate ruling) that the relationship between Petitioner and Former Special Counsel Wade would "constitute a clear conflict of interest," establish "grounds for . . . recusal from further involvement in the prosecution" of Former President Trump and others. S.R. at 1-2. The Resolution further alleges the aforementioned facts would "subject District Attorney Willis and potentially others to discipline by the State Bar of Georgia or other entities" and

“bring her and her office into disrepute” and “cast significant doubt as to the validity of the charges her office has brought in regard to the 2020 Presidential Election.” S.R. 465 at 1-2.

18.

The Resolution further incorrectly claims the Committee has the power to compel the appearance and testimony of witnesses and the production of records. *Id.* at 3.

19.

Multiple members of the Committee have signed onto the false theory that Georgia’s 2020 presidential election results were fraudulent.

20.

Vice Chair Dolezal, for example, was one of four Georgia Senators to circulate a draft Senate petition in early December of 2020 seeking to hold a special session to appoint an alternative slate of presidential electors contrary to the will of the voters of Georgia.

21.

Vice Chair Dolezal also signed an *amicus* brief supporting the State of Texas’s efforts to sue the State of Georgia and enjoin the State’s certification of the 2020 election results. Motion for Leave to File Amici Curiae Brief, Motion for Leave to File Brief Under Rule 33.2, and Amici Curiae Brief of William Ligon, Greg Dolezal,

Brandon Beach, Burt Jones, Et Al., No.22O155, December 10, 2020.

22.

Committee Members and Senators Tillery and Gooch signed onto a Press Release “applaud[ing] the State of Texas for recognizing that the failure of the State of Georgia to follow its own election laws has violated the Equal Protection Act [sic] of the U.S. Constitution.” <https://senatepress.net/senators-applaud-state-of-texas-election-challenge.html>.

23.

The Senate adjourned *sine die* on or about March 28, 2024.

24.

On August 22, 2024, nearly five months after the Senate adjourned, the Committee issued and served two subpoenas to Petitioner. Copies of the subpoenas are attached hereto as Exs. 1 and 2.

25.

The subpoenas were issued solely by the Committee, not by the General Assembly acting as a whole. *See* O.C.G.A. § 45-15-19.

26.

The subpoenas were not issued by the Ethics Committee for either the Georgia House of Representatives or the Georgia Senate. No member of the Committee made an application to a judge of this Court seeking permission to issue, serve, and enforce

such subpoenas.

27.

The subpoenas' broad demands to produce documents are profoundly harmful to the Prosecution. For example, the subpoenas seek every single e-mail between Petitioner and Former Special Counsel Wade for the last five years. By its own terms, this request seeks privileged documents concerning the Prosecution. The subpoenas also seek every text message exchanged between Petitioner and Former Special Counsel Wade for the last five years, regardless of their relevance to any legislative purpose. Even if Petitioner were to direct her office to provide only a privilege log for such documents, the financial and temporal burdens to comply with the subpoenas would be immense. Such demands would also seriously harm the important work her office does in keeping the citizens of Fulton County safe from crime.

28.

The Subpoenas lack a legitimate legislative purpose and are intended to punish or "try" Petitioner, to "exposure for the sake of exposure," and to interfere with and cast doubt upon the Prosecution.

29.

The Subpoenas violate the Separation of Powers clause of the Georgia Constitution by seeking to exercise executive power and by interfering with

Petitioner's exercise of her duties.

30.

The Subpoenas are overbroad and not reasonably tailored to a legitimate legislative need.

31.

The Subpoenas seek confidential and privileged information, as well as private and personal information that is not the legitimate target of a legislative subpoena.

COUNT I: DECLARATORY JUDGMENT

32.

Petitioner incorporates by reference and re-allege paragraphs 1-31 of this Petition as set forth herein.

33.

Petitioner is in a state of uncertainty and insecurity regarding her rights concerning the subpoenas. Specifically, the subpoenas are void because they are not consistent with any statutory grant of the legislative subpoena power, are void because they were issued while the Senate is adjourned, violate the separation of powers clause of the Georgia Constitution of 1983, and are overbroad and seek privileged and personal information.

34.

The purpose of a declaratory judgment is to settle and afford relief from uncertainty and insecurity with respect to parties' rights, status, and legal relations. O.C.G.A. § 9-4-1. This Court has the power to declare the rights and legal relations of an interested party petitioning for a declaratory judgment. O.C.G.A. § 9-4-2(a).

35.

There is an actual controversy between the parties with respect to Petitioner's obligation to comply with the subpoenas, and the scope of the subpoenas. A declaratory judgment will afford Petitioner relief from this controversy and the attendant uncertainty and will serve the ends of justice.

36.

Petitioner therefore brings a claim for declaratory judgment seeking a judgment concerning her obligations, if any, to comply with the subpoenas, and the scope of the subpoenas.

COUNT II: TEMPORARY, INTERLOCUTORY AND PERMANENT
INJUNCTION

37.

Petitioner incorporates by reference and re-alleges paragraphs 1-36 of this Petition as set forth herein.

38.

The subpoenas are unlawful and void, as well as overbroad. The subpoenas are causing and will cause Petitioner irreparable harm for which there is no adequate remedy at law. Specifically, the subpoenas will force Petitioner to divulge privileged and confidential information in violation of state law, threaten the integrity of the Prosecution, will profoundly burden Petitioner and her office given the scope of the productions requested, and undermine the rule of law by permitting legislative interference with an ongoing criminal case.

39.

By contrast, injunctive relief will cause no harm to the Respondents because they have no legitimate interest in void and unlawful subpoenas.

40.

Granting the requested relief will not disserve the public interest, and will in fact serve the public interest by allowing the Prosecution to move forward unimpeded by legislative interference.

41.

The Petitioner is entitled to the temporary injunctive relief sought herein, because she has a substantial likelihood of success on the merits as the Committee. The Committee's subpoenas are void because it issued the subpoenas after the legislature adjourned *sine die* and because the subpoenas are not within the statutory

grants of subpoena power. The subpoenas are further void because they violate the separation of powers clause of the Georgia Constitution and are overbroad.

42.

Petitioner therefore brings a claim for an interlocutory injunction pursuant to O.C.G.A. § 9-11-65 and a perpetual injunction pursuant to O.C.G.A. § 9-5-1 et seq.

43.

Counsel for Petitioner has served notice it will seek injunctive relief on an emergency basis as shown by the affidavit of counsel which is attached hereto as Exhibit 3.

WHEREFORE, Petitioner respectfully prays this Court:

- (a) Declare the subpoenas are void because they fall outside the statutory grants of legislative subpoena power and the Committee cannot exercise legislative subpoena power;
- (b) Declare the subpoenas are void because they were issued after the Senate adjourned sine die;
- (c) Declare the subpoenas are void because they violate the separation of powers clause of the Georgia Constitution of 1983;
- (d) Declare the subpoenas are void because they are overbroad and seek privileged and/or confidential information;
- (e) Issue an emergency interlocutory injunction enjoining enforcement of the

subpoenas pending a final hearing and decree; and

- (f) Issue a permanent injunction prohibiting the Committee members from pursuing or enforcing the subpoenas.

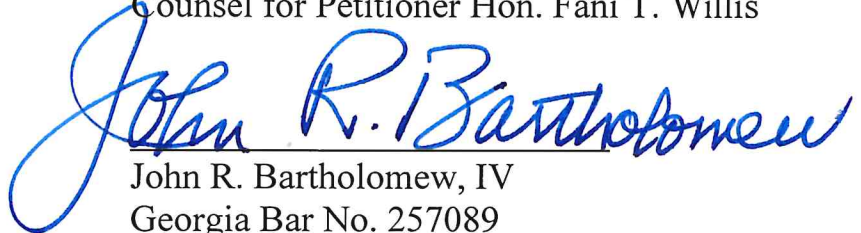
Respectfully submitted this 4th day of September, 2024.



Roy E. Barnes

Georgia Bar No. 039000

Counsel for Petitioner Hon. Fani T. Willis



John R. Bartholomew, IV

Georgia Bar No. 257089

Counsel for Petitioner Hon. Fani T. Willis

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roy@barneslawgroup.com
jbartholomew@barneslawgroup.com

EXHIBIT

1

SUBPOENA

BY AUTHORITY OF THE GEORGIA SENATE

To: Ms. Fani T. Willis

Testimony: Pursuant to the authority granted under Senate Resolution 465, you are hereby commanded to appear at the time, date, and place set forth below to testify at a public hearing of the Senate Special Committee on Investigations, of which Senator Bill Cowsert is chairperson.

Date: September 13, 2024

Time: 10:30 a.m.

Place: State Capitol Room 450, Atlanta, GA 30334

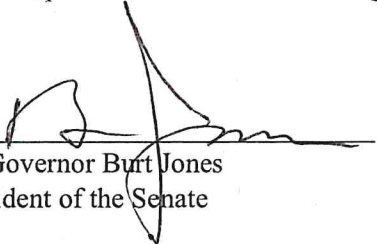
To: Any agent of the Senate Special Committee on Investigations of the age of 18 years or older or to any sheriff or sheriff's deputy to serve and make return.

Issued:

Date: August 2, 2024



Senator Bill Cowsert, Chair
Senate Special Committee on Investigations



Lt. Governor Burt Jones
President of the Senate

Attested:



Mr. David Cook
Secretary of the Senate

SUBPOENA for:

Ms. Fani T. Willis
Office of District Attorney
141 Pryor Street SW
Atlanta, GA 30303

Served:

**Return of Service
Georgia State Senate**

I served this Subpoena upon the within-named witness, Ms. Fani T. Willis,
on _____, 2024, at _____.

By:

- ☐ Delivering it in person
- ☐ Registered or certified mail

Signature: _____

Printed Name and Title: _____

BY AUTHORITY OF THE GEORGIA SENATE

ACKNOWLEDGMENT OF SERVICE OF SUBPOENA

NOW COMES Roy E. Barnes, counsel for the Honorable Fani T. Willis, and hereby acknowledges receipt and personal service of the Witness Subpoena issued by authority of the Georgia Senate dated August 2, 2024, and accepts on behalf of the Honorable Fani T. Willis and waives any further formal service.

Such acceptance does not constitute a waiver of rights to contest the validity and enforceability of said subpoena which the undersigned expressly contests and all rights to contest and object to the enforceability of the subpoena are expressly reserved.

This 22nd day of August, 2024.

By John R. Bartholomew
Roy E. Barnes John R. Bartholomew
Georgia Bar No.: 257089

31 Atlanta Street SE
Marietta, Georgia 30060

EXHIBIT

2

SUBPOENA DUCES TECUM

BY AUTHORITY OF THE GEORGIA SENATE

To: Ms. Fani T. Willis

Production. Pursuant to the authority granted under Senate Resolution 465, you are hereby commanded to produce the things identified on the attached schedule to the Senate Special Committee on Investigations, of which Senator Bill Cowser is chairperson, by producing such things to Mr. James Tripp in Room 353 of the Georgia State Capitol, in the city of Atlanta, no later than **September 6, 2024**, at the hour of **12:00 p.m.**

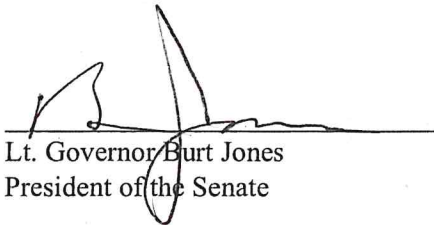
To: Any agent of the Senate Special Committee on Investigations of the age of 18 years or older or to any sheriff or sheriff's deputy to serve and make return.

Issued:

Date: August 2, 2024



Senator Bill Cowser, Chair
Senate Special Committee on Investigations



Lt. Governor Burt Jones
President of the Senate

Attested:



Mr. David Cook
Secretary of the Senate

SUBPOENA for:

Ms. Fani T. Willis
Office of District Attorney
141 Pryor Street SW
Atlanta, GA 30303

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

GENERAL INSTRUCTIONS

1. In complying with this Subpoena, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You are also required to produce documents that you have a legal right to obtain, documents that you have a right to copy or have access to, and documents that you have placed in the temporary possession, custody, or control of any third party. No records, documents, data, or information called for by this request shall be destroyed, modified, removed, or otherwise made inaccessible to the Senate Special Committee on Investigations (hereafter, the "Committee").

2. In the event that any entity, organization or individual denoted in this Subpoena has been, or is also known by any other name than that herein denoted, the Subpoena shall be read to also include them under that alternative identification.

3. Each document produced shall be produced in a form that renders the document susceptible of copying.

4. Documents produced in response to this Subpoena shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this Subpoena was served. Also identify to which paragraph from Schedule A to the Subpoena that such documents are responsive.

5. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same document.

6. If any of the subpoenaed information is stored in a computer, server, or other electronic device, indicate whether you have an existing program that will print the records in a readable form.

7. If the Subpoena cannot be complied with in full, it shall be complied with to the extent possible, which shall include an explanation of why full compliance is not possible.

8. In the event that a document is withheld on the basis of privilege, provide the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.

9. If any document responsive to this Subpoena was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, or control.

10. If a date set forth in this Subpoena referring to a communication, meeting, or other event is inaccurate, but the actual date is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date were correct.

11. This request is continuing in nature. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon location or discovery subsequent thereto.

12. All documents shall be Bates stamped sequentially and produced sequentially.

13. Please deliver all responsive documents to Mr. James Tripp who has been designated by the Committee as the custodian of records. His office is located in State Capitol Room 353, Atlanta, Georgia 30334.

GENERAL DEFINITIONS

1. The term "document" means any written, electronic, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra office communications, electronic mail (E-mail), private electronic messages, text messages, contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, drives, discs, and recordings) and other written, printed, typed, electronic, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, drive, disc, or videotape. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face to face, in a meeting, by telephone, mail, discussions, releases, personal delivery, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this Subpoena any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

SCHEDULE A

1. All documents relating to the personal relationship between you and Nathan Wade from the year 2019 to the present day.

2. All documents relating to the hiring of Nathan Wade by the office of the district attorney for the Atlanta Judicial Circuit.

3. All documents relating to services performed by Nathan Wade for the office of the district attorney for the Atlanta Judicial Circuit.

4. All documents relating to any sums of money received by Nathan Wade for services performed by Mr. Wade for the office of the district attorney for the Atlanta Judicial Circuit.

5. All documents relating to any sums of money or other things of value received by Nathan Wade from you.

6. All documents relating to any sums of money or other things of value received by you from Nathan Wade.

7. All documents referencing or containing text messages and emails exchanged between you and Nathan Wade.

8. All documents referencing or containing cell phone records and cell phone data relating to phones owned or used by Nathan Wade and/or you.

9. All documents relating to requests for documents from you or the office of the district attorney for the Atlanta Judicial Circuit by the United States House of Representatives, or any committee thereof, particularly any documents provided to the House Committee on the Judiciary in response to requests from the chair or ranking member of such committee during the year 2024.

10. All documents pertaining to communications between you or members of your staff from the office of the district attorney for the Atlanta Judicial Circuit and any official or staff member of the White House, the United States Department of Justice, the United States Senate (including any committee thereof), or the United States House of Representatives (including any committee thereof) pertaining to any investigation or prosecution relating to activities surrounding the 2020 presidential election.

11. All documents pertaining to any federal grant funds received by the office of the district attorney for the Atlanta Judicial Circuit from the years 2020 to the present, including, but not limited to, communications between employees of the office of the district attorney for the Atlanta Judicial Circuit about the receipt or use of federal grant funds; policies implemented by the office of the district attorney for the Atlanta Judicial Circuit regarding the receipt or use of federal funds; and any documents provided to Fulton County or any other government agency or political body regarding the receipt or use of federal grant funds by the office of the district attorney for the Atlanta Judicial Circuit.

12. All documents filed by the office of the district attorney for the Atlanta Judicial Circuit, any opposing party, and any *amicus curiae* with the Court of Appeals of Georgia in the pending matter of *Michael A. Roman v. The State* (Court of Appeals Case No. A24A1595). Please also provide the Committee with a copy of the full case record for this appeal.

13. Any documents relating to any employment action taken by you or the office of the district attorney for the Atlanta Judicial Circuit regarding Ms. Amanda Timpson.

Return of Service
Georgia State Senate

I served this Subpoena upon the within-named witness, Ms. Fani T. Willis,
on _____, 2024, at _____.

By:

- ☐ Delivering it in person
- ☐ Registered or certified mail

Signature: _____

Printed Name and Title: _____

BY AUTHORITY OF THE GEORGIA SENATE

ACKNOWLEDGMENT OF SERVICE OF SUBPOENA DUCES TECUM

NOW COMES Roy E. Barnes, counsel for the Honorable Fani T. Willis, and hereby acknowledges receipt and personal service of the Subpoena Duces Tecum issued by authority of the Georgia Senate dated August 2, 2024, and accepts on behalf of the Honorable Fani T. Willis and waives any further formal service.

Such acceptance does not constitute a waiver of rights to contest the validity and enforceability of said subpoena which the undersigned expressly contests and all rights to contest and object to the enforceability of the subpoena are expressly reserved.

This 22nd day of August, 2024.

By J. L. R. Bartholomew
Roy E. Barnes John R. Bartholomew
Georgia Bar No.: 257089

31 Atlanta Street SE
Marietta, Georgia 30060

EXHIBIT

3

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

HON. FANI T. WILLIS,

Petitioner,

v.

**HON. BILL COWSERT, CHAIR
OF THE GEORGIA SENATE
SPECIAL COMMITTEE ON
INVESTIGATIONS, HON. GREG
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ESTEVEZ, HON. JOHN F.
KENNEDY, HON. BLAKE
TILLERY, HON. HAROLD
JONES, HON. THOMAS 'BO'
HATCHETT, HON. STEVE
GOOCH and HON. GLORIA
BUTLER.**

Respondents.

CIVIL ACTION

FILE NO.

**AFFIDAVIT OF ROY E. BARNES REGARDING NOTICE FOR
EMERGENCY INJUNCTIVE RELIEF APPLICATION**

**PERSONALLY APPEARED BEFORE ME, A PERSON DULY
AUTHORIZED BY LAW TO ADMINISTER OATHS, CAME ROY E.
BARNES, WHO AFTER BEING SWORN AVERS AND DEPOSES AS
FOLLOWS:**

1.

My name is Roy E. Barnes, and I am sui juris and suffering under no

disability, and otherwise authorized to execute this affidavit.of

2.

I am a member of the State of Georgia Bar in good standing. My Georgia Bar Number is 039000. I have been admitted to practice and plead in the courts of this state since November 1, 1972.

3.

I am counsel for the Petitioner, Honorable Fani T. Willis, in the above styled case.

4.

On Tuesday, September 3, 2024, I personally spoke with Honorable Bill Cowser on the telephone at approximately 12:45 pm. I informed him that an emergency hearing before the Honorable Shermela Williams of the Superior Court of Fulton County, was scheduled for 2 pm in Courtroom 4A of the Fulton County Courthouse Justice Tower, 185 Central Avenue, S.W., Atlanta, Georgia 30303. I further informed him that the purpose of the hearing was to request on an emergency basis an interlocutory injunction of the enforcement of subpoenas issued by the Georgia State Special Committee on Investigations, of which he is Chair, pending the assignment of the above styled cause and until the assigned judge set the matter for a final judgment. I further told him if the Georgia State Senate Special Committee on Special Investigations had counsel, I would welcome a call from such counsel.

FURTHER THE DEPONENT SAYEETH NOT.



Roy E. Barnes
Counsel for the Honorable
Fani T. Williams

Sworn and subscribed before me
this 3rd day of September, 2024

Tammy Leigh Barnes
Notary Public

