



Written by [James Murphy](#) on January 28, 2022

Voting-machine Company Refuses to Cooperate With Wisconsin Election Audit

A Nebraska-based voting machine company is refusing to cooperate with a forensic audit of the 2020 general election in Wisconsin.

Attorneys for Election Systems and Software (ES&S) signaled their intention not to comply with the Wisconsin audit in a letter in which they referred to the subpoena issued by former Wisconsin Supreme Court Justice Michael Gableman as a “quintessential fishing expedition casting their nets as wide as possible in the hopes that something which might actually be sought is caught within the net but amidst the thousands upon thousands of other documents and pages that have no relevancy to the matter.”



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In the letter, signed by attorneys Michael Cox, Daniel Fischer, and Michael Maistelman, the company claimed that it “is under no obligation to respond to any of the subpoenas.”

Gableman is leading a forensic audit into the 2020 general election in which Democrat Joe Biden is said to have defeated incumbent Donald Trump by approximately 21,000 votes in Wisconsin. Republicans, Trump in particular, have claimed that Wisconsin is one of several states where some election malfeasance may have taken place.

The letter, which was obtained by AP, claimed that ES&S cannot be compelled to provide the in-depth records requested and that it would take weeks, possibly months, to gather the information. The letter further said that because the records are in Nebraska and not Wisconsin, that somehow made a difference in whether they could be subpoenaed.

The attorneys claimed that the subpoena appeared to request every communication the company had over a two-year period related to elections in the Badger State. They also claimed that what Gableman was asking for included proprietary information about software code for voting machines.

The letter also claimed that the subpoena was not “properly served” and that Gableman cannot compel any employee of ES&S to submit to a closed-door interview, according to AP.

In addition to ES&S, Gableman has issued subpoenas to the mayors of Wisconsin’s five largest cities — Milwaukee, Madison, Green Bay, Racine, and Kenosha. Subpoenas have also been issued to Colorado-based Dominion Voting Systems and Voces de la Frontera, a pro-illegal immigration organization that fights for the rights of what it calls “undocumented” immigrants.

The mayors of Madison and Green Bay, along with Voces de la Frontera, are fighting the subpoenas in court. The most divisive issue appears to be the private interviews, which Gableman wishes to conduct in his investigation.



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Two weeks ago, a Dane County judge allowed the subpoenas to stand after the supposedly bipartisan Wisconsin Election Commission (WEC) challenged them in court. Democrat Attorney General Josh Kaul represented the WEC in that action. While that judge allowed the subpoenas to stand, he put off a separate decision on whether they are valid.

ES&S voting machines are used by more than 1,800 municipalities across Wisconsin, including the state's two largest cities, Milwaukee and Madison.

ES&S's reasons for disregarding this subpoena are unclear. They appear to be simply digging in their heels and claiming that the State of Wisconsin has no right to claim information on their own election partially, at least, because they are dealing with an out-of-state company. What possible difference could that make? Isn't Nebraska still a part of America?

All of this legal maneuvering is being done as a stalling tactic, with the knowledge that the longer the investigation takes, the less the public will care about it. Democrats and the voting-machine companies don't want the 2020 election scrutinized and the question one must ask is, why? Was there something wrong with the election process?

What, exactly, is being hidden here?



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