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August 9, 2021

**BY EMAIL**

Carolyn B. Maloney  
House of Representatives  
Committee on Oversight and Reform  
2157 Rayburn House Office Building  
Washington, DC 20515-6143  
c/o [REDACTED] [@mail.house.gov](mailto:[REDACTED]@mail.house.gov)

Re: Your Untitled Letter dated July 14, 2021

Thank you for your untitled letter dated July 14, 2021 addressed to Cyber Ninjas Inc. (hereinafter referred to as the “Letter”). This law office represents Cyber Ninjas Inc. (or “CNI”).

First, we note that Letter was immediately sent to media outlets, where we first learned of it. I’m not clear that the Letter was ever actually sent to CNI. I have been in communication with [REDACTED] on July 21 and 26 (and again on July 28), at which time I informed her that I would be sending a response on behalf of my client within two weeks of the 26<sup>th</sup>. We are now doing exactly that.

As a working professional with a genuine respect for not wasting people’s time, I will reserve commenting on the first six pages of your Letter, which I might charitably characterize as being in the nature of a partisan press release. Cyber Ninjas has been committed to performing this audit in a transparent and professional manner and has routinely made public the vast majority of all items requested.

Otherwise, CNI responds to the requests in the Letter as follows:

1. “Documents sufficient to show all individuals and entities with direct or indirect ownership interests in, or control of, Cyber Ninjas, including, but not limited to, officers, board members, and shareholders;”

CNI objects that “Documents sufficient to show...” is vague/poorly-defined. Without waiving this or any other objection, please see the attached documents filed with the Florida Division of Corporations, Bates-labeled



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CNI0001-CNI0017 and publicly available on their website. Douglas Logan is the principal officer of CNI, and he and his spouse are its sole shareholders.

2. “Documents sufficient to show all previous clients to which Cyber Ninjas has provided consulting services related to election audits or election law and a detailed description of the services provided, the payments received, and the source of the funds;”

CNI objects that “Documents sufficient to show...” is vague/poorly-defined; as is “a detailed description of the services provided,” etc. CNI also objects to production of such documents as a breach of its clients’ confidentiality, *inter alia*. Without waiving these or any other objections, please see documents Bates-labeled CNI0018-CNI0051 and CNI0319-CNI0336, attached. CNI’s report for its work in Antrim County, MI was publicly disclosed in Antrim County Circuit Court Case No. 20-9238-CZ.

3. “All documents and communications related to the engagement of Cyber Ninjas for the Maricopa County audit, including but not limited to the purpose of the engagement, the scope of work, the role of the company, and the role of other individuals or entities;”

CNI objects to “[a]ll documents and communications related to...” as vague/overbroad/overburdensome, as well as calling for communications subject to attorney-client privilege, legislative privilege, and objections or privileges arising under the Tenth Amendment with respect to federal Congressional interference in a state legislative matter. Without waiving these or any other objections, please see documents Bates-labeled CNI0018-CNI0051, attached. CNI’s Contract and SOW went public within a week of execution.

4. “All documents and communications related to payment or funding for the Maricopa County audit, including but not limited to the sources, amounts, terms, and conditions of such funding and any fundraising efforts;”



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CNI objects to “[a]ll documents and communications related to...” as vague/overbroad/overburdensome. CNI also objects to the extent that this request may call for documents covered by attorney-client or legislative privilege, and specifically preserves objections or privileges arising under the Tenth Amendment. Without waiving these or any other objections, please see document Bates-labeled CNI0052, attached. CNI publicly released financing details as the audit approached conclusion, in fulfillment of a promise that it made during its very first press briefing.

5. “All documents and communications related to conducting the Maricopa County audit, including but not limited to policies, procedures, audit plans, strategy, staffing and personnel, and security or integrity problems that arose during the audit, and any interim or final audit findings;”

CNI objects to “[a]ll documents and communications related to...” as vague/overbroad/overburdensome. CNI also objects to the extent that this request may call for documents covered by attorney-client or legislative privilege, and again specifically preserves objections or privileges arising under the Tenth Amendment. Without waiving these or any other objections, please see documents Bates-labeled CNI0053 to CNI0112, attached. CNI publicly posted these documents on its website within the first few weeks of the audit.

6. “All documents and communications related to the following allegations that have reportedly been considered by you or your company in connection with the 2020 presidential election: a. bamboo-laced ballots smuggled in from Asian countries; b. watermarks placed on the ballot by the Trump campaign that were visible with UV lights; c. machine-marked ballots; d. errors designed to create fraud in Dominion Voting Systems’ equipment; and e. the involvement of current or former members of the Central Intelligence Agency in disinformation around election fraud;”

CNI objects to the leading, compound, and facetious tone of this request. CNI objects to “[a]ll documents and communications related to...” as vague/overbroad/overburdensome. CNI objects to the extent that this request



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may call for documents covered by attorney-client or legislative privilege, and specifically preserves objections or privileges arising under the Tenth Amendment. Without waiving these or any other objections: CNI is a contractor for the Arizona State Senate and expects to report to the Arizona State Senate on the result of its investigation, when complete.

7. “All documents and communications related to formal or informal complaints related to the audit received by Cyber Ninjas from any source, including but not limited to federal, state, or county election officials, Cyber Ninjas employees, or other individuals;”

CNI objects to “[a]ll documents and communications related to” – as well as “formal or informal complaints related to the audit”—as vague/overbroad/overburdensome. Your Letter, for example, could be liberally construed as an “informal complaint” in light of its patently partisan and prolix tone. CNI also objects to the extent that this request may call for documents covered by attorney-client or legislative privilege, and specifically preserves objections or privileges arising under the Tenth Amendment. Without waiving these or any other objections, please see the documents Bates-labeled CNI0146 to CNI0318, attached.

8. “All instructions, directions, training materials, and guidance Cyber Ninjas employees, consultants, agents, volunteers, or representatives received relating to the Maricopa County audit;”

CNI objects to this request as vague/overbroad/overburdensome. CNI objects to the extent that this request may call for documents covered by attorney-client or legislative privilege, and specifically preserves objections or privileges arising under the Tenth Amendment. Without waiving these or any other objections: please see the documents Bates-labeled CNI0053 to CNI0112, attached, which were previously released to the public as part of proceedings in Maricopa County Superior Court Case No. CV2021-006646.

9. “For the period between November 6, 2020, and the present, all communications involving you or any Cyber Ninjas employees, consultants, agents, volunteers, or representatives with: a. former President Donald Trump; b. any Trump Administration official; c. any



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formal or informal representative of President Trump’s presidential campaign, legal team, or political action committee; d. any representative of Voices and Votes, Fight Back, America Project, or any other funder of the Maricopa County audit; e. Rudy Giuliani or any of his agents or representatives; f. Sidney Powell; g. L. Lin Wood; h. Patrick Byrne; i. Michael Flynn; or j. Michael Lindell.”

CNI objects to this request as vague/overbroad/overburdensome. CNI objects to the extent that this request may call for documents covered by attorney-client or legislative privilege, and specifically preserves objections and/or privileges arising under the First and Tenth Amendments. CNI objects that this request is outside of the legitimate scope of a Congressional inquiry, and that given its breadth and obvious focus on right-leaning political figures, it is intended purely to suppress and interfere with First-Amendment protected activity.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Wilenchik', with a stylized flourish at the end.

Jack D. Wilenchik, Esq.

attachments:  
Documents Bates-labeled CNI0001-CNI0336