

February 16, 2022

Lauren Topping, Esq.  
General Counsel  
Bureau of Ethics and Campaign Finance  
404 James Robertson Pkwy., Suite 104  
Nashville, TN 37219  
Via email: Lauren.Topping@tn.gov

**Re: Objection to January 20, 2022 Subpoena Duces Tecum (Served January 26, 2022) and February 9, 2022 Subpoena (Served February 10, 2022)**

Dear Ms. Topping:

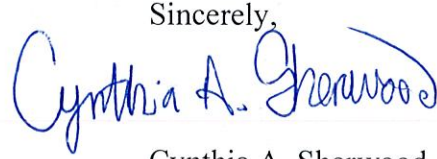
Cade Cothren objects to and will not respond to your Subpoena Duces Tecum dated January 20, 2022 and Subpoena dated February 9, 2022. This objection is based on the grounds that these subpoenas were made in bad faith and are an abuse of process. Furthermore, Mr. Cothren invokes his Fifth Amendment privilege against self-incrimination.

In the Registry's hearing on January 13, 2022, the statements made that reflect the decision to re-open a closed audit and subpoena Mr. Cothren were based on bad faith. The inflammatory comments made by board members *before* the vote expose the motives. Henry Fincher, instead of truth seeking, stated at the meeting he was looking for proof to take "serious action." Before a vote was even taken, much less a subpoena issued or served, Mr. Fincher talked about using the "sheriff to bring [Mr. Cothren] in." Mr. Fincher said in reference to Mr. Cothren that "they're a lot more humble after they're wearing orange and have to answer for that." Mr. Fincher also said that he bet that Mr. Cothren "goes deep underground, and I bet he's tough to find and I bet we have to end up hauling him in under an attachment."

Furthermore, the nature of this investigation into Mr. Cothren and the powers vested in the Tennessee Registry of Election Finance can lead to criminal penalties. Indeed, the Subpoenas at issue state expressly the opposite: "where the results of the Registry's investigation indicates that a criminal act may have occurred, the Registry is obligated to refer the matter to the appropriate law enforcement authorities for prosecution." Mr. Cothren, therefore, invokes his Fifth Amendment privilege against compelled disclosure.

For these reasons, Mr. Cothren objects to the Subpoena Duces Tecum dated January 20, 2022 and Subpoena dated February 9, 2022.

Sincerely,



Cynthia A. Sherwood

CAS:jl