

Exhibit D:

**Email Response to Request for Rule
26(f) Conference - IRS Counsel**

From: [Hartt, Grover \(TAX\)](#)
To: CMitchell@foley.com; [Lamken, Jeffrey \(jlamken@mololamken.com\)](mailto:Lamken, Jeffrey (jlamken@mololamken.com)); ["bbenitez@steptoe.com"](mailto:bbenitez@steptoe.com)
Cc: WDavis@foley.com; MLockerby@foley.com; [Kaylan Phillips](#); [Noel Johnson \(njohnson@actrightlegal.org\)](mailto:Noel Johnson (njohnson@actrightlegal.org))
Subject: RE: True the Vote v. IRS, 1:13-cv-00734 (D.D.C.): Request for FRCP 26(f) Conference
Date: Friday, March 28, 2014 2:42:45 PM

Cleta,

Until the Court has ruled on the pending motions to dismiss, we believe it would be premature to schedule a Rule 26(f) conference.

Grover

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From: CMitchell@foley.com [mailto:CMitchell@foley.com]
Sent: Friday, March 28, 2014 10:39 AM
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Subject: True the Vote v. IRS, 1:13-cv-00734 (D.D.C.): Request for FRCP 26(f) Conference

Counsel, I know we are all awaiting the judge's ruling(s) on your MTDs, but realized we should probably proceed to conduct the FRCP 26(f) conference. What would be your availability to participate in such a conference? Would next Friday, April 4 work? We would suggest 10 am EDT, but if there is another time that would work better for others, let me know. Once we agree on a date/time, I will circulate a dial-in number.

Thanks. Cleta

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