



October 15, 2020

**VIA EMAIL**

Attn: Jotonna Tulloch  
Open Records Officer  
Georgia Department of Law  
40 Capitol Square SW  
Atlanta, GA 30334  
[open\\_records@law.ga.gov](mailto:open_records@law.ga.gov)

**Re: Open Records Request**

Dear Ms. Tulloch:

Pursuant to the Georgia Open Records Law (O.C.G.A. §§ 50-18-70 et seq.), American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that your office produce the following within three business days, or provide a written description of any responsive records with a timeline for their availability within three business days:

1. All email communications (including emails, email attachments, calendar invitations, and attachments thereto) sent by (a) any of the Georgia Office of Attorney General officials listed in Column A to (b) any of the external parties listed in Column B below:

<b>Column A: Office of Attorney General Officials</b>	<b>Column B: External Parties</b>
<ol style="list-style-type: none"> <li>i. Chris Carr, Attorney General, or anyone communicating on his behalf (such as an assistant or scheduler)</li> <li>ii. Wright Banks, Chief Deputy</li> <li>iii. Travis Johnson, Chief of Staff</li> <li>iv. Katie Byrd, Communications Director</li> <li>v. Nicholas Smith, Policy and External Affairs Director</li> <li>vi. Bryan Webb, Deputy Attorney General for the Government Services &amp; Employment Division</li> </ol>	<p>Honest Elections Project:</p> <ol style="list-style-type: none"> <li>i. Jason Snead (<a href="mailto:jsnead@honestelections.org">jsnead@honestelections.org</a>)</li> <li>ii. Anyone communicating from an email address ending in @honestelections.org</li> </ol> <p>Judicial Watch:</p> <ol style="list-style-type: none"> <li>i. Tom Fitton (<a href="mailto:tfifton@judicialwatch.org">tfifton@judicialwatch.org</a>)</li> <li>ii. Anyone communicating from an email address ending in @judicialwatch.org</li> </ol> <p>True the Vote:</p>



<p>vii. John Fowler, Deputy Attorney General for the Prosecution Division</p>	<ul style="list-style-type: none"> <li>i. Catherine Engelbrecht (including, but not limited to, at <a href="mailto:catherine@truethevote.org">catherine@truethevote.org</a>)</li> <li>ii. Anyone communicating from an email address ending in <a href="mailto:@truethevote.org">@truethevote.org</a></li> </ul> <p>Public Interest Legal Foundation:</p> <ul style="list-style-type: none"> <li>i. J. Christian Adams (<a href="mailto:adams@publicinterestlegal.org">adams@publicinterestlegal.org</a>)</li> <li>ii. Anyone communicating from an email address ending in <a href="mailto:@publicinterestlegal.org">@publicinterestlegal.org</a> or <a href="mailto:@electionlawcenter.com">@electionlawcenter.com</a></li> </ul> <p>Elections, LLC:</p> <ul style="list-style-type: none"> <li>i. Justin Clark (including, but not limited to, at the email address <a href="mailto:jrclark@michaelbest.com">jrclark@michaelbest.com</a>)</li> <li>ii. Nathan Groth (including, but not limited to, at the email address <a href="mailto:ndgroth@michaelbest.com">ndgroth@michaelbest.com</a>)</li> <li>iii. Stefan Passantino (including, but not limited to, at the email addresses <a href="mailto:spassantino@michaelbest.com">spassantino@michaelbest.com</a> or <a href="mailto:stefanpassantino@onebox.com">stefanpassantino@onebox.com</a>)</li> </ul> <p>Heritage Foundation</p> <ul style="list-style-type: none"> <li>i. Hans von Spakovsky (including, but not limited to, at the email address <a href="mailto:hans.vonspakovsky@heritage.org">hans.vonspakovsky@heritage.org</a>)</li> <li>ii. Kaitlynn Samalis-Aldrich (<a href="mailto:kaitlynn.samalis@heritage.org">kaitlynn.samalis@heritage.org</a>)</li> </ul> <p>Other:</p> <ul style="list-style-type: none"> <li>i. Leonard Leo (including, but not limited to, at the email addresses <a href="mailto:ll@leonardleo.com">ll@leonardleo.com</a>, <a href="mailto:leonard.anthony.leo@gmail.com">leonard.anthony.leo@gmail.com</a>, <a href="mailto:lleo@fed-soc.org">lleo@fed-soc.org</a>, <a href="mailto:leonard.leo@mindspring.com">leonard.leo@mindspring.com</a>, and <a href="mailto:leonard.leo@hotmail.com">leonard.leo@hotmail.com</a>)</li> <li>ii. Greg Mueller (including, but not limited to, at the email address <a href="mailto:gmueller@crccpublicrelations.com">gmueller@crccpublicrelations.com</a>)</li> </ul>
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	<ul style="list-style-type: none"> <li>iii. Jonathan Bunch (<a href="mailto:jonathan.bunch@fed-soc.org">jonathan.bunch@fed-soc.org</a>)</li> <li>iv. Gary Marx (<a href="mailto:Gary@madisonstrategiesllc.com">Gary@madisonstrategiesllc.com</a>)</li> <li>v. Carrie Severino (including, but not limited to, at the email addresses <a href="mailto:carrie@judicialnetwork.com">carrie@judicialnetwork.com</a>, and <a href="mailto:carrie.severino@gmail.com">carrie.severino@gmail.com</a>)</li> <li>vi. Jason Stuckey (including, but not limited to, at the email address <a href="mailto:jstuckey@bricker.com">jstuckey@bricker.com</a>)</li> <li>vii. Jason Torchinsky (including, but not limited to, at the email address <a href="mailto:jtorchinsky@hvjt.law">jtorchinsky@hvjt.law</a>)</li> </ul>
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In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited the portion of its request seeking email communications to emails **sent** by the named officials. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both a Georgia government custodian’s response to an email from one of the listed individuals or entities and the initial received message are responsive to this request and should be produced.

2. All text messages, or communications on messaging applications similar in form to text messages (including, but not limited to, The Buzz, Signal, WhatsApp, Facebook Messenger, and Twitter direct messages) between (a) any of the Georgia Office of Attorney General officials listed in Column A and (b) any of the external parties listed in Column B below:

<b>Column A: Office of Attorney General Officials</b>	<b>Column B: External Parties</b>
<ul style="list-style-type: none"> <li>i. Chris Carr, Attorney General, or anyone communicating on his behalf (such as an assistant or scheduler)</li> <li>ii. Wright Banks, Chief Deputy</li> <li>iii. Travis Johnson, Chief of Staff</li> <li>iv. Katie Byrd, Communications Director</li> <li>v. Nicholas Smith, Policy and External Affairs Director</li> <li>vi. Bryan Webb, Deputy Attorney General for the Government</li> </ul>	<p>Honest Elections Project:</p> <ul style="list-style-type: none"> <li>i. Jason Snead (<a href="mailto:jsnead@honestelections.org">jsnead@honestelections.org</a>)</li> </ul> <p>Judicial Watch:</p> <ul style="list-style-type: none"> <li>i. Tom Fitton (<a href="mailto:tfittin@judicialwatch.org">tfittin@judicialwatch.org</a>)</li> </ul> <p>True the Vote:</p> <ul style="list-style-type: none"> <li>i. Catherine Engelbrecht (including, but not limited to, at <a href="mailto:catherine@truethetvote.org">catherine@truethetvote.org</a>)</li> </ul>

<p>Services &amp; Employment Division</p> <p>vii. John Fowler, Deputy Attorney General for the Prosecution Division</p>	<p>Public Interest Legal Foundation:</p> <ul style="list-style-type: none"> <li>i. J. Christian Adams (<a href="mailto:adams@publicinterestlegal.org">adams@publicinterestlegal.org</a>)</li> </ul> <p>Elections, LLC:</p> <ul style="list-style-type: none"> <li>i. Justin Clark (<a href="mailto:jrclark@michaelbest.com">jrclark@michaelbest.com</a>)</li> <li>ii. Nathan Groth (<a href="mailto:ndgroth@michaelbest.com">ndgroth@michaelbest.com</a>)</li> <li>iii. Stefan Passantino (<a href="mailto:spassantino@michaelbest.com">spassantino@michaelbest.com</a> <a href="mailto:stefanpassantino@onebox.com">stefanpassantino@onebox.com</a>)</li> </ul> <p>Heritage Foundation</p> <ul style="list-style-type: none"> <li>i. Hans von Spakovsky (<a href="mailto:hans.vonspakovsky@heritage.org">hans.vonspakovsky@heritage.org</a>)</li> <li>ii. Kaitlynn Samalis-Aldrich (<a href="mailto:kaitlynn.samalis@heritage.org">kaitlynn.samalis@heritage.org</a>)</li> </ul> <p>Other:</p> <ul style="list-style-type: none"> <li>i. Leonard Leo (<a href="mailto:ll@leonardleo.com">ll@leonardleo.com</a>, <a href="mailto:leonard.anthony.leo@gmail.com">leonard.anthony.leo@gmail.com</a>, <a href="mailto:leo@fed-soc.org">leo@fed-soc.org</a>, <a href="mailto:leonard.leo@mindspring.com">leonard.leo@mindspring.com</a>, <a href="mailto:leonard.leo@hotmail.com">leonard.leo@hotmail.com</a>)</li> <li>ii. Greg Mueller (<a href="mailto:gmueller@crcpublicrelations.com">gmueller@crcpublicrelations.com</a>)</li> <li>iii. Jonathan Bunch (<a href="mailto:jonathan.bunch@fed-soc.org">jonathan.bunch@fed-soc.org</a>)</li> <li>iv. Gary Marx (<a href="mailto:Gary@madisonstrategiesllc.com">Gary@madisonstrategiesllc.com</a>)</li> <li>v. Carrie Severino (<a href="mailto:carrie@judicialnetwork.com">carrie@judicialnetwork.com</a>, <a href="mailto:carrie.severino@gmail.com">carrie.severino@gmail.com</a>)</li> <li>vi. Jason Stuckey (<a href="mailto:jstuckey@bricker.com">jstuckey@bricker.com</a>)</li> <li>vii. Jason Torchinsky (<a href="mailto:jtorchinsky@hvjt.law">jtorchinsky@hvjt.law</a>)</li> </ul>
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For both items of this request, please provide all responsive records from July 1, 2020, through the date the search is conducted.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term “record”

in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your office use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your office can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

### **Conclusion**

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information

gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>1</sup>

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Khahilia Shaw at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 539-6507. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

Austin R. Evers  
Executive Director  
American Oversight

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<sup>1</sup> American Oversight currently has approximately 16,300 followers on Facebook and 105,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 6, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 6, 2020).