



June 8, 2021

VIA EMAIL

Office of the Attorney General
Attn: Opinions and Policy Division
openrecords@ago.ms.gov

Re: Mississippi Public Records Act Request

Dear Public Records Officer:

Pursuant to the Mississippi Public Records Act, Miss. Code § 25-61-1 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Office of the Attorney General produce the following records within seven working days:

1. All calendars or calendar entries for the following officials, including any calendars maintained on their behalf, in the specified date range.
 - a. Attorney General Lynn Fitch (January 14, 2020, through the date the search is conducted)
 - b. Solicitor General Scott Stewart (March 1, 2021, through the date the search is conducted)
 - c. Former Solicitor General Kristi Haskins Johnson (February 24, 2020, through December 1, 2020)

American Oversight requests that the calendars be produced in a format that includes all invitees, any notes, and all attachments. Please do not limit your search to Outlook calendars; we request the production of any calendar—paper or electronic, whether on government-issued or personal devices—used to track or coordinate how specified officials allocate their time on agency business.

The search should include any calendars associated with their individual email accounts, as well as any official calendars maintained for them, including by their administrative assistants or schedulers.

2. All records reflecting costs reimbursed or paid directly by your agency for any reimbursable expenses attributable to trips undertaken by the officials specified in part 1 during the specified date ranges.
 - a. Attorney General Lynn Fitch (January 14, 2020, through the date the search is conducted)



- b. Solicitor General Scott Stewart (March 1, 2021, through the date the search is conducted)
- c. Former Solicitor General Kristi Haskins Johnson (February 24, 2020, through December 1, 2020)

Responsive records include those reflecting any payments or reimbursements associated with travel, lodging, the cost of government transportation, individual airfare, meals, rental vehicles, payments made via government issued charge cards or travel cards, or other reimbursable expenses. To the extent your office has aggregated records sufficient to show all relevant expenses and costs, such as spreadsheets, American Oversight would accept production of such records as sufficient. To the extent your office does not have an aggregated record of these costs, American Oversight requests records reflecting those costs, such as receipts, invoices, charge card or credit card statements, and reimbursement requests.

- 3. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by the officials and dates specified above during the specified date ranges to any of the following individuals or entities, including, but not limited to, at the suggested email addresses or domains:

- a. Alliance Defense Fund (adflegal.org, adfmedia.org)
- b. America First Legal (aflegal.org)
- c. American Family Association (afa.net)
- d. American Principles Project (americanprinciplesproject.org)
- e. Americans for Prosperity (americansforprosperity.org)
- f. Americans United for Life (aul.org)
- g. Cleta Mitchell (foley.com)
- h. Concerned Women for America (cwfa.org, concernedwomen.org)
- i. Conservative Partnership Institute (conservativepartnership.org)
- j. CRC Advisors (crcadvisors.com, crcpublicrelations.com)
- k. Election Law Center (electionlawcenter.com)
- l. Family Research Council (frc.org)
- m. Federalist Society (fed-soc.org)
- n. FreedomWorks (freedomworks.org)
- o. GOP (gop.com, rnchq.com, msgop.org)
- p. Heritage Foundation (heritage.org)
- q. Heritage Action for America (heritageaction.com)
- r. Independent Women's Forum (iwf.org)
- s. James Bopp (bopplaw.com)
- t. Judicial Crisis Network (judicialnetwork.com)
- u. Leonard Leo (leonard.leo@fed-soc.org, lleo@fed-soc.org, ll@leonardleo.com, leonard.anthony.leo@gmail.com, leonard.leo@hotmail.com, leonard.leo@mindspring.com)
- v. Liberty Counsel (lc.org)
- w. Mississippi Center for Public Policy (mspolicy.org)
- x. Mississippi Right to Life (msrtl.org)

- y. National Rifle Association (nra.org, nrahq.org, nraila.org, am.com)
- z. National Right to Life Committee (nrlc.org)
- aa. Pro-Life Mississippi (prolifemississippi.org)
- bb. Public Interest Legal Foundation (publicinterestlegal.org)
- cc. Republican Attorneys General Association (republicanags.com), as well as any RAGA leadership serving in state Attorneys General offices:
 - i. Georgia Attorney General Chris Carr (agcarr@law.ga.gov or ccarr@law.ga.gov)
 - ii. Missouri Attorney General Eric Schmitt (ag@ago.mo.gov or eric.schmitt@ago.mo.gov)
 - iii. South Carolina Attorney General Alan Wilson (agwilson@scag.gov)
 - iv. Louisiana Attorney General Jeff Landry (landryj@ag.louisiana.gov)
- dd. Rule of Law Defense Fund (rldf.org, ruleoflawdefensefund.org), as well as any RLDF leadership serving in state Attorneys General offices:
 - i. Alabama Attorney General Steve Marshall (steve.marshall@alabamaag.gov)
- ee. Susan B. Anthony List (sba-list.org)
- ff. The Trump Organization (trump.com, trumporg.com, triumphotels.com, maralagoclub.com, trumpgolfdoral.com)
- gg. The Trump Campaign (donaldtrump.com, donaldjtrump.com, trumpvictory.com, trumporg.com, natpublicaffairs.com)
- hh. True the Vote (truethetvote.org)

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by specified officials. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both specified officials' response to an email and the initial received message are responsive to this request and should be produced.

- 4. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by the officials specified above during the specified date ranges containing the below key terms:
 - ii. RAGA
 - jj. "Republican Attorneys General Association"
 - kk. RLDF
 - ll. "Rule of Law Defense Fund"
 - mm. "Save America"
 - nn. Patriot
 - oo. Patriots
 - pp. "election fraud"

qq. “election integrity”
rr. “election certification”
ss. MAGA
tt. “great again”
uu. “Stop the steal”
vv. Abortion
ww. Roe
xx. “pro-life”
yy. unborn
zz. “The Gestational Age Act”
aaa. SCOTUS
bbb. “Supreme Court”
ccc. “Dobbs v. Jackson”
ddd. Biden
eee. Redistricting
fff. Census

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by specified officials. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both specified officials’ response to an email and the initial received message are responsive to this request and should be produced.

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

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their 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 for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- 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 a request is denied in whole, please state specifically why 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 the agency 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.

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. 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 agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF 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.¹

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 Hart Wood at records@americanoversight.org or (202) 873-1743.

Sincerely,

/s/ Hart Wood
Hart Wood
on behalf of
American Oversight

¹ American Oversight currently has approximately 15,700 page likes on Facebook and 106,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 8, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited June 8, 2021).