



July 12, 2021

VIA FACSIMILE

Patrick Moynihan, Jr.
Brown County Clerk
305 East Walnut Street, Room 120
Green Bay, WI 54301
Fax: (920) 448-4498

Re: Public Records Law Request

Dear Clerk Moynihan:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of records.

Following the November 2020 election, leadership in the Wisconsin State Legislature announced plans to pursue an investigation into the election's administration, citing vague concerns of "questions raised" during the election.¹ On May 26, 2021, Speaker of the Assembly Robin Vos announced that three retired law enforcement officers overseen by an attorney would conduct a three-month investigation of the election, including the role of external election funding in several cities.² Former Brown County Clerk Sandra (Sandy) Juno has alleged that external funders have "tainted" the results of the election in Green Bay,³ providing testimony to the Assembly in a March hearing of the Campaigns and Elections Committee.⁴

American Oversight seeks records with the potential to shed light on former Brown County Clerk Sandy Juno's role in elevating baseless concerns about election fraud in Wisconsin.

¹ Patrick Marley, *Top Republican Says an Investigation of Wisconsin's Election Is Unlikely to Take Away Biden's Win in the State*, Milwaukee J. Sentinel (updated Nov. 12, 2020, 8:42 AM),

<https://www.jsonline.com/story/news/politics/elections/2020/11/11/wisconsin-republicans-say-election-probe-likely-wont-change-results/6248225002/>.

² Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel, May 26, 2021,

<https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

³ Haley BeMiller, *Was Green Bay's Vote Count Tainted? County Clerk Says So, But Offers Little Evidence To Back Her Claim*, Green Bay Press-Gazette (updated Nov. 13, 2020, 6:47 PM), <https://www.greenbaypressgazette.com/story/news/2020/11/13/green-bay-election-county-clerk-claims-vote-count-tainted-offers-no-proof/6265208002/>.

⁴ Melanie Conklin, *The Goal is a Smear Campaign*, Wis. Examiner, Mar. 12, 2021, <https://wisconsinexaminer.com/2021/03/12/the-goal-is-a-smear-campaign/>.



Requested Records

American Oversight requests that the Brown County Clerk's Office produce the following records "as soon as practicable and without delay":⁵

- A. All email communications (including complete email chains, email attachments, calendar invitations, and attachments thereto) between (A) former Brown County Clerk Sandra Juno and (B) any of the individuals or entities listed below.

Please provide all responsive records from November 1, 2020, through the end of Sandy Juno's tenure as Brown County Clerk.

External Entities:

1. Anyone communicating from an email address ending in mail.house.gov or senate.gov
2. U.S. Senator Ron Johnson, his former chief of staff Tony Blando, or his deputy chief of staff Julie Leschke (including, but not limited to jleschke@protonmail.com)
3. Speaker of the Wisconsin Assembly Robin Vos, his scheduler Amanda Ledtke, his chief of staff Jenny Toftness, his legal advisor Steve Fawcett, or his outreach director Joe Handrick
4. Wisconsin State Representative Janel Brandtjen (including, but not limited to janel@brandtjen.com, janel@glmarketing.com, and rep.brandtjen@legis.wisconsin.gov), or her aide Melodie Duesterbeck
5. Wisconsin State Representative Ron Tusler, or his aide William Penterman
6. Wisconsin State Representative Joe Sanfelippo, or his aide Dominik Kolodziejczyk
7. Anyone communicating from an email address ending in @legis.wisconsin.gov
8. Wisconsin Representative Shae Sortwell (including, but not limited to votessortwell@gmail.com and rep.sortwell@legis.wisconsin.gov), or his aides Sulamita Barbiyeru and/or Zach Pfaffenbach
9. Wisconsin Elections Commissioner Bob Spindell (including, but not limited to cd4.chairman@wisgop.info and rspindell@gottesmancompany.com)
10. Wisconsin Elections Commissioner Dean Knudson (including, but not limited to dean.knudson@wisconsin.gov, dean.knudson@wi.gov, dknudson@comcast.net, dean@deanknudson.com)
11. James Fitzgerald (including, but not limited to mrfitzo57@yahoo.com) or anyone communicating on behalf of the Brown County GOP (including anyone communicating from an email address ending in @bcrepublikans.net)

⁵ Wis. Stat. § 19.35(4)(a).

12. Andrew Hitt, Ronna McDaniel, Laura Cox, Terry Bowman, or anyone communicating from an email address ending in @gop.com, @rnchq.com, @wisgop.org, or @wisgop.info
 13. Jacqueline Timmer, or anyone communicating on behalf of the American Voter's Alliance (including anyone communicating from an email address ending in @got-freedom.org)
 14. Sandra Duckett (sandra.duckett@gmail.com)
 15. Janet Angus (including, but not limited to angus.janet@gmail.com)
 16. Ron Heuer (including, but not limited to ronheuer@gmail.com) or anyone communicating on behalf of the Wisconsin Voters' Alliance
 17. Phill Kline (including, but not limited to phillklineva@gmail.com), or anyone communicating on behalf of the Amistad Project or the Thomas Moore Society (including anyone communicating from an email address ending in @thomasmoresociety.org)
 18. Rick Esenberg, Brian McGrath, Luke Berg, Katherine Spitz, or anyone communicating on behalf of the Wisconsin Institute for Law & Liberty (including anyone communicating from an email address ending in @will-law.org)
 19. Tarren Bragdon, or anyone communicating on behalf of the Foundation for Government Accountability (including anyone communicating from an email address ending in @thefga.org)
 20. Karen Mueller, or anyone communicating on behalf of the Amos Center for Justice and Liberty (including, but not limited to, anyone communicating from an email address ending in @amoscenterforjustice.org)
 21. James Troupis, including troupisjames@gmail.com and other known email addresses, Christ Troupis, or anyone communicating on behalf of Troupis Law Office (including anyone communicating from an email address ending in @troupislawoffice.com)
 22. Erick Kaardal, or anyone communicating on behalf of Mohrman, Kaardal & Erickson, P.A. (including anyone communicating from an email address ending in @mklaw.com)
 23. Joseph Voiland (including, but not limited to jwvoiland@yahoo.com)
- B. All email communications (including complete email chains, email attachments, calendar invitations, and attachments thereto) between (A) any governmental email addresses associated with former Brown County Clerk Sandy Juno and (B) any non-governmental accounts attributed to Sandy Juno (including, but not limited to junosandra@yahoo.com and audejuno@gmail.com).

Please provide all responsive records from November 1, 2020, through the end of Sandy Juno's tenure as Brown County Clerk.

Fee Waiver Request

In accordance with Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a waiver of fees is in the “public interest” because American Oversight will, in accordance with its organizational mission, make the records available to the public without charge. These disclosures will likely contribute to a better understanding of relevant government procedures by the general public.

American Oversight’s work is aimed solely at serving the public interest. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight’s financial interest. Rather, American Oversight’s mission is to serve the public by promoting transparency in government, educating the public about government activities, and ensuring 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.⁶ American Oversight also makes materials it gathers available on its public website⁷ and promotes their availability on social media platforms, such as Facebook and Twitter.⁸

The public has a significant interest in the administration of elections in Wisconsin.⁹ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role played by former Brown County Clerk Sandy Juno in elevating baseless concerns about election fraud. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public’s

⁶ See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

⁷ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

⁸ American Oversight currently has approximately 15,640 page likes on Facebook and 106,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited July 8, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited July 8, 2021).

⁹ See *supra*, notes 1-4.

understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

American Oversight asks that if its request for a fee waiver is denied in whole or in part, that you contact us prior to incurring any costs.

Guidance Regarding the Search & Processing of Requested Records

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of the authority's officer or employee constitutes a record for purposes of Wisconsin's public records laws.¹⁰

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.¹¹ 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 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.

Conclusion

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

¹⁰ Wisc. Dep't of J., *Wisconsin Public Records Law Compliance Guide*, Oct. 2019, at 3, <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>.

¹¹ Wis. Stat. § 19.36(6).

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.

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 please contact Sarah Colombo at records@americanoversight.org or (202) 869-5244. 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,

/s/ Sarah Colombo
Sarah Colombo
on behalf of
American Oversight