

November 4, 2021

VIA EMAIL

Office of the Attorney General
700 Capital Avenue, Suite 118
Frankfort, Kentucky 40601-3449
KyOAGOR@ky.gov

Re: Open Records Act Request

Dear Custodian of Records:

Pursuant to the Kentucky Open Records Act (KORA), codified at KRS § 61.870 *et seq.*, please find below the following request for records.

Requested Records

I request that the Office of the Attorney General produce copies of the following records within three business days:

1. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) and text message threads/conversations between (a) any of the state officials listed in Column A below, and (b) any of the external entities listed in Column B below or their representatives:

Column A: Kentucky State Officials	Column B: External Individuals
<ol style="list-style-type: none">i. Daniel Cameron, Attorney General, or anyone communicating on his behalf (such as a scheduler or assistant)ii. Anyone serving as Chief of Staff to Attorney General Cameroniii. Barry Dunn, Deputy Attorney General	<ol style="list-style-type: none">i. Pete Bisbee, Republican Attorney Generals' Association Executive Director (including, but not limited to, at pbisbee@republicanags.com or pbisbee@rldf.org)ii. Alan Wilson, South Carolina Attorney General (including, but not limited to, at agwilson@scag.gov)iii. Jeff Landry, Louisiana Attorney General (including, but not limited to, at landryj@ag.louisiana.gov)iv. Chris Carr, Georgia Attorney General (including, but not limited to, at agcarr@law.ga.gov or ccarr@law.ga.gov)

	<ul style="list-style-type: none"> v. Eric Schmitt, Missouri Attorney General (including, but not limited to, at ag@ago.mo.gov) vi. Steve Marshall, Alabama Attorney General (including, but not limited to, at steve.marshall@alabamaag.gov) vii. Any employee or representative of the Republican Attorneys General Association (including, but not limited to, anyone communicating from an email address ending in @republicanags.com) viii. Any employee or representative of the Rule of Law Defense Fund (including, but not limited to, anyone communicating from an email address ending in @rldf.org or @ruleoflawdefensefund.org)
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2. All (a) email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by and (b) text message threads/conversations sent or received by any of the individuals specified in Column A, above, that contain any of the key terms listed below:

Key Terms:

- i. “Rule of Law”
- ii. RLDF
- iii. “Republican Attorneys General Association”
- iv. RAGA
- v. Piper
- vi. Bisbee

For Item 2(a) of this request, in an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, I have limited this request to emails sent by the specified officials in the Office of the Attorney General. To be clear, however, I still request that complete email chains be produced, displaying both sent and received messages. This means, for example, that both Attorney General Cameron’s response to an email containing one of the key terms listed above and the initial received message are responsive to this request and should be produced.

For Item 2(b) of this request, I request that complete text message threads/conversations be produced. This means, for example, that if Attorney General Cameron sent or received a text message containing any of the key terms listed above, I request that the complete text conversation for the

timeframe listed below should be produced, and not just the message containing the key term.

For all parts of this request, please provide all responsive records from March 9, 2021, to the date the search is conducted.

Pursuant to KRS § 61.880(1), I request that you notify me at the contact information provided below within three workdays as to whether you will comply with this request.

Statement of Noncommercial Purpose

This request is for noncommercial purposes, and I respectfully request a waiver of any fees associated with processing this request for records. To the extent any fees are charged, pursuant to KRS § 61.874(3), I ask that such fees be limited to the actual cost of reproduction and exclude the cost of agency staff time.

This request is primarily and fundamentally for non-commercial purposes. I seek the records requested to inform the public regarding whether and to what extent officials in the Office of the Attorney General are continuing to work with the Rule of Law Defense Fund (RLDF), following revelations that robocalls reportedly made by RLDF prior to January 6, 2021, urged supporters to travel to Washington, D.C., to “fight” Congress over President Trump’s election fraud claims. This matter is a subject of substantial public interest in Kentucky and nationwide.¹ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government.

Guidance Regarding the Search & Processing of Requested Records

In connection with this request for records, I provide 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

¹ Andrea Salcedo, *Republican AGs Group Sent Robocalls Urging Protestors to the Capitol. GOP Officials Now Insist They Didn’t Know About It.*, Wash. Post (Jan. 11, 2021, 7:30AM), <https://www.washingtonpost.com/nation/2021/01/11/gop-robocalls-trump-rally-capitol/>; Morgan Watkins, *US Capitol Riot: Daniel Cameron Says He Was Unaware of Robocall Linked to GOP AGs Group*, Louisville Courier Journal (Jan. 11, 2021, 6:39PM), <https://www.courier-journal.com/story/news/politics/2021/01/11/capitol-riot-daniel-cameron-unaware-robocall-linked-gop-ags-org/6630330002/>.

Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.

- The 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. *See* KRS § 61.878(4). 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.

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, please do not hesitate to contact me to discuss this request. I welcome 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, we 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, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. I look forward to working with your agency on this request. **If you do not understand any part of this request, please contact me through Khahilia Shaw at records@americanoversight.org or (202) 539-6507.** Also, if my request for a fee

waiver is not granted in full, please contact Ms. Shaw immediately upon making such a determination.

Sincerely,

/s/ Dave Meyer

Dave Meyer

812 Willard Street

Covington, KY 41011