



February 03, 2022

VIA ONLINE PORTAL

Shelby Township Human Resources Department
52700 Van Dyke Avenue
Shelby Township, MI 48316
Via Online Portal

Re: Freedom of Information Act Request

Dear FOIA Coordinator:

Pursuant to Michigan's Freedom of Information Act (FOIA), as codified at Mich. Comp. Laws Ann. § 15.231 et seq., American Oversight makes the following request for records.

In December 2020, groups reportedly met in Arizona, Georgia, Michigan, New Mexico, Nevada, Pennsylvania, and Wisconsin to create and submit illegitimate electoral certificates declaring the victory of former President Donald Trump in states officially won by President Joe Biden in the November 2020 presidential election.¹

American Oversight seeks records with the potential to shed light on the role of public officials in the creation of these electoral certificates, including whether and to what extent the Trump campaign and its allies coordinated with state officials on such efforts.

Requested Records

American Oversight requests that your office respond to this request for the following records within five business days:

1. All email communications (including emails, email attachments, complete email chains, and calendar invitations) and text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, The Buzz, or Parler) between (a) Clerk Stanley Grot and (b) any entity or individual listed below.
 - i. Rudolph Giuliani, or anyone communicating on his behalf (such as Jo Ann Zafonte, Christianne Allen, Beau Wagner, or anyone

¹ Luke Broadwater and Alan Feuer, *Jan. 6 Committee Subpoenas Fake Trump Electors*, N.Y. Times, Jan. 28, 2022, <https://www.nytimes.com/2022/01/28/us/politics/jan-6-committee-trump-electors.html>.



- communicating from an email address ending in @giulianisecurity.com, giulianipartners.com, or gdcillc.com)
- ii. Phill Kline (phillklineva@gmail.com), Luis Cornelio (lcornel001@citymail.cuny.edu) and/or anyone communicating on behalf of the Thomas More Society (@thomasmoresociety.org) or The Amistad Project
 - iii. Jacqueline Timmer, Mary Coran, and/or anyone communicating on behalf of the American Voter's Alliance (@got-freedom.org)
 - iv. Jenna Ellis (jenna.ellis.esq@gmail.com), or anyone communicating on behalf of Liberty University's Falkirk Center (including anyone communicating from an email address ending in @falkirkcenter.com), the Thomas More Society (including anyone communicating from @thomasmoresociety.org), or the American Greatness Fund (@americangreatnessfund.com)
 - v. Sidney Powell (sp@seeking-justice.org), and/or anyone communicating on behalf of Sidney Powell, P.C. (@federalappeals.com), or Defending the Republic (@defendingtherepublic.org)
 - vi. Colonel Phil Waldron (including, but not limited to, phil@onewarrior.com or anyone communicating from an email address ending in @bonfiresearch.org)
 - vii. Russell Ramsland (including, but not limited to yrku9sqs@protonmail.com), J. Keet Lewis (keet@jkeetlewis.com), and/or anyone communicating on behalf of Allied Security Operations Group (including anyone communicating from an email address ending in @alliedspecialops.us)
 - viii. Charles Bundren III (charles@bundrenlaw.net)
 - ix. Jovan Hutton Pulitzer (jovanhuttonpulitzer@gmail.com)
 - x. Doug Frank (drdougglasgfrank@protonmail.com)
 - xi. Ivan Raiklin (ivan.raiklin@gmail.com, socialmediaraiklin@gmail.com)
 - xii. Former National Security Advisor Mike Flynn (including, but not limited to, an address ending in @generalflynn.com) and/or anyone communicating on behalf of America's Future (including, but not limited to, anyone communicating from an address ending in @americasfuture.net)
 - xiii. Seth Keshel (skeshel@protonmail.com)
 - xiv. Garrett Ziegler (garrett.ziegler@icloud.com)
 - xv. Anyone communicating from an email address ending in @donaldtrump.com, @donaldjtrump.com, @trumpvictory.com, @45office.com, or @trumporg.com
 - xvi. Mark Meadows, or anyone serving in the White House (including anyone communicating from an email address ending in @who.eop.gov)
 - xvii. John Eastman (including, but not limited to, anyone communicating from the email address jeastman@claremont.org or jeastman@chapman.edu, or anyone communicating from an email address ending in @ccg1776.com)

- xviii. Stephen Miller (including, but not limited to, anyone communicating from the email address Stephen.miller@who.eop.gov or s.miller@who.eop.gov)
- xix. Ian Northon
- xx. Marc Short
- xxi. Greg Jacobs
- xxii. Christina Bobb, Charles Herring, Robert Herring, Chanel Rion, Natalie Harp, Stephanie Myers, Patrick Hussion, Stephanie Hammill, or anyone communicating on behalf of the One America News (including, but not limited to, anyone communicating from an email address ending in @oann.com)
- xxiii. Boris Epshteyn (bepshteyn@protonmail.com)
- xxiv. Katherine Friess (kfriess@protonmail.com)
- xxv. Bernard Kerik (bernardkerik@protonmail.com)
- xxvi. Emily Newman (enewman@protonmail.com)
- xxvii. Kathy Berden
- xxviii. Mayra Rodriguez
- xxix. Meshawn Maddock (including, but not limited to, meshawn@mrp.org)
- xxx. John Haggard (including, but not limited to, anyone communicating from the email address JHaggard@HaggardsPlumbing.com)
- xxxi. Kent Vanderwood (including, but not limited to, anyone communicating from the email address kentvanderwood@att.net)
- xxxii. Marian Sheridan (including, but not limited to, michiganconservativecoalition@gmail.com)
- xxxiii. James Renner
- xxxiv. Amy Facchinello
- xxxv. Rose Rook
- xxxvi. Hank Choate
- xxxvii. Mari-Ann Henry (including, but not limited to, anyone communicating from the email address ma82385@aol.com)
- xxxviii. Clifford Frost
- xxxix. Timothy King
 - xl. Michele Lundgren
 - xli. Ken Thompson
 - xlii. Matthew DePerno, or anyone communicating on behalf of DePerno Law Office (including anyone communicating from an email address ending in @deper nolaw.com)
 - xliii. Stefanie Lynn Junttila (or Stefanie Lambert, including, but not limited to attorneystefanielambert@gmail.com)
 - xliv. Norm Shinkle (including, but not limited to, normshinkle@gmail.com)
 - xlv. Patrick Colbeck (including, but not limited to patrick@migrassrootsalliance.org or pjcolbeck@comcast.net)
 - xlvi. Kristina Karamo
 - xlvii. Linda Lee Tarver (lindaleetarver@gmail.com)
 - xlviii. Anthony Forlini (aforlini@gmail.com)

2. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) and text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, The Buzz, or Parler) sent or received by Clerk Stanley Grot related to the issue of electoral certificates or “alternate electors.”²

For both parts of this request, please provide all responsive records from October 1, 2020, through January 21, 2021.

Fee Waiver Request

In accordance with Mich. Comp. Laws Ann. § 15.234(2), American Oversight requests a waiver of fees associated with processing this request for records. A waiver of fees for this request “is in the public interest because searching for or furnishing copies of the public record[s] can be considered as primarily benefiting the general public.”³

The public has a significant interest in public officials’ potential communications with Donald Trump’s presidential campaign and associates concerning the compiling of “alternate” slates of electors to sign illegitimate Electoral College certificates.⁴ Records with the potential to shed light on this matter will help American Oversight and the general public understand whether and to what extent public officials coordinated with allies or members of Trump’s campaign to develop the certificates.

American Oversight is committed to transparency and makes the responses agencies provide to FOIA requests publicly available, and the general public’s understanding of the government’s activities would be enhanced through American Oversight’s analysis and publication of these records. American Oversight’s mission is 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.⁵

² If further identifying information is needed, please see Broadwater & Feuer, *supra* note 1.

³ Mich. Comp. Laws Ann. § 15.234(2).

⁴ Zachary Cohen & Marshall Cohen, *Trump Allies’ Fake Electoral Certificates Offer Fresh Insights About Plot to Overturn Biden’s Victory*, CNN (updated Jan. 12, 2022, 9:12 PM), <https://www.cnn.com/2022/01/12/politics/trump-overturn-2020-election-fake-electoral-college/index.html>.

⁵ American Oversight currently has approximately 15,700 page likes on Facebook and 114,500 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 2, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 2, 2022).

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through numerous substantive analyses posted to its website.⁶ Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records related to the organization's investigations into misconduct and corruption in state governments;⁷ an ethics waiver received by a senior U.S. Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;⁸ posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the federal administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;⁹ posting records regarding potential self-dealing at the U.S. Department of Housing & Urban Development and related analysis;¹⁰ posting records and analysis relating to the federal government's efforts to sell nuclear technology to Saudi Arabia;¹¹ and posting records and analysis regarding the U.S. Department of Justice's decision in response to demands from Congress to direct a U.S. Attorney to undertake a wide-ranging review and make recommendations regarding criminal investigations relating to the President's political opponents and allegations of misconduct by the Department of Justice itself and the Federal Bureau of Investigation.¹²

Finally, this request is primarily and fundamentally for non-commercial purposes. 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.

Accordingly, American Oversight qualifies for a fee waiver.

⁶ *News*, American Oversight, <https://www.americanoversight.org/blog>.

⁷ *State Investigations*, American Oversight, <https://www.americanoversight.org/states>.

⁸ *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, <https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance>; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, <https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents>.

⁹ *See generally Audit the Wall*, American Oversight, <https://www.americanoversight.org/investigation/audit-the-wall>; *see, e.g., Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, <https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall>.

¹⁰ *Documents Reveal Ben Carson Jr.'s Attempts to Use His Influence at HUD to Help His Business*, American Oversight, <https://www.americanoversight.org/documents-reveal-ben-carson-jr-s-attempts-to-use-his-influence-at-hud-to-help-his-business>.

¹¹ *Investigating the Trump Administration's Efforts to Sell Nuclear Technology to Saudi Arabia*, American Oversight, <https://www.americanoversight.org/investigating-the-trump-administrations-efforts-to-sell-nuclear-technology-to-saudi-arabia>.

¹² *Sessions' Letter Shows DOJ Acted on Trump's Authoritarian Demand to Investigate Clinton*, American Oversight, <https://www.americanoversight.org/sessions-letter>.

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 use all tools available to your agency to conduct a complete and efficient search for potentially responsive records. 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.¹³ 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

¹³ Mich. Comp. Laws Ann. § 15.234(14).

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 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 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