



February 03, 2022

VIA EMAIL

Lawrence Delo
City Administrator, City of De Pere
335 S Broadway
De Pere, Wisconsin 54115
ldelo@deperewi.gov

Re: Public Records Law Request

Dear Public Records Officer:

Pursuant to Wisconsin's public records law, Wis. Stat. §§ 19.31–19.39, American Oversight makes the following request for copies of 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 produce the following records “as soon as practicable and without delay”:²

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) Second District Alderperson Kelly Ruh and (b) any entity or individual listed below.

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

² Wis. Stat. § 19.35(4)(a).



- i. Rudolph Giuliani, or anyone communicating on his behalf (such as Jo Ann Zafonte, Christianne Allen, Beau Wagner, or anyone communicating from an email address ending in @giulianisecurity.com, giulianipartners.com, or gdcillc.com)
- ii. Jenna Ellis (jennaellisesq@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)
- iii. Anyone communicating from an email address ending in @donaldtrump.com, @donaldjtrump.com, @trumpvictory.com, @45office.com, or @trumporg.com
- iv. Mark Meadows, or anyone serving in the White House (including anyone communicating from an email address ending in @who.eop.gov)
- v. 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)
- vi. Stephen Miller (including, but not limited to, anyone communicating from the email address Stephen.miller@who.eop.gov or s.miller@who.eop.gov)
- vii. Ian Northon
- viii. Marc Short
- ix. Greg Jacobs
- x. 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)
- xi. Boris Epshteyn (bepshteyn@protonmail.com)
- xii. Andrew Hitt (including, but not limited to, anyone communicating from the email address aahitt@michaelbeststrategies.com)
- xiii. Reince Priebus, or anyone communicating on behalf of Michael Best & Friedrich LLP (@michaelbest.com)
- xiv. Robert Spindell ((robert.spindell@wisconsin.gov, cd4.chairman@wisgop.info and rspindell@gottesmancompany.com)
- xv. Carol Brunner
- xvi. Edward Scott Grabins
- xvii. Bill Feehan
- xviii. Kathy Kiernan
- xix. Darryl Carlson
- xx. Pam Travis
- xxi. Mary Buestrin

- xxii. Wisconsin State Senator Scott Fitzgerald, or his Chief of Staff Dan Romportl
- xxiii. Rebecca Kleefisch
- xxiv. Adam Jarchow
- xxv. Wisconsin Representative Janel Brandtjen (janel.brandtjen@legis.wi.gov, janel@brandtjen.com, janel@glmarketing.com) or her aides, Melodie Duesterbeck or Bill Savage
- xxvi. Wisconsin Representative Timothy Ramthun (ramthun@hotmail.com, timothy.ramthun@legis.wi.gov), or his aide Tristan Johannes (tristan.johannes@legis.wi.gov, tjohannesagency@gmail.com)
- xxvii. Erick Kaardal, or anyone communicating on behalf of Mohrman, Kaardal & Erickson, P.A. (@mklaw.com)
- xxviii. Ron Heuer (including, but not limited to ronheuer@gmail.com)
- xxix. Jim Troupis (jtroupis@hotmail.com, troupisjames@gmail.com), or anyone communicating on behalf of Troupis Law Office (@troupislawoffice.com)
- xxx. Michael D. Dean (miked@michaelddeanllc.com)
- xxxi. Daniel Eastman, or anyone communicating from an email address ending in @attorneyeastman.com
- xxxii. Kurt Olsen (kurtols@protonmail.com)
- xxxiii. Harry Wait (harrytrex@gmail.com, hotgovernment@gmail.com) or anyone communicating on behalf of Honest, Open, and Transparent Government
- xxxiv. Michael Gableman (mgableman@yahoo.com)
- xxxv. 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)
- xxxvi. Sandra Juno (junosandra@yahoo.com, audejuno@gmail.com)
- xxxvii. Janet Angus (angus.janet@gmail.com)
- xxxviii. Stewart Karge, Chief Legal Officer of Advanced Medical Pricing Solutions
- xxxix. Joseph Voiland (including, but not limited to, jwvoiland@yahoo.com)
- xl. William Bock III, James Knauer, Kevin Koons, or anyone communicating on behalf of Kroger, Gardis & Regas, LLP (including anyone communicating from an email address ending in @kgirlaw.com)
- xli. Howard Kleinhendler (including, but not limited to, howard@kleinhendler.com)
- xlii. R. George Burnett, or anyone communicating on behalf of Conway, Olejniczak & Jerry S.C. (including anyone communicating from an email address ending in @lcojlaw.com)
- xliii. U.S. Senator Ron Johnson, his chief of staff Sean Riley, or his deputy chief of staff, Julie Leschke (including, but not limited to jleschke@protonmail.com), scheduler Julie Pickle, or anyone

- communicating from an email address ending in @ronjohnson.senate.gov
- xliv. Phill Kline (phillklineva@gmail.com), Luis Cornelio (lcornel001@citymail.cuny.edu) and/or anyone communicating on behalf The Amistad Project
 - xlv. Jacqueline Timmer, Mary Coran, and/or anyone communicating on behalf of the American Voter's Alliance (@got-freedom.org)
 - xlvi. Colonel Phil Waldron (including, but not limited to, phil@onewarrior.com or anyone communicating from an email address ending in @bonfiresearch.org)
 - xlvii. 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)
 - xlviii. Charles Bundren III (charles@bundrenlaw.net)
 - xlix. Jovan Hutton Pulitzer (jovanhuttonpulitzer@gmail.com)
 - l. Doug Frank (drdougglasgfrank@protonmail.com)
 - li. Ivan Raiklin (ivan.raiklin@gmail.com, socialmediaraiklin@gmail.com)
 - lii. 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)
 - liii. Katherine Friess (kfriess@protonmail.com)
 - liv. Bernard Kerik (bernardkerik@protonmail.com)
 - lv. Emily Newman (enewman@protonmail.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 Second District Alderperson Kelly Ruh related to the issue of electoral certificates or "alternate electors."³

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 Wis. Stat. § 19.35(3)(e), American Oversight respectfully requests that the records be produced without charge. Providing American Oversight with a

³ If further identifying information is needed, please see Broadwater and Feuer, *supra* note 1.

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.⁴ American Oversight also makes materials it gathers available on its public website⁵ and promotes their availability on social media platforms, such as Facebook and Twitter.⁶

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.⁷ Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including 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 public records requests publicly available, and the public’s understanding of the government’s activities would be enhanced through American Oversight’s analysis and publication of these records.

⁴ 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>.

⁵ *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

⁶ 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).

⁷ 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>.

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

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.**

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.⁸

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.⁹ 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

⁸ 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>.

⁹ Wis. Stat. § 19.36(6).

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