



April 25, 2022

VIA EMAIL

Public Records Coordinator
Florida Senate
404 South Monroe Street
Tallahassee, FL 32399
publicrecordsrequests@flsenate.gov

Senator Wilton Simpson
404 South Monroe Street
Tallahassee, FL 32399
simpson.wilton@flsenate.gov

Director of Open Government
Florida House of Representatives
402 South Monroe Street
Tallahassee, FL 32399
opengovernment@myfloridahouse.gov

Representative Chris Sprowls
402 South Monroe Street
Tallahassee, FL 32399
Chris.Sproles@myfloridahouse.gov

Representative Anthony Sabatini
402 South Monroe Street
Tallahassee, FL 32399-1300
Anthony.Sabatini@myfloridahouse.gov

Re: Public Records Request

Dear Public Records Officers:

Pursuant to Article I, section 24(a), of the Florida Constitution, and Florida House Rule 14, Part One and Florida Senate Rule 1.48, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office promptly produce the following:

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) 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, or Parler) between (a) the Legislators listed below or any member of their staff, and (b) any of the external parties listed below.

Please provide all responsive records from November 1, 2021, through the date the search is conducted.

Legislators:

- a. Senator Wilton Simpson
- b. Representative Chris Sprowls
- c. Representative Anthony Sabatini

External Parties:

1. Jessica Anderson, Garrett Bess, or any person communicating from an email address ending in @heritageaction.com
2. Ed Meese, Bridgett Wagner, Hans von Spakovsky or any person communicating from an email address ending in @heritage.org
3. Kris Kobach (including, but not limited to, communications with the email kkobach@gmail.com or kris@kriskobach.com)
4. J. (John) Christian Adams, Maureen Riordan, Logan Churchwell or any person communicating from an email address ending in @publicinterestlegal.org or @electionlawcenter.com
5. Cleta Mitchell, or any person communicating from an email address ending in @cletamitchell.com or @freedomworks.org
6. Catherine Engelbrecht, Courtney Kramer, or any person communicating from an email address ending in @truethevote.org
7. Trent England, or any person communicating from an email address ending in @saveourstates.com
8. Ken Cuccinelli, or any person communicating from an email address ending in @sba-list.org, @americanprinciplesproject.org, @americarenewing.com, or @electiontransparency.org
9. Leonard Leo, Jason Snead, or any person communicating from an email address ending in @honestelections.org, @fed-soc.org, or @jasonsnead.com
10. Tracie Sharp, Kathleen O'Hearn, or any person communicating from an email address ending in @spn.org
11. Bill McCollum, John Merrill, Andrew Wynne, Ruth Johnson, Tre Hargett, or any person communicating from an email address ending in @rslc.gop
12. Jenna Ellis, or any person communicating from an email address ending in @americangreatnessfund.com or @thomasmoresociety.org
13. Michael Bowman, Bill Meierling, or any person communicating from an email address ending in @alec.org
14. James Bopp, or any person communicating from an email address ending in @bopplaw.com or from jboppjr@aol.com
15. Will Consovoy, Michael Connolly, or any person communicating from an email address ending in @consovoymccarthy.com

16. Jason Torchinsky, or any person communicating from an email address ending in @hvjt.law or @holtzmanvogel.com
17. Stefan Passantino (stefanpassantino@onebox.com), Justin Clark, or any person communicating from an email address ending in @michaelbest.com
18. Gina Swoboda, or any person communicating from an email address ending in @voteref.com, @voterreferencefoundation.com, or @restorationaction.com
19. Commissioner Christy McCormick, U.S. Election Assistance Commission
20. Commissioner Donald Palmer, U.S. Election Assistance Commission

Please note that American Oversight does not seek, and that this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications forwarding such emails are responsive to this request. In other words, for example, if the legislator received a mass-distribution news clip email sent by one of the external parties, that initial email would not be responsive to this request. However, if the legislator forwarded that email to another individual with his own commentary, that subsequent message would be 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.

American Oversight insists that your office use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

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 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 your office 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.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, 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 office can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF 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 office on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Taylor Stoneman at records@americanoversight.org or (202) 848-1319.

Sincerely,

/s/ Taylor Stoneman
Taylor Stoneman
on behalf of
American Oversight

¹ American Oversight currently has approximately 15,700 page likes on Facebook and 118,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 29, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 29, 2022).