



July 26, 2022

**VIA EMAIL**

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707  
[elections@wisconsin.gov](mailto:elections@wisconsin.gov)

**Re: Outstanding Public Information Act Requests**

Dear Public Information Officer:

The Wisconsin Elections Commission (“WEC”) has failed to provide records in response to numerous requests submitted by American Oversight under Wisconsin’s public records law, Wis. Stat. §§ 19.31-19.39. Specifically, your office has failed to adequately respond, and in most cases failed to respond at all, to thirteen requests for records in the possession of Commissioner Robert Spindell. As you know, your office has a legal obligation to respond to such requests “as soon as practicable and without delay.” Wis. Stat. § 19.35(4)(a). We write today to identify the pending records requests to which your office has not responded and to inform you that we will pursue all legal avenues to obtain the records to which we are entitled pursuant to Wisconsin law.

Since December 2020, American Oversight has submitted thirteen requests to your office seeking Commissioner Spindell’s records without adequate responses. To date, the Wisconsin Elections Commission has responded to three of these requests, providing merely two unique pages of records total. American Oversight has received no response at all regarding the remaining ten outstanding requests. Information regarding each specific request is provided below, with each request identified using American Oversight’s internal tracking numbers, found in the lower right-hand corner of the documents.

The requests are as follows:

**WI-WEC-20-2880**

- December 8, 2020: American Oversight submitted this request (attached as Exhibit A).
- June 23, 2021: American Oversight submitted a letter identifying this request as one for which your office had acknowledged receipt, but had neither provided records nor communicated with American Oversight regarding the progress of your search.
- June 23, 2021: your office responded to American Oversight. The response consisted of one email responsive to American Oversight’s request and one email statement, dated January 8, 2021, from Commissioner Spindell addressed to

former WEC public information officer Reid Magney and WEC Administrator Meagan Wolfe. This statement, sent from Commissioner Spindell's personal email account, [rspindell@gottesman-company.com](mailto:rspindell@gottesman-company.com), asserted that all other communications with the individuals or entities specified in American Oversight's requests were bulk communications, which our request specifically excluded.

- The request seeks, "All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) Commissioner Spindell, and (b) any of the external parties listed [in the request]," including "James Troupis, including [troupisjames@gmail.com](mailto:troupisjames@gmail.com) or anyone communicating from an email address ending in [@troupislawoffice.com](mailto:@troupislawoffice.com)."
- Troupis, who represented the Trump campaign during recounts in Wisconsin following the November 2020 election, received a memo in November 2020 which offered a rationale for the appointment of an alternate slate of electors.<sup>1</sup> Commissioner Spindell later signed as an alternate elector pledged to former President Trump after the state's election had already been certified for President-elect Biden.<sup>2</sup> The circumstances indicate a significant likelihood that additional records responsive to this request exist.
- The request also seeks "[a]ll email communications ... between (a) Commissioner Spindell, and ... Erick Kaardal, or anyone communicating from an email address ending in [@mklaw.com](mailto:@mklaw.com)."

#### WI-WEC-20-2881

- December 8, 2020: American Oversight submitted this request (attached as Exhibit B).
- June 23, 2021: American Oversight submitted a letter identifying this request as one for which your office had acknowledged receipt, but had neither provided records nor communicated with American Oversight regarding the progress of your search.
- June 23, 2021: your office responded to American Oversight to indicate that Commissioner Spindell's response was identical to that for the request labeled WI-WEC-20-2880, submitted the same day.

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<sup>1</sup> Molly Beck, *Wisconsin Attorney for Trump Campaign One of First Known to Learn of Fake Elector Strategy, Memo Shows*, Milwaukee J. Sentinel (updated Feb. 3, 2022, 3:54 PM), <https://www.jsonline.com/story/news/politics/elections/2022/02/02/trump-campaigns-wisconsin-attorney-got-memo-fake-elector-strategy/6642643001/>.

<sup>2</sup> Molly Beck, *A Former Trump Campaign Aide Who Helped Engineer Fake Elector Scheme Joins Tim Ramthun's Campaign for Governor*, Milwaukee J. Sentinel (updated May 16, 2022, 11:58 AM), <https://www.jsonline.com/story/news/politics/elections/2022/05/16/former-trump-aide-tied-fake-elector-scheme-joins-ramthun-campaign/9768745002/>.

WI-WEC-21-0679

- May 26, 2021: American Oversight submitted this request (attached as Exhibit C).
- May 26, 2021: your office sent American Oversight an acknowledgment letter.
- June 23, 2021: American Oversight submitted a letter identifying this request as one for which your office had acknowledged receipt, but had neither provided records nor communicated with American Oversight regarding the progress of your search.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-21-0680

- May 26, 2021: American Oversight submitted this request (attached as Exhibit D).
- May 26, 2021: your office sent American Oversight an acknowledgment letter.
- June 23, 2021: American Oversight submitted a letter identifying this request as one for which your office had acknowledged receipt, but had neither provided records nor communicated with American Oversight regarding the progress of your search.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-21-0681

- May 26, 2021: American Oversight submitted this request (attached as Exhibit E).
- May 26, 2021: your office sent American Oversight an acknowledgment letter.
- June 23, 2021: American Oversight submitted a letter identifying this request as one for which your office had acknowledged receipt, but had neither provided records nor communicated with American Oversight regarding the progress of your search.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-21-1564

- October 29, 2021: American Oversight submitted this request (attached as Exhibit F).
- October 29, 2021: your office sent American Oversight an acknowledgment letter.
- January 5, 2022: your office responded to American Oversight. The response consisted of one email responsive to American Oversight's request and one email statement from WEC staff attorney Brandon Hunzicker. This statement indicated that because Commissioner Spindell attended the "Cyber Symposium"

in a personal capacity, that any communications apart from his invitation to the event did not qualify as public records.

WI-WEC-21-1566

- October 29, 2021: American Oversight submitted this request (attached as Exhibit G).
- October 29, 2021: your office sent American Oversight an acknowledgment letter.
- January 5, 2022: your office responded to American Oversight with one email statement from WEC staff attorney Brandon Hunzicker. This statement indicated that Commissioner Spindell was conducting a search for communications with the individuals specified in American Oversight's request.
- To date, American Oversight has not received any records responsive to this request from your office.
- American Oversight has received records from other sources reflecting the existence of records that are responsive to this request. This request seeks "[a]ll electronic communications... ) between (i) Commissioner Spindell and (ii) any of the individuals or entities [listed in the request]," including "Harry Wait ([harrytrex@gmail.com](mailto:harrytrex@gmail.com) or [hotgovernment@gmail.com](mailto:hotgovernment@gmail.com)) or anyone communicating on behalf of Honest, Open, and Transparent Government."
- Records produced to American Oversight by the Wisconsin Office of Special Counsel include an email communication dated July 18, 2021, between Harry Wait and Speaker Robin Vos, on which Commissioner Spindell is copied via his personal account, [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info).<sup>3</sup> In addition, records produced to American Oversight by Representative Janel Brandtjen include an email communication dated June 26, 2021, between Harry Wait and Speaker Robin Vos, on which Commissioner Spindell and Representative Janel Brandtjen are copied. This email is addressed to Commissioner Spindell's personal account, [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info).<sup>4</sup>

WI-WEC-22-0135

- February 3, 2022: American Oversight submitted this request (attached as Exhibit H).
- February 4, 2022: your office sent American Oversight an acknowledgment letter.
- To date, American Oversight has not received any records responsive to this request.

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<sup>3</sup> Wisconsin Office of Special Counsel Records of Election Investigation, American Oversight, Dec. 4, 2021, <https://www.americanoversight.org/document/wisconsin-office-of-special-counsel-records-of-election-investigation>.

<sup>4</sup> Wisconsin Rep. Brandtjen's Communications with Entities Investigating the 2020 Election, American Oversight, Aug. 13, 2021, <https://www.americanoversight.org/document/wisconsin-rep-brandtjens-communications-with-entities-investigating-the-2020-election>.

WI-WEC-22-0200

- March 3, 2022: American Oversight submitted this request (attached as Exhibit I).
- March 7, 2022: your office sent American Oversight an acknowledgment letter.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-22-0201

- March 3, 2022: American Oversight submitted this request (attached as Exhibit J).
- March 7, 2022: your office sent American Oversight an acknowledgment letter.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-22-0652

- July 13, 2022: American Oversight submitted this request (attached as Exhibit K).
- July 18, 2022: your office sent American Oversight an acknowledgment letter.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-22-0653

- July 13, 2022: American Oversight submitted this request (attached as Exhibit L).
- July 18, 2022: your office sent American Oversight an acknowledgment letter.
- To date, American Oversight has not received any records responsive to this request.

WI-WEC-22-0654

- July 13, 2022: American Oversight submitted this request (attached as Exhibit M).
- July 18, 2022: your office sent American Oversight an acknowledgment letter.
- To date, American Oversight has not received any records responsive to this request.

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In each instance above, your office acknowledged receipt of American Oversight's request, but, for ten of the thirteen requests, your office neither provided records nor communicated with us in any way as to the progress of any searches for responsive records. Instead, without explanation and in violation of your obligations under the Wisconsin Open Records Law, responses to our requests seeking Commissioner Spindell's records have languished—in most cases, for months, if not over a year.

American Oversight is committed to continuing to work cooperatively with your office but cannot wait indefinitely for compliance, especially when our experience to date strongly suggests no foreseeable response.

As you know, Wisconsin law requires your office to respond to requests “as soon as practicable and without delay,” Wis. Stat. § 19.35(4)(a), and the Wisconsin Department of Justice advises that authorities “should make every reasonable effort to respond to requests in a timely fashion and in a way that does not leave the requester wondering if the authority has forgotten” about the request. Furthermore, long delays in releasing public records thwart the core purposes of the open records law. As the United States Court of Appeals for the District of Columbia wrote regarding the federal Freedom of Information Act, “stale information is of little value.” *Payne Enters., Inc. v. United States*, 837 F.2d 486, 494 (D.C. Cir. 1988).

Accordingly, American Oversight respectfully requests that your office either fulfill the above-listed requests or notify American Oversight of any denials as soon as practicable and without delay. If your office continues to violate its obligations under Wisconsin public records law, American Oversight may resort to legal action to enforce our rights. Wis. Stat. § 19.37(1)(a).

Should any of our requests require further clarification or explanation, I can be reached by email at [emma.lewis@americanoversight.org](mailto:emma.lewis@americanoversight.org) or by telephone at (202) 919-6303.

Thank you for your prompt attention to this matter.

Sincerely,



Emma Lewis  
Counsel  
American Oversight

# EXHIBIT A



December 8, 2020

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Ms. Wolfe:

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

On November 18, 2020, the Wisconsin Elections Commission convened in advance of a partial recount of votes requested by the Trump campaign but failed to agree on several provisions of the recount, divided along partisan lines.<sup>1</sup>

American Oversight seeks records with the potential to shed light on whether or to what extent Wisconsin officials are acting at the behest of external political actors.

**Requested Records**

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:<sup>2</sup>

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) Commissioner Spindell, and (b) any of the external parties listed below.

**External Parties:**

1. Speaker Robin Vos or his Chief of Staff, Jenny Toftness (including but not limited to email addresses ending in @legis.wisconsin.gov)

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<sup>1</sup> Patrick Marley, *Wisconsin Recount Gets Off to a Rough Start As Elections Commission Repeatedly Clashes*, Milwaukee J.-Sentinel (updated Nov. 20, 2020, 9:00 AM), <https://www.jsonline.com/story/news/politics/2020/11/18/wisconsin-recount-gets-off-rough-start-elections-commission-clashes/3773591001/>.

<sup>2</sup> Wis. Stat. § 19.35(4)(a).



2. Rep. Ron Tusler or his aide, William Penterman (including but not limited to [rtusler@tuslerlaw.com](mailto:rtusler@tuslerlaw.com) or email addresses ending in [@legis.wisconsin.gov](mailto:@legis.wisconsin.gov))
3. James Troupis, including [troupisjames@gmail.com](mailto:troupisjames@gmail.com) or anyone communicating from an email address ending in [@troupislawoffice.com](mailto:@troupislawoffice.com)
4. Erick Kaardal, or anyone communicating from an email address ending in [@mklaw.com](mailto:@mklaw.com)
5. Karen Mueller, or anyone communicating from an email address ending in [@amoscenterforjustice.org](mailto:@amoscenterforjustice.org)
6. Stewart Karge, or anyone communicating from an email address ending in [@advancedpricing.com](mailto:@advancedpricing.com)
7. Joseph Voiland, including, but not limited to [jwvoiland@yahoo.com](mailto:jwvoiland@yahoo.com)
8. Anyone communicating from an email address ending in [@donaldtrump.com](mailto:@donaldtrump.com), [@donaldjtrump.com](mailto:@donaldjtrump.com), [@trumpvictory.com](mailto:@trumpvictory.com), or [@trumporg.com](mailto:@trumporg.com)
9. Anyone communicating on behalf of the White House, including anyone communicating from an email address ending in [@who.eop.gov](mailto:@who.eop.gov)
10. Ronna McDaniel, Laura Cox, Terry Bowman, or anyone communicating from an email address ending in [@gop.com](mailto:@gop.com), [@rnchq.com](mailto:@rnchq.com), [@wisgop.org](mailto:@wisgop.org), or [@wisgop.info](mailto:@wisgop.info)
11. John Gore, Alex Potapov, or anyone communicating from an email address ending in [@jonesday.com](mailto:@jonesday.com)
12. Justin Clark, Nathan Groth, Stefan Passantino, or anyone communicating from an email address ending in [@michaelbest.com](mailto:@michaelbest.com)
13. Kory Langhofer, Thomas Basile, or anyone communicating from an email address ending in [@statecraftlaw.com](mailto:@statecraftlaw.com)
14. Brett Johnson, Eric Spencer, or anyone communicating from an email address ending in [@swlaw.com](mailto:@swlaw.com)
15. Jay Sekulow or anyone communicating from an email address ending in [@aclj.org](mailto:@aclj.org)
16. Matt Schlapp or anyone communicating from an email address ending in [@conservative.org](mailto:@conservative.org)
17. 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](mailto:@giulianisecurity.com), [giulianipartners.com](mailto:giulianipartners.com), [gdcillc.com](mailto:gdcillc.com))
18. Anyone communicating from an email address ending in [mail.house.gov](mailto:mail.house.gov) or [senate.gov](mailto:senate.gov)
19. Joseph diGenova, Victoria Toensing, or anyone communicating from an email address ending in [@digenovatoensing.com](mailto:@digenovatoensing.com)
20. Sidney Powell, or anyone communicating from an email address ending in [@federalappeals.com](mailto:@federalappeals.com)
21. Jenna Ellis, or anyone communicating from an email address ending in [@falkirkcenter.com](mailto:@falkirkcenter.com) or [@thomasmore.org](mailto:@thomasmore.org).
22. John Solomon (including, but not limited to [john@solomonmediallc.com](mailto:john@solomonmediallc.com), or any of his email addresses ending in [@fox.com](mailto:@fox.com), [@thehill.com](mailto:@thehill.com), [@justthenews.com](mailto:@justthenews.com), [@washingtonguardian.net](mailto:@washingtonguardian.net), or [@washingtontimes.com](mailto:@washingtontimes.com))

23. David Bossie, or anyone communicating from an email address ending in @citizensunited.org

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

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 Mr. Spindell received a mass-distribution news clip email from Fox News, that initial email would not be responsive to this request. However, if Mr. Spindell forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>3</sup> American Oversight also makes materials it gathers available on its public

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<sup>3</sup> See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Accountability Project*, American Oversight, <https://www.americanoversight.org/areas-of-investigation/state-local-investigations>; 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>.

website<sup>4</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>5</sup>

The public has a significant interest in the conduct of elections in the state of Wisconsin. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent entities external to the state government may be attempting to exert influence over election administration.<sup>6</sup> 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.

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. Our request also 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 and mobile devices.** Correspondence 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.<sup>7</sup>

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.<sup>8</sup> 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.

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<sup>4</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>5</sup> American Oversight currently has approximately 15,600 page likes on Facebook and 106,000 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Nov. 30, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Nov. 30, 2020).

<sup>6</sup> *See, e.g.*, Beck, *supra* note 1.

<sup>7</sup> 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>.

<sup>8</sup> Wis. Stat. § 19.36(6).

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 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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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,



Austin R. Evers  
Executive Director  
American Oversight

# **EXHIBIT B**



December 8, 2020

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Ms. Wolfe:

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

On November 18, 2020, the Wisconsin Elections Commission convened in advance of a partial recount of votes requested by the Trump campaign but failed to agree on several provisions of the recount, divided along partisan lines.<sup>1</sup>

American Oversight seeks records with the potential to shed light on whether or to what extent Wisconsin officials are acting at the behest of external political actors.

**Requested Records**

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:<sup>2</sup>

All text message chains/conversations, or message chains/conversations on messaging applications similar in form to text messages (such as Signal, WhatsApp, Facebook Messenger, Twitter DMs, etc.), between (a) Commissioner Spindell and (b) any of the external parties listed below.

**External Parties:**

1. Rep. Robin Vos, Speaker of the Wisconsin State Assembly
2. Jenny Toftness, Chief of Staff to Speaker Vos

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<sup>1</sup> Patrick Marley, *Wisconsin Recount Gets Off to a Rough Start As Elections Commission Repeatedly Clashes*, Milwaukee J.-Sentinel (updated Nov. 20, 2020, 9:00 AM), <https://www.jsonline.com/story/news/politics/2020/11/18/wisconsin-recount-gets-off-rough-start-elections-commission-clashes/3773591001/>.

<sup>2</sup> Wis. Stat. § 19.35(4)(a).



3. Rep. Ron Tusler
4. William Penterman, Aide to Rep. Tusler
5. James Troupis, Principal, Troupis Law Firm, LLC
6. R. George Burnett, Attorney, Conway, Olejniczak & Jerry S.C.
7. Erick Kaardal, Partner, Mohrman Kaardal & Erickson PA
8. Stewart Karge, Attorney, Chief Legal Officer, Advanced Medical Pricing Solutions
9. Karen Mueller, Attorney, Amos Center for Justice and Liberty
10. Joseph Voiland, Director, Veterans Liberty Law
11. Matthew Morgan, General Counsel, Donald J. Trump for President Campaign
12. John Gore, Partner, Jones Day
13. Alex Potapov, Associate, Jones Day
14. Justin Clark, Partner, Michael Best
15. Nathan Groth, Associate, Michael Best,
16. Stefan Passantino, Partner, Michael Best
17. Kory Langhofer, Managing Partner, Statecraft Law
18. Thomas Basile, Partner, Statecraft Law
19. Brett Johnson, Partner, Snell & Wilmer Law
20. Eric Spencer, Partner, Snell & Wilmer Law
21. Jay Sekulow, Chief Counsel, American Center for Law & Justice
22. Matt Schlapp, Chairman, American Conservative Union
23. Rudolph Giuliani, Personal Attorney to President Trump, or anyone communicating on his behalf (such as Jo Ann Zafonte, Christianne Allen, Beau Wagner)
24. Senator Lindsey Graham
25. Richard Straus Perry, Chief of Staff to Senator Lindsey Graham
26. Joseph diGenova, Partner, DiGenova & Toensing
27. Victoria Toensing, Partner, DiGenova & Toensing
28. Sidney Powell, President, Sidney Powell P.C.
29. Jenna Ellis, Special Counsel, Thomas More Society
30. David Bossie, President, Citizens United
31. Ronna McDaniel, Chairwoman, Republican National Committee
32. Laura Cox, Chair, Michigan Republican Party
33. Terry Bowman, Co-chairman, Michigan Republican Party
34. John Solomon, Editor in Chief, Just the News

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

### **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.<sup>3</sup> American Oversight also makes materials it gathers available on its public website<sup>4</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>5</sup>

The public has a significant interest in the conduct of elections in the state of Wisconsin. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent entities external to the state government may be attempting to exert influence over election administration.<sup>6</sup> 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.

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. Our request also includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

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<sup>3</sup> See generally *News*, American Oversight, <https://www.americanoversight.org/blog>; *State Accountability Project*, American Oversight, [https://www.americanoversight.org/areas\\_of\\_investigation/state-local-investigations](https://www.americanoversight.org/areas_of_investigation/state-local-investigations); 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>.

<sup>4</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>5</sup> American Oversight currently has approximately 15,600 page likes on Facebook and 106,000 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Nov. 30, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Nov. 30, 2020).

<sup>6</sup> See, e.g., Beck, *supra* note 1.

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 and mobile devices.** Correspondence 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.<sup>7</sup>

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.<sup>8</sup> 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 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 Emma Lewis at

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<sup>7</sup> 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>.

<sup>8</sup> Wis. Stat. § 19.36(6).

[records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

Austin R. Evers  
Executive Director  
American Oversight

# EXHIBIT C



May 26, 2021

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Administrator Wolfe:

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

On December 8, 2020, Wisconsin Elections Commissioner Robert Spindell spoke at a “March for Trump” rally, stating “There’s no evidence vote fraud did not occur” in the state.<sup>1</sup> On December 14, Commissioner Spindell joined nine other electors for former President Trump to create an illegitimate Certificate of Ascertainment “to preserve our role in the electoral process while the final outcome is still pending in the courts,” according to Wisconsin Republican Party Chair Andrew Hitt.<sup>2</sup> Nonetheless, Commissioner Spindell declined to recuse himself from adjudicating a complaint alleging that Governor Evers and Commission Chair Ann Jacobs had improperly certified the election results for President Biden.<sup>3</sup>

American Oversight seeks records with the potential to shed light on the role of Wisconsin public officials in challenging the results of the November 2020 presidential election.

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<sup>1</sup> Henry Redman, *Elections Official Stands by at Rally As Speakers Spread Conspiracies, Promote Political Violence*, WI Examiner, Dec. 8, 2020, <https://wisconsinexaminer.com/2020/12/08/spindell-conspiracies-political-violence/>.

<sup>2</sup> Patrick Marley & Molly Beck, *Wisconsin’s 10 Electoral College Votes Cast for Biden as GOP Pushes an Alternate Slate*, Milwaukee J.-Sentinel (updated Dec. 15, 2020, 11:59 AM), <https://www.jsonline.com/story/news/politics/elections/2020/12/14/wisconsins-electoral-college-votes-cast-biden/6539058002/>.

<sup>3</sup> Patrick Marley, *Elections Commission Rules Wisconsin’s Presidential Results Were Properly Certified for Biden*, Milwaukee J.-Sentinel (updated Apr. 30, 2021, 6:08 PM), <https://www.jsonline.com/story/news/politics/2021/04/30/elections-commission-rules-wisconsin-results-were-properly-certified/4890788001/>.



## Requested Records

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:<sup>4</sup>

All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between Commissioner Robert Spindell and any of the following entities listed below. In the case of emails and texts, the search should include those sent or received from Commissioner Spindell’s individual accounts (including, but not limited to, [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info)) if they were used to conduct official business, as well those sent from his official email address or official phone.

### External Parties:

1. Speaker Robin Vos, his Chief of Staff, Jenny Toftness, or his Political Outreach Director, Joe Handrick (including, but not limited to, email addresses ending in @legis.wisconsin.gov and other known email addresses)
2. Rep. Ron Tusler or his aide, William Penterman (including, but not limited to, [rtusler@tuslerlaw.com](mailto:rtusler@tuslerlaw.com), email addresses ending in @legis.wisconsin.gov,)
3. James Troupis (including, but not limited to, [troupisjames@gmail.com](mailto:troupisjames@gmail.com) and other known email addresses), Christ Troupis, or anyone communicating on behalf of Troupis Law Office (including, but not limited to, anyone communicating from an email address ending in @troupislawoffice.com)
4. Erick Kaardal, or anyone communicating on behalf of Mohrman, Kaardal & Erickson, P.A. (including, but not limited to, anyone communicating from an email address ending in @mklaw.com)
5. 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)
6. Stewart Karge, Chief Legal Officer of Advanced Medical Pricing Solutions
7. Joseph Voiland (including, but not limited to, [jwvoiland@yahoo.com](mailto:jwvoiland@yahoo.com))
8. Anyone communicating from an email address ending in @donaldtrump.com, @donaldjtrump.com, @trumpvictory.com, or @trumporg.com
9. President Donald J. Trump, Chief of Staff Mark Meadows, Cassidy Hutchinson, or anyone communicating on behalf of the White House, including anyone communicating from an email address ending in @who.eop.gov
10. Ronna McDaniel, Laura Cox, Terry Bowman, or anyone communicating from an email address ending in @gop.com, @rnchq.com, @wisgop.org, or @wisgop.info
11. John Gore, Alex Potapov, or anyone communicating on behalf of Jones Day (including anyone communicating from an email address ending in @jonesday.com)

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<sup>4</sup> Wis. Stat. § 19.35(4)(a).

12. Justin Clark, Nathan Groth, Stefan Passantino, Andrew Hitt, or anyone communicating on behalf of Michael Best & Friedrich LLP (including anyone communicating from an email address ending in @michaelbest.com)
13. Kory Langhofer, Thomas Basile, or anyone communicating on behalf of Statecraft Law (including anyone communicating from an email address ending in @statecraftlaw.com)
14. Brett Johnson, Eric Spencer, or anyone communicating on behalf of Snell & Wilmer (including anyone communicating from an email address ending in @swlaw.com)
15. Jay Sekulow or anyone communicating on behalf of the American Center for Law & Justice (including anyone communicating from an email address ending in @aclj.org)
16. Matt Schlapp or anyone communicating on behalf of the American Conservative Union (including anyone communicating from an email address ending in @conservative.org)
17. 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, gdcillc.com)
18. Anyone communicating from an email address ending in mail.house.gov or senate.gov
19. Joseph diGenova, Victoria Toensing, or anyone communicating on behalf of diGenova & Toensing, LLP (including anyone communicating from an email address ending in @digenovatoensing.com)
20. Sidney Powell, or anyone communicating on behalf of Sidney Powell, P.C. (including anyone communicating from an email address ending in @federalappeals.com)
21. Jenna Ellis, or anyone communicating on behalf of Liberty University's Falkirk Center (including anyone communicating from an email address ending in @falkirkcenter.com) or the Thomas More Society (including anyone communicating from @thomasmoresociety.org)
22. John Solomon (including, but not limited to [john@solomonmediallc.com](mailto:john@solomonmediallc.com), or any of his email addresses ending in @fox.com, @thehill.com, @justthenews.com, @washingtonguardian.net, or @washingtontimes.com)
23. David Bossie, or anyone communicating from an email address ending in @citizensunited.org

Please provide all responsive records from December 8, 2020, through the date the search is conducted.

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 Commissioner Spindell received a mass-distribution news clip email from Fox News, that initial email would not be responsive to this request. However, if Commissioner Spindell forwarded that email to another individual with his own

commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>5</sup> American Oversight also makes materials it gathers available on its public website<sup>6</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>7</sup>

The public has a significant interest in the actions of public officials with regards to election administration.<sup>8</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of these officials in casting doubt on the results of the November 2020 presidential election. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the

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<sup>5</sup> 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>.

<sup>6</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>7</sup> American Oversight currently has approximately 15,670 page likes on Facebook and 106,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 24, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 24, 2021).

<sup>8</sup> See *supra*, notes 1-3. il

public's 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**

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.<sup>9</sup>

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.<sup>10</sup> 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

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<sup>9</sup> 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>.

<sup>10</sup> Wis. Stat. § 19.36(6).

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 please contact Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis

Emma Lewis  
on behalf of  
American Oversight

# EXHIBIT D



May 26, 2021

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Administrator Wolfe:

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

On April 30, 2021, the Wisconsin Elections Commission (WEC) ruled that Governor Tony Evers and WEC Commissioner Meagan Wolfe had acted properly certifying the results of the November 2020 presidential election, rejecting claims made by two of the Commission's own members.<sup>1</sup> Earlier in the month, members of the Assembly's Campaigns and Elections Committee indicated willingness to open a "formal investigation" into election results, possibly including subpoenaing witnesses and documents. Shortly following the WEC's decision, The Amistad Project, a conservative legal organization, filed a complaint with the WEC regarding the role of external grants from the Center for Tech and Civic Life (CTCL) in administering elections.<sup>2</sup>

American Oversight seeks records with the potential to shed light on the role of public officials in challenging the results of the November 2020 presidential election.

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<sup>1</sup> Patrick Marley, *Elections Commission Rules Wisconsin's Presidential Results Were Properly Certified for Biden*, Milwaukee J.-Sentinel (updated Apr. 30, 2021, 6:08 PM), <https://www.jsonline.com/story/news/politics/2021/04/30/elections-commission-rules-wisconsin-results-were-properly-certified/4890788001/>.

<sup>2</sup> Dan Truttschel, *WATCH NOW: Watchdog Group Files Complaint with State Elections Commission about Grant*, May 3, 2021, [https://www.kenoshanews.com/news/local/govt-and-politics/elections/watch-now-watchdog-group-files-complaint-with-state-elections-commission-about-grant/article\\_7b259bbd-cf96-58aa-b8c1-703c4240bb55.html](https://www.kenoshanews.com/news/local/govt-and-politics/elections/watch-now-watchdog-group-files-complaint-with-state-elections-commission-about-grant/article_7b259bbd-cf96-58aa-b8c1-703c4240bb55.html).



## Requested Records

American Oversight requests that the Wisconsin Elections Commission produce the following records “as soon as practicable and without delay”:<sup>3</sup>

All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between Commissioner Robert Spindell and any of the following entities listed below. In the case of emails and texts, the search should include those sent or received from Commissioner Spindell’s individual accounts (including, but not limited to, [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info)) if they were used to conduct official business, as well those sent from his official email address or official phone.

1. Senate Majority Leader Devin LeMaheiu or his Chief of Staff, Jennifer Malcore, or his Deputy Chief of Staff, Ashley Czaja (including, but not limited to, email addresses ending in @legis.wisconsin.gov)
2. Rep. Joe Sanfelippo or his aide, Joshua Hoisington (including but not limited to email addresses ending in @legis.wisconsin.gov)
3. Rep. Janel Brandtjen, or her aides, William Savage or Melodie Duesterbeck (including, but not limited to, email addresses ending in @legis.wisconsin.gov)
4. Cleta Mitchell (including, but not limited to, cleta@cletamitchell.com, cmitchell@foley.com, or email addresses ending in @bradleyfdn.org)
5. 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 @kgrlaw.com)
6. Howard Kleinhendler (including, but not limited to, howard@kleinhendler.com or other known email addresses)
7. 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)
8. Kylie Jane Kremer, Amy Kremer, Justine Caporale, or anyone communicating on behalf of Women for America First (including anyone communicating from an email address ending in @wfaf.org)
9. CEO of My Pillow, Inc., Mike Lindell
10. Lin Wood, or anyone communicating from an email address ending in @linwoodlaw.com or @fightback.law
11. Jack Posobiec, or anyone communicating on behalf of One America News Network (including anyone communicating from an email address ending in @oann.com)
12. Former Brown County Clerk, Sandy Juno
13. RPW Chair, Andrew Hitt (including but not limited to aahitt@michaelbeststrategies.com, state.chairman@wisgop.info, and other known email addresses)
14. RPW Secretary, Kelly Ruh

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<sup>3</sup> Wis. Stat. § 19.35(4)(a).

15. RPW National Committeewoman, Mary Buestrin
16. RPW National Committeeman, Tom Schreiber (including, but not limited to, tbschreiber@michaelbeststrategies.com)
17. RPW 1st Congressional District Vice Chair, Carol Brunner
18. RPW 5th Congressional District Chair, Kathy Kiernan
19. Treasurer of the Wisconsin Federation of Republican Women, Pam Travis
20. Chair of the Lacrosse County GOP, Bill Feehan
21. Darryl Carlson
22. Edward Scott Grabins

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

### **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.<sup>4</sup> American Oversight also makes materials it gathers available on its public

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<sup>4</sup> 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>.

website<sup>5</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>6</sup>

The public has a significant interest in the actions of Wisconsin's public officials with regards to election administration.<sup>7</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of these officials in casting doubt on the results of the November 2020 presidential election. 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.

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.<sup>8</sup>

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.<sup>9</sup> If it is your position that a document contains non-exempt

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

<sup>6</sup> American Oversight currently has approximately 15,680 page likes on Facebook and 106,300 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 5, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 5, 2020).

<sup>7</sup> *See supra*, notes 1 & 2.

<sup>8</sup> 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>.

<sup>9</sup> Wis. Stat. § 19.36(6).

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 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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis

Emma Lewis  
on behalf of  
American Oversight

# **EXHIBIT E**



May 26, 2021

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Administrator Wolfe:

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

On April 30, 2021, the Wisconsin Elections Commission (WEC) ruled that Governor Tony Evers and WEC Commissioner Meagan Wolfe had acted properly certifying the results of the November 2020 presidential election, rejecting claims made by two of the Commission's own members.<sup>1</sup> Earlier in the month, members of the Assembly's Campaigns and Elections Committee indicated willingness to open a "formal investigation" into election results, possibly including subpoenaing witnesses and documents. Shortly following the WEC's decision, The Amistad Project, a conservative legal organization, filed a complaint with the WEC regarding the role of external grants from the Center for Tech and Civic Life (CTCL) in administering elections.<sup>2</sup>

American Oversight seeks records with the potential to shed light on the role of public officials in challenging the results of the November 2020 presidential election.

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<sup>1</sup> Patrick Marley, *Elections Commission Rules Wisconsin's Presidential Results Were Properly Certified for Biden*, Milwaukee J.-Sentinel (updated Apr. 30, 2021, 6:08 PM), <https://www.jsonline.com/story/news/politics/2021/04/30/elections-commission-rules-wisconsin-results-were-properly-certified/4890788001/>.

<sup>2</sup> Dan Truttschel, *WATCH NOW: Watchdog Group Files Complaint with State Elections Commission about Grant*, May 3, 2021, [https://www.kenoshanews.com/news/local/govt-and-politics/elections/watch-now-watchdog-group-files-complaint-with-state-elections-commission-about-grant/article\\_7b259bbd-cf96-58aa-b8c1-703c4240bb55.html](https://www.kenoshanews.com/news/local/govt-and-politics/elections/watch-now-watchdog-group-files-complaint-with-state-elections-commission-about-grant/article_7b259bbd-cf96-58aa-b8c1-703c4240bb55.html).



## Requested Records

American Oversight requests that the Wisconsin Elections Commission produce the following records “as soon as practicable and without delay”:<sup>3</sup>

All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by Commissioner Robert Spindell regarding efforts to challenge the results of the November 2020 presidential election, including allegations of fraud, the role of external funding to local election administrators, attempts to decertify the results, and any investigations into the results. The search should include those sent or received from Commissioner Spindell’s individual accounts (including, but not limited to, [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info)) if they were used to conduct official business. For this request, American Oversight believes that records containing the terms below are likely to be responsive records, and requests that your office, at a minimum, employ the following search terms to identify responsive records:

### Suggested Search Terms:

- |                         |                      |
|-------------------------|----------------------|
| 1. “January 6”          | 15. Forensic         |
| 2. “Jan 6”              | 16. Harbor           |
| 3. “Jan. 6”             | 17. MAGA             |
| 4. 1/6                  | 18. Maricopa         |
| 5. Audit                | 19. Paxton           |
| 6. Antrim               | 20. Ratification     |
| 7. Certify              | 21. Recount          |
| 8. Certification        | 22. Smartmatic       |
| 9. CTCL                 | 23. Subpoena         |
| 10. Decertify           | 24. “Stop the Steal” |
| 11. Dominion            | 25. “Supreme Court”  |
| 12. Elector             | 26. SCOTUS           |
| 13. “Electoral College” | 27. Zuckerberg       |
| 14. Electors            | 28. “voter fraud”    |

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

In an effort to accommodate your agency and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by Commissioner Spindell. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both Commissioner Spindell’s response to an email from one of the listed

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<sup>3</sup> Wis. Stat. § 19.35(4)(a).

email domains and the initial received message are responsive to this request and should be produced.

### **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.<sup>4</sup> American Oversight also makes materials it gathers available on its public website<sup>5</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>6</sup>

The public has a significant interest in the actions of Wisconsin’s public officials with regards to election administration.<sup>7</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the role of these officials in casting doubt on the results of the November 2020 presidential election. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available,

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<sup>4</sup> 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>.

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

<sup>6</sup> American Oversight currently has approximately 15,680 page likes on Facebook and 106,300 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 5, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 5, 2020).

<sup>7</sup> See *supra*, notes 1 & 2.

and the public's 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**

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.<sup>8</sup>

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.<sup>9</sup> 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

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<sup>8</sup> 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>.

<sup>9</sup> Wis. Stat. § 19.36(6).

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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis

Emma Lewis  
on behalf of  
American Oversight

# **EXHIBIT F**



October 29, 2021

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Administrator Wolfe:

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

On August 10-12, 2021, MyPillow CEO and election conspiracy theorist Mike Lindell hosted a “cyber symposium” in Sioux Falls, South Dakota.<sup>1</sup> Wisconsin Representative Timothy Ramthun attended, as did Elections Commissioner Robert Spindell and former Wisconsin Supreme Court Justice Michael Gableman, who now is leading an investigation into the November 2020 election.<sup>2</sup> Rep. Ramthun indicated prior to the event that he had been in contact with Gableman as well as Assembly Speaker Robin Vos regarding his ideas for an expanded investigation, for which he was seeking private funding.<sup>3</sup> While attending the event, Rep. Ramthun released a statement indicating that he had communicated with Commissioner Spindell regarding Wisconsin's elections system about allegations made during the “symposium.”<sup>4</sup>

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<sup>1</sup> Patrick Marley & Molly Beck, *Official in Charge of Wisconsin's Election Review Attends Conspiracy-Fueled Symposium Hosted by MyPillow's Mike Lindell*, Milwaukee J. Sentinel (updated Aug. 12, 2021, 6:16 PM),

<https://www.jsonline.com/story/news/politics/2021/08/12/wisconsin-election-official-attends-mike-lindell-cyber-symposium/8108850002/>.

<sup>2</sup> *Id.*; Scott Bauer, *Wisconsin Election Probe Leader Traveled to Arizona*, Associated Press, Aug. 12, 2021, <https://apnews.com/article/joe-biden-elections-wisconsin-arizona-d7e52b6c5f806e606ae728a98a6e2ec5>.

<sup>3</sup> Patrick Marley, *Wisconsin Republican Invokes the QAnon Theme As He Seeks Private Funding for an Arizona-Style Election Audit*, Milwaukee J. Sentinel (updated Aug. 4, 2021, 8:29 AM), <https://www.jsonline.com/story/news/politics/2021/08/03/republican-timothy-ramthun-seeking-election-review-invokes-qanon-theme-the-calm-before-the-storm/5463451001/>.

<sup>4</sup> *Rep. Ramthun Gives Cyber Symposium Update*, Aug. 11, 2021,

[http://www.thewheelerreport.com/wheeler\\_docs/files/081121ramthun\\_01.pdf](http://www.thewheelerreport.com/wheeler_docs/files/081121ramthun_01.pdf).



American Oversight seeks records with the potential to shed light on the involvement of Wisconsin officials in the “cyber symposium,” including the extent to which they communicated with entities seeking to cast doubt on the results of the November 2020 election.

### **Requested Records**

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:<sup>5</sup>

- A. 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, or Parler) sent or received by Commissioner Spindell regarding the “cyber symposium” hosted by Mike Lindell in Sioux Falls, South Dakota, from August 10-12, including but not limited to communications with or regarding event organizers, presenters, or attendees, or communications regarding the substantive content of the “symposium.”
- B. Any handouts, agendas, summaries, or notes provided to or created by Commissioner Spindell during or related to his trip to the “cyber symposium.” Responsive records would include, but not be limited to (A) electronic or hard-copy records provided by event organizers, presenters, or attendees, or (B) formal or informal notes, descriptions, or analyses of the event created by Commissioner Spindell.

For Parts A and B of this request, please provide all responsive records from August 1, 2021, through August 23, 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 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

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<sup>5</sup> Wis. Stat. § 19.35(4)(a).

other media.<sup>6</sup> American Oversight also makes materials it gathers available on its public website<sup>7</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>8</sup>

The public has a significant interest in the actions of Wisconsin officials with respect to election administration.<sup>9</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including to what extent Wisconsin officials communicated with entities seeking to cast doubt on the results of the November 2020 election and future elections. 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.

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

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<sup>6</sup> 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>.

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

<sup>8</sup> American Oversight currently has approximately 15,630 page likes on Facebook and 108,900 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 28, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 28, 2021).

<sup>9</sup> See *supra*, notes 1-3.

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.<sup>10</sup>

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.<sup>11</sup> 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 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](mailto:records@americanoversight.org) or (202) 869-5244. Also, if American Oversight's

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<sup>10</sup> 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>.

<sup>11</sup> Wis. Stat. § 19.36(6).

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

# EXHIBIT G



October 29, 2021

**VIA EMAIL**

Meagan Wolfe, Administrator  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wi.gov](mailto:elections@wi.gov)

**Re: Public Records Law Request**

Dear Administrator Wolfe:

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

On August 10-12, 2021, MyPillow CEO and election conspiracy theorist Mike Lindell hosted a “cyber symposium” in Sioux Falls, South Dakota.<sup>1</sup> Wisconsin Representative Timothy Ramthun attended, as did Elections Commissioner Robert Spindell and former Wisconsin Supreme Court Justice Michael Gableman, who now is leading an investigation into the November 2020 election.<sup>2</sup> Rep. Ramthun indicated prior to the event that he had been in contact with Gableman as well as Assembly Speaker Robin Vos regarding his ideas for an expanded investigation, for which he was seeking private funding.<sup>3</sup> While attending the event, Rep. Ramthun released a statement indicating that he had communicated with Commissioner Spindell regarding Wisconsin's elections system about allegations made during the “symposium.”<sup>4</sup>

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<sup>1</sup> Patrick Marley & Molly Beck, *Official in Charge of Wisconsin's Election Review Attends Conspiracy-Fueled Symposium Hosted by MyPillow's Mike Lindell*, Milwaukee J. Sentinel (updated Aug. 12, 2021, 6:16 PM),

<https://www.jsonline.com/story/news/politics/2021/08/12/wisconsin-election-official-attends-mike-lindell-cyber-symposium/8108850002/>.

<sup>2</sup> *Id.*; Scott Bauer, *Wisconsin Election Probe Leader Traveled to Arizona*, Associated Press, Aug. 12, 2021, <https://apnews.com/article/joe-biden-elections-wisconsin-arizona-d7e52b6c5f806e606ae728a98a6e2ec5>.

<sup>3</sup> Patrick Marley, *Wisconsin Republican Invokes the QAnon Theme As He Seeks Private Funding for an Arizona-Style Election Audit*, Milwaukee J. Sentinel (updated Aug. 4, 2021, 8:29 AM), <https://www.jsonline.com/story/news/politics/2021/08/03/republican-timothy-ramthun-seeking-election-review-invokes-qanon-theme-the-calm-before-the-storm/5463451001/>.

<sup>4</sup> *Rep. Ramthun Gives Cyber Symposium Update*, Aug. 11, 2021,

[http://www.thewheelerreport.com/wheeler\\_docs/files/081121ramthun\\_01.pdf](http://www.thewheelerreport.com/wheeler_docs/files/081121ramthun_01.pdf).



American Oversight seeks records with the potential to shed light on the involvement of Wisconsin officials in the “cyber symposium,” including the extent to which they communicated with entities seeking to cast doubt on the results of the November 2020 election.

### **Requested Records**

American Oversight requests that your office produce the following records “as soon as practicable and without delay”:<sup>5</sup>

All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (i) Commissioner Spindell and (ii) any of the individuals or entities below, including, but not limited to at the suggested email addresses or domains. The search should include those sent or received from personal accounts and devices if they were used to conduct official business, as well those sent from any official email addresses or government-issued devices.

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

#### **Specified Entities:**

1. Michael Gableman, Zakary Niemierowicz, Andrew Kloster, or anyone communicating on behalf of Gableman or the Wisconsin Office of Special Counsel
2. Mike Lindell
3. Reince Priebus, or anyone communicating on behalf of Michael Best & Friedrich LLP ([@michaelbest.com](mailto:@michaelbest.com))
4. Jim Troupis ([jtroupis@hotmail.com](mailto:jtroupis@hotmail.com)), or anyone communicating on behalf of Troupis Law Office
5. Michael D. Dean ([miked@michaelddeanllc.com](mailto:miked@michaelddeanllc.com))
6. Daniel Eastman, or anyone communicating from an email address ending in [@attorneyeastman.com](mailto:@attorneyeastman.com)
7. Kurt Olsen
8. Erick Kaardal, or anyone communicating on behalf of Mohrman, Kaardal & Erickson, P.A. ([@mklaw.com](mailto:@mklaw.com))
9. Ron Heuer ([ronheuer@gmail.com](mailto:ronheuer@gmail.com))
10. Harry Wait ([harrytrex@gmail.com](mailto:harrytrex@gmail.com) or [hotgovernment@gmail.com](mailto:hotgovernment@gmail.com)) or anyone communicating on behalf of Honest, Open, and Transparent Government
11. Former U.S. Representative Sean Duffy
12. Randy Pullen ([rpullen13@gmail.com](mailto:rpullen13@gmail.com))
13. Pennsylvania Senators Doug Mastriano, Dave Argall, or Cris Dush, or anyone communicating on behalf of the Pennsylvania State Senate ([@pasen.gov](mailto:@pasen.gov))

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<sup>5</sup> Wis. Stat. § 19.35(4)(a).

14. Virginia Senator Amanda Chase, or anyone communicating from an email ending in @chaseforva.com
15. Toni Shuppe ([tshuppe@protonmail.com](mailto:tshuppe@protonmail.com)), Jamie Sheffield, or anyone communicating on behalf of Audit the Vote PA
16. Former Michigan State Senator Patrick Colbeck
17. Patrick Byrne, Mike Roman ([mikeroman@protonmail.com](mailto:mikeroman@protonmail.com)) or anyone communicating on behalf of the America Project (@americaproject.com)
18. Al Hartman, Jenny Limcher, or anyone communicating on behalf of Hartman REIT (@hartman-reit.com)
19. Lin Wood, or anyone communicating from an email address ending in @fightback.law
20. Micheal Bowman ([mbowman@alecaction.org](mailto:mbowman@alecaction.org))
21. Ivan Raiklin ([ivan.raiklin@gmail.com](mailto:ivan.raiklin@gmail.com) or [socialmediaraiklin@gmail.com](mailto:socialmediaraiklin@gmail.com))
22. Raj Doraisamy, Caroline Wetherington, or anyone communicating on behalf of Defend Wisconsin or Defend Our Union (@defendourunion.org)
23. Matthew DePerno, or anyone communicating on behalf of DePerno Law Office (@deper nolaw.com)
24. Mike Flynn, or anyone communicating from an email address ending in @generalflynn.com, or anyone communicating on behalf of America's Future (@americasfuture.net)
25. John Eastman ([jeastman@claremont.org](mailto:jeastman@claremont.org))
26. Hogan Gidley, Kenneth Blackwell ([kennethblackwell693@gmail.com](mailto:kennethblackwell693@gmail.com)), or anyone communicating on behalf of America First Policy Institute (@americafirstpolicy.com)
27. Phil Waldron ([phil@onewarrior.com](mailto:phil@onewarrior.com) or [p@bonfiresearch.org](mailto:p@bonfiresearch.org)), Russ Ramsland ([ryuks9sq@alliedspecialops.us](mailto:ryuks9sq@alliedspecialops.us)), James Keet Lewis III ([keet@jkeetlewis.com](mailto:keet@jkeetlewis.com)), or anyone communicating on behalf of Allied Security Operations Group (@alliedspecialops.us)
28. Seth Keshel
29. Jovan Hutton Pulitzer ([jovanhuttonpulitzer@gmail.com](mailto:jovanhuttonpulitzer@gmail.com))
30. Shiva Ayyadurai ([vashiva@vashiva.com](mailto:vashiva@vashiva.com)), or anyone communicating on behalf of EchoMail (@echomail.com)

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 Commissioner Spindell received a mass-distribution news clip email from the America First Policy Institute, that initial email would not be responsive to this request. However, if Commissioner Spindell forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>6</sup> American Oversight also makes materials it gathers available on its public website<sup>7</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>8</sup>

The public has a significant interest in the actions of Wisconsin officials with respect to election administration.<sup>9</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including to what extent Wisconsin officials communicated with entities seeking to cast doubt on the results of the November 2020 election and future elections. 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.

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

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<sup>6</sup> 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>.

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

<sup>8</sup> American Oversight currently has approximately 15,630 page likes on Facebook and 108,900 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 28, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 28, 2021).

<sup>9</sup> See *supra*, notes 1-3.

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.<sup>10</sup>

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.<sup>11</sup> 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 Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will

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<sup>10</sup> 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>.

<sup>11</sup> Wis. Stat. § 19.36(6).

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](mailto: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

# EXHIBIT H



February 03, 2022

**VIA EMAIL**

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707  
[elections@wisconsin.gov](mailto:elections@wisconsin.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.<sup>1</sup>

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”:<sup>2</sup>

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) Commissioner Robert Spindell and (b) any entity or individual listed below.

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<sup>1</sup> 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>.

<sup>2</sup> 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](mailto:giulianisecurity.com), [giulianipartners.com](mailto:giulianipartners.com), or [gdcillc.com](mailto:gdcillc.com))
- ii. Jenna Ellis ([jenna.ellis.esq@gmail.com](mailto: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](mailto:@falkirkcenter.com)), the Thomas More Society (including anyone communicating from [@thomasmoresociety.org](mailto:@thomasmoresociety.org)), or the American Greatness Fund ([@americangreatnessfund.com](mailto:@americangreatnessfund.com))
- iii. Anyone communicating from an email address ending in [@donaldtrump.com](mailto:@donaldtrump.com), [@donaldjtrump.com](mailto:@donaldjtrump.com), [@trumpvictory.com](mailto:@trumpvictory.com), [@45office.com](mailto:@45office.com), or [@trumporg.com](mailto:@trumporg.com)
- iv. Mark Meadows, or anyone serving in the White House (including anyone communicating from an email address ending in [@who.eop.gov](mailto:@who.eop.gov))
- v. John Eastman (including, but not limited to, anyone communicating from the email address [jeastman@claremont.org](mailto:jeastman@claremont.org) or [jeastman@chapman.edu](mailto:jeastman@chapman.edu), or anyone communicating from an email address ending in [@ccg1776.com](mailto:@ccg1776.com))
- vi. Stephen Miller (including, but not limited to, anyone communicating from the email address [Stephen.miller@who.eop.gov](mailto:Stephen.miller@who.eop.gov) or [s.miller@who.eop.gov](mailto: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](mailto:@oann.com))
- xi. Boris Epshteyn ([bepshteyn@protonmail.com](mailto:bepshteyn@protonmail.com))
- xii. Andrew Hitt (including, but not limited to, anyone communicating from the email address [ahitt@michaelbeststrategies.com](mailto:ahitt@michaelbeststrategies.com))
- xiii. Kelly Ruh (including, but not limited to, anyone communicating from the email address [kruh@deperewi.gov](mailto:kruh@deperewi.gov))
- xiv. Carol Brunner
- xv. Edward Scott Grabins
- xvi. Bill Feehan
- xvii. Kathy Kiernan
- xviii. Darryl Carlson
- xix. Pam Travis
- xx. Mary Buestrin
- xxi. Wisconsin State Senator Scott Fitzgerald, or his Chief of Staff Dan Romportl
- xxii. Rebecca Kleefisch

- xxiii. Adam Jarchow
- xxiv. Wisconsin Representative Janel Brandtjen ([janel.brandtjen@legis.wi.gov](mailto:janel.brandtjen@legis.wi.gov), [janel@brandtjen.com](mailto:janel@brandtjen.com), [janel@glmarketing.com](mailto:janel@glmarketing.com)) or her aides, Melodie Duesterbeck or Bill Savage
- xxv. Wisconsin Representative Timothy Ramthun ([ramthun@hotmail.com](mailto:ramthun@hotmail.com), [timothy.ramthun@legis.wi.gov](mailto:timothy.ramthun@legis.wi.gov)), or his aide Tristan Johannes ([tristan.johannes@legis.wi.gov](mailto:tristan.johannes@legis.wi.gov), [tjohannesagency@gmail.com](mailto:tjohannesagency@gmail.com))
- xxvi. Erick Kaardal, or anyone communicating on behalf of Mohrman, Kaardal & Erickson, P.A. (@mklaw.com)
- xxvii. Ron Heuer (including, but not limited to [ronheuer@gmail.com](mailto:ronheuer@gmail.com))
- xxviii. Jim Troupis ([jtroupis@hotmail.com](mailto:jtroupis@hotmail.com), [troupisjames@gmail.com](mailto:troupisjames@gmail.com)), or anyone communicating on behalf of Troupis Law Office (@troupislawoffice.com)
- xxix. Michael D. Dean ([miked@michaelddeanllc.com](mailto:miked@michaelddeanllc.com))
- xxx. Daniel Eastman, or anyone communicating from an email address ending in @attorneyeastman.com
- xxxi. Kurt Olsen ([kurtols@protonmail.com](mailto:kurtols@protonmail.com))
- xxxii. Harry Wait ([harrytrex@gmail.com](mailto:harrytrex@gmail.com), [hotgovernment@gmail.com](mailto:hotgovernment@gmail.com)) or anyone communicating on behalf of Honest, Open, and Transparent Government
- xxxiii. Michael Gableman ([mgableman@yahoo.com](mailto:mgableman@yahoo.com))
- xxxiv. 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)
- xxxv. Sandra Juno ([junosandra@yahoo.com](mailto:junosandra@yahoo.com), [audejuno@gmail.com](mailto:audejuno@gmail.com))
- xxxvi. Janet Angus ([angus.janet@gmail.com](mailto:angus.janet@gmail.com))
- xxxvii. Stewart Karge, Chief Legal Officer of Advanced Medical Pricing Solutions
- xxxviii. Joseph Voiland (including, but not limited to, [jwvoiland@yahoo.com](mailto:jwvoiland@yahoo.com))
- xxxix. 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 @kgrlaw.com)
- xl. Howard Kleinhendler (including, but not limited to, [howard@kleinhendler.com](mailto:howard@kleinhendler.com))
- xli. 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)
- xlii. 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](mailto:jleschke@protonmail.com)), scheduler Julie Pickle, or anyone communicating from an email address ending in @ronjohnson.senate.gov

- xliii. Phill Kline ([phillklineva@gmail.com](mailto:phillklineva@gmail.com)), Luis Cornelio ([lcornel001@citymail.cuny.edu](mailto:lcornel001@citymail.cuny.edu)) and/or anyone communicating on behalf of The Amistad Project
  - xliv. Jacqueline Timmer, Mary Coran, and/or anyone communicating on behalf of the American Voter's Alliance ([@got-freedom.org](http://got-freedom.org))
  - xlv. Colonel Phil Waldron (including, but not limited to, [phil@onewarrior.com](mailto:phil@onewarrior.com) or anyone communicating from an email address ending in [@bonfiresearch.org](http://bonfiresearch.org))
  - xlvi. Russell Ramsland (including, but not limited to [yrku9sqs@protonmail.com](mailto:yrku9sqs@protonmail.com)), J. Keet Lewis ([keet@jkeetlewis.com](mailto: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](http://alliedspecialops.us))
  - xlvii. Charles Bundren III ([charles@bundrenlaw.net](mailto:charles@bundrenlaw.net))
  - xlviii. Jovan Hutton Pulitzer ([jovanhuttonpulitzer@gmail.com](mailto:jovanhuttonpulitzer@gmail.com))
  - xlix. Doug Frank ([drdougglasgfrank@protonmail.com](mailto:drdougglasgfrank@protonmail.com))
  - 1. Ivan Raiklin ([ivan.raiklin@gmail.com](mailto:ivan.raiklin@gmail.com), [socialmediaraiklin@gmail.com](mailto:socialmediaraiklin@gmail.com))
  - li. Former National Security Advisor Mike Flynn (including, but not limited to, an address ending in [@generalflynn.com](http://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](http://americasfuture.net))
  - lii. Katherine Friess ([kfriess@protonmail.com](mailto:kfriess@protonmail.com))
  - liii. Bernard Kerik ([bernardkerik@protonmail.com](mailto:bernardkerik@protonmail.com))
  - liv. Emily Newman ([enewman@protonmail.com](mailto: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 Robert Spindell related to the issue of electoral certificates or “alternate electors.”<sup>3</sup>

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 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.

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

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.<sup>4</sup> American Oversight also makes materials it gathers available on its public website<sup>5</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>6</sup>

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.<sup>7</sup> 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.

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**

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<sup>4</sup> 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>.

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

<sup>6</sup> 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).

<sup>7</sup> 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 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.<sup>8</sup>

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.<sup>9</sup> 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.

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<sup>8</sup> 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>.

<sup>9</sup> Wis. Stat. § 19.36(6).

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](mailto: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

# EXHIBIT I



March 3, 2022

**VIA EMAIL**

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wisconsin.gov](mailto:elections@wisconsin.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.

On December 14, 2020, ten Wisconsin Republicans convened to submit a false Certificate of Ascertainment casting the state's electoral votes for former President Trump. Among these false electors was Wisconsin Elections Commission (WEC) member Robert Spindell, who described the function as “ministerial” and a precaution in anticipation of further court rulings.<sup>1</sup> However, memoranda circulated by attorney for the Trump campaign, John Eastman, suggested that the mere presence of the false slates of electors submitted by seven states could have enabled former Vice President Pence to declare no winner in those states.<sup>2</sup> Furthermore, a number of individuals involved in attempts to block the certification of the election remain involved in conducting or advocating for partisan “audits” of elections, including in Wisconsin.<sup>3</sup>

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<sup>1</sup> Melanie Conklin, *Will False Trump Electors' Attempt to Hijack the Wisconsin Vote Be Punished?*, Wis. Examiner (Jan. 14, 2022, 7:00 AM), <https://wisconsinexaminer.com/2022/01/14/will-false-trump-electors-attempt-to-hijack-the-wisconsin-vote-be-punished/>.

<sup>2</sup> Beth Reinhard, *et al.*, *As Giuliani Coordinated Plan for Trump Electoral Votes in States Biden Won, Some Electors Balked*, Wash. Post (Jan. 20, 2022, 11:41 AM), [https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430\\_story.html](https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430_story.html).

<sup>3</sup> Patrick Marley, *Gableman Hires Investigator Who Has Brought Legal Challenges Seeking to Overturn Wisconsin's Presidential Results*, Milwaukee J. Sentinel (updated Dec. 3, 2021, 10:50 AM), <https://www.jsonline.com/story/news/politics/2021/12/01/michael-gableman-hires-investigator-who-sought-to-overturn-2020-election/8823272002/>; Christina Lieffring, *Gableman Denied Working with a Group That Tried to Overturn the Election. The Group's Leader Says Otherwise*, Up North News (Jan. 18, 2022, 11:29 AM), <https://upnorthnews.com/2022/01/18/gableman-denied-working-with-a-group-that-tried-to-overturn-the-election-the-groups-leader-says-otherwise/>.



American Oversight seeks records with the potential to shed light on attempts to overturn or cast doubt on the results of the November 2020 election in Wisconsin.

### **Requested Records**

American Oversight requests that the Wisconsin Elections Commission produce the following records “as soon as practicable and without delay”:<sup>4</sup>

All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) sent or received by Commissioner Robert Spindell regarding attempts to block, delay, or otherwise alter the certification of the November 2020 election, whether in Wisconsin or other jurisdictions, including, but not limited to:

1. The December 14, 2020, meeting at which a false Certificate of Ascertainment was signed and submitted, and any communications that preceded or followed the meeting<sup>5</sup>
2. Communications with any representatives of or intermediaries for the former Trump administration or the Trump campaign
3. Communications regarding the January 6, 2021, certification or any objections to vote counts
4. Wisconsin Assembly Speaker Robin Vos’s call for the Assembly Committee for Campaigns and Elections to investigate the election<sup>6</sup>
5. Memoranda issued by the Legislative Research Bureau indicating that the legislature may not retroactively change the selection or actions of presidential electors<sup>7</sup>

Please provide all responsive records from November 3, 2020, through January 20, 2021.

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

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<sup>4</sup> Wis. Stat. § 19.35(4)(a).

<sup>5</sup> *See supra*, note 1.

<sup>6</sup> Melanie Conklin, *Assembly Elections Committee Leader Suggests Illegal Actions to Overturn Wisconsin’s Election*, Wis. Examiner (Nov. 10, 2020, 1:36 PM), <https://wisconsinexaminer.com/2020/11/10/assembly-elections-committee-leader-suggests-illegal-actions-to-overturn-wisconsin-election/>.

<sup>7</sup> Alan Feuer, *et al.*, *Memo Shows Roots of Trump’s Focus on Jan. 6 and Alternate Electors*, N.Y. Times, Feb. 2, 2022, <https://www.nytimes.com/2022/02/02/us/politics/trump-jan-6-memos.html>.

responsive to this request. In other words, for example, if Commissioner Spindell received a mass-distribution news clip email, that initial email would not be responsive to this request. However, if Commissioner Spindell forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>8</sup> American Oversight also makes materials it gathers available on its public website<sup>9</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>10</sup>

The public has a significant interest in the administration of elections in Wisconsin.<sup>11</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the extent of communications between Wisconsin officials and individuals or entities seeking to contest the result of the 2020 presidential election. American Oversight is committed to transparency and makes the responses agencies provide to public records requests

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<sup>8</sup> 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>.

<sup>9</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>10</sup> American Oversight currently has approximately 15,720 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 28, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 28, 2022).

<sup>11</sup> See *supra*, note 1-3.

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.

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.<sup>12</sup>

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.<sup>13</sup> 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

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<sup>12</sup> 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>.

<sup>13</sup> Wis. Stat. § 19.36(6).

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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis*  
Emma Lewis  
on behalf of  
American Oversight

# EXHIBIT J



March 3, 2022

**VIA EMAIL**

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wisconsin.gov](mailto:elections@wisconsin.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.

On December 14, 2020, ten Wisconsin Republicans convened to submit a false Certificate of Ascertainment casting the state's electoral votes for former President Trump. Among these false electors was Wisconsin Elections Commission (WEC) member Robert Spindell, who described the function as “ministerial” and a precaution in anticipation of further court rulings.<sup>1</sup> However, memoranda circulated by attorney for the Trump campaign, John Eastman, suggested that the mere presence of the false slates of electors submitted by seven states could have enabled former Vice President Pence to declare no winner in those states.<sup>2</sup> Furthermore, a number of individuals involved in attempts to block the certification of the election remain involved in conducting or advocating for partisan “audits” of elections, including in Wisconsin.<sup>3</sup>

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<sup>1</sup> Melanie Conklin, *Will False Trump Electors' Attempt to Hijack the Wisconsin Vote Be Punished?*, Wis. Examiner (Jan. 14, 2022, 7:00 AM), <https://wisconsinexaminer.com/2022/01/14/will-false-trump-electors-attempt-to-hijack-the-wisconsin-vote-be-punished/>.

<sup>2</sup> Beth Reinhard, *et al.*, *As Giuliani Coordinated Plan for Trump Electoral Votes in States Biden Won, Some Electors Balked*, Wash. Post (Jan. 20, 2022, 11:41 AM), [https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430\\_story.html](https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430_story.html).

<sup>3</sup> Patrick Marley, *Gableman Hires Investigator Who Has Brought Legal Challenges Seeking to Overturn Wisconsin's Presidential Results*, Milwaukee J. Sentinel (updated Dec. 3, 2021, 10:50 AM), <https://www.jsonline.com/story/news/politics/2021/12/01/michael-gableman-hires-investigator-who-sought-to-overturn-2020-election/8823272002/>; Christina Lieffring, *Gableman Denied Working with a Group That Tried to Overturn the Election. The Group's Leader Says Otherwise*, Up North News (Jan. 18, 2022, 11:29 AM), <https://upnorthnews.com/2022/01/18/gableman-denied-working-with-a-group-that-tried-to-overturn-the-election-the-groups-leader-says-otherwise/>.



American Oversight seeks records with the potential to shed light on attempts to overturn or cast doubt on the results of the November 2020 election in Wisconsin.

### **Requested Records**

American Oversight requests that the Wisconsin Elections Commission produce the following records “as soon as practicable and without delay”:<sup>4</sup>

- A. All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (i) Commissioner Spindell and (ii) any of the individuals or entities below, including, but not limited to, at the suggested email addresses or domains. The search should include those sent or received from personal accounts and devices if they were used to conduct official business, as well those sent from any official email addresses or government-issued devices.

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

#### Specified Entities:

1. Clinton Lancaster ([clint@thelancasterlawfirm.com](mailto:clint@thelancasterlawfirm.com))
2. Former Vice President Mike Pence, former Chief of Staff Marc Short, former National Security Advisor Keith Kellogg, Director of Strategic Affairs Paul Teller, or anyone communicating from an email address ending in @ovp.eop.gov
3. Garrett Ziegler (including, but not limited to [garrettziegler@icloud.com](mailto:garrettziegler@icloud.com))
4. Gary Wait ([glwfishs@aol.com](mailto:glwfishs@aol.com))
5. Jerome Corsi ([jeromecorsi6654@gmail.com](mailto:jeromecorsi6654@gmail.com))
6. Jay Stone ([jayjoelstone@gmail.com](mailto:jayjoelstone@gmail.com), [jcarlson@stillwateroffice.net](mailto:jcarlson@stillwateroffice.net))
7. John Lott (including, but not limited to [johnrlott@crimeresearch.org](mailto:johnrlott@crimeresearch.org) or @usdoj.gov email addresses)
8. Megan Frederick ([homegrownintegrity@gmail.com](mailto:homegrownintegrity@gmail.com))
9. Peter Bernegger ([pmbmap123@gmail.com](mailto:pmbmap123@gmail.com))
10. Peter Navarro
11. Phil Cannon ([ptcannonx@gmail.com](mailto:ptcannonx@gmail.com))
12. Robert Natelson ([rob.natelson1@gmail.com](mailto:rob.natelson1@gmail.com))
13. Sophia Tjotjos ([stjotjos@outlook.com](mailto:stjotjos@outlook.com))
14. U.S. Representative Tom Tiffany, his chief of staff Jason Bauknecht, deputy chief of staff Mac Zimmerman, operations director Mary Galey, or anyone communicating from the email address [wi07ttoutreach@mail.house.gov](mailto:wi07ttoutreach@mail.house.gov)
15. U.S. Representative Mo Brooks, or his aides Madison Engelking or Sean Griffin

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<sup>4</sup> Wis. Stat. § 19.35(4)(a).

16. William Olson ([williamolson@lawandfreedom.com](mailto:williamolson@lawandfreedom.com),  
[wjo@mindspring.com](mailto:wjo@mindspring.com))

- B. All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (i) Commissioner Spindell and (ii) any of the individuals or entities below, including, but not limited to at the suggested email addresses or domains. The search should include those sent or received from personal accounts and devices if they were used to conduct official business, as well those sent from any official email addresses or government-issued devices.

Please provide all responsive records from November 3, 2020, through June 1, 2021.

Specified Entities:

1. Daniel Eastman, or anyone communicating from an email address ending in [@attorneyeastman.com](mailto:@attorneyeastman.com)
2. Former National Security Advisor Michael Flynn, Joseph Flynn, Charles Flynn, Michael Flynn Jr. (including, but not limited to, an address ending in [@generalflynn.com](mailto:@generalflynn.com)) or anyone communicating on behalf of America's Future (including, but not limited to, anyone communicating from an address ending in [@americasfuture.net](mailto:@americasfuture.net))
3. Harry Wait ([harrytrex@gmail.com](mailto:harrytrex@gmail.com), [hotgovernment@gmail.com](mailto:hotgovernment@gmail.com)) or anyone communicating on behalf of Honest, Open, and Transparent Government
4. Ivan Raiklin ([ivan.raiklin@gmail.com](mailto:ivan.raiklin@gmail.com), [socialmediaraiklin@gmail.com](mailto:socialmediaraiklin@gmail.com))
5. Jacqueline Timmer, Mary Coran, and/or anyone communicating on behalf of the American Voter's Alliance ([@got-freedom.org](mailto:@got-freedom.org))
6. Jovan Hutton Pulitzer ([jovanhuttonpulitzer@gmail.com](mailto:jovanhuttonpulitzer@gmail.com))
7. John Eastman ([jeastman@claremont.org](mailto:jeastman@claremont.org), [jeastman@ccg1176.com](mailto:jeastman@ccg1176.com))
8. Kurt Olsen ([kurtols@protonmail.com](mailto:kurtols@protonmail.com))
9. Lin Wood, or anyone communicating from an email address ending in [@fightback.law](mailto:@fightback.law)
10. Michael D. Dean ([miked@michaelddeanllc.com](mailto:miked@michaelddeanllc.com))
11. Michael Gableman ([mgableman@yahoo.com](mailto:mgableman@yahoo.com))
12. Phil Waldron (including, but not limited to, [phil@onewarrior.com](mailto:phil@onewarrior.com) or anyone communicating from an email address ending in [@bonfiresearch.org](mailto:@bonfiresearch.org))
13. Reince Priebus, or anyone communicating on behalf of Michael Best & Friedrich LLP ([@michaelbest.com](mailto:@michaelbest.com))
14. Ron Heuer ([ronheuer@gmail.com](mailto:ronheuer@gmail.com), [wiscjustice@outlook.com](mailto:wiscjustice@outlook.com))
15. Russell Ramsland ([yrku9sqs@protonmail.com](mailto:yrku9sqs@protonmail.com)), J. Keet Lewis ([keet@jkeetlewis.com](mailto: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](mailto:@alliedspecialops.us))

16. Wisconsin Representative Timothy Ramthun ([ramthun@hotmail.com](mailto:ramthun@hotmail.com), [timothy.ramthun@legis.wi.gov](mailto:timothy.ramthun@legis.wi.gov)), or his aide Tristan Johannes ([tristan.johannes@legis.wi.gov](mailto:tristan.johannes@legis.wi.gov), [tjohannesagency@gmail.com](mailto:tjohannesagency@gmail.com))

For both Parts A & B of this request, 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 Commissioner Spindell received a mass-distribution news clip email, that initial email would not be responsive to this request. However, if Commissioner Spindell forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>5</sup> American Oversight also makes materials it gathers available on its public

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<sup>5</sup> 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>.

website<sup>6</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>7</sup>

The public has a significant interest in the administration of elections in Wisconsin.<sup>8</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the extent of communications between Wisconsin officials and individuals or entities seeking to contest the result of the 2020 presidential election. 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.

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.<sup>9</sup>

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.<sup>10</sup> If it is your position that a document contains non-exempt

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<sup>6</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>7</sup> American Oversight currently has approximately 15,720 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 28, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 28, 2022).

<sup>8</sup> *See supra*, note 1-3.

<sup>9</sup> 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>.

<sup>10</sup> Wis. Stat. § 19.36(6).

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 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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis  
Emma Lewis  
on behalf of  
American Oversight

# EXHIBIT K



July 13, 2022

**VIA EMAIL**

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wisconsin.gov](mailto:elections@wisconsin.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.

On May 26, 2021, Speaker Robin Vos announced the Wisconsin Assembly's investigation into the November 2020 election,<sup>1</sup> later appointing former Wisconsin Supreme Court justice Michael Gableman as "special counsel," and gaining Assembly committee approval to form an Office of Special Counsel (OSC).<sup>2</sup> In the year since, the investigation has cost nearly \$900,000 in public funds<sup>3</sup> and Gableman has suggested the legislature consider "decertifying" the results of the November 2020 presidential election.<sup>4</sup> Records obtained by American Oversight suggest that Wisconsin Elections Commission member Robert Spindell, one of the ten Wisconsin Republicans who

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<sup>1</sup> Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

<sup>2</sup> Scott Bauer, *Wisconsin Election Probe Includes \$325,000 for Data Analysis*, Associated Press, Sept. 1, 2021, <https://apnews.com/article/technology-business-elections-wisconsin-election-2020-f0341f70bb123e809304771ed0c0b909>; Laurel White, *Republican Lawmakers Approve Former Conservative Justice as Head of 2020 Election Investigation*, Wis. Public Radio, Aug. 30, 2021, <https://www.wpr.org/republican-lawmakers-approve-former-conservative-justice-head-2020-election-investigation>.

<sup>3</sup> Patrick Marley, *The Wisconsin Election Review Has Cost Nearly \$900,000 So Far, Going Beyond Its Original Budget*, Milwaukee J. Sentinel (updated June 1, 2022, 1:15 PM), <https://www.jsonline.com/story/news/politics/2022/06/01/wisconsin-election-review-goes-beyond-original-budget-nears-900-000/7457832001/>.

<sup>4</sup> Molly Beck, *There's No Legal Way to Decertify the 2020 Election, but the Gableman Report Is Forcing Republican Candidates to Confront the Question*, Milwaukee J. Sentinel (updated Mar. 3, 2022, 12:55 PM), <https://www.jsonline.com/story/news/politics/elections/-2022/03/03/gableman-report-forces-republicans-confront-theory-can-decertify-2020-election/6981022001/>.



signed a false Certificate of Ascertainment pledging the state's electoral votes to Donald Trump,<sup>5</sup> has communicated with OSC regarding its investigation.<sup>6</sup>

American Oversight seeks records with the potential to shed light on Commissioner Spindell's communications regarding the Assembly investigation into the November 2020 election led by Michael Gableman and the Office of Special Counsel.

### **Requested Records**

American Oversight requests that your office produce the following records "as soon as practicable and without delay":<sup>7</sup>

All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) sent or received by Commissioner Robert Spindell, or anyone communicating on his behalf, regarding the Wisconsin Assembly's investigation into the state's elections led by former Wisconsin Supreme Court Justice Michael Gableman and the Office of Special Counsel, including, but not limited to:

1. Communications with Michael Gableman or the Office of Special Counsel, its contractors, subcontractors, or anyone serving as formal or informal consultant, counsel, funder, or volunteer assisting the investigation led by Gableman.
2. Communications with members, staff, or agents of the Wisconsin legislature regarding the planning, preparation, execution, or outcomes of the Assembly investigation led by Gableman and the Office of Special Counsel.
3. Communications with other public officials, advocacy groups, or media regarding the planning, preparation, execution, or outcomes of the Assembly investigation led by Gableman and the Office of Special Counsel.

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<sup>5</sup> Melanie Conklin, *Will False Trump Electors' Attempt to Hijack the Wisconsin Vote Be Punished?*, Wis. Examiner (Jan. 14, 2022, 7:00 AM), <https://wisconsinexaminer.com/2022/01/14/will-false-trump-electors-attempt-to-hijack-the-wisconsin-vote-be-punished/>.

<sup>6</sup> American Oversight, *Wisconsin Election Investigation Records – Released Dec. 4, 2021*, [https://www.documentcloud.org/documents/21137469-ao-wi-20211204\\_combined#document/p84](https://www.documentcloud.org/documents/21137469-ao-wi-20211204_combined#document/p84). The linked record consists of an email between Commissioner Spindell's assistant, Darlene Lathrop, and Michael Gableman regarding furnishing OSC's offices and procuring security equipment, and references an in-person meeting including Lathrop, Gableman, and his office administrator, Zakary Niemierowicz.

<sup>7</sup> Wis. Stat. § 19.35(4)(a).

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

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 Commissioner Spindell received a mass-distribution news clip email, that initial email would not be responsive to this request. However, if Commissioner Spindell forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>8</sup> American Oversight also makes materials it gathers available on its public

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<sup>8</sup> 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>.

website<sup>9</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>10</sup>

The public has a significant interest in the OSC investigation into the November 2020 election.<sup>11</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent Commissioner Spindell has communicated with OSC or regarding the OSC investigation. 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.

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.<sup>12</sup>

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.<sup>13</sup> If it is your position that a document contains non-exempt

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<sup>9</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>10</sup> American Oversight currently has approximately 16,000 followers on Facebook and 117,700 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 24, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited June 24, 2022).

<sup>11</sup> *See supra*, notes 1-4.

<sup>12</sup> 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>.

<sup>13</sup> Wis. Stat. § 19.36(6).

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 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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis

Emma Lewis  
on behalf of  
American Oversight

# EXHIBIT L



July 13, 2022

VIA EMAIL

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wisconsin.gov](mailto:elections@wisconsin.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.

On May 26, 2021, Speaker Robin Vos announced the Wisconsin Assembly's investigation into the November 2020 election,<sup>1</sup> later appointing former Wisconsin Supreme Court justice Michael Gableman as "special counsel," and gaining Assembly committee approval to form an Office of Special Counsel (OSC).<sup>2</sup> In the year since, the investigation has cost nearly \$900,000 in public funds<sup>3</sup> and Gableman has suggested the legislature consider "decertifying" the results of the November 2020 presidential election.<sup>4</sup> Records obtained by American Oversight suggest that Wisconsin Elections Commission member Robert Spindell, one of the ten Wisconsin Republicans who

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<sup>1</sup> Patrick Marley, *Top Wisconsin Republican Robin Vos Hires Former Cops to Investigate November Election*, Milwaukee J. Sentinel (updated May 26, 2021, 5:16 PM), <https://www.jsonline.com/story/news/politics/elections/2021/05/26/wisconsin-republican-robin-vos-hires-ex-cops-investigate-election/7455034002/>.

<sup>2</sup> Scott Bauer, *Wisconsin Election Probe Includes \$325,000 for Data Analysis*, Associated Press, Sept. 1, 2021, <https://apnews.com/article/technology-business-elections-wisconsin-election-2020-f0341f70bb123e809304771ed0c0b909>; Laurel White, *Republican Lawmakers Approve Former Conservative Justice as Head of 2020 Election Investigation*, Wis. Public Radio, Aug. 30, 2021, <https://www.wpr.org/republican-lawmakers-approve-former-conservative-justice-head-2020-election-investigation>.

<sup>3</sup> Patrick Marley, *The Wisconsin Election Review Has Cost Nearly \$900,000 So Far, Going Beyond Its Original Budget*, Milwaukee J. Sentinel (updated June 1, 2022, 1:15 PM), <https://www.jsonline.com/story/news/politics/2022/06/01/wisconsin-election-review-goes-beyond-original-budget-nears-900-000/7457832001/>.

<sup>4</sup> Molly Beck, *There's No Legal Way to Decertify the 2020 Election, but the Gableman Report Is Forcing Republican Candidates to Confront the Question*, Milwaukee J. Sentinel (updated Mar. 3, 2022, 12:55 PM), <https://www.jsonline.com/story/news/politics/elections/-2022/03/03/gableman-report-forces-republicans-confront-theory-can-decertify-2020-election/6981022001/>.



signed a false Certificate of Ascertainment pledging the state's electoral votes to Donald Trump,<sup>5</sup> has communicated with OSC regarding its investigation.<sup>6</sup>

American Oversight seeks records with the potential to shed light on Commissioner Spindell's communications regarding the Assembly investigation into the November 2020 election led by Michael Gableman and the Office of Special Counsel.

### **Requested Records**

American Oversight requests that your office produce the following records "as soon as practicable and without delay":<sup>7</sup>

- A. All electronic communications (including emails, email attachments, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (a) Commissioner Robert Spindell, or anyone communicating on his behalf, and (b) any of the individuals or entities listed below, including, but not limited to at the suggested email addresses or domains. In the case of emails and texts, the search should include those sent or received from the Commissioner Spindell's personal accounts and/or devices if they were used to conduct official business, as well those sent from his official email addresses or government-issued devices.

Please provide all responsive records from March 3, 2022, through the date the search is conducted.

#### Specified Entities:

1. Speaker of the Wisconsin Assembly Robin Vos ([robin.vos@legis.wisconsin.gov](mailto:robin.vos@legis.wisconsin.gov), [robinvos63@gmail.com](mailto:robinvos63@gmail.com), [robin@tsfoodpackaging.com](mailto:robin@tsfoodpackaging.com)), or anyone communicating on his behalf, including, but not limited to, his scheduler Alex Richter, his chief of Staff Jenny Toftness, his legal advisor Steve Fawcett, or his policy analyst Jake Wolf

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<sup>5</sup> Melanie Conklin, *Will False Trump Electors' Attempt to Hijack the Wisconsin Vote Be Punished?*, Wis. Examiner (Jan. 14, 2022, 7:00 AM), <https://wisconsinexaminer.com/2022/01/14/will-false-trump-electors-attempt-to-hijack-the-wisconsin-vote-be-punished/>.

<sup>6</sup> American Oversight, *Wisconsin Election Investigation Records – Released Dec. 4, 2021*, [https://www.documentcloud.org/documents/21137469-ao-wi-20211204\\_combined#document/p84](https://www.documentcloud.org/documents/21137469-ao-wi-20211204_combined#document/p84). The linked record consists of an email between Commissioner Spindell's assistant, Darlene Lathrop, and Michael Gableman regarding furnishing OSC's offices and procuring security equipment, and references an in-person meeting including Lathrop, Gableman, and his office administrator, Zakary Niemierowicz.

<sup>7</sup> Wis. Stat. § 19.35(4)(a).

2. Representative Janel Brandtjen ([janel@brandtjen.com](mailto:janel@brandtjen.com), [janel@glmarketing.com](mailto:janel@glmarketing.com), [rep.brandtjen@legis.wisconsin.gov](mailto:rep.brandtjen@legis.wisconsin.gov)), or her aides Bill Savage or Melodie Duesterbeck
3. Wisconsin Representative Tim Ramthun ([timothy.ramthun@legis.wi.gov](mailto:timothy.ramthun@legis.wi.gov), [ramthun@hotmail.com](mailto:ramthun@hotmail.com))
4. Andrew Bath, Tom Brejcha, Joan Mannix, or anyone communicating on behalf of the Thomas More Society ([@thomasmoresociety.org](mailto:@thomasmoresociety.org))
5. Ben Cotton, or anyone communicating on behalf of CyFIR ([@cyfir.com](mailto:@cyfir.com)) or esentire ([@esentire.com](mailto:@esentire.com))
6. Carol Matheis ([matheislaw@live.com](mailto:matheislaw@live.com))
7. Christina Bobb ([christina@cgbstrategies.com](mailto:christina@cgbstrategies.com)) or anyone communicating on behalf of One America News Network ([@oann.com](mailto:@oann.com))
8. Clint Lancaster ([clint@thelancasterlawfirm.com](mailto:clint@thelancasterlawfirm.com))
9. Daniel Eastman ([dan@attorneyeastman.com](mailto:dan@attorneyeastman.com))
10. Eric "Kase" Kasemodel ([kzmon@protonmail.com](mailto:kzmon@protonmail.com))
11. Erick Kaardal, Nicholas Morgan, or anyone communicating on behalf of Mohrman, Kaardal & Erickson, P.A. ([@mklaw.com](mailto:@mklaw.com))
12. Gary Wait ([glwfishs@aol.com](mailto:glwfishs@aol.com))
13. Harry Wait ([harrytrex@gmail.com](mailto:harrytrex@gmail.com), [hotgovernment@gmail.com](mailto:hotgovernment@gmail.com))
14. Ivan Raiklin ([ivan@raiklin.com](mailto:ivan@raiklin.com), [ivan.raiklin@gmail.com](mailto:ivan.raiklin@gmail.com))
15. Jacqueline Timmer, Mary Coran, and/or anyone communicating on behalf of the American Voter's Alliance ([@got-freedom.org](mailto:@got-freedom.org))
17. Jake Ottinger ([jottinger@wisgop.info](mailto:jottinger@wisgop.info))
18. Jay Stone ([jayjoelstone@gmail.com](mailto:jayjoelstone@gmail.com), [jcarlson@stillwateroffice.net](mailto:jcarlson@stillwateroffice.net), [jaywispecialcounsel@protonmail.com](mailto:jaywispecialcounsel@protonmail.com))
19. Jim Spodick ([jspodick1212@gmail.com](mailto:jspodick1212@gmail.com), [hotgovernment@protonmail.com](mailto:hotgovernment@protonmail.com))
20. Jim Troupis ([judgetroupis@gmail.com](mailto:judgetroupis@gmail.com), [jtroupis@hotmail.com](mailto:jtroupis@hotmail.com), [troupisjames@gmail.com](mailto:troupisjames@gmail.com)), or anyone communicating on behalf of Troupis Law Office LLC ([@troupislawoffice.com](mailto:@troupislawoffice.com))
21. John Eastman ([jeastman@claremont.org](mailto:jeastman@claremont.org), [jeastman@chapman.edu](mailto:jeastman@chapman.edu), [jeastman@ccg1176.com](mailto:jeastman@ccg1176.com))
22. Jordan Moskowitz ([jordan.moskowitz.23@gmail.com](mailto:jordan.moskowitz.23@gmail.com), [jmoskowitz@wisgop.org](mailto:jmoskowitz@wisgop.org))
23. Kurt Olsen ([kurtols@protonmail.com](mailto:kurtols@protonmail.com))
24. Luis Cornelio ([luis.cornelio@protonmail.com](mailto:luis.cornelio@protonmail.com), [lcornel001@citymail.cuny.edu](mailto:lcornel001@citymail.cuny.edu))
25. Mike Lindell, or anyone communicating from an email address ending in [@mypillow.com](mailto:@mypillow.com)
26. Michael D. Dean ([miked@michaelddeanllc.com](mailto:miked@michaelddeanllc.com))
27. Michael Gableman ([mgableman@yahoo.com](mailto:mgableman@yahoo.com), [coms@wispecialcounsel.org](mailto:coms@wispecialcounsel.org), [wijustice@protonmail.com](mailto:wijustice@protonmail.com))
28. Peter Bernegger ([pmbmap123@gmail.com](mailto:pmbmap123@gmail.com))
29. Phil Waldron ([phil@onewarrior.com](mailto:phil@onewarrior.com)) or anyone communicating from an email address ending in [@bonfiresearch.org](mailto:@bonfiresearch.org)
30. Ron Heuer ([ronheuer@gmail.com](mailto:ronheuer@gmail.com), [wiscjustice@outlook.com](mailto:wiscjustice@outlook.com), [ron@wisconsinvoteralliance.com](mailto:ron@wisconsinvoteralliance.com))

31. Reince Priebus, or anyone communicating on behalf of Michael Best & Friedrich LLP ([@michaelbest.com](mailto:@michaelbest.com))
  32. Russell Ramsland ([yrku9sqs@protonmail.com](mailto:yrku9sqs@protonmail.com)), J. Keet Lewis ([keet@jkeetlewis.com](mailto: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)
  33. Tristan Johannes ([tristan.johannes@legis.wi.gov](mailto:tristan.johannes@legis.wi.gov), [tjohannesagency@gmail.com](mailto:tjohannesagency@gmail.com))
- B. All electronic communications (including emails, email attachments, calendar invitations, calendar invitation attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (a) Commissioner Robert Spindell, or anyone communicating on his behalf, and (b) any of the individuals or entities listed below, including, but not limited to at the suggested email addresses or domains. In the case of emails and texts, the search should include those sent or received from the Commissioner Spindell's personal accounts and/or devices if they were used to conduct official business, as well those sent from his official email addresses or government-issued devices.

Please provide all responsive records from June 1, 2022, through the date the search is conducted.

Specified Entities:

1. Boris Epshteyn ([bepshteyn@gmail.com](mailto:bepshteyn@gmail.com))
2. Catherine Engelbrecht, Courtney Kramer, Gregg Phillips, or any person communicating on behalf of True the Vote ([@truethevote.org](mailto:@truethevote.org))
3. Jefferson Davis ([jeffersondavis784@gmail.com](mailto:jeffersondavis784@gmail.com), [davisforpresident@protonmail.com](mailto:davisforpresident@protonmail.com))
4. Nathan Trueblood
5. Nick Boerke ([nboerke@gmail.com](mailto:nboerke@gmail.com), [njborke@michaelbest.com](mailto:njborke@michaelbest.com))
6. Racine County Sheriff Christopher Schmaling ([chris.schmaling@goracine.org](mailto:chris.schmaling@goracine.org), [chrisschmaling@yahoo.com](mailto:chrisschmaling@yahoo.com))
7. Racine County Sheriff's Office Lieutenant Michael Luell
8. Stewart Karge ([stewartkarge@gmail.com](mailto:stewartkarge@gmail.com)), or anyone communicating from an email address ending in @advancedpricing.com
9. Thomas Ciesielka ([tc@tcpr.net](mailto:tc@tcpr.net))
10. Thomas Olp ([tomolp@gmail.com](mailto:tomolp@gmail.com))
11. 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](mailto:jleschke@protonmail.com)), or anyone communicating from an email address ending in @ronjohnson.senate.gov or @ronjohnsonforsenate.com
12. Wisconsin Senate President Chris Kapenga ([chris@chriskapenga.com](mailto:chris@chriskapenga.com), [Sen.Kapenga@legis.wi.gov](mailto:Sen.Kapenga@legis.wi.gov))

Please note that for both Parts A & B of this request, 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 Commissioner Spindell received a mass-distribution news clip email from One America News Network, that initial email would not be responsive to this request. However, if Commissioner Spindell forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

### **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.<sup>8</sup> American Oversight also makes materials it gathers available on its public website<sup>9</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>10</sup>

The public has a significant interest in the OSC investigation into the November 2020 election.<sup>11</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including whether or to what extent Commissioner Spindell has communicated with OSC or regarding the OSC investigation. American Oversight is committed to transparency and

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<sup>8</sup> 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>.

<sup>9</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>10</sup> American Oversight currently has approximately 16,000 followers on Facebook and 117,700 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 24, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited June 24, 2022).

<sup>11</sup> See *supra*, notes 1-4.

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.

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.<sup>12</sup>

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.<sup>13</sup> 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.

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<sup>12</sup> 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>.

<sup>13</sup> Wis. Stat. § 19.36(6).

## 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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. 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/ Emma Lewis*

Emma Lewis  
on behalf of  
American Oversight

# EXHIBIT M



July 13, 2022

VIA EMAIL

Public Records Requests  
Wisconsin Elections Commission  
212 East Washington Avenue, Third Floor  
P.O. Box 7984  
Madison, Wisconsin 53707-7984  
[elections@wisconsin.gov](mailto:elections@wisconsin.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.

On December 14, 2020, ten Wisconsin Republicans convened to submit a false Certificate of Ascertainment casting the state's electoral votes for former President Trump. Among these false electors was Wisconsin Elections Commission (WEC) member Robert Spindell, who described the function as “ministerial” and a precaution in anticipation of further court rulings.<sup>1</sup> However, memoranda circulated by attorney for the Trump campaign, John Eastman, suggested that the mere presence of the false slates of electors submitted by seven states could have enabled former Vice President Pence to declare no winner in those states.<sup>2</sup> Furthermore, a number of individuals involved in attempts to block the certification of the election remain involved in conducting or advocating for partisan “audits” of elections, including in Wisconsin.<sup>3</sup>

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<sup>1</sup> Melanie Conklin, *Will False Trump Electors' Attempt to Hijack the Wisconsin Vote Be Punished?*, Wis. Examiner (Jan. 14, 2022, 7:00 AM), <https://wisconsinexaminer.com/2022/01/14/will-false-trump-electors-attempt-to-hijack-the-wisconsin-vote-be-punished/>.

<sup>2</sup> Beth Reinhard, *et al.*, *As Giuliani Coordinated Plan for Trump Electoral Votes in States Biden Won, Some Electors Balked*, Wash. Post (Jan. 20, 2022, 11:41 AM), [https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430\\_story.html](https://www.washingtonpost.com/investigations/electors-giuliani-trump-electoral-college/2022/01/20/687e3698-7587-11ec-8b0a-bcfab800c430_story.html).

<sup>3</sup> Patrick Marley, *Gableman Hires Investigator Who Has Brought Legal Challenges Seeking to Overturn Wisconsin's Presidential Results*, Milwaukee J. Sentinel (updated Dec. 3, 2021, 10:50 AM), <https://www.jsonline.com/story/news/politics/2021/12/01/michael-gableman-hires-investigator-who-sought-to-overturn-2020-election/8823272002/>; Christina Loeffring, *Gableman Denied Working with a Group That Tried to Overturn the Election. The Group's Leader Says Otherwise*, Up North News (Jan. 18, 2022, 11:29 AM), <https://upnorthnews.com/2022/01/18/gableman-denied-working-with-a-group-that-tried-to-overturn-the-election-the-groups-leader-says-otherwise/>.



American Oversight seeks records with the potential to shed light on attempts to overturn or cast doubt on the results of the November 2020 election in Wisconsin.

### **Requested Records**

American Oversight requests that the Wisconsin Elections Commission produce the following records “as soon as practicable and without delay”:<sup>4</sup>

- A. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between Commissioner Robert Spindell’s governmental email account and any nongovernmental accounts, including, but not limited to, [rspindell@gottesman-company.com](mailto:rspindell@gottesman-company.com) and [cd4.chairman@wisgop.info](mailto:cd4.chairman@wisgop.info).
- B. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between Commissioner Spindell’s governmental email account and Darlene Lathrop (including, but not limited to at the email address, [dlathrop@gottesman-company.com](mailto:dlathrop@gottesman-company.com)).

Please provide all responsive records from November 30, 2020, through December 14, 2020.

### **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.<sup>5</sup> American Oversight also makes materials it gathers available on its public

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<sup>4</sup> Wis. Stat. § 19.35(4)(a).

<sup>5</sup> 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*

website<sup>6</sup> and promotes their availability on social media platforms, such as Facebook and Twitter.<sup>7</sup>

The public has a significant interest in the administration of elections in Wisconsin.<sup>8</sup> Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the actions of Commissioner Spindell prior to his signing a false Certificate of Ascertainment pledging the state's electors to former President Trump. 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.

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.<sup>9</sup>

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*COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>.

<sup>6</sup> *Documents*, American Oversight, <https://www.americanoversight.org/documents>.

<sup>7</sup> American Oversight currently has approximately 16,000 followers on Facebook and 117,900 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 30, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited June 30, 2022).

<sup>8</sup> *See supra*, note 1-3.

<sup>9</sup> 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>.

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.<sup>10</sup> 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 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 Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303. Also, if American Oversight's

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<sup>10</sup> Wis. Stat. § 19.36(6).

request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis

Emma Lewis  
on behalf of  
American Oversight