



May 10, 2023

VIA EMAIL

Representative Tricia Cotham
300 N. Salisbury St., RM 582
Raleigh, NC 27603
Tricia.Coatham@ncleg.gov

Re: Public Records Act Request

Dear Public Records Custodian:

Pursuant to the North Carolina Public Records Act, as codified at North Carolina General Statutes ch. 132, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records as promptly as possible:

All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) Representative Tricia Cotham, or anyone communicating on her behalf (including, but not limited to, Legislative Assistant Sarah Reynolds), and (b) any of the external entities or individuals listed below or anyone communicating on behalf of any of the entities listed below (including, but not limited to, at the listed email addresses and/or domains).

External Entities or Individuals:

- a. North Carolina Values Coalition (ncvalues.org)
- b. North Carolina Family Policy Council (ncfamily.org)
- c. North Carolina GOP (nc.gop)
- d. Republican National Committee (gop.com, rnc.org)
- e. Alliance Defending Freedom (adflegal.org)
- f. Family Policy Alliance (familypolicyalliance.com)
- g. American College of Pediatricians or ACPeds (acpeds.org)
- h. Quentin Van Meter (kidendo@comcast.net)
- i. Child and Parental Rights Campaign (childparentrights.org)
- j. American Family Association (afa.net)
- k. Christian Medical & Dental Associations (cmda.org)
- l. Concerned Women for America (concernedwomen.org or cwfa.org)
- m. Courage International (couragerc.org)
- n. Lisa Littman, or anyone communicating on behalf of GenSpect (genspect.org)
- o. Catholic Medical Association (cathmed.org)



- p. Tony Perkins or anyone communicating on behalf of Family Research Council (frc.org or frcaction.org)
- q. Independent Women’s Forum (iwf.org)
- r. Eagle Forum (eagleforum.org)
- s. American Principles Project (americanprinciplesproject.org)
- t. Promise to America’s Children (promisetoamericaschildren.org)
- u. Liberty Counsel (lc.org)
- v. American Association of Pro-Life Obstetricians and Gynecologists (aaplog.org)
- w. Ethics and Public Policy Center (eppc.org)
- x. Science for Evidence-Based Gender Medicine (segm.org)
- y. Partners for Ethical Care (partnersforethicalcare.com)
- z. Kelsey Coalition (kelseycoalition@gmail.com)
- aa. Parents of ROGD Kids (parentsofrogdkids.com)
- bb. Moms for Liberty (momsforliberty.org, libertysqr.com)
- cc. Federalist Society (fed-soc.org or fedsoc.org)
- dd. Americans United for Life (aul.org)
- ee. Live Action (liveaction.org)
- ff. National Pro-Life Alliance (prolifealliance.com)
- gg. National Right to Life Committee (nrlc.org)
- hh. Students for Life (studentsforlife.org)
- ii. Marjorie Dannenfelser or Susan B. Anthony List (sbalist.org, sbalist.org)
- jj. Charlotte Lozier Institute (lozierinstitute.org)
- kk. Brian Sanderson (bsanderson@threeoakgroup.com)
- ll. Thomas More Society (thomasmoresociety.org)
- mm. Riley Gaines or anyone communicating on behalf of Independent Women’s Voice (iwv.org) or Independent Women’s Network (iwnetwork.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 responding to or forwarding such emails are responsive to this request. In other words, for example, if Representative Cotham received a mass-distribution news clip email from Alliance Defending Freedom, that initial email would not be responsive to this request. However, if Rep. Cotham forwarded that email to another individual with her own commentary, that subsequent message would be responsive to this request and the complete email chain should be produced.

Please provide all responsive records from January 1, 2023, through the date the search is conducted.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fee.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind.¹ We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Public Records Act.²
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

¹ N.C. Gen. Stat. Ann. § 132-1(a) (public records consist of documentary material “regardless of physical form or characteristics.”).

² See Atty. Gen. Josh Stein, *North Carolina Open Government Guide* at 22 (2019), <https://ncdoj.gov/download/141/files/17891/2019-open-government-guide> (“Emails about official business are public records even if they are sent using the personal email account of an employee or official.”).

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.

Conclusion

American Oversight is a 501(c)(3) nonprofit with the mission to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.³

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 Rachel Baron at records@americanoversight.org or (202) 897-2465.

Sincerely,

/s/ Rachel Baron

Rachel Baron
on behalf of
American Oversight

³ American Oversight currently has approximately 16,000 followers on Facebook and 112,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 8, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 8, 2023).