



April 28, 2023

VIA EMAIL

Nebraska Attorney General's Office
2115 State Capitol
P.O. Box 98920
Lincoln, NE 68509
Ago.info.help@nebraska.gov

Re: Public Records Statute Request

Dear Record Custodian:

Pursuant to the Nebraska Public Records Statutes, Neb. Rev. Stat. §§ 84-712 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Nebraska Attorney General's Office produce the following records within four business days:

1. 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 Messenger, WhatsApp, Signal, Telegram, or Parler) between (a) Attorney General Mike Hilgers, or anyone communicating on his behalf (such as an assistant or scheduler), and (b) any of the external entities or individuals listed below (including, but not limited to, at the listed email addresses and email domains).

External Parties:

- i. Evan Baehr (evanbaehr.com), Jonathan Bunch, Brandon Simmons, Hillary Waldron, Lila Ontiveros, Paul Vronsky, Salen Churi, Allison Lee Pillinger Choi, Stephen Duvernay, Sam Corcos, John Coleman, Amanda Covo, Laurel Simmons, Lindsey Lawrence, Tousley Leake, Vince Evans, Hixon Frank, Patrick Roy, Carlee Tousman, Wesley Drees, Rebecca Silver, or anyone communicating on behalf of the Teneo Network (teneonetwork.com)
- ii. U.S. Senator J.D. Vance, or anyone communicating on behalf of his office (vance.senate.gov)
- iii. U.S. Senator Josh Hawley, or anyone communicating on behalf of his office (hawley.senate.gov)
- iv. U.S. Congresswoman Elise Stefanik, or anyone communicating on behalf of her office (including, but not limited to, Connor McNulty,



- Harrison Furman, Mary Ruhlen, Palmer Brigham, or Patrick Stewart Hester)
- v. U.S. Congressman Mike Gallagher, or anyone communicating on behalf of his office (including, but not limited to, Jack Ciesinski, Jordan Dunn, or Taylor Andreae)
 - vi. South Carolina Attorney General Alan Wilson, or anyone communicating on his behalf
 - vii. Virginia Solicitor General Andrew Ferguson (aferguson@oag.state.va.us), or anyone communicating on his behalf
 - viii. Alabama Attorney General Steve Marshall (steve.marshall@alabamaag.gov), or anyone communicating on his behalf
 - ix. Anyone communicating on behalf of the Executive Office of the Florida Governor Ron DeSantis (eog.myflorida.com)
 - x. Dee Duncan, Republican State Leadership Committee President (dduncan@rslc.gop)
 - xi. Charlie Kirk, Turning Point USA CEO (charlie.kirk@tpusa.com)
 - xii. Ben Shapiro (bshapiro@dailywire.com)
 - xiii. Ryan Holte, U.S. Court of Federal Claims Judge
 - xiv. Kathryn Kimball Mizelle, U.S. District Judge
 - xv. Anyone communicating on behalf of CRC Advisors (crcadvisors.com or crcpublicrelations.com)
 - xvi. Leonard Leo (leonard.leo@fed-soc.org, ll@leonardleo.com, leonard.anthony.leo@gmail.com, lleo@fed-soc.org, leonard.leo@mindspring.com, leonard.leo@hotmail.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 Messenger, WhatsApp, Signal, Telegram, or Parler) sent or received by Attorney General Mike Hilgers, or anyone communicating on his behalf (including, but not limited to, an assistant or scheduler), containing any of the following search terms.

Search Terms:

- | | |
|----------------------|---------------------------|
| i. Teneo | xiv. Coleman |
| ii. Tenean | xv. Covo |
| iii. Teneans | xvi. “Brandon Simmons” |
| iv. Baehr | xvii. “Laurel Simmons” |
| v. “Leonard Leo” | xviii. “Lindsey Lawrence” |
| vi. “Jonathan Bunch” | xix. Leake |
| vii. Waldron | xx. “Vince Evans” |
| viii. Ontiveros | xxi. “Hixon Frank” |
| ix. Vronsky | xxii. “Patrick Roy” |
| x. Churi | xxiii. Tousman |
| xi. Choi | xxiv. Drees |
| xii. Duvernay | xxv. “Rebecca Silver” |
| xiii. Corcos | xxvi. “South Beach” |

For request items 1 and 2, 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 Attorney General Mike Hilgers received a mass-distribution newsletter email from the Teneo Network or referencing “Teneo,” that initial email would not be responsive to this request. However, if Attorney General Hilgers responded to or forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

3. All records reflecting the substance or participants of any virtual, remote, or in-person meeting attended by (a) Attorney General Mike Hilgers, or anyone representing Attorney General Hilgers, and (b) any representative or member of the Teneo Network or any of the external parties listed in item 1 above, including agendas, meeting minutes or summaries (including handwritten notes and informal email summaries), participant lists, calendar entries, and any materials exchanged by parties before, during, or after attending the meeting.

Please provide all responsive records from January 1, 2022, 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. Pursuant to Neb. Rev. Stat. § 84-712(3)(b), we further request that any fees are limited to the actual costs and exclude fees for search time in excess of four hours.

Guidance Regarding the Search & Processing of Requested Records

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

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of

any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.¹ 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.

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.

¹ Neb. Rev. Stat. § 84-712.06.

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.²

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 or (202) 919-6303.

Sincerely,

/s/ Emma Lewis

Emma Lewis

on behalf of

American Oversight

² American Oversight currently has approximately 16,000 followers on Facebook and 112,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Apr. 26, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Apr. 26, 2023).