



August 28, 2023

VIA EMAIL

Wyoming Secretary of State
122 West 25th St, Herschler Building East
Suite 100
Cheyenne, WY 82002
SecOfState@wyo.gov

Re: Public Records Act Request

Dear Public Records Person:

Pursuant to the Wyoming Public Records Act, Wyo. Stat. §§ 16-4-201 *et seq.*, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records within seven business days:¹

1. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) between (a) any of the Wyoming Secretary of State's Office officials listed below, and (b) any of the external entities or individuals listed below, or anyone communicating on their behalf (including, but not limited to, at the listed email addresses and/or domains).

Wyoming Secretary of State Office Officials:

- i. Secretary of State Chuck Gray
- ii. Deputy Secretary of State Jesse Naiman
- iii. Chief Policy Officer and General Counsel Joe Rubino
- iv. Elections Division Director C.J. Young

External Entities/Individuals:

- a. Conservative Partnership Institute (cpi.org or conservativepartnership.org)
- b. Cleta Mitchell (cleta@cletamitchell.com, cmitchell@foley.com)
- c. Hans von Spakovsky or anyone communicating on behalf of The Heritage Foundation (heritage.org or heritageaction.com)

¹ To the extent the requested records are not available within seven business days, please provide an update at that time. *See* Wyo. Stat. §§ 16-4-202(b), (c)(i). Pursuant to the Wyoming Public Records Act, all records should be released no more than thirty calendar days "unless good cause exists preventing release." *Id.* § 16-4-202(c)(iii).



- d. J. Christian Adams (a@electionlawcenter.org, adams@electionlawcenter.com, and jadams@usccr.gov)
- e. Jim Hoft (Midwestjim@charter.net) or anyone communicating on behalf of The Gateway Pundit (thegatewaypundit.com)
- f. Hayden Ludwig, or anyone communicating on behalf of Capital Research Center (capitalresearch.org)
- g. Restoration of America (restorationofamerica.org or restorationpac.com)
- h. Mike Lindell (mike@mypillow.com), or anyone communicating on behalf of MyPillow (mypillow.com)
- i. Jay Valentine (jay@contingencysales.com) or anyone communicating on behalf of Omega4America (omega4america.com, contingencysales.com, or jayvalentine.com, electionwatch.info)
- j. Public Interest Legal Foundation (publicinterestlegal.org)
- k. Ken Cuccinelli, or any person communicating from ktc21968@gmail.com or an email address ending in sba-list.org, americanprinciplesproject.org, or electiontransparency.org
- l. Russ Vought or anyone communicating on behalf of Citizens for Renewing America or The Center for Renewing America (citizensrenewingamerica.com, americarenewing.com)
- m. Mark Finchem (markfinchem@me.com, markfinchem@protonmail.com)
- n. Gina Swoboda (ginaswoboda@hotmail.com) or any person communicating from an email address ending in voteref.com, voterreferencefoundation.com, or restorationaction.com
- o. Jim Womack (james.k.womack@gmail.com)
- p. Heather Hobbs
- q. David Stevens (recorder@cochise.az.gov)
- r. Karen Fann (karenefann@outlook.com, fannm@cableone.net)
- s. Haystack Investigations (haystackinvestigations.com)
- t. Heather Honey (heather@verityvote.us, hhoney@haystackinvestigations.com, h20int@protonmail.com)
- u. Patrice Johnson (Patricejohnson11@gmail.com)
- v. Patricia Chandler (jsia34765@gmail.com)
- w. Verity Vote (verityvote.us)
- x. Pure Integrity Michigan Elections (mifairelections@gmail.com)
- y. Rick Richards (dr@catheid.com), John Richards, Scott Klosinski (scott@klosinski.com), or anyone communicating on behalf of Eagle AI NETWORK
- z. Jason Frazier
- aa. North Carolina Election Integrity Team (nceit.org)
- bb. Compass Legal Group (compasslegal.org)
- cc. Graham Ellison (graham@mcommwireless.com), Rick Evans (revans@smecpa.com), Jim Norvell (jim.norvell@raymondjames.com), Bowen Klosinski (bak@klosinski.com), or anyone communicating on behalf of Valid Vote
- dd. Anyone communicating on behalf of the Ohio Secretary of State's Office (ohsos.gov)

For part 1 of this request, please provide all responsive records from March 17, 2023, through the date the search is conducted.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the Wyoming Secretary of State's Office officials listed above in part 1 and containing any of the key terms listed below.

Key Terms:

- i. EagleAI
- ii. "Eagle AI"
- iii. "Thomson Reuters Clear"
- iv. "Thomas Reuters"
- v. IBM
- vi. VoteRef

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 2 of this request to emails sent by the specified individuals. To be clear, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both an individuals' response to an email and the initial received message are responsive to this request and should be produced.

3. Any records reflecting the substance or participants of any meeting concerning a "Cross State Data Working Group" between, at a minimum, Secretary of State Chuck Gray and Amanda Grandjean of the Ohio Secretary of State's Office, including agendas, meeting minutes or summaries (including handwritten notes and information email summaries), participant lists, and any materials exchanged by parties attending the meeting(s).

An email invitation referencing an April 4, 2023 meeting of the "Cross State Data Working Group" is included as Exhibit A to aid in your search.

For parts 2 and 3 of this request, 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:

- 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 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 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.
- If a request is denied, please provide a written statement of the grounds for denial and, if applicable, state specifically why it is not reasonable to segregate portions of the record for release.²
- 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

² See Wyo. Stat. § 16-4-203(e).

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 Khahilia Shaw at records@americanoversight.org or (202) 539-6507.

Sincerely,

/s/ Khahilia Shaw
Khahilia Shaw
on behalf of
American Oversight

³ 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 Aug. 24, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Aug. 24, 2023).

EXHIBIT A

From: [Grandjean, Amanda <agrandjean@OhioSOS.Gov>](mailto:agrandjean@OhioSOS.Gov)
Required: [Peters, Chrissy <chrissy.peters@sos.mo.gov>](mailto:chrissy.peters@sos.mo.gov)
[Paul Ziriak <Paul.Ziriak@elections.ok.gov>](mailto:Paul.Ziriak@elections.ok.gov)
[Knapp, Howard <hknapp@elections.sc.gov>](mailto:hknapp@elections.sc.gov)
[Helms, Clay <Clay.Helms@sos.alabama.gov>](mailto:Clay.Helms@sos.alabama.gov)
[Mark Wlaschin <mwlaschin@sos.nv.gov>](mailto:mwlaschin@sos.nv.gov)
[Sellers, Karen R \(SBE <Karen.Sellers@ky.gov>](mailto:Karen.Sellers@ky.gov)
Monae.Johnson@state.sd.us
Rachel.Soulek@state.sd.us
[Ryan Cowley <ryancowley@utah.gov>](mailto:ryancowley@utah.gov)
[Bena, Wayne <Wayne.Bena@nebraska.gov>](mailto:Wayne.Bena@nebraska.gov)
[Beals, Susan \(ELECT <Susan.Beals@elections.virginia.gov>](mailto:Susan.Beals@elections.virginia.gov)
bevans@sos.ga.gov
cflannery@wvsos.gov
kristen.zebrowski.stavisky@elections.ny.gov
cadkins@sos.texas.gov
heidi.burhans@sos.iowa.gov
bryan.caskey@ks.gov
[Corson, Dana <DCorson@mt.gov>](mailto:DCorson@mt.gov)
[Leslie Bellamy <leslie.bellamy@sos.arkansas.gov>](mailto:leslie.bellamy@sos.arkansas.gov)
[Matthews, Maria I. <Maria.Matthews@DOS.MyFlorida.com>](mailto:Maria.Matthews@DOS.MyFlorida.com)
miguel.j.nunez@elections.ri.gov
chuck.gray@wyo.gov
michelle.tassinari@state.ma.us
[Keith Ingram <KIngram@sos.texas.gov>](mailto:KIngram@sos.texas.gov)
[Mauk, Jason <jmauk@OhioSOS.Gov>](mailto:jmauk@OhioSOS.Gov)
['kyle.kirkpatrick@sos.ms.gov'](mailto:kyle.kirkpatrick@sos.ms.gov)
Wes.Hicok@sos.iowa.gov
[Brittany Westfall <Bwestfall@wvsos.com>](mailto:Bwestfall@wvsos.com)
[McVay, Brad R. <Brad.McVay@dos.myflorida.com>](mailto:Brad.McVay@dos.myflorida.com)
rachel.lawless@elections.virginia.gov
ashley.coles@elections.virginia.gov
[Rusty Clark <Rusty.Clark@elections.ok.gov>](mailto:Rusty.Clark@elections.ok.gov)
Subject: Cross State Data Working Group
Location: Microsoft Teams Meeting; CONF_16_EXEC; CONF_16_EXEC
When: 4/4/2023 1:00:00 PM - 1:45:00 PM

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