



October 27, 2020

**VIA ELECTRONIC MAIL**

Public Information Officer  
Nevada Secretary of State  
101 North Carson Street, Suite 3  
Carson City, NV 89701  
[sospio@sos.nv.gov](mailto:sospio@sos.nv.gov)

**Re: Public Records Act Request**

Dear Public Information Officer:

Pursuant to the Nevada Public Records Act, N.R.S. Chapter 239, American Oversight makes the following request for records.

**Requested Records**

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

All email communications (including emails, email attachments, calendar invitations, and attachments thereto) between (a) any of the Secretary of State’s office officials listed in Column A and (b) any of the external parties listed in Column B below:

<b>Column A: Secretary of State Officials</b>	<b>Column B: External Parties</b>
<ul style="list-style-type: none"> <li>i. Barbara Cegavske, Secretary of State</li> <li>ii. Anyone serving as Chief of Staff to Secretary of State Cegavske</li> <li>iii. Scott Anderson, Chief Deputy Secretary of State</li> <li>iv. Wayne Thorley, Deputy Secretary of State for Elections, or anyone communicating on his behalf (such as an assistant or scheduler)</li> <li>v. Maria Tello Magana, Executive Assistant</li> </ul>	<p>Honest Elections Project:</p> <ul style="list-style-type: none"> <li>i. Leonard Leo (including, but not limited to, at <a href="mailto:leonard.leo@fed-soc.org">leonard.leo@fed-soc.org</a>, <a href="mailto:leonard.leo@mindspring.com">leonard.leo@mindspring.com</a>, <a href="mailto:ll@leonardleo.com">ll@leonardleo.com</a>, <a href="mailto:leonard.anthony.leo@gmail.com">leonard.anthony.leo@gmail.com</a>, or <a href="mailto:leo@fed-soc.org">leo@fed-soc.org</a>)</li> <li>ii. Jason Stuckey (including, but not limited to, at <a href="mailto:jstuckey@bricker.com">jstuckey@bricker.com</a>)</li> <li>iii. Jason Torchinsky (including, but not limited to, at <a href="mailto:jtorchinsky@hvjt.law">jtorchinsky@hvjt.law</a>)</li> <li>iv. Anyone communicating from an email address ending in <a href="mailto:@honestelections.org">@honestelections.org</a></li> </ul>



	<p>Judicial Watch:</p> <ul style="list-style-type: none"> <li>v. Anyone communicating from an email address ending in <a href="mailto:@judicialwatch.org">@judicialwatch.org</a> or <a href="mailto:@electionlawcenter.com">@electionlawcenter.com</a></li> </ul> <p>True the Vote:</p> <ul style="list-style-type: none"> <li>i. Catherine Engelbrecht (including, but not limited to, at <a href="mailto:catherine@truethevote.org">catherine@truethevote.org</a>)</li> <li>ii. Anyone communicating from an email address ending in <a href="mailto:@truethevote.org">@truethevote.org</a></li> </ul> <p>Public Interest Legal Foundation:</p> <ul style="list-style-type: none"> <li>iii. Anyone communicating from an email address ending in <a href="mailto:@publicinterestlegal.org">@publicinterestlegal.org</a></li> </ul> <p>Elections, LLC:</p> <ul style="list-style-type: none"> <li>iv. Justin Clark (including, but not limited to, at the email address <a href="mailto:jrclark@michaelbest.com">jrclark@michaelbest.com</a>)</li> <li>v. Nathan Groth (including, but not limited to, at the email address <a href="mailto:ndgroth@michaelbest.com">ndgroth@michaelbest.com</a>)</li> <li>vi. Stefan Passantino (including, but not limited to, at the email address <a href="mailto:spassantino@michaelbest.com">spassantino@michaelbest.com</a> or <a href="mailto:stefanpassantino@onebox.com">stefanpassantino@onebox.com</a>)</li> </ul> <p>Heritage Foundation:</p> <ul style="list-style-type: none"> <li>vii. Hans von Spakovsky (including, but not limited to, at the email address <a href="mailto:hans.vonspakovsky@heritage.org">hans.vonspakovsky@heritage.org</a>)</li> <li>i. Kaitlynn Samalis-Aldrich (<a href="mailto:kaitlynn.samalis@heritage.org">kaitlynn.samalis@heritage.org</a>)</li> </ul>
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Please provide all responsive records from July 6, 2020, through the date the search is conducted.

Please consult with American Oversight on any fees the agency expects it may assess.

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.<sup>1</sup>

### **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.
- 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. N.R.S. § 239.010(3). 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.

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<sup>1</sup> American Oversight currently has approximately 16,300 followers on Facebook and 105,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Oct. 6, 2020); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Oct. 6, 2020).

## 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, have any questions, or foresee any problems in fully releasing the requested records, please contact Emma Lewis at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 919-6303.

Sincerely,



Austin R. Evers  
Executive Director  
American Oversight