



December 10, 2020

**VIA ELECTRONIC MAIL**

Open Records Custodian  
Office of the Secretary of State  
214 State Capitol  
Atlanta, GA 30334  
[openrecords@sos.ga.gov](mailto:openrecords@sos.ga.gov)

**Re: Open Records Request**

Pursuant to the Georgia Open Records Law (O.C.G.A. §§ 50-18-70 et seq.), American Oversight and All Voting is Local Georgia (together, Requesters) make the following request for records.

**Requested Records**

Requesters ask that Office of the Secretary of State produce the following within three business days, or provide a written description of any responsive records with a timetable for their production within three business days:

All email communications (including emails, email attachments, calendar invitations, or attachments thereto) sent by any of the Office of the Secretary of State staff listed below, and containing any of the search terms listed below:

Secretary of State Officials:

- a. Secretary of State Brad Raffensperger ([brad@sos.ga.gov](mailto:brad@sos.ga.gov))
- b. Anyone serving as Chief of Staff to Secretary Raffensperger
- c. Deputy Secretary Jordan Fuchs ([jfuchs@sos.ga.gov](mailto:jfuchs@sos.ga.gov))
- d. General Counsel Ryan Germany ([rgermany@sos.ga.gov](mailto:rgermany@sos.ga.gov))
- e. Deputy General Counsel Anna Braue ([abraue@sos.ga.gov](mailto:abraue@sos.ga.gov))
- f. Elections Director Chris Harvey ([wharvey@sos.ga.gov](mailto:wharvey@sos.ga.gov))
- g. Voting Implementation Manager Gabriel Sterling  
([sterlinginnovative@gmail.com](mailto:sterlinginnovative@gmail.com), [gsterling@sos.ga.gov](mailto:gsterling@sos.ga.gov))
- h. Deputy Elections Director Ted Koval ([tkoval@sos.ga.gov](mailto:tkoval@sos.ga.gov))
- i. Senior Elections Attorney Gabrielle Holland ([gabrielleg holland@sos.ga.gov](mailto:gabrielleg holland@sos.ga.gov))

Search Terms:

- “Out-of-state”
- “no excuse”
- “at-will”
- “voter ID”



- “photo ID”
- Harvesting
- “drop box”
- “drop boxes”
- “dropbox”
- “dropboxes”
- “systemic ongoing problems”
- “Kirkpatrick”
- “Kennedy”
- “Dugan”
- “Gooch”
- “Burt Jones”
- “Mullis”
- “Blackmon”

Please provide all responsive records from November 1, 2020, to the date your office receives this request.

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the specified officials. 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 Secretary Raffensperger’s response to an email containing one of the specified search terms and the initial received message are responsive to this request and should be produced.

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

Requesters insist that Office of the Secretary of State use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. Requesters are available to work with you to craft appropriate search terms. **However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

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 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 your office 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.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, Requesters welcome 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, Requesters and your office can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF 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, please also provide responsive material on a rolling basis.

### **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 Requesters, please do not hesitate to contact American Oversight to discuss this request. Requesters welcome an opportunity to discuss their request with you before you undertake your search or incur search or duplication costs. By working together at the outset, Requesters and your office can decrease the likelihood of costly and time-consuming litigation in the future.

We share a common mission to promote transparency in government. Requesters look forward to working with you 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 Khahilia Shaw at [records@americanoversight.org](mailto:records@americanoversight.org) or 202.539.6507.

Sincerely,



Austin R. Evers  
Executive Director  
American Oversight



Aklima Khondoker  
Georgia State Director, All Voting is Local  
The Leadership Conference Education Fund  
The Leadership Conference on Civil and Human Rights

