



January 12, 2020

**VIA EMAIL**

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**

Dear Records Custodian:

Pursuant to the Georgia Open Records Law (O.C.G.A. §§ 50-18-70 et seq.), American Oversight makes the following request for records.

*The Washington Post* recently reported that, in December 2020, President Trump placed a phone call to “the investigations chief for the Georgia secretary of state’s office.”<sup>1</sup> American Oversight requests records related to this call.

**Requested Records**

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

1. All records regarding a phone call reportedly placed by President Trump to Georgia’s “lead elections investigator”<sup>2</sup> on or around December 23, 2020, including, but not limited to, any records reflecting the call’s agenda, materials exchanged in advance of or during the call, talking points, handwritten or electronic notes taken during the call, recordings or transcripts of the call, or records summarizing or otherwise reflecting any content of the call.
2. All email communications (including emails, email attachments, complete email chains, calendar invitations, or calendar attachments), text messages, and communications on messaging applications similar in form to text messages (including, but not limited to, The Buzz, Signal, WhatsApp, Facebook Messenger, or Twitter Direct Message (DM)) sent or received by any of the Office of the Secretary of State officials listed below regarding a phone call reportedly placed by President Trump to Georgia’s “lead elections

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<sup>1</sup> Amy Gardner, ‘*Find the Fraud*’: Trump Pressured a Georgia Elections Investigator in a Separate Call Legal Experts Say Could Amount to Obstruction, Wash. Post (Jan. 9, 2021, 12:20 PM) [https://www.washingtonpost.com/politics/trump-call-georgia-investigator/2021/01/09/7a55c7fa-51cf-11eb-83e3-322644d82356\\_story.html](https://www.washingtonpost.com/politics/trump-call-georgia-investigator/2021/01/09/7a55c7fa-51cf-11eb-83e3-322644d82356_story.html).

<sup>2</sup> See *id.*



investigator,” on or around December 23, 2020, during which the president reportedly asked the investigator to “find the fraud.”<sup>3</sup>

Specified Secretary of State Officials:

- i. Brad Raffensperger, Secretary of State
- ii. Anyone serving as Chief of Staff to Secretary Raffensperger
- iii. Jordan Fuchs, Deputy Secretary of State (including but not limited to at [jordyfuchs212@gmail.com](mailto:jordyfuchs212@gmail.com))
- iv. Ryan Germany, General Counsel
- v. Chris Harvey, Elections Director
- vi. Gabriel Sterling, Voting System Implementation Manager (including but not limited to at [sterlinginnovative@gmail.com](mailto:sterlinginnovative@gmail.com))
- vii. Anyone serving as an elections investigator for the Office of the Secretary of State

For both parts of this request, please provide all responsive records from December 1, 2020, to the date this request is received.

For both parts of this request, American Oversight does not object to the redaction of names or other personally identifying information of elections investigators or non-managerial/non-supervisory staff from responsive records.

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

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. 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 includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your office 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. American Oversight is 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

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<sup>3</sup> *See id.*

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, 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 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 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.<sup>4</sup>

We share a common mission to promote transparency in government. American Oversight looks 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

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<sup>4</sup> American Oversight currently has approximately 15,600 page likes on Facebook and 105,400 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 12, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Jan. 12, 2021).

the requested records, please contact Khahilia Shaw at [records@americanoversight.org](mailto:records@americanoversight.org)  
or (202) 539-6507.

Sincerely,

A handwritten signature in blue ink that reads "Austin R. Evers". The signature is fluid and cursive, with a long horizontal flourish extending to the left.

Austin R. Evers  
Executive Director  
American Oversight