



April 22, 2021

**VIA EMAIL**

Arizona Governor’s Office  
1700 West Washington Street  
Phoenix, AZ 85007  
[communications@az.gov](mailto:communications@az.gov)

**Re: Public Records Request**

Dear Public Records Officer:

Pursuant to the Arizona Public Records Law, A.R.S. §§ 39-121 et seq., American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that your office promptly produce the following records:

All email communications (including emails, calendar invitations, and attachments thereto) between (a) any of the Governor’s Office officials listed in Column A, below, and (b) any representatives of the businesses listed in Column B, below (including, but not limited to, anyone communicating from an email address ending with the listed domains), or any individual lobbyist listed in Column B, below.

<b>Column A: Governor’s Office Officials</b>	<b>Column B: External Businesses</b>
<ul style="list-style-type: none"> <li>i. Doug Ducey, Governor, or anyone communicating on his behalf (such as a scheduler or assistant)</li> <li>ii. Daniel Scarpinato, Chief of Staff</li> <li>iii. Anni Lori Foster, General Counsel</li> <li>iv. Patrick Ptak, Communications Director</li> </ul>	<p><u>Businesses:</u></p> <ul style="list-style-type: none"> <li>i. PetSmart (petsmart.com)</li> <li>ii. Circle K (circlek.com)</li> <li>iii. ON Semiconductor (onsemi.com)</li> <li>iv. Freeport-McMoRan (fmi.com)</li> <li>v. Amkor Technology (amkor.com)</li> <li>vi. Knight Transportation (knighttrans.com)</li> <li>vii. Benchmark Electronics (bench.com)</li> <li>viii. U-Haul (uhaul.com)</li> <li>ix. Avnet (avnet.com)</li> <li>x. Massage Envy (massageenvy.com)</li> </ul>



	<ul style="list-style-type: none"> <li>xi. Microchip Technology (microchip.com)</li> <li>xii. Southern Copper (southerncoppercorp.com)</li> <li>xiii. Asarco (asarco.com)</li> <li>xiv. Magellan Health (magellanhealth.com)</li> <li>xv. Bashas' (bashas.com)</li> <li>xvi. Realty Executives International (realtyexecutives.com)</li> <li>xvii. Best Western (bestwestern.com, bestwesternintl.com, or bwhotelgroup.com)</li> <li>xviii. Discount Tire (discounttireco.com or discounttire.com)</li> <li>xix. Fender Musical Instruments Corporation (fender.com)</li> <li>xx. GoDaddy (godaddy.com)</li> </ul> <p><u>Lobbyists:</u></p> <ul style="list-style-type: none"> <li>i. Ilse Contreras</li> <li>ii. Joe Demenna</li> <li>iii. Kevin Demenna</li> <li>iv. Ryan Demenna</li> <li>v. Nick Willis</li> <li>vi. G. Michael Williams</li> </ul>
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Please provide all responsive records from January 1, 2021, through April 15, 2021.

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 Governor Ducey received a mass-distribution press release email from a PetSmart representative, that initial email would not be responsive to this request. However, if Governor Ducey forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

**Statement of Noncommercial Purpose**

This request is made for noncommercial purposes. American Oversight seeks records regarding corporate contacts with high level state officials working on behalf of Arizona citizens, including those related to legislative voter restriction proposals. Records with

the potential to shed light on the extent of such contacts would contribute significantly to public understanding of operations of the government, including whether and to what extent the Governor's Office sought input on the legislature's voter restriction proposals from Arizona business leaders.

Because American Oversight is a 501(c)(3) nonprofit, this request is not in American Oversight's financial interest and is not made for a commercial purpose. American Oversight's mission is 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>

Because this request is made for noncommercial purposes, American Oversight requests that any fees charged in connection with processing this request be limited to copying and postage charges, if applicable.<sup>2</sup> Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

### **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:

- 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.
- If any records are withheld in full or in part, pursuant to A.R.S. § 39-121.01(D)(2), please provide an index of records or categories of records that

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<sup>1</sup> American Oversight currently has approximately 16,300 followers on Facebook and 106,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Apr. 13, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Apr. 13, 2021).

<sup>2</sup> A.R.S. § 39-121.01(D)(1); *see also Hanania v. City of Tucson*, 128 Ariz. 135, 624 P.2d 332 (Ct. App. 1980). Furthermore, because this request is for noncommercial purposes, additional fees provided for under A.R.S. § 39-121.03(A) are not applicable and should not be assessed.

have been withheld and the reasons the records or categories of records have been withheld.

- 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 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.

### **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 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,

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