



April 22, 2021

**VIA EMAIL**

Open Records Custodian  
Office of the Governor  
206 Washington Street  
111 State Capitol  
Atlanta, GA 30334  
[open.records@georgia.gov](mailto:open.records@georgia.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.

**Requested Records**

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

All email communications (including emails, calendar invitations, and attachments thereto) between (a) any of the Office of the Governor 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: Office of the Governor Officials</b>	<b>Column B: External Entities</b>
<ul style="list-style-type: none"> <li>i. Brian Kemp, Governor, or anyone communicating on his behalf (such as an assistant or scheduler)</li> <li>ii. Trey Kilpatrick, Chief of Staff</li> <li>iii. Bert Brantley, Deputy Chief of Staff</li> <li>iv. David Dove, Executive Counsel</li> <li>v. Candice Broce, Chief Operating Officer</li> <li>vi. Lauren Curry, Director of Government Affairs</li> <li>vii. Cody Hall, Director of Communications</li> </ul>	<p><u>Businesses:</u></p> <ul style="list-style-type: none"> <li>i. The Home Depot (homedepot.com)</li> <li>ii. United Parcel Service (ups.com)</li> <li>iii. Delta Air Lines (delta.com)</li> <li>iv. Arby's (arbys.com)</li> <li>v. The Coca-Cola Company (coca-cola.com)</li> <li>vi. Cox Enterprises (coxinc.com or coxenterprises.com)</li> <li>vii. Cox Media Group (cmg.com)</li> <li>viii. Cox Communications (cox.com)</li> <li>ix. Genuine Parts Company (genpt.com)</li> </ul>



viii.	Judy Dyer, Staff Assistant	x.	Georgia-Pacific (gapac.com)
ix.	Taylor Murray, Assistant to the Governor	xi.	WestRock (westrock.com)
		xii.	NCR Corporation (ncr.com)
		xiii.	Southern Company (southerncompany.com)
		xiv.	Southern Company Gas (southernco.com)
		xv.	SunTrust Banks (suntrust.com)
		xvi.	First Data (firstdata.com)
		xvii.	Carter's (carters.com)
		xviii.	Gentiva Health Services (Gentiva.com)
		xix.	Aflac Inc. (Aflac.com)
		xx.	AGCO (agcocorp.com)
		xxi.	Autotrader.com (autotrader.com)
		xxii.	Chick-fil-A (chick-fil-a.com)
		xxiii.	Equifax (Equifax.com)
		xxiv.	Hooters (hooters.com)
		xxv.	LexisNexis Risk Solutions (lexisnexis.com)
		xxvi.	Spanx (spanx.com)
		xxvii.	Tropical Smoothie Café (tropicalsmoothie.com)
		xxviii.	Turner Broadcasting System (turner.com)
		xxix.	Waffle House (wafflehouse.com)
			<u>Lobbyists:</u>
		i.	Margaret Kaiser
		ii.	Brian Douglas Hudson
		iii.	John Jarrard
		iv.	John Bozeman
		v.	Arthur "Skin" Edge
		vi.	John "Trip" Martin
		vii.	Frank Morris
		viii.	Boyd Pettit
		ix.	James Roberts
		x.	Nicholas Smith
		xi.	Lauren Wilkes Fralick
		xii.	Lawrence Bell
		xiii.	Harold Bevis
		xiv.	Delores Gallego
		xv.	Ragen Marsh
		xvi.	Matthew Ralston
		xvii.	Roy Bryan Robinson III
		xviii.	David Werner

	xix.	Rob Willis
	xx.	Rollin Downs
	xxi.	Carey Miller
	xxii.	Eugene Martin Rackley
	xxiii.	Malcolm Smith
	xxiv.	Miller (Pete) Peterson Robinson
	xxv.	Vincent Robert Russo
	xxvi.	Dylan Reese Davis

Please provide all responsive records from January 1, 2021, through April 15, 2021.

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

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

### **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. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Open Records Act.<sup>1</sup>

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<sup>1</sup> O.C.G.A. § 50-18-70(b)(2).

- 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.

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.

### **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>2</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>2</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 April 13, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited April 13, 2021).

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