



July 26, 2021

VIA U.S. MAIL & EMAIL

Office of the Attorney General
215 N. Sanders St.
Helena, MT 59601

Office of the Attorney General
Justice Building, Third Floor
215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401
contactdoj@mt.gov

Re: Public Records Act Request

Dear Public Records Officer:

Pursuant to Art. II, Section 9, of the Montana Constitution, and the Montana Public Records Act, Mont. Code Ann. §§ 2-6-1001 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Attorney General’s Office produce the following records in a timely manner:

1. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) between (a) any of the Montana Attorney General’s Office officials listed in Column A, below, and (b) any employees or representatives of the external organizations listed in Column B, below (including, but not limited to, anyone communicating from an email address ending in the listed domains).

Column A: Montana Attorney General’s Office Officials	Column B: External Parties
<ol style="list-style-type: none"> i. Austin Knudson, Attorney General (or anyone communicating on his behalf, such as an assistant or scheduler) ii. Will Selph, Chief of Staff iii. David Dewhirst, Solicitor General 	<ol style="list-style-type: none"> i. National Rifle Association, NRA Foundation, and NRA’s Institute for Legislative Action (nra.org, nrahq.org, nrafoundation.org, and nraila.org) ii. Association of New Jersey Rifle & Pistol Clubs (anjrpc.org)



iv. Christian Corrigan, Assistant Solicitor General	iii. Gun Owners of America and Gun Owners Foundation (gunowners.org)
v. Brent Mead, Deputy Solicitor General	iv. National Association for Gun Rights (nationalgunrights.org)
	v. Second Amendment Foundation (saf.org)
	vi. Citizens Committee for the Right to Keep and Bear Arms (ccrkba.org)
	vii. American Suppressor Association (americansuppressorassociation.com)
	viii. National Shooting Sports Foundation (nssf.org)
	ix. Montana Rifle and Pistol Association (mtrpa.org)
	x. Montana Shooting Sports Association (mtssa.org)

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 Attorney General Knudson received a mass-distribution news clip email from an email ending in @nra.org, that initial email would not be responsive to this request. However, if Attorney General Knudson forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

- All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by any of the Montana Attorney General's Office officials listed in Column A, above, containing any of the search terms listed below.

Search Terms:

- | | |
|---------------------------------|-------------------------------------|
| i. "National Rifle Association" | ix. CCRKBA |
| ii. NRA | x. "Suppressor Association" |
| iii. "Gun Owners of America" | xi. "Shooting Sports Foundation" |
| iv. GOA | xii. NSSF |
| v. "Association for Gun Rights" | xiii. "Rifle & Pistol" |
| vi. NAGR | xiv. ANJRPC |
| vii. SAF | xv. "Rifle and Pistol" |
| viii. "Right to Keep and Bear" | xvi. MTRPA |
| | xvii. "Shooting Sports Association" |

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has

limited item 2 of its request to emails sent by the listed custodians. 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 Attorney General Knudson's response to an email containing the term "Bump Stock" and that initial received message are responsive to this request and should be produced.

For both parts of this request, please provide all responsive records from January 1, 2021, through the date the search is conducted.

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

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.
- 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.¹

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, please contact Hart Wood at records@americanoversight.org or (202) 873-1743.

Sincerely,

/s/ Hart Wood
Hart Wood
on behalf of
American Oversight

¹ American Oversight currently has approximately 15,600 page likes on Facebook and 106,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 22, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited June 22, 2021).