



February 10, 2022

VIA EMAIL

Senator Theresa Manzella
640 Gold Creek Loop
Hamilton, MT 59840
theresa.manzella@mtleg.gov

Susan Fox
Legislative Executive Director
Montana State Legislature
State Capitol
PO Box 201706
Helena, MT 59620-1706
sfox@mt.gov

Re: Public Records Act Request

Dear Senator Manzella:

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.

On September 22, 2021, Ravalli County Republican Women hosted an “election integrity symposium,” facilitated by Senator Theresa Manzella, and featuring presentations from Douglas Frank, Seth Keshel, and David Clements.¹

American Oversight seeks records with the potential to shed light on efforts to cast doubt on the results of elections in the U.S., including communications between Montana officials and external entities engaged in such efforts.

Requested Records

American Oversight requests that your office produce the following records in a timely manner:

All electronic communications (including emails, email attachments, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp) between (A) Sen. Theresa Manzella, or any individual communicating on their behalf such as a Chief of Staff or scheduling assistant, and (b) any of the specified parties listed below.

¹ Alex Sarkariaasen, *Voter Fraud: Fact, or Faction?*, MT Free Press, Oct. 8, 2021, <https://montanafreepress.org/2021/10/08/voter-fraud-fact-or-faction/>.



Specified Parties:

1. Quentin Rhoades (qmr@montanalaywer.com), or anyone communicating on behalf of Rhoades, Siefert & Erickson, PLLC
2. Lyn Hellegard, or anyone communicating on behalf of the Missoula County Election Integrity Project
3. Ashe Epp (asheinamerica@protonmail.com), Holly Kasun (hollyataltitude@protonmail.com), or anyone communicating on behalf of Cause of America
4. Anyone communicating on behalf of Montana Election Integrity Project
5. Jane Alford, or anyone communicating on behalf of the Republican Women of Ravalli or Republican Women of Montana
6. David Clements (dkc@theprofessorsrecord.com)
7. Dennis Haugh (dennis@dhaugh.com)
8. Erin Clements (erin_hughs@yahoo.com)
9. Alamogordo County, NM Commissioner Couy Griffin (cgriffin@co.otero.nm.us)
10. Jeff O'Donnell (theloneraccoon@protonmail.com)
11. Shawn Smith (luftsas@gmail.com)
12. Ivan Raiklin (ivan.raiklin@gmail.com or socialmediaraiklin@gmail.com)
13. Al Hartman, Jenny Limcher, or anyone communicating on behalf of Hartman REIT (@hi-reit.com)
14. Seth Keshel (skeshel@protonmail.com or booking@captk.com)
15. Velma Ann Ruth, Patrick Cabbage, Mark Still (mark@pearlconsolidated.com), or anyone communicating on behalf of Patriot Caucus (@patriot-caucus.com)
16. Anyone communicating on behalf of Public Interest Legal Foundation (@publicinterestlegal.org)
17. Lin Wood (lwood@linwoodlaw.com), or anyone communicating from an email address ending in @fightback.law
18. Christina Bobb, Chanel Rion, or anyone communicating on behalf of One America News, including anyone communicating from an email address ending in @oann.com, or Voices and Votes, including anyone communicating from an email address ending in @voicesandvotes.org
19. Raj Doraisamy, Caroline Wetherington, or anyone communicating on behalf of Defend Wisconsin or Defend Our Union (@defendourunion.org)
20. Matt Braynard, or anyone communicating on behalf of Look Ahead America (@lookaheadamerica.org)

Please provide all responsive records from November 3, 2020, 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:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their 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 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.²

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 Taylor Stoneman at records@americanoversight.org or (202) 848-1319.

Sincerely,

/s/ Taylor Stoneman
Taylor Stoneman
on behalf of
American Oversight

² American Oversight currently has approximately 15,720 page likes on Facebook and 117,500 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 9, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 9, 2022).