



February 2, 2022

VIA EMAIL

Lake County Board of Commissioners
Jennifer Bell, Clerk
105 Main Street
Building A
Painesville, OH 44077
Jennifer.bell@lakecountyohio.gov

Re: Public Records Act Request

Dear Public Records Officer:

Pursuant to the Ohio Public Records Act (PRA), Ohio Rev. Code § 149.43, and other applicable Ohio law, American Oversight makes the following request for records.

Requested Records

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

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) and text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook messages, WhatsApp, Signal, Telegram, or Parler) between Board of Commissioners President John Hamercheck and the external individuals listed below.

External Individuals:

- a. Mike Lindell
- b. Jeff O'Donnell (including, but not limited to theloneraccoon@protonmail.com)
- a. Lisa "Draza" Smith (including, but not limited to ladydraza@gmail.com, ladydraza@yahoo.com)
- b. Douglas Frank
- c. Conan James Hayes
- d. Colonel Phil Waldron (phil@onewarrior.com, JWRLLC@gmail.com, or_p@bonfiresearch.org), Russell Ramsland (ryuks9sq@alliedspecialops.us or yrku9sqs@protonmail.com), James Keet Lewis III (keet@jkeetlewis.com), or anyone communicating on behalf of Allied Security Operations Group (@alliedspecialops.us)



2. All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by Board of Commissioners President John Hamercheck containing any of the key terms specified below.

Key Terms:

1. "January 6"
2. "Jan 6"
3. "Jan. 6"
4. 1/6
5. "Election audit"
6. "election fraud"
7. "election integrity"
8. Bobb
9. CJH
10. "Election Certification"
11. Decertify
12. Dominion
13. Elector
14. "Electoral college"
15. Finchem
16. Forensic
17. Fulton
18. "great again"
19. Kanekoa
20. KaneokaTheGreat
21. Lindell
22. "cyber symposium"
23. Maricopa
24. Mastriano
25. Patriot
26. Patriots
27. "Save America"
28. "Stop the steal"
29. Subpoena
30. "We Have Risen"

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 2 of its request to emails sent by Board of Commissioners President John Hamercheck. 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 Board of Commissioners President Hamercheck's response to an email containing a specified term and the initial received message are responsive to this request and should be produced.

3. All records provided by the Lake County Board of Commissioners to the Washington Post as part of its public records request related to the Lake County data breach.¹

For all parts of this request, 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.
- 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.² 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.

¹ See Amy Gardner et al, *Attempted Breach of Ohio County Election Network Draws FBI and State Security*, Wash. Post (Nov. 19, 2021, 3:55 PM), https://www.washingtonpost.com/politics/attempted-breach-ohio-election/2021/11/19/12417a4c-488c-11ec-b8d9-232f4afe4d9b_story.html.

² Ohio Rev. Code § 149.43(B)(1).

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.³

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 Sarah Colombo at records@americanoversight.org or (202) 869-5244.

Sincerely,

/s/ Sarah Colombo
Sarah Colombo
on behalf of
American Oversight

³ American Oversight currently has approximately 15,700 page likes on Facebook and 114,500 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 2, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 2, 2022).