



March 7, 2022

**VIA EMAIL**

Custodian of Public Records  
Secretary of State R. Kyle Ardoin  
8585 Archives Ave.  
Baton Rouge, LA 70809  
[PublicRecordsRequest@sos.la.gov](mailto:PublicRecordsRequest@sos.la.gov)

**Re: Public Records Law Request**

Dear Records Custodian:

Pursuant to the Louisiana Public Records Law, La. Rev. Stat. Ann. 44:1 et seq., American Oversight makes the following request for records.

Immediately following the November 2020 election, officials in the Trump administration and members of the Trump campaign team coordinated attempts to reverse the results of the election, including in individual states.<sup>1</sup> Since that time, public officials and activists have continued to advocate for more restrictive voting laws or partisan “audits” of elections.<sup>2</sup>

American Oversight seeks records with the potential to shed light on whether or to what extent officials in the Office of the Secretary of State of Louisiana have been in contact with individuals or entities seeking to restrict ballot access or conduct a partisan review of elections.

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<sup>1</sup> Emma Brown *et al.*, *Election Denier Who Circulated Jan. 6 PowerPoint Says He Met with Meadows at White House*, Wash. Post (Dec. 11, 2021, 12:30 PM),

[https://www.washingtonpost.com/investigations/phil-waldron-mark-meadows-powerpoint/2021/12/11/4ea67938-59df-11ec-9a18-a506cf3aa31d\\_story.html](https://www.washingtonpost.com/investigations/phil-waldron-mark-meadows-powerpoint/2021/12/11/4ea67938-59df-11ec-9a18-a506cf3aa31d_story.html).

<sup>2</sup> See, e.g., Ray Stern, *Arizona Republicans Propose Dozens of Bills to Change Voting and Elections Following Audit, 2020 Election*, AZ Republic (updated Jan. 23, 2022, 7:27 PM), <https://www.azcentral.com/story/news/politics/legislature/2022/01/18/arizona-legislature-dozens-gop-bills-alter-voting-elections/9188425002/>; Emma Brown, *Phil Waldron, Backer of Jan. 6 Voting PowerPoint, Is Invited to Speak to Louisiana Voting Panel*, Wash. Post (Dec. 14, 2021, 7:44 PM),

[https://www.washingtonpost.com/investigations/phil-waldron-powerpoint-louisiana-voting/2021/12/14/e2fa4aaa-5cec-11ec-bda6-25c1f558dd09\\_story.html](https://www.washingtonpost.com/investigations/phil-waldron-powerpoint-louisiana-voting/2021/12/14/e2fa4aaa-5cec-11ec-bda6-25c1f558dd09_story.html).



## **Requested Records**

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

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) the listed officials in the Office of the Secretary of State of Louisiana and (B) any of the external individuals or entities listed below, including, but not limited to at the suggested email addresses or domains. In the case of emails and texts, the search should include those sent or received from the specified officials' personal accounts and/or devices if they were used to conduct official business, as well those sent from their official email addresses or government-issued devices.

Please provide all responsive records from November 3, 2020, through the date the search is conducted.

### A. Secretary of State Officials:

1. Kyle Ardoin, Secretary of State
2. Nancy Landry, First Assistant Secretary of State
3. Joe Salter, Chief of Staff
4. Merietta Norton, General Counsel

### B. External Entities:

1. Al Hartman, Jenny Limcher, and/or anyone communicating on behalf of Hartman REIT (@hi-reit.com)
2. Anyone communicating from the email addresses [arizonaaudit@gmail.com](mailto:arizonaaudit@gmail.com), [arizonaaudit@protonmail.com](mailto:arizonaaudit@protonmail.com), [azaudit@gmail.com](mailto:azaudit@gmail.com), [azauditmedia@gmail.com](mailto:azauditmedia@gmail.com), [azauditpress@gmail.com](mailto:azauditpress@gmail.com), and/or [info@arizonaaudit.com](mailto:info@arizonaaudit.com)
3. Boris Epshteyn ([bepshteyn@gmail.com](mailto:bepshteyn@gmail.com))
4. Charles Bundren III ([charles@bundrenlaw.net](mailto:charles@bundrenlaw.net))
5. Chris Witt, Earl Eugene Kern, and/or anyone communicating on behalf of Wake Technology Services, Inc. (@waketsi.com)
6. Christina Bobb, Chanel Rion, Graham Ledger ([grahamledger@yahoo.com](mailto:grahamledger@yahoo.com)), and/or anyone communicating on behalf of One America News Network, including anyone communicating from an email address ending in @oann.com
7. Cleta Mitchell ([cleta@cletamitchell.com](mailto:cleta@cletamitchell.com), [cmitchell@foley.com](mailto:cmitchell@foley.com), and/or email addresses ending in @bradleyfdn.org)
8. Colonel Phil Waldron ([phil@onewarrior.com](mailto:phil@onewarrior.com) or anyone communicating from an email address ending in @bonfiresearch.org)
9. Doug Logan, and/or anyone communicating on behalf of Cyber Ninjas (@cyberninjas.com)

10. Emily Newman ([enewman@protonmail.com](mailto:enewman@protonmail.com)), Todd Sanders ([todd@krknsys.com](mailto:todd@krknsys.com)), and/or anyone communicating from an email address ending in @americaproject.com
11. Former National Security Advisor Michael Flynn (@generalflynn.com), Joseph Flynn, Charles Flynn, Michael Flynn Jr., and/or anyone communicating on behalf of America's Future (@americasfuture.net)
12. Ivan Raiklin ([ivan.raiklin@gmail.com](mailto:ivan.raiklin@gmail.com), [socialmediaraiklin@gmail.com](mailto:socialmediaraiklin@gmail.com))
13. Jacqueline Timmer, Mary Coran, and/or anyone communicating on behalf of the American Voter's Alliance (@got-freedom.org)
14. Jenna Ellis ([jenna.ellis.esq@gmail.com](mailto:jenna.ellis.esq@gmail.com)), and/or anyone communicating on behalf of Liberty University's Falkirk Center (falkirkcenter.com) or the American Greatness Fund (@americangreatnessfund.com)
15. John Eastman ([jeastman@claremont.org](mailto:jeastman@claremont.org)) and/or anyone communicating on behalf of Constitutional Counsel Group (@ccg1776.com)
16. Jovan Hutton Pulitzer ([jovanhuttonpulitzer@gmail.com](mailto:jovanhuttonpulitzer@gmail.com))
17. Julie Fisher ([aztrumplican@gmail.com](mailto:aztrumplican@gmail.com), [azwinos@gmail.com](mailto:azwinos@gmail.com), and/or [julie.fisher@az51.org](mailto:julie.fisher@az51.org))
18. Katherine Friess ([kfriess@protonmail.com](mailto:kfriess@protonmail.com))
19. Ken Bennett ([kbennettaz7@gmail.com](mailto:kbennettaz7@gmail.com), [kbazos@gmail.com](mailto:kbazos@gmail.com), and/or [kjbennettaz@gmail.com](mailto:kjbennettaz@gmail.com))
20. Kurt Olsen ([kurtols@protonmail.com](mailto:kurtols@protonmail.com))
21. Matt Braynard, and/or anyone communicating on behalf of Look Ahead America (@lookaheadamerica.org)
22. Matthew DePerno ([matthew@depernelaw.com](mailto:matthew@depernelaw.com))
23. Mike Lindell ([mike@mypillow.com](mailto:mike@mypillow.com))
24. Mike Roman ([mikeroman@protonmail.com](mailto:mikeroman@protonmail.com))
25. Phill Kline ([phillklineva@gmail.com](mailto:phillklineva@gmail.com)), Luis Cornelio ([lcornel001@citymail.cuny.edu](mailto:lcornel001@citymail.cuny.edu)) and/or anyone communicating on behalf of the Thomas More Society (@thomasmoresociety.org) or The Amistad Project
26. Rob Natelson ([rob.natelson1@gmail.com](mailto:rob.natelson1@gmail.com))
27. Russell Ramsland ([yrku9sqs@protonmail.com](mailto:yrku9sqs@protonmail.com)), J. Keet Lewis ([keet@jkeetlewis.com](mailto:keet@jkeetlewis.com)), and/or anyone communicating on behalf of Allied Security Operations Group (@alliedspecialops.us)
28. Shiva Ayyadurai ([vashiva@vashiva.com](mailto:vashiva@vashiva.com)), and/or anyone communicating from an email address ending in @echomail.com
29. Sidney Powell ([sp@seeking-justice.org](mailto:sp@seeking-justice.org), [sidney@federalappeals.com](mailto:sidney@federalappeals.com))
30. Steve Montenegro ([stevemontenegro@gmail.com](mailto:stevemontenegro@gmail.com), [stevemontenegro@protonmail.com](mailto:stevemontenegro@protonmail.com), [steve@coronamconsulting.com](mailto:steve@coronamconsulting.com))
31. William Olson ([williamolson@lawandfreedom.com](mailto:williamolson@lawandfreedom.com), [wjo@mindspring.com](mailto:wjo@mindspring.com))

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 one of the listed officials received a mass-distribution news clip email from One America

News Network, that initial email would not be responsive to this request. However, if they forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

### **Fee Waiver Request**

In accordance with La. Rev. Stat. Ann. 44:32(C)(2), American Oversight requests a waiver of fees associated with processing this request for records. A waiver of fees for this request is appropriate, because American Oversight's use of the requested records "will be limited to a public purpose."

This request is made solely for a public purpose. The public has a significant interest in the administration of elections in Louisiana. Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including the extent to which elections officials in Louisiana have been in contact with individuals or entities seeking to undermine public confidence in elections.<sup>3</sup> American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

Furthermore, this request is fundamentally made for non-commercial purposes. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest. 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>4</sup>

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.<sup>5</sup> Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records and analysis related to the organization's investigations into misconduct and corruption in state governments;<sup>6</sup> posting records and analysis of federal and state governments'

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<sup>3</sup> See *supra*, note 2.

<sup>4</sup> American Oversight currently has approximately 15,720 page likes on Facebook and 117,800 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 28, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Feb. 28, 2022).

<sup>5</sup> See *generally News*, American Oversight, <https://www.americanoversight.org/blog>.

<sup>6</sup> See *generally State Investigations*, American Oversight, <https://www.americanoversight.org/states>; see, e.g., *State Government Contacts with*

responses to the Coronavirus pandemic;<sup>7</sup> posting records received as part of American Oversight’s “Audit the Wall” project to gather and analyze information related to the Trump administration’s proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;<sup>8</sup> and the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department’s process for issuing such waivers.<sup>9</sup>

Accordingly, American Oversight qualifies for a fee waiver.

### **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

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*Voting-Restriction Activists*, American Oversight, <https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists>; *Georgia’s Voting Machines and Election Security*, American Oversight, <https://www.americanoversight.org/investigation/georgias-voting-machines-and-election-security>.

<sup>7</sup> See, e.g., *The Trump Administration’s Response to Coronavirus*, American Oversight, <https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus>; *Tulsa Health Officials Initially Estimated Trump Rally Would Directly Lead to 2 to 9 Deaths*, American Oversight, <https://www.americanoversight.org/tulsa-health-officials-initially-estimated-trump-rally-would-directly-lead-to-2-to-9-deaths>; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, <https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19>; *In the Documents: Florida Health Department Efforts to Suppress Release of Coronavirus Records*, American Oversight, <https://www.americanoversight.org/in-the-documents-florida-health-department-efforts-to-suppress-release-of-coronavirus-records>.

<sup>8</sup> See generally *Audit the Wall*, American Oversight, <https://www.americanoversight.org/investigation/audit-the-wall>; see, e.g., *Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, <https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall>.

<sup>9</sup> *DOJ Records Relating to Solicitor General Noel Francisco’s Recusal*, American Oversight, <https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance>; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, <https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents>.

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. Public business communications conducted on private email accounts and devices are public records subject to the Public Records Law.<sup>10</sup>
- 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.

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<sup>10</sup> La. Atty. Gen. Op. No. 01-155.

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 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