



March 18, 2022

**VIA EMAIL**

Guyllaine Gelinias  
Administrative Specialist  
State Capitol, Room 204  
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**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 your agency produce the following records in a timely manner:

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 (a) any of the officials listed below, and (b) any of the external entities listed below or anyone communicating on behalf of any of the entities listed below (including, but not limited to, at the listed email addresses and/or domains).

Officials:

- i. Governor Greg Gianforte, or anyone communicating on his behalf, such as an assistant or scheduler
- ii. Chief of Staff Christine Heggem
- iii. Press Secretary Brooke Stroyke
- iv. Deputy Press Secretary Jack O'Brien

External Entities:

- i. Fox News (foxnews.com, foxbusiness.com, newscorp.com, foxinc.com, fox.com, Murdoch.com, newsamerica.com, or newscorporation.com)



- ii. One America News Network (oann.com or anyone communicating from [therealstoryoan@gmail.com](mailto:therealstoryoan@gmail.com)), Graham Ledger ([grahamledger@yahoo.com](mailto:grahamledger@yahoo.com)), or Christina Bobb ([christina.bobb@protonmail.com](mailto:christina.bobb@protonmail.com))
- iii. Sinclair Broadcast Group (sbg.net)
- iv. Newsmax (newsmax.com)
- v. Daily Caller (dailycaller.com)
- vi. Breitbart (breitbart.com)
- vii. The Gateway Pundit (thegatewaypundit.com)
- viii. Infowars (Infowars.com)
- ix. Anyone communicating on behalf of *Bannon's War Room*, including, but not limited to, Raheem Kassam

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 Gianforte received a mass-distribution news clip email from one of the specified entities, that initial email would not be responsive to this request. However, if Governor Gianforte forwarded that email to another individual with his own commentary, that subsequent message would be responsive to this request and should be produced.

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:

- 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. 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>1</sup>

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

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<sup>1</sup> American Oversight currently has approximately 15,700 page likes on Facebook and 118,000 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 15, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 15, 2022).

understand any part of this request, please contact Taylor Stoneman at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 848-1319.

Sincerely,

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