



May 03, 2022

VIA EMAIL

Director, Office of Public Records
107 West Gaines Street, Suite 228
Tallahassee, FL 32399-1050
PublicRecordsRequest@myfloridalegal.com

Re: Public Records Request

Dear Public Records Officer:

Pursuant to Article I, section 24(a), of the Florida Constitution, and Florida's public records laws, as codified at Fla. Stat. Chapter 119, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office promptly produce the following:

1. All email communications (including emails, email attachments, complete email chains, and calendar invitations) 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, The Buzz, or Parler) between (a) Attorney General Ashley Moody, Solicitor General Henry Whitaker, or anyone communicating on their behalf such as a Chief of Staff, scheduler, or assistant and (b) any of the outside entities listed below:

Outside Entities:

- a. Anyone communicating from America First Legal, including Stephen Miller, Ken Starr, Mark Meadows, Gene Hamilton, Jim DeMint, Matthew Whitaker, Russ Vought, Reed Rubenstein, or anyone communicating from an email address ending in @aflegal.org
- b. Anyone communicating from the Conservative Partnership Institute, including Ed Corrigan, Wesley Denton, or anyone communicating from an email address ending in @conservativepartnership.org or @cpi.org
- c. Anyone communicating on behalf of the Alaska Attorney General's office, including anyone communicating from an email address ending in @alaska.gov
- d. Anyone communicating on behalf of the Arkansas Attorney General's office, including anyone communicating from an email address ending in @arkansasag.gov



- e. Anyone communicating on behalf of the Texas Attorney General's office, including anyone communicating from an email address ending in @texasattorneygeneral.gov or @oag.texas.gov
- f. Anyone communicating on behalf of the Indiana Attorney General's office, including anyone communicating from an email address ending in @atg.in.gov
- g. Anyone communicating on behalf of the Missouri Attorney General's office, including anyone communicating from an email address ending in @ago.mo.gov
- h. Anyone communicating on behalf of the Montana Attorney General's office, including anyone communicating from an email address ending in @mt.gov
- i. Anyone communicating on behalf of the Oklahoma Attorney General's office, including anyone communicating from an email address ending in @oag.ok.gov
- j. Anyone communicating on behalf of the South Carolina Attorney General's office, including anyone communicating from an email address ending in @scag.gov
- k. Jonathan Bronitksy (jonathan@athospr.com)
- l. Alexei Woltornist (alexei@athospr.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 Attorney General Moody received a mass-distribution news clip email from the Conservative Partnership Institute, that initial email would not be responsive to this request. However, if Moody responded to that email with his own commentary, that subsequent message would be responsive to this request and should be produced.

- 2. All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by (a) Attorney General Ashley Moody, Solicitor General Henry Whitaker, or anyone communicating on their behalf such as a Chief of Staff, scheduler, or assistant containing the key terms listed below:
 - a. AFL
 - b. "America First Legal"
 - c. "Stephen Miller"
 - d. Meadows
 - e. Whitaker
 - f. Vought
 - g. Hamilton
 - h. Corrigan
 - i. Denton
 - j. Athos

In an effort to accommodate the Office of the Attorney General and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the specified 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 Moody's response to an email containing a key term and the initial received message are responsive to this request and should be produced.

For both parts of this request, please provide all responsive records from September 21, 2021, through January 27, 2022.

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

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its 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 includes any attachments to these records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your agency use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; your office may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

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 it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that 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 your office 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.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, 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 electronic format by email or in PDF or TIF 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, have any questions, or foresee any problems in fully releasing the requested records, please contact Taylor Stoneman at records@americanoversight.org or (202) 848-1319.

Sincerely,

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

¹ American Oversight currently has approximately 15,700 page likes on Facebook and 118,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Apr. 6, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Apr. 6, 2022).