



March 20, 2023

**VIA EMAIL**

Director, Office of Public Records  
107 West Gaines Street, Suite 228  
Tallahassee, FL 32399-1050  
[PublicRecordsRequest@myfloridalegal.com](mailto: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 the Attorney General's Office promptly produce the following:

For all parts of this request, please provide all responsive records from August 1, 2022, through the date the search is conducted.

1. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) between (a) Statewide Prosecutor Nicholas Cox or anyone communicating on his behalf (including, but not limited to, an assistant or scheduler), and (b) any of the entities or individuals listed below.

**Specified Entities and Individuals:**

- i. Anyone communicating on behalf of Florida's Executive Office of the Governor (EOG) (including, but not limited to, anyone communicating from an email address ending in eog.myflorida.com)
- ii. Generra Peck, Ryan Tyson, Phil Cox, Heather Barker, or anyone communicating on behalf of Friends of Ron DeSantis (including, but not limited to, anyone communicating from an email address ending in friendsofrondesantis.com or rondesantis.com).
- iii. Any member or staff of the Florida Senate (including, but not limited to, anyone communicating from an email address ending in flsenate.gov)
- iv. Any member or staff of the Florida House of Representatives (including, but not limited to, anyone communicating from an email address ending in myfloridahouse.gov)



- v. Anyone communicating from an email address ending in americaproject.com or theamericaproject.com
- vi. Catherine Engelbrecht, or anyone communicating from an email address ending in truethevote.org or truethevote.com
- vii. Christina Bobb ([christina@cbgstrategies.com](mailto:christina@cbgstrategies.com)), or anyone communicating from an email address ending in oann.com
- viii. David Clements ([davidkclements13@protonmail.com](mailto:davidkclements13@protonmail.com), [dkc@theprofessorsrecord.com](mailto:dkc@theprofessorsrecord.com))
- ix. Doug Frank ([drdougglasgfrank@protonmail.com](mailto:drdougglasgfrank@protonmail.com), [drdougglasgfrank@outlook.com](mailto:drdougglasgfrank@outlook.com))
- x. Doug Logan, or anyone communicating from an email address ending in cyberninjas.com or akolytos.com
- xi. Draza Smith ([drazasmith@protonmail.com](mailto:drazasmith@protonmail.com), [drazasmith@gmail.com](mailto:drazasmith@gmail.com), [ladydraza@gmail.com](mailto:ladydraza@gmail.com))
- xii. Gregg Phillips, or anyone communicating from an email address ending in opsec.group or patriotgames.com
- xiii. Ivan Raiklin ([ivan@raiklin.com](mailto:ivan@raiklin.com))
- xiv. Jeff O'Donnell ([theloneraccoon@protonmail.com](mailto:theloneraccoon@protonmail.com)), or anyone communicating from an email address ending in ordros.com
- xv. Katherine Ann Christy ([katherine@florida-capital.com](mailto:katherine@florida-capital.com))
- xvi. Kevin Jessip ([kevinjessip@gmail.com](mailto:kevinjessip@gmail.com))
- xvii. Kurt Olsen ([kurtols@protonmail.com](mailto:kurtols@protonmail.com), [ko@olsenlawpc.com](mailto:ko@olsenlawpc.com))
- xviii. Former National Security Advisor Michael Flynn, Joseph Flynn, Charles Flynn, Michael Flynn Jr., or anyone communicating from an email address ending in generallyflynn.com or americasfuture.net
- xix. Michele Replogle ([micrep@protonmail.com](mailto:micrep@protonmail.com), [micrep@pm.me](mailto:micrep@pm.me)), or anyone communicating from an email address ending in mypillow.com
- xx. Phil Waldron ([phil@onewarrior.com](mailto:phil@onewarrior.com)) or anyone communicating from an email address ending in bonfiresearch.org
- xxi. Phill Kline ([phillklineva@gmail.com](mailto:phillklineva@gmail.com))
- xxii. Raj Doraisamy, Caroline Wetherington, or anyone communicating from an email address ending in defendourunion.org
- xxiii. Russell Ramsland ([yrku9sqs@protonmail.com](mailto:yрку9sqs@protonmail.com)), or anyone communicating from an email address ending in alliedspecialops.us
- xxiv. Seth Keshel ([skeshel@protonmail.com](mailto:skeshel@protonmail.com), [skeshel@gmail.com](mailto:skeshel@gmail.com))
- xxv. Shawn Smith ([ratioinvictus@protonmail.com](mailto:ratioinvictus@protonmail.com), [luftsas@gmail.com](mailto:luftsas@gmail.com))
- xxvi. Sidney Powell ([sherlock1776@protonmail.com](mailto:sherlock1776@protonmail.com))
- xxvii. Tim Griffin, or anyone communicating from an email address ending in thomasmoresociety.org

For request item 1, 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 Statewide Prosecutor Cox received a mass-distribution news clip email from True the Vote, that initial email would not be responsive to this request. However, if Cox forwarded that email to another individual with his

own commentary, that subsequent message would be responsive to this request and should be produced.

2. All text messages or messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, Twitter direct messages, Facebook Messenger, WhatsApp, Signal, Telegram, or Parler) between (a) Statewide Prosecutor Nick Cox, and (b) any of the individuals listed below.

Individuals:

- i. Ron DeSantis, Florida Governor
- ii. James Uthmeier, EOG Chief of Staff
- iii. Savannah Kelly Jefferson, EOG Director of External Affairs
- iv. Stephanie Kopelousos, EOG Director of Legislative & Intergovernmental Affairs
- v. Chris Spencer, EOG Director of Policy & Budget
- vi. Ryan Newman, EOG General Counsel
- vii. Christina Pushaw, EOG Press Secretary
- viii. Generra Peck, DeSantis Campaign Manager
- ix. Ryan Tyson, DeSantis Campaign Senior Adviser
- x. Phil Cox, DeSantis Campaign General Consultant
- xi. Heather Barker, DeSantis Campaign Senior Adviser
- xii. Senator Jonathan Martin
- xiii. Albert Griffith, Legislative Aide to Senator Martin
- xiv. Krissy Houlihan, Legislative Aide to Senator Martin
- xv. Timothy Morris, Legislative Aide to Senator Martin
- xvi. Representative Juan Alfonso Fernandez-Barquin
- xvii. Armando Munero, Legislative Aide to Representative Fernandez-Barquin
- xviii. Representative Alex Andrade
- xix. Representative Jessica Baker
- xx. Representative David Borrero
- xxi. Representative Scott Plakon
- xxii. Representative Dana Trubalsy
- xxiii. Catherine Engelbrecht
- xxiv. Christina Bobb
- xxv. David Clements
- xxvi. Doug Frank
- xxvii. Draza Smith
- xxviii. Gregg Phillips
- xxix. Ivan Raiklin
- xxx. Jeff O'Donnell
- xxxi. Kevin Jessip
- xxxii. Michele Replogle
- xxxiii. Seth Keshel
- xxxiv. Shawn Smith
- xxxv. Sidney Powell

3. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) sent by Statewide Prosecutor Nicholas Cox or anyone communicating on his behalf (including, but not limited to, an assistant or scheduler), containing any of the search terms listed below.

Search Terms:

- |           |                         |
|-----------|-------------------------|
| i. SB4B   | vii. 3-B                |
| ii. SB4-B | viii. 3B                |
| iii. 4-B  | ix. Internet            |
| iv. 4B    | x. "Judicial circuit"   |
| v. HB3B   | xi. "Judicial circuits" |
| vi. HB3-B | xii. Jurisdiction       |

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited request item 3 to emails sent by Statewide Prosecutor Cox. 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 Statewide Prosecutor Cox's response to an email containing one of the listed search terms and the initial received message are responsive to this request and should be produced.

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.**

Please search all locations and systems likely to have responsive records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails or texts conducting government business sent or received on the personal account of the government official constitutes a record for purposes of Florida's public records laws.<sup>1</sup>

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

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<sup>1</sup> *Cf. State v. City of Clearwater*, 863 So. 2d 149, 154 (Fla. 2003) ("The determining factor is the nature of the record, not its physical location.").

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.<sup>2</sup>

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<sup>2</sup> American Oversight currently has approximately 16,000 followers on Facebook and 112,700 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 16, 2023); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Mar. 16, 2023).

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 Ben Sparks at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 873-1741.

Sincerely,

/s/ Ben Sparks

Ben Sparks  
on behalf of  
American Oversight