



March 11, 2025

VIA EMAIL

Alex Hardin
State Election Board
2 MLK Jr. Drive
Suite 802 Floyd West Tower
Atlanta, GA 30334
ahardin@sos.ga.gov

Re: Open Records Request

Dear Records Custodian:

Pursuant to the Georgia Open Records Law (O.C.G.A. §§ 50-18-70 et seq.), American Oversight makes the following request for records.

Requested Records

American Oversight requests that the Georgia State Election Board (SEB) produce the following within three business days:

For all parts of this request, please provide all responsive records from February 1, 2025 through the date the request is received.

1. All final records (including, but not limited to, any findings, recommendations, initial incident reports, reports of investigation, or other final products) created by investigators Elizabeth Delmas and/or Jesse Patton and provided to the SEB.¹
2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) Elizabeth Delmas, or Jesse Patton, or anyone communicating on their behalf, such as an assistant or scheduler, and (b) the external individuals and entities listed below (including, but not limited to, anyone communicating from an email address ending in the listed domains).

External Individuals and Entities:

- a. America First Legal (aflegal.org, athospr.com)
- b. America First Policy Institute (americafirstpolicy.com)
- c. Brad Carver

¹ For further identifying information, *see* Mark Niese, *Election Skeptic Chosen for Job as Georgia Election Investigator*, Atlanta J. Const., Feb. 4, 2025, <https://www.ajc.com/politics/state-election-board-votes-to-hire-election-skeptic-as-an-investigator/SJI7QSKYVHCRE5YVX4UWKXS6M/>.



- d. Bridget Thorne (bridget@bridgetthorne.com or thornbrid@aol.com)
- e. Burt Jones (Burt@jpinsurance.com or anyone communicating from an email ending in burtjonesforga.com)
- f. Cleta Mitchell (cleta@cletamitchell.com)
- g. Conservative Partnership Institute (cpi.org, conservativepartnership.org)
- h. David Hancock (David.hancock@gwinnettcountry.com, david@dhancock.com or dgh33@yahoo.com)
- i. David Shafer
- j. Election Integrity Network (electionintegrity.network, whoscounting.us)
- k. Election Research Institute (electionresearchinstitute.org)
- l. Fulton County Republican Party (fultongop.org)
- m. Hans Von Spakovsky or anyone communicating on behalf of Heritage Foundation (heritage.org, heritageaction.com)
- n. Haystack Investigations (haystackinvestigations.com)
- o. Heather Honey (heather@verityvote.us, hhoney@haystackinvestigations.com, h2osint@protonmail.com)
- p. Honest Elections Project (honestelections.org, jasonsnead.com)
- q. Jody Hice
- r. Joshua (Josh) McKoon (josh.mckoon@senate.ga.gov or jrm2016@yahoo.com)
- s. Julie Adams (Julie.adams@fultoncountygga.gov, julie@teapartypatriots.org or Julie.georgia@proton.me)
- t. Marci McCarthy
- u. Michael Heekin
- v. Salleigh Grubbs (chair@cobbgop.org or salgrubbs@gmail.com)
- w. Verity Vote (verityvote.us)
- x. Virginia Institute for Public Policy (virginia institute.org)

Please note that American Oversight does not seek, and part 2 of this request specifically excludes, the initial mailing of news clips or other mass-distribution emails. However, subsequent communications responding to or forwarding such emails are responsive to this request. For example, if Ms. Delmas received a mass-distribution news clip email containing the term from an email ending in @cobbgop.org, that initial email would not be responsive to this request. However, if Ms. Delmas forwarded that email to another individual with commentary, that subsequent message would be responsive to this request and should be produced.

3. All email communications (including emails, email attachments, calendar invitations, and calendar invitation attachments) sent by Elizabeth Delmas or Jesse Patton and containing any of the key terms listed below.

Key Terms:

- i. “election audit”
- ii. “election fraud”
- iii. “election integrity”
- iv. “list maintenance”
- v. “non citizen”

- vi. “non-citizen”
- vii. “voter fraud”
- viii. “vote fraud”
- ix. “fraudulent vote”
- x. “fraudulent voter”
- xi. “fraudulent election”
- xii. “voter roll”
- xiii. Biden
- xiv. Certification
- xv. Certified
- xvi. Certify
- xvii. Challenge
- xviii. Challenger
- xix. Trump
- xx. Cleta

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails sent by the individuals listed above in part 3. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both Ms. Delmas’s response to an email containing any of the key terms listed above 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 fees.

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. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or X (formerly Twitter) direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their 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 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. Records of official business conducted using unofficial systems or stored outside of official files are subject to the Open Records Act.²
- 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. 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.

² O.C.G.A. § 50-18-70(b)(2).

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 X (formerly Twitter).³

We share a common mission to promote transparency in government. American Oversight looks forward to working with you 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 Julia Waddles at records@americanoversight.org or (219) 335-3025.

Sincerely,

/s/ Julia Waddles
Julia Waddles
on behalf of
American Oversight

³ American Oversight currently has approximately 16,000 followers on Facebook and 95,400 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Mar. 5, 2025); American Oversight (@weareoversight), X (formerly Twitter), <https://x.com/weareoversight> (last visited Mar. 5, 2025).