

Subject: Response to your Open Records Act request
Date: Thursday, October 24, 2019 at 4:29:07 PM Eastern Daylight Time
From: Records, Open
To: records@americanoversight.org
Attachments: GA-GOV-19-1330.pdf, American Oversight 1330 Responsive Records.pdf

Dear Ms. Kannan,

On Monday, October 21, 2019, you submitted the attached Open Records Act request.

We have identified 6 records responsive to your request. Attached, please find all responsive records in our possession. Please let us know if you have any questions.

Sincerely,

Open Records Officer
Office of the Georgia Governor
open.records@georgia.gov

From: [Frank Strickland](#)
To: [Frank Strickland](#)
Subject: Anne Ware Lewis
Date: Monday, April 15, 2019 10:19:53 AM
Attachments: [image002.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I regret to report that our partner Anne Lewis died yesterday. She was at home surrounded by her family. No word yet on arrangements.

Frank



Frank B. Strickland
Taylor English Duma LLP | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339
P: 678.336.7133 | fstrickland@taylorenghish.com
[Website](#) | [vCard](#)



[Forbes Small Giants Award Recipient](#)

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From: [Frank Strickland](#)
To: [Frank Strickland](#)
Subject: Anne Ware Lewis
Date: Monday, April 15, 2019 10:14:37 AM
Attachments: [image003.png](#)

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From: [Frank Strickland](#)
To: [Attorneys](#)
Subject: Anne Ware Lewis
Date: Friday, May 31, 2019 2:58:04 PM
Attachments: [image004.png](#)

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At the Annual Meeting of the Atlanta Bar Association (ABA) on May 23, Emmet Bondurant and Anne Ware Lewis (posthumously) received the ABA's Professionalism Award. The award recognizes outstanding contributions to a program or activity which advances excellence, professionalism and public responsibility within the legal profession.

When presenting the awards, ABA President Nicole Iannarone said that Emmet and Anne were being recognized in tandem based on their ability to remain friends who had other common interests, notwithstanding that they were political opposites and fierce advocates against each other in high profile and significant litigation. Emmet received a standing ovation when he went forward to receive the award. Anne's two sons, Kevin (age 24; a civil engineer with Brasfield & Gorrie) and Kyle (age 22; a recent graduate of the Terry College of Business at UGA with a 4.0 average), went to the podium to receive Anne's award and also had a standing ovation. It was a wonderful moment for these two fine young men.

A noteworthy case that falls in the category of high profile and significant litigation is *Common Cause/Georgia v. Billups*, 406 F. Supp. 2d 1326 (N.D. Ga. 2005); 504 F.3d 1340 (2009). Links below to the district court and Eleventh Circuit opinions.

<https://casetext.com/case/common-cause-georgia-v-billups>

https://www.google.com/search?q=common+cause+georgia+v+billups&rlz=1C1CHBF_enUS836US837&oq=common+cause+v.+billups&aqs=chrome..69j57j0l6065j1j3&sourceid=chrome&ie=UTF-8

Common Cause (represented by Emmet Bondurant) challenged the constitutionality of Georgia's photo ID statute before U.S. District Judge Harold L. Murphy in Rome. Anne Lewis and Mark Cohen (then with Troutman Sanders; now a U.S. District Judge) were appointed Special Assistant Attorneys General to represent the State in defending the statute. Anne and Mark won the case before Judge Murphy and prevailed on appeal to the Eleventh Circuit (Pryor, Circuit Judge, writing for a unanimous three judge panel).



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[Website](#) | [vCard](#)



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From: [Frank Strickland](#)
To: [Frank Strickland](#)
Subject: Article of interest
Date: Wednesday, June 5, 2019 10:28:37 AM

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Tomorrow is June 6, 2019, which marks the 75th anniversary of the D-Day invasion of Europe. On the 40th anniversary in 1984, President Ronald Reagan delivered one of his most famous speeches, which became known as “The Boys of Pointe du Hoc.” With his back to the English Channel Reagan was speaking to 62 of those “boys” who had climbed the cliffs at Pointe du Hoc in 1944. My wife and I visited Pointe du Hoc and the Normandy invasion beaches last June.

Below is a great article from today’s edition of the Washington Post, which tells the story and includes a link to the speech.

https://www.washingtonpost.com/history/2019/06/05/boys-pointe-du-hoc-reagan-d-day-speech-that-moved-nation/?utm_term=.b9c1096fcf69

From: [Frank Strickland](#)
To: [A. A. Pinson](#); [Britt Grant](#); [Bryan Tyson](#); [Carolyn C. Burch](#); [Cullen Hammond](#); [Dove, David](#); [Esther Slater McDonald](#) (emcdonald@seyfarth.com); [Frank Strickland](#); [H. Pierson](#); [Irene Munn](#); [J. Belinfante](#); [Jett, J.](#); [John Bush](#); [K. Anderson](#); [M. Kitchens](#); [Nels Peterson](#); [R. Germany](#); [Rick Bold](#) (bold@bmelaw.com); [Sarah Warren](#); [Spence Pryor](#); [Teague, Ryan](#)
Subject: FedSoc
Date: Friday, May 31, 2019 1:48:12 PM
Attachments: [image003.png](#)

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FYI: We now have 691 names on our local email roster..

FBS



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From: [Frank Strickland](#)
To: [Frank Strickland](#)
Subject: The Federalist Society just became a no...PDF
Date: Tuesday, July 9, 2019 10:37:58 AM
Attachments: [The Federalist Society just became a no...pdf](#)

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Article of interest.

FBS



Frank B. Strickland

Taylor English Duma LLP | 1600 Parkwood Circle, Suite 200, Atlanta, GA 30339

P: 678.336.7133 | F: | fstrickland@taylorenghish.com

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Opinions

The Federalist Society just became a no-go zone for federal judges

[+ Add to list](#)

By James P. Donohue

July 8 at 6:37 PM

James P. Donohue is a former U.S. magistrate judge.

“We do not have Obama judges or Trump judges, Bush judges or Clinton judges,” Supreme Court Chief Justice John G. Roberts Jr. said in a [statement](#) issued in November, countering a reference by President Trump to an “Obama judge.”

In my experience, federal judges work diligently to keep their personal views out of the judicial process. They would be appalled by the thought that simply noting the president who appointed them is all the public needs to know about what went into a decision. Yet, as much as Roberts and others on the federal bench bemoan attempts to reduce the judiciary to just another political institution, some judges have themselves contributed to the problem.

They have done so as members of the [Federalist Society](#), a network of conservative and libertarian lawyers and legal scholars — it claims [60,000 members](#) — that calls itself a nonpartisan educational organization but increasingly appears to be a political operation in all but name.

That much was made clear by a Post [investigation](#) in May that showed the intertwined interests of Federalist Society Executive Vice President Leonard Leo and a network of nonprofits dedicated to drumming up support among the public and politicians for the appointment of conservative judges.

Leo told The Post that he is careful to avoid conflicts between the educational work of the Federalist Society and the nonprofit’s advocacy, but the inescapable takeaway from The Post’s investigation is that the organization operates in such a gray area that no judge should be a member of the Federalist Society or participate in its activities.

Yet in the first year of the Trump administration, as [the Hill noted](#), “Of the 13 judicial nominees confirmed since President Trump took office, 10 are either current or former Federalist Society members or regular speakers at its events. Eight of the 10 appellate Trump nominees pending before the Senate have ties to the group.”

The Federalist Society has also advised the president regarding potential Supreme Court nominees, [according](#) to the New York Times. (The society says it [does not advocate](#) for individual judicial nominees.) In January, a Washington Post Magazine [article](#) about the Federalist Society reported that four

members of the court, in addition to Roberts, are either former members or were closely associated with the organization: Samuel A. Alito Jr., Neil M. Gorsuch, Brett M. Kavanaugh and Clarence Thomas.

For anyone concerned about the unseemly mingling of politics and the judiciary, a little-noticed formal ethics opinion issued in February by the committee responsible for the [Code of Conduct for United States Judges](#) may offer hope.

Judges are bound by the Code of Conduct, which comprises five canons and associated formal opinions issued by the committee, which provide ethical guidance. Substantial speech and associational restrictions are imposed on active judges to preserve the judiciary's independence and integrity.

The restrictions are known requirements for people wishing to serve as judges and are accepted, perhaps begrudgingly, by those who serve. The rules exist because deference to the judgment and rulings of courts depends on public confidence in the integrity and independence of judges.

For many years, the Code of Conduct committee ducked the issue of judicial participation in the Federalist Society, in part, it seemed, because many powerful judges (see above) either have been or are associated with the organization.

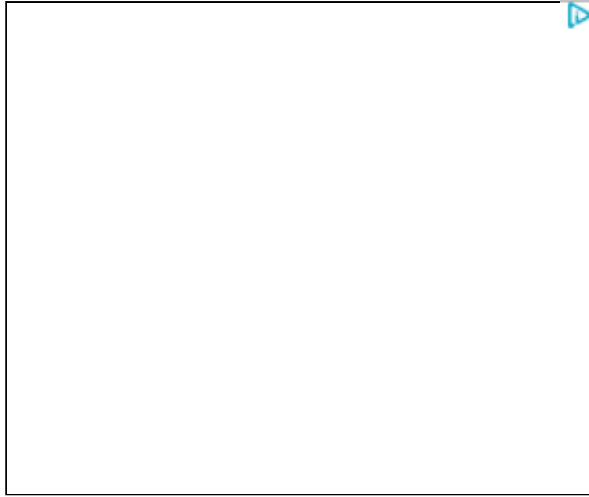
The committee now appears to have drawn a line with its issuance of [advisory opinion No. 116](#) expanding the scope of prohibited political activity. The Federalist Society is not mentioned by name, but the opinion is directed to the propriety of participation by judges in programs or membership in groups engaged in public-policy debates.

The prohibited political activities include those involving “hot-button issues in current political campaigns” or that are “politically-oriented” or have “political overtones.” Public perception also plays a vital role, as the opinion bars judges from participation that would “give rise to an appearance of engaging in political activity” or “would otherwise give the appearance of impropriety.”

The committee also warned judges that they should stay away from groups “where the funding sources are unknown or likely to be from sources engaged in litigation or political advocacy.” The New York Times [noted](#) of the Federalist Society's 2015 annual report, the organization “discloses who contributes most of its money. But it also takes anonymous contributions, from players including the Mercer family, which was a major backer of Donald Trump.” The annual report listed 14 anonymous donors on the “platinum” level — those giving \$100,000 or more.

In the past, the Federalist Society's assertion of nonpartisanship has provided cover for conservative judges who wish to join an organization whose executive vice president, as The Post [noted](#), is a “maestro” of the “modern machinery of political persuasion.” The Code of Conduct committee's latest opinion should force a reconsideration.

The expanded definition of prohibited political activity does not endanger the Federalist Society, nor its ability to function as a conduit of conservative ideology for lawyers and academia. It simply makes the continued participation of judges in the organization indefensible.

**Read more:**

[David Von Drehle: Our society has rules. Thankfully, John Roberts knows when to break them.](#)

[Dana Milbank: Remember when conservatives believed no one was above the law?](#)

[Leah Litman, Joshua Matz and Steve Vladeck: We ought to be concerned about preserving the political order of the Supreme Court](#)

[Hugh Hewitt: A plea to ‘senior’ judges](#)