



February 1, 2021

VIA EMAIL

Director, Office of Public Records
Florida Attorney General
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.

In early December 2020, Texas Attorney General Ken Paxton filed a lawsuit seeking to block various states from casting "unlawful and constitutionally tainted votes" in the Electoral College.¹ Seventeen additional states, including Florida, filed motions backing Texas' efforts.² Later, public reporting indicated that in the days leading up to Texas' filing, a group of Republican state attorneys general solicited U.S. Justice Department support from then-Attorney General William Barr.

Accordingly, American Oversight seeks records concerning any attempts to petition the U.S. Department of Justice to support efforts to overturn state election results.

Requested Records

American Oversight requests that the Florida Attorney General promptly produce the following:

1. All email communications (including emails, complete email chains, calendar invitations, and attachments thereto) between (a) any of the Florida Attorney General officials listed in Column A, below, and (b) any of the external parties listed in Column B, below.

¹ Emma Platoff, *In New Lawsuit, Texas Contests Election Results in Georgia, Wisconsin, Michigan, Pennsylvania*, Tex. Tribune, Dec. 8, 2020, <https://www.texastribune.org/2020/12/08/texas-ken-paxton-election-georgia/>.

² Todd J. Gillman, *17 States and Trump Join Texas Request for Supreme Court to Overturn Biden Wins in Four States*, Dallas Morning News (Dec. 9, 2020, 10:34AM), <https://www.dallasnews.com/news/politics/2020/12/09/trump-says-hell-join-texas-lawsuit-asking-supreme-court-to-block-62-biden-electors-from-four-states/>.



2. All text messages or communications on messaging applications similar in form to text messages (including, but not limited to, Signal, WhatsApp, Facebook Messenger, and Twitter direct messages) between (a) any of the Florida Attorney General officials listed in Column A, below, and (b) any of the external parties listed in Column B, below.

3. All records reflecting the content of any meetings or calls between (a) any of the Florida Attorney General officials listed in Column A, below, and (b) any of the external parties listed in Column B, below, including, but not limited to, agendas, meeting minutes or summaries (including handwritten notes and informal email summaries), and any materials exchanged by participating parties.

Column A: Florida Attorney General Officials	Column B: External Parties
<ul style="list-style-type: none"> a) Ashley Moody, Attorney General, or anyone communicating on her behalf (such as an assistant or scheduler) b) Anyone serving as Chief of Staff to Attorney General Moody c) Amit Agarwal, Solicitor General 	<p><u>State Attorneys General (including the named attorneys general and anyone communicating on their behalf, such as a Chief of Staff, assistant or scheduler):</u></p> <ul style="list-style-type: none"> i. Eric Schmitt, Missouri Attorney General, or Justin Smith, Deputy Attorney General ii. Steve Marshall, Alabama iii. Leslie Rutledge, Arkansas iv. Curtis Hill, Indiana (former) v. Derek Schmidt, Kansas vi. Jeff Landry, Louisiana vii. Lynn Fitch, Mississippi viii. Tim Fox, Montana (former) ix. Doug Peterson, Nebraska x. Wayne Stenehjem, North Dakota xi. Mike Hunter, Oklahoma xii. Alan Wilson, South Carolina xiii. Jason Raynsborg, South Dakota xiv. Herbert Slatery, Tennessee xv. Ken Paxton, Texas xvi. Sean Reyes, Utah xvii. Patrick Morrisey, West Virginia <p><u>U.S. Department of Justice:</u></p>

	<ul style="list-style-type: none"> i. Bill Barr, former Attorney General ii. Jeffrey Rosen, former Acting Attorney General iii. Will Levi, former Chief of Staff to Attorney General Barr iv. Rachel Bissex, former Deputy Chief of Staff to Attorney General Barr v. Patrick Hovakimian, Chief of Staff to former Acting Attorney General Rosen vi. Jeffrey Wall, former Solicitor General vii. Jeffrey Clark, former Acting Assistant Attorney General, Civil Division
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Please provide all responsive records from November 3, 2020, through January 20, 2021.

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.³

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

³ American Oversight currently has approximately 15,600 page likes on Facebook and 105,200 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 26, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Jan. 26, 2021).

releasing the requested records, please contact Christine Monahan at records@americanoversight.org or (202) 869-5244.

Sincerely,

/s/ Christine Monahan

Christine Monahan
on behalf of
American Oversight