

Michael Gableman
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April 15, 2022

American Oversight
c/o Sarah Colombo
1030 15th Street NW, Suite B255
Washington, DC 20005

Re: Public Records Law Request

Dear Ms. Colombo,

We have received various records requests from you and respond as follows:

I. Requests Received

We have received from you the following records requests (collectively, “**American Oversight Requests**”), directed to the Office of Special Counsel (“**OSC**”) and Michael Gableman, in reference to the “Wisconsin Assembly’s investigation of the November 2020 election.”:

A. The request dated March 3, 2022 (“**March 3 Request A**”) for the following records:

- (1) “All electronic communications . . . between (i) Michael Gableman or anyone communicating on his or the OSC’s behalf and (ii) any of the individuals or entities listed [on pages 2–4 of the March 3 Request] . . . from January 18, 2022, through the date the search is conducted,” and,
- (2) “All electronic communications . . . between (i) Michael Gableman or anyone communicating on his or the OSC’s behalf and (ii) any of the additional individuals or entities listed [on page 5 of the March 3 Request] . . . from June 1, 2021, through the date the search is conducted.”

B. The request dated March 3, 2022 (“**March 3 Request B**”) for the following records “from February 1, 2022, through the date the search is conducted”:

- (1) “A complete copy (including any attachments) of any contract, sub-contract, amendment, memorandum of understanding, or other written agreement (A) between the Wisconsin Assembly and individuals or entities associated with the legislature’s investigation of the November 2020 election related to the planning,

preparation, or execution of the investigation, including but not limited to agreements with former justice Michael Gableman or any individual or entity designated or engaged as an investigator, and (B) between any of the individuals or entities named above in item 1(A) of this request, or the Office of Special Counsel, and any assistants, consultants, counsel, formal or informal advisors, temporary workers, or unpaid volunteers, as well as any external sources of funds.”

(2) “A complete copy (including any attachments) of any resume, bid, project proposal, cost or time estimate, scope of work, application form, or other document submitted to any of the individuals or entities named in item 1 of this request, as well as any records regarding the solicitation and evaluation of any bids or proposals.”

(3) “Records identifying or referring to the scope of the investigative authority of the Assembly’s investigators or their agents, including but not limited to authority regarding compelling witnesses, issuing subpoenas, or making referrals to the Wisconsin Department of Justice, the U.S. Department of Justice or its subcomponents, or any other law enforcement agency.”

(4) “Any project plans or other documents detailing the steps or procedures to be followed in each aspect of the investigation, including but not limited to: records regarding identifying, prioritizing, and investigating “potential irregularities and/or illegalities,” including a complete copy of any reports of alleged irregularity or wrongdoing; protocols, guidelines, or scripts for contacting and interviewing witnesses; records describing investigative methodology, equipment, or supplies; or guidelines for ensuring the safe handling and privacy of confidential voter information and election equipment.”

(5) “A complete copy (including any attachments) of any invoice received from or records reflecting any payment made to former justice and Special Counsel Michael Gableman, or any other investigators or individuals, including any individuals associated with the Office of Special Counsel and/or contracted by the Wisconsin Assembly, in connection with their services to the Wisconsin Assembly.”

(6) “Any criteria, schedule, or other guidelines for the completion of work product related to the investigation, including, but not limited to, interim updates to the Assembly and the construction and presentation of a final report of findings.”

C. The request dated March 3, 2022 (“**March 3 Request C**”) for the following records “from February 1, 2022, through the date the search is conducted”: “A complete copy (including any attachments) of any interim reports, analyses, notifications, or other work product produced or collected by individuals or entities under contract to investigate the

November 2020 election or allegations of voter fraud or misconduct from previous elections (including but not limited to the Wisconsin Assembly’s investigators, including any investigators engaged by the Office of Special Counsel, as well as overseeing attorney and Special Counsel Michael Gableman) in connection with the legislature’s investigation of the November 2020 election.”

D. The request dated March 3, 2022 (“**March 3 Request D**”) for the following records “from February 1, 2022, through the date the search is conducted”:

- (1) “All electronic communications . . . between (i) Michael Gableman or anyone communicating on his or the Office of Special Counsel’s behalf; and (ii) any other contractor or agent of the Wisconsin Assembly charged with investigating the November 2020 election”
- (2) “All calendars or calendar entries regarding the legislature’s investigation of the November 2020 election and maintained by or on behalf of the Wisconsin Assembly’s investigators, including any investigators engaged by the Office of Special Counsel, as well as overseeing attorney and Special Counsel Michael Gableman.”
- (3) “All records reflecting the conduct and continuation of the Office of Special Counsel (OSC) investigation”

II. Documents Produced

For March 3 Request A, any and all communications responsive to that request can be found on the OSC website at <https://www.wielectionreview.org/>. For March 3 Request B, all records responsive to those requests have either already been produced, are not in the possession of the OSC, or are attached. For March 3 Request C, all responsive records are attached. For March 3 Request D, all responsive records have either already been produced, are not in the possession of the OSC, or are attached.

Beyond the foregoing and the attached, we have not found any responsive documents in our possession.

Sincerely,

Special Counsel Michael Gableman