



January 3, 2024

VIA EMAIL

Wyoming Secretary of State
122 West 25th Street
Herschler Building East, Suite 100
Cheyenne, WY 82002
SecOfState@wyo.gov

Re: Public Records Act Request

Dear Public Records Person:

Pursuant to the Wyoming Public Records Act, Wyo. Stat. §§ 16-4-201 *et seq.*, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records within seven business days:¹

All email communications (including emails, complete email chains, email attachments, calendar invitations, and calendar invitation attachments), text messages (including complete text message threads or conversations), and messages on messaging platforms (such as Slack, GChat, Google Hangouts, Lync, Skype, or WhatsApp) between (a) the Wyoming Secretary of State's Office officials listed below, and (b) any of the external entities or individuals listed below or anyone communicating on behalf of any of the entities listed below (including, but not limited to, at the listed email addresses and/or domains).

Wyoming Secretary of State Officials:

- a. Secretary of State Chuck Gray
- b. Deputy Secretary of State Jesse Naiman
- c. Chief Policy Officer and General Counsel Joe Rubino
- d. Elections Division Director C.J. Young

External Entities/Individuals:

1. Anyone communicating from an email address ending in EagleAI.pro
2. Rick Richards (dr@catmaid.com, dr@EagleAI.pro, dronline@me.com)
3. John Richards (johnrichards@eagleai.pro)

¹ To the extent the requested records are not available within seven business days, please provide an update at that time. *See* Wyo. Stat. §§ 16-4-202(b), (c)(i). Pursuant to the Wyoming Public Records Act, all records should be released no more than thirty calendar days "unless good cause exists preventing release." *Id.* § 16-4-202(c)(iii).



4. National Association of Secretaries of State (nass.org)
5. Republican State Leadership Committee (rslc.gop)
6. Leonard Leo, Jason Snead, or any person communicating from an email address ending in honestelections.org, fed-soc.org, or @jasonsnead.com
7. Kris Kobach (including, but not limited to, communications with the email kkobach@gmail.com or kris@kriskobach.com)
8. Catherine Engelbrecht, Courtney Kramer, or any person communicating from an email address ending in truethevote.org
9. Tracie Sharp, Kathleen O'Hearn, or any person communicating from an email address ending in spn.org
10. Jenna Ellis, or any person communicating from an email address ending in @americangreatnessfund.com or thomasmoresociety.org
11. Michael Bowman, Bill Meierling, or any person communicating from an email address ending in alec.org
12. James Bopp, or any person communicating from an email address ending in bopplaw.com or from jboppjr@aol.com
13. Phill Kline (phillklineva@gmail.com), Jacquelin Timmer, or anyone communicating from an email address ending in amistadproject.org or @got-freedom.org
14. Commissioner Christy McCormick, U.S. Election Assistance Commission
15. Commissioner Donald Palmer, U.S. Election Assistance Commission
16. Election Integrity Network (electionintegrity.network)
17. Virginia Institute for Public Policy (virginia institute.org)
18. Draza Smith (drazasmith@gmail.com, drazasmith@protonmail.com)
19. Tom Fitton, or anyone communicating on behalf of Judicial Watch (judicialwatch.org)
20. Look Ahead America (lookaheadamerica.org)
21. Matt Braynard (matt@braynard.com)
22. Republican National Committee (gop.com, rnc.org)
23. Emily Newman (enewman@protonmail.com)
24. Patrick Byrne, Mike Roman (mikeroman@protonmail.com), or anyone communicating on behalf of the America Project (americaproject.com or theamericaproject.com)
25. David Clements (davidkclements13@protonmail.com, dkc@theprofessorsrecord.com)
26. Erin Hughs (erin.hughs@yahoo.com, erin_hughs@yahoo.com)
27. Jovan Hutton Pulitzer (jovanhuttonpulitzer@gmail.com)
28. Doug Frank (drdougglasfrank@outlook.com, drdougglasfrank@protonmail.com)
29. Kurt Olsen (kurtols@protonmail.com)
30. Seth Keshel (skeshel@protonmail.com, skeshel@gmail.com, bookings@aptk.com)
31. Shawn Smith (luftsas@gmail.com, ratioinvictus@protonmail.com)
32. Christina Bobb (christina.bobb@oann.com, christina@cbgstrategies.com)
33. Boris Epshteyn (bepshteyn@gmail.com)
34. Phil Waldron (phil@onewarrior.com or jwrlc@gmail.com), or anyone communicating from an email address ending in bonfiresearch.org

35. Arizona State Senator Sonny Borrelli (sborrelli@azleg.gov)
36. Anyone communicating from an email address ending in donaldtrump.com, donaldjtrump.com, trumpvictory.com, 45office.com, or trumporg.com

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 responding to or forwarding such emails are responsive to this request. In other words, for example, if an official received a mass-distribution news clip email from the Election Integrity Network, that initial email would not be responsive to this request. However, if the official forwarded that email to another individual with their own commentary, that subsequent message would be responsive to this request and should be produced.

Please provide all responsive records from January 1, 2023, through the date the search is conducted.

Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fee.

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 Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- 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.

- 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, please provide a written statement of the grounds for denial and, if applicable, state specifically why it is not reasonable to segregate portions of the record for release.²
- 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 to discuss this request. 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.

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

² See Wyo. Stat. § 16-4-203(e).

³ American Oversight currently has approximately 16,000 followers on Facebook and 111,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Jan. 2, 2024); American

understand any part of this request, please contact Khahilia Shaw at records@americanoversight.org or (202) 539-6507.

Sincerely,

/s/ Khahilia Shaw
Khahilia Shaw
on behalf of
American Oversight

Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Jan. 2, 2024).