



March 4, 2024

VIA EMAIL

Director of Open Government
Florida House of Representatives
402 South Monroe Street
Tallahassee, FL 32399
opengovernment@myfloridahouse.gov

The Office of Rep. Berny Jacques
1301 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300
Berny.Jacques@myfloridahouse.gov

Re: Public Records Request

Dear Public Records Officer:

Pursuant to Article I, section 24(a), of the Florida Constitution, and Florida House Rule 14, Part One, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office promptly produce the following:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) and text messages between (A) Rep. Berny Jacques and/or Legislative Aide Luke Midura and (B) any of the external individuals or entities listed below, including, but not limited to, at the suggested email addresses or domains.

External Individuals or Entities:

- a) Anyone communicating from the America Project, including anyone communicating from an email address ending in americaproject.com or theamericaproject.com
- b) Anyone communicating on behalf of the Election Fairness Institute (electionfairnessinstitute.org and GoEFI.org)
- c) Anyone communicating from Hand Count Road Show, including anyone communicating from an email address ending in handcountroadshow.org
- d) Ben Cotton (ben.cotton@cyfir.com and bencotton@cytechservices.com)
- e) Catherine Engelbrecht, Chelsea Magee, and anyone communicating from an email address ending in truethevote.org
- f) Cleta Mitchell (cleta@cletamitchell.com)



- g) Christina Bobb (christina.bobb@oann.com and christina@cgbstrategies.com)
 - h) Gregg Phillips (gregg@patriotgames.com and gregg@opsec.group), and anyone communicating from an email address ending in opsec.group
 - i) James Penrose (jim.penrose@bluevoyant.com, jim.penrose@tenacitycyber.com and cv@jimpennrose.org)
 - j) Jovan Hutton Pulitzer (jovanhuttonpulizter@gmail.com)
 - k) Lin Wood (lwood@linwoodlaw.com), and anyone communicating from an email address ending in fightback.law)
 - l) Mark Cook (patriotmc@protonmail.com)
 - m) Mary “Kitty” Garber (kittyffec@gmail.com)
 - n) Mike Roman (mikeroman@protonmail.com)
 - o) Michele Replogle (micrep@protonmail.com, micrep@pm.me, and causeofamerica@protonmail.com), and anyone communicating from an email address ending in causeofamerica.org
 - p) Phil Waldron (phil@onewarrior.com), and anyone communicating from an email address ending in bonfiresearch.org
 - q) Phill Kline (phillklineva@gmail.com)
 - r) Raj Doraisamy, Caroline Wetherington, and anyone communicating on behalf of Defend Florida or Defend Our Union (@defendourunion.org)
 - s) Russ Ramsland (yrku9sqs@protonmail.com), and anyone communicating from an email address ending in alliedspecialops.us
 - t) Seth Keshel (skeshel@protonmail.com and skeshel@gmail.com)
 - u) Susan Pynchon (susanpyrchon@gmail.com)
 - v) Tim Griffin, and anyone communicating from an email address ending in thomasmoresociety.org
 - w) Todd Sanders, Conan Hayes, and anyone communicating from an email address ending in krknsys.com
 - x) Walter Daughterity (w-daughterity@tamu.edu and daugher@tamu.edu)
 - y) William Charles Bundren (charles@bundrenlaw.net)
 - z) Doug Frank (drdougglasgrank@protonmail.com and drdougglasgrank@outlook.com)
 - aa) Mike Lindell, and anyone communicating from an email address ending in @mypillow.com or @frankspeech.com
2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent or received by the Florida State Representatives or staff listed in part 1 above that contain any of the following key terms:

Key Terms:

- 1. “hand count”
- 2. “hand counting”
- 3. handcount
- 4. hand-count
- 5. tabulating
- 6. tabulate
- 7. tabulator

8. tabulation
9. "electronic voting"
10. "hand tally"
11. "election integrity"
12. "by hand"
13. "ballot count"

For all parts of this request, please provide all responsive records from October 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.

In addition, American Oversight insists that your office 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 office 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.com.¹

We share a common mission to promote transparency in government. American Oversight looks forward to working with your office 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 Taylor Stoneman at records@americanoversight.org or (202) 848-1319.

Sincerely,

/s/ Taylor Stoneman
Taylor Stoneman
on behalf of
American Oversight

¹ American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on Twitter.com. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Feb. 29, 2024); American Oversight (@weareoversight), Twitter.com, <https://twitter.com/weareoversight> (last visited Feb. 29, 2024).