



May 7, 2024

VIA EMAIL

Office of the Attorney General
202 North Ninth Street
Richmond, VA 23219
foia@oag.state.va.us

Re: Virginia Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Virginia Freedom of Information Act, Va. Code Ann. § 2.2-3700, I, Anisha Hindocha, a resident of Virginia, make the following request for records.

Requested Records

I request that your office produce the following records within five working days:

All email communications (including emails, email attachments, complete email chains, and calendar invitations) sent by former Solicitor General Andrew Ferguson containing any of the key terms listed below:

1. FTC
2. "Federal Trade Commission"
3. Lina
4. Khan

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, I have limited my request to emails sent by former Solicitor General Ferguson. To be clear, however, I still request that complete email chains be produced, displaying both sent and received messages. This means, for example, that both Ferguson's response to an email containing a key term and the initial received message are responsive to this request and should be produced.

Please provide all responsive records from July 3, 2023, through March 7, 2024.

Please notify me 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, I provide the following guidance regarding the scope of the records sought and the search and processing of records:

- My 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 this request, this 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 in whole, please state specifically why 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 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 me, please do not hesitate to reach out to my authorized legal representative at the contact information listed below. I welcome an opportunity to discuss this request with you before you undertake your search or incur search or duplication costs. By working together at the outset, we 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 to the address listed below. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

Conclusion

We share a common mission to promote transparency in government. I look forward to working with your agency on this request. If you do not understand any part of this

request, please contact David Kronig at records@americanoversight.org or (202) 897-3915.¹

Sincerely,

/s/ Anisha Hindocha
Anisha Hindocha

¹ My colleagues at American Oversight are authorized to act as my representatives in connection with this request. *See* Va. Code Ann. § 2.2-3713(A). Please note that, although Mr. Kronig is not admitted to the Virginia bar, he represents me on this request pursuant to Rule of Professional Conduct 5.5(d)(4)(ii). He is admitted in the District of Columbia, with an office address of 1030 15th St. NW, Suite B255, Washington, D.C. 20005.