



June 12, 2024

**VIA ONLINE PORTAL**

Office of the Georgia Governor  
Attn: Rhonda Wilson  
206 Washington Street  
Suite 203  
Atlanta, GA 30334  
Via Online Portal

**Re: Open Records Request**

Dear Records Custodian(s):

Pursuant to the Georgia Open Records Law (O.C.G.A. §§ 50-18-70 et seq.), American Oversight makes the following request for records.

**Requested Records**

American Oversight requests that your office produce the following within three business days:

1. All email communications (including emails, email attachments, calendar invitations, and calendar invitation attachments) sent by the Governor's Office officials listed below and containing any of the key terms listed below.

Governor's Office Officials:

- a. Georgia Governor Brian P. Kemp
- b. Chief of Staff Lauren Curry
- c. Executive Counsel David Dove
- d. Deputy Chief of Staff Brad Bohannon
- e. Director of Policy Ian Caraway
- f. Deputy Director of Policy Caitlan Coleman
- g. Policy Advisor Will Brewster

Key Terms:

- i. SB189
- ii. "SB 189"
- iii. "S.B. 189"
- iv. "Senate Bill 189"
- v. HB974
- vi. "HB 974"
- vii. "H.B. 974"
- viii. "House Bill 974"
- ix. HB1207
- x. "HB 1207"



- xi. "H.B. 1207"
- xii. "House Bill 1207"
- xiii. "Voter challenge"
- xiv. "Vote tabulation"
- xv. NVRA
- xvi. "Access to ballots"
- xvii. "Citizen-led audit"

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of its request to emails sent by the listed officials. However, American Oversight requests that complete email chains be produced, displaying both sent and received messages. This means that both an official's response to an email containing a key term and the initial received message are responsive to this request and should be produced.

- 2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) the Governor's Office officials listed above in part 1 and (b) any of the external entities or individuals listed below, including, but not limited to, at the listed email addresses and/or domains.

External Entities or Individuals:

- i. Senator Max Burns ([max.burns@senate.ga.gov](mailto:max.burns@senate.ga.gov))
- ii. Cicero Institute ([ciceroinstitute.org](http://ciceroinstitute.org))
- iii. Cleta Mitchell ([cleta@cletamitchell.com](mailto:cleta@cletamitchell.com), [cmitchell@foley.com](mailto:cmitchell@foley.com)), and/or anyone communicating from an email address ending in whoscounting.us
- iv. Garland Favorito ([garlandf@voterga.org](mailto:garlandf@voterga.org), [garlandf@msn.com](mailto:garlandf@msn.com), [garlandf@voterga.net](mailto:garlandf@voterga.net))
- v. Rick Richards ([drd@cathaid.com](mailto:drd@cathaid.com), [drd@eagleai.pro](mailto:drd@eagleai.pro))
- vi. John Richards ([johnrichards@eagleai.pro](mailto:johnrichards@eagleai.pro))
- vii. Anyone communicating from an email address ending in eagleai.pro
- viii. David Cross
- ix. Jason Frazier
- x. Suzi Voyles
- xi. Liz Harrington
- xii. Holly Kessler
- xiii. Julie Adams
- xiv. Joe Rossi
- xv. Kevin Moncla
- xvi. Rick Jeffares ([rjeffares.seb@gmail.com](mailto:rjeffares.seb@gmail.com))
- xvii. Janice Johnston ([jjohnstonmd.seb@gmail.com](mailto:jjohnstonmd.seb@gmail.com))
- xviii. John Fervier ([jfervier.seb@gmail.com](mailto:jfervier.seb@gmail.com))
- xix. Georgia Republican Party ([gagop.org](http://gagop.org))
- xx. Stefan Bartelski
- xxi. Brad Carver
- xxii. Kelly Loeffler

- xxiii. Jody Hice
- xxiv. Janelle King

**Please note that American Oversight does not seek, and that part 2 of 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. For example, if a listed official received a mass-distribution news clip email from an email address ending in gagop.org, that initial email would not be responsive to this request. However, if the listed 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, 2024 to the date the request is received.**

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

### **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.com 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. Records of official business conducted

using unofficial systems or stored outside of official files are subject to the Open Records Act.<sup>1</sup>

- 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 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 X.com (formerly Twitter).<sup>2</sup>

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<sup>1</sup> O.C.G.A. § 50-18-70(b)(2).

<sup>2</sup> American Oversight currently has approximately 16,000 followers on Facebook and 111,400 followers on X (formerly Twitter). American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited June 5, 2024); American Oversight (@weareoversight), X (formerly Twitter), <https://twitter.com/weareoversight> (last visited June 5, 2024).

We share a common mission to promote transparency in government. American Oversight looks forward to working with you 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 Khahilia Shaw at [records@americanoversight.org](mailto:records@americanoversight.org) or (202) 539-6507.

Sincerely,

/s/ Khahilia Shaw

Khahilia Shaw  
on behalf of  
American Oversight