

June 25, 2024

VIA EMAIL

Virginia Department of Elections
Washington Building, First Floor
1100 Bank Street
Richmond, VA 23219
foia@elections.virginia.gov

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 the Virginia Department of Elections produce the following records within five working days:

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between (a) any of the Virginia Department of Elections officials listed below, and (b) any of the external entities or individuals listed below (including the listed email addresses and/or domains).

Virginia Department of Elections Officials:

- i. Susan Beals, Commissioner
- ii. Rachel Lawless, Policy Advisor
- iii. Ashley Coles, Policy Analyst
- iv. Ruth Hancock

External Entities and Individuals:

- a. Dan Heim (victorycoder@gmail.com, danh@defendourunion.org)
- b. EagleAI NETwork (eagleai.pro)
- c. Ian Camacho (ian.c.camacho@gmail.com)
- d. Look Ahead America (lookaheadamerica.org)
- e. Rick Richards (drronline@me.pro)
- f. Stefan Bartelski (bartelski.com)
- g. Totes Legit Votes (toteslegitvotes@gmail.com)

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed above in part 1 and containing any of the key terms listed below.

Key Terms:

- a. EagleAI
- b. "Eagle AI"
- c. "Totes Legit"
- d. "Tote Legit"

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, I have limited part 2 of this request to emails sent by the specified individuals. To be clear, however, I still request that complete email chains be produced, displaying both sent and received messages. This means that both an individual's response to an email and the initial received message are responsive to this request and should be produced.

For both parts of this request, please provide all responsive records from March 20, 2024, through the date the search is conducted.

Please notify my authorized legal representative, American Oversight, at records@americanoversight.org, 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 my request for records, I provide 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.
- 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. We welcome an opportunity to discuss my 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 records@americanoversight.org. 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.

Sincerely,

/s/ Anisha Hindocha
Anisha Hindocha