AMERICAN OVERSIGHT

October 23, 2025

VIA ONLINE PORTAL

North Carolina State Board of Elections
P.O. Box 27255
Raleigh, NC 27611
Via Online Portal

Re: Public Records Act Request

Dear Public Records Custodian:

Pursuant to the North Carolina Public Records Act, as codified at North Carolina General Statutes ch. 132, American Oversight makes the following request for records.

Requested Records

American Oversight requests that your agency produce the following records as promptly as possible:

For all parts of this request, please provide all responsive records from October 6, 2025, through October 22, 2025.

1. All calendars or calendar entries for each of the officials listed below, including any calendars maintained on their behalf.

   North Carolina State Board of Elections Officials:
   i. Sam Hayes, Executive Director
   ii. Brian LiVecchi, Chief of Staff

   American Oversight requests that the calendars be produced in a format that includes all invitees, all notes, and all attachments.

   Please do not limit your search to electronic calendars; we request the production of all calendars — paper or electronic, whether on government-issued or personal devices — used to track or coordinate how the officials allocate their time on agency business.

   This search should include all calendars associated with the official's email accounts, as well as all official calendars maintained for them, including by an aide, assistant, or scheduler.

2. All records of all telephone calls made, received, and/or transferred to or by any of the officials listed above in part 1. This request includes all billing information and phone records received by the North Carolina State Board

of Elections from any telecommunications provider for (a) state-owned/leased phones maintained by the North Carolina State Board of Elections and (b) personal phones or devices used to conduct official business.

American Oversight does not object to the redaction of information related to personal telephone calls that do not involve government matters.

3. All handwritten or typed notes of oral communications, including telephone and in-person communications, concerning government business taken by any of the officials listed above in part 1.

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.

- In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind.[1] We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- 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

[1] N.C. Gen. Stat. Ann. § 132-1(a) (public records consist of documentary material "regardless of physical form or characteristics.").

using unofficial systems or stored outside of official files are subject to the Public Records Act.[2]

- 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. 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 (formerly 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] *Id.*

[3] American Oversight currently has approximately 16,000 followers on Facebook and 94,400 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Oct. 21, 2025); American

understand any part of this request, please contact Elizabeth Haddix at records@americanoversight.org or (252) 359-7424.

Sincerely,

/s/ Elizabeth Haddix
Elizabeth Haddix
on behalf of
American Oversight

Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Oct. 21, 2025).