AMERICAN OVERSIGHT

February 18, 2026

VIA ONLINE PORTAL

New Jersey Division of Elections
P.O. Box 304
Trenton, NJ 08625
Via Online Portal

Re: Open Public Records Act Request

Dear Custodian of Records:

Pursuant to the New Jersey Open Public Records Act (OPRA), NJSA §§ 47:1A-1 et seq., American Oversight makes the following request for records.

Requested Records

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

> All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between any of the officials listed below (or anyone communicating on their behalf, such as an assistant, secretary, scheduler, and/or chief of staff) and anyone communicating on behalf of the U.S. Department of Justice (including anyone with an email address ending in @usdoj.gov).
>
> New Jersey Elections Department Officials:
> i. Tahesha Way, Lieutenant Governor
> ii. Donna Barber, Executive Director, NJ Division of Elections
> iii. Brittany Giampola, Deputy Director, Division of Elections
>
> **Please provide all responsive records from October 24, 2025, through the date this search is conducted.**

American Oversight insists that your agency 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; agencies 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 pursuant to NJSA §§ 47:1A-1 et seq., 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.

You should institute a preservation hold on information responsive to this request. American Oversight intends to pursue all legal avenues to enforce its right of access under NJSA 47:1A-1 et seq., including litigation if necessary. Accordingly, your agency is on notice that litigation is reasonably foreseeable.

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 you 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. Please consult with American Oversight on any fees the agency expects it may assess.

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).[1]

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 understand any part

[1] American Oversight currently has approximately 16,000 followers on Facebook and 94,300 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Dec. 8, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Dec. 8, 2025).

of this request, please contact David Kronig at records@americanoversight.org or (202) 897-3915.

Sincerely,

/s/ David Kronig
David Kronig
on behalf of
American Oversight