

From: [Clark, Charity](#)
To: [Mishaan, Jessica](#)
Subject: FW: Public Records Act request
Date: Tuesday, November 5, 2019 4:55:04 PM

From: Casey Tolan <ctolanrecords@gmail.com>
Sent: Tuesday, November 5, 2019 4:44 PM
To: Clark, Charity <Charity.Clark@vermont.gov>
Subject: Re: Public Records Act request

That looks fine, thanks very much Charity. And yes, emailing a link would be great.

I appreciate your help!

Best,

Casey

On Tue, Nov 5, 2019 at 1:16 PM Clark, Charity <Charity.Clark@vermont.gov> wrote:

Hi, Casey,

Our Public Protection Division includes anti-trust work. Here is my understanding of your revised request for records dated from June 1, 2019 to the date we process the request:

1. All emails, including attachments, sent from staff and attorneys in the AGO's Environmental Division, Medicaid Fraud Unit, and Public Protection Division who work on multistate investigations and lawsuits, and the Solicitor General to anyone with an email address ending in @oag.ca.gov or @doj.ca.gov;
2. All emails, including attachments, sent from anyone with an email address ending in @oag.ca.gov or @doj.ca.gov to staff and attorneys in the AGO's Environmental Division, Medicaid Fraud Unit, and Public Protection Division who work on multistate investigations and lawsuits, and the Solicitor General;
3. All text messages or similar instant messages (i.e. WhatsApp, GChat, etc.) between the AG Donovan and California AG Xavier Becerra.

Note that I deleted the "high-ranking aides" portion of your request, mostly because I don't know who that would be from AG Becerra's office. If you have names, we can certainly add that back in. Just let me know.

Note that we publish all responses to PRA requests [here](#). It might be easiest for me to simply email you a link once they are all uploaded. Please let me know if you would prefer a different method.

Assuming you don't have any changes to the above description of your revised request, our next steps will be to get you a cost estimate for complying with this request.

Charity

From: Casey Tolan <ctolanrecords@gmail.com>

Sent: Tuesday, November 5, 2019 10:02 AM

To: Clark, Charity <Charity.Clark@vermont.gov>

Subject: Re: Public Records Act request

Thank you Charity -- I believe I would only need those three divisions and the solicitor general, not the civil division. Is there a separate division for anti-trust work, or is that separate?

On Tue, Nov 5, 2019 at 6:11 AM Clark, Charity <Charity.Clark@vermont.gov> wrote:

Hi, Casey,

I believe most of our multistates are handled by attorneys in four divisions: Environmental, Medicaid Fraud Unit, Public Protection, and the solicitor general (although note that generally his work overlaps with one of these three divisions). You could limit your request to attorneys and staff in those three divisions assigned to multistate lawsuits, plus the solicitor general.

As for litigation more generally, our Civil Division handles litigation, but it's largely litigation in which we represent the defendant (e.g., cases in which the State is sued). Are you interested in emails/texts to/from Civil attorneys and staff, as well as those listed above?

Please let me know. I will wait to hear from you before moving forward.

Charity

From: Casey Tolan <ctolanrecords@gmail.com>

Sent: Monday, November 4, 2019 6:51 PM

To: Clark, Charity <Charity.Clark@vermont.gov>

Subject: Re: Public Records Act request

Hi Charity,

Thanks for your email. Would it be helpful limit this just to the AG and his aides who typically work on multi-state investigations and lawsuits and are frequently in contact with AG offices in other states as part of their work? I'm not sure how many people that would cover.

Best,

Casey

On Mon, Nov 4, 2019 at 10:57 AM Clark, Charity <Charity.Clark@vermont.gov> wrote:

Dear Casey,

Your Vermont Public Records Act request has been referred to me. As you may be aware, costs associated with requests for copies of public records are subject to reimbursement to the State of Vermont after the first 30 minutes of time spent complying with the request. The Vermont Secretary of State's Uniform Fee Schedule, which outlines the fees, can be found [here](#). We will provide you with an estimate of the costs before making copies.

As written, your request appears to be very broad. Before we proceed, I thought it best that I reach out to you to confirm the scope of your request. Could you clarify who you mean by "staff members of the attorney general's office"? For example, do you mean any employee of the Attorney General's Office? Or are you referring to staff persons as opposed to attorneys? Or do you mean something else? Note that the Vermont Attorney General's Office has over 100 employees. Is there a particular division of the Attorney General's Office you are interested in? A list of our divisions can be found [here](#).

Also, it would also be helpful to understand who you mean by "high-ranking aides."

If you would prefer to speak by phone, please do not hesitate to contact me at the number below. I will wait to proceed until I hear from you.

Thank you,
Charity

Charity R. Clark
Chief of Staff
Office of the Attorney General
109 State Street
Montpelier, Vermont 05609
802-828-3737

From: Casey Tolan <ctolanrecords+agemails@gmail.com>
Sent: Monday, November 4, 2019 12:33 PM
To: AGO - Info <AGO.Info@vermont.gov>
Subject: Records Request from The Mercury News, Nov. 04

To whom it may concern,

This is a public records request under the Vermont Public Records Law. I am requesting the following:

- All emails sent from staff members of the attorney general's office to anyone with an email address ending in [@oag.ca.gov](#) or [@doj.ca.gov](#)
- All emails sent from anyone with an email address ending in [@oag.ca.gov](#) or [@doj.ca.gov](#) to staff members of the attorney general's office
- Any attachments to responsive emails

- All text messages or similar instant messages (i.e. WhatsApp, GChat, etc.) between the Attorney General and California AG Xavier Becerra, or between high-ranking aides of the Attorney General and high-ranking aides of Xavier Becerra

The time frame for my request is between June 1, 2019 and the date of the processing of this request.

Please send responsive records in an email to ctolanrecords+agemails@gmail.com. I am not requesting paper copies.

If sending records in an email is not possible, please mail a thumb drive or CD to:

Casey Tolan
Bay Area News Group
600 Grand Ave, Suite 308
Oakland, CA 94610

I ask that any fees be waived, as I am a reporter with the San Jose Mercury News newspaper and this request is being made for the purpose of newsgathering and informing the public.

Thank you very much for fielding my request.

Best,
Casey Tolan