

Missouri Alliance for Freedom v. Galloway, 17AC-CC00365

| Request | Response | July 17, 2017 Lawsuit | Discovery | Notes |
|---|--|---|--|--|
| Harper and Nelson—all communications to and from (May 2) | --May 5, before lawsuit, produced 3 letters involving Harper, no Nelson --Asked for 60-day delay June 30, before lawsuit -- August 1, produced 2800 emails, 4/27/15 through 10/31/15 | Count I: --ripe dispute over unreasonable delay; never gave reason for multiple extensions --very few emails of substance, but no identification of privilege or closed records. | What was responsive? (Rogs 4-6, RFP 1-3) What was excluded? (Rog 23, RFP 15) Process used and numbers of docs? | None of the “Nelson” emails are to or from Douglas Nelson; mistakenly sent others’ documents; Nelson didn’t work at office during the searched time frame. |
| Galloway’s decision to audit Revenue relating to the timeliness of tax refunds (May 2) | --May 5 production: subpoena to Revenue and 3 letters between Harper and Revenue officials; claimed all else confidential. | Count II: --ripe dispute over records relating to decision to audit that were not produced, but are responsive and are not closed. | What was responsive? (Rog 18, RFP 11) What was excluded? (Rog 23, RFP 15) Process used and numbers of docs? | Overbroad claim of confidentiality under Missouri law. |
| Communications with third parties regarding the audit of Revenue (May 2) | --Produced no third party communications before suit served on July 21. --Aug 1: 697 new pages | Count II: --ripe dispute over third party communications relating to audit that were not produced, but are responsive and are not closed. | What was responsive? (Rog 19, RFP 12) What was excluded? (Rog 23, RFP 15) Process used and numbers of docs? | Produced 697 pages after lawsuit filed. Claimed in pre-lawsuit response that all other docs are confidential; but claims now too hard to search. |
| Communications with third parties regarding the Audit of Treasurer relating to unclaimed property (May 8) | --May 12, produced 1 document, the audit itself --claims all remaining documents are closed | Count III: --ripe dispute over what is closed, and whether non-closed materials were not produced | What was responsive? (Rog 19, RFP 12) What was excluded? (Rog 31-32, RFP 19-20) Process used and numbers of docs? | |
| All communications to and from Galloway while Auditor (May 26) | --June 30, said would report status in 60 days --Produced no texts, voicemails, faxes from Auditor. --Produced no emails from prior to Sept. 2016 | Count IV: --ripe dispute over unreasonable delay --ripe dispute over non-production. | What was responsive? (Rogs 4-6, RFP 1-3) What was excluded? (Rog 41-2, RFP 23-4) Process used and numbers of docs? | Where are Galloway’s emails, text messages, voicemails? |