

Missouri Alliance for Freedom

Post Office Box 26777 • Kansas City, Missouri 64196 • www.missourifreedom.com

November 14, 2017

VIA E-MAIL AND REGULAR MAIL

Nicole Galloway
Missouri State Auditor
c/o Mark Henley, Custodian of Records
P.O. Box 869
Jefferson City, MO 65102
moaudit@auditor.mo.gov

RE: Sunshine Request

Dear Auditor Galloway:

This is a request for records under the Missouri Sunshine Law, Chapter 610, RSMo; the Missouri Public Records Law, Section 109.180, RSMo; and the common law right of public access in Missouri.

I understand that you, Auditor Galloway, have been provided a cell phone by the State of Missouri. With respect to that phone and all State-provided cell phones you have used while serving as Auditor, please produce:

1. A current forensic image of each cell phone,
2. All backup files of each cell phone, including those stored locally (such as in iTunes) and those stored remotely (such as in iCloud),
3. All billing records and contracts for each cell phone from April 27, 2015 until the date of your response, inclusive,
4. All records, including but not limited to correspondence, relating to the preservation, destruction, deletion, or loss of data on any such cell phone, and
5. All records of correspondence generated in response to MAF's May 2, 2017; May 8, 2017; or May 26, 2017 requests concerning records on any such cell phone.

I ask that you also produce the following records:

6. All records of policies, practices, or procedures concerning the use of State-provided cell phones.
7. All records of policies, practices, or procedures concerning preservation of records in response to subpoenas, public records requests, warrants, or similar documents.
8. All records of policies, practices, or procedures concerning the preservation or destruction of records.
9. All records of preservation letters, litigation hold letters, or similar documents concerning MAF's May 2, 2017; May 8, 2017; or May 26, 2017 requests.
10. All records of correspondence with third parties concerning MAF's May 2, 2017; May 8, 2017; or May 26, 2017 requests.
11. All records of search terms generated to respond to MAF's May 2, 2017; May 8, 2017; or May 26, 2017 requests.
12. All records of instructions given to produce or withhold records in response to MAF's May 2, 2017; May 8, 2017; or May 26, 2017 requests.
13. All records, including but not limited to correspondence, generated in response to this request.

In the interest of transparency, I ask that you interpret this request, and all terms herein, as broadly as possible.

Please produce all electronic data in its native format, preserving all metadata.

Please provide your response, and any responsive documents that are immediately available, within three (3) business days. Please process this request first, ahead of any prior MAF request.

Please make your production on a rolling basis if necessary. If at least some records can be produced without objection or are clearly responsive, please produce those documents first.

The information I request will be used to inform the public about the way their government works and this request is in the public interest. I request that fees be waived. If you are unwilling to waive fees, I respectfully request that materials be produced by the most cost-effective means possible, and that a cost estimate be provided prior to production.

Please send responses and communications regarding this request to the following address:

Missouri Alliance for Freedom
c/o Kristen Blanchard Ansley
Post Office Box 26777
Kansas City, Missouri 64196
blanchardansley@gmail.com

If you deny any part of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. If there are any portions of this request that you find objectionable for any reason, please notify me in writing of the objections immediately, identifying by date and subject what documents are covered by the objection, and the specific legal authority for the objection, as required by § 610.023.4. Please provide a privilege log for all records you refuse to release as privileged or otherwise closed, as required by § 610.023.4. *See Vaugh v. Rosen*, 484 F.2d 820 (D.C. Cir 1973), *cert denied*, 415 U.S. 977 (1974).

If a public record contains exempt and nonexempt materials, please separate the exempt and nonexempt materials and make the nonexempt materials available for inspection, as required by § 610.024. Please consider each request separately, so that any objection to one request will not unnecessarily delay responses to the remainder of the requests.

Given your commitment to transparency in government, I look forward to your timely response.

Sincerely,

A handwritten signature in black ink, appearing to read 'KBA', with a long horizontal line extending to the right.

Kristen Blanchard Ansley
President
Missouri Alliance for Freedom