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Utah State Legislature

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December 2, 2011

Thomas Wright and Ivan Dubois
117 East South Temple
Salt Lake City, UT 84111

Mr. Wright and Mr. Dubois:

This letter is in response to your records request, received by our office on October 13, 2011, seeking the following:

"All SMS messages sent and received by Sen. Gene Davis, Gene Davis, Ben McAdams, Ross Romero on their state-issued cellular devices, and all redistricting-related messages on their personal cellular devices between September 1, 2011 and October 12, 2011.

All email to and from Sen. Gene Davis, Ben McAdams, Ross Romero and the internet history on their computers between September 1, 2011 and October 12, 2011.

All communications and records of access to the map room involving Todd Taylor, David Irvine, Maryann Martindale, Glen Wright, Jim Dabakis, Peter Corroon, Gene Davis, Ben McAdams, Ross Romero and Alyson Heyrend.

All email sent and received by Rep. Brian King between September 1, 2011 and October 12, 2011.

All cellular phone records of Rep. Brian King between September 1, 2011 and October 12, 2011."

Subsequent to sending this request, you clarified that you are only seeking the above records that relate to redistricting. Further, in a telephone conversation with Ivan Dubois on November 2, 2011, he clarified that, in relation to email, the Republican party is only seeking email in the accounts of Senator Gene Davis, Senator Ben McAdams, Senator Ross Romero, and Representative Brian King. You are not seeking documents in the email accounts of all legislators that may have been received from, or sent to, Senator Gene Davis, Senator Ben McAdams, Senator Ross Romero, or Representative Brian King.

We have finished gathering the records that are responsive to your request. Some records are not being provided to you for the following reasons:

- Some of the records you have requested contain attorney/client communications that are privileged from disclosure under Utah Code Section 78B-1-137. These documents are protected from disclosure under Utah Code Subsection 63G-2-305(19), because

December 2, 2011

Page 2

they constitute the personal files of a state legislator and are internal communications that are part of the deliberative process in connection with the preparation of legislation between a member of a legislative body and a member of the legislative body's staff.

- Some of the records you have requested are protected from disclosure under Utah Code Subsection 63G-2-305(19), because they constitute the personal files of a state legislator and are internal communications that are part of the deliberative process in connection with the preparation of legislation between members of a legislative body or members of the legislative body's staff.

One thousand and sixty-four pages and two compact disks (containing files that were attached to email) are being disclosed to you. Based on the Legislature's fee schedule of ten cents per page, you are being charged a total of \$106.40 for copies. It took 97.25 hours of staff time to respond to your request. Based on the Legislature's fee schedule, you are being charged at a rate of \$25 per hour, for a total of \$2,431.25. The total amount due for responding to your request is \$2,537.65. Before receiving the records that are responsive to your request, you must remit this amount to the Office of Legislative Research and General Counsel, Utah State Capitol Complex, House Building, Suite W210, P.O. Box 145210, Salt Lake City, Utah, 84114. The records are located at the front desk of the Office of Legislative Research and General Counsel and will be provided to you upon receipt of payment.

You have the right to appeal the denial of the protected information (described above), as well as the fee you are being charged, to Leslie McLean, Secretary of the Senate (as it relates to the Senate records), 350 North State Street, Suite 320, Salt Lake City, Utah, 84114 or Sandy Tenney, the Chief Clerk of the House (as it relates to the House records), 350 North State Street, Suite 350, Salt Lake City, Utah, 84114, within 30 days of the date of this letter.

The appeals process is outlined in Part 3 of the Utah Legislature Policies and Procedures for Handling Records Requests, which governs the response and appeals process relating to these records (a copy is included with this letter).

Sincerely,


Joanna MacKay
Records Officer
Utah Senate


Kathy Jackson
Records Officer
Utah House of Representatives