



AMERICANS FOR LIMITED GOVERNMENT

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April 17, 2014

Records Custodian
Wisconsin Government Accountability Board
P.O. Box 7984
Madison, WI 53707-7984

Via fax to: 608.267.0500
Copy via U.S. Mail

Re: Records Request

Dear Records Custodian:

Pursuant to Wis. Stat. § 19-31 et seq., I request on behalf of Americans for Limited Government (ALG) copies of the records described below. Please provide the following records:

Any record of the Government Accountability Board (GAB) that mentions or is related to Dean Nickel, a GAB contractor, including any records related to expenditures by him or on his behalf.

Please provide any such records that were created on or after January 1, 2012.

If possible I request that responsive records be provided in electronic form on either unencrypted CDs or DVDs.

Further Definition of Records Sought

The term "record" should be construed to mean any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills,

accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voicemails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind of nature. A record bearing any notation not a part of the original text is to be considered a separate record. A draft of a non-identical copy is to be construed as a separate record.

The term "relating" and "regarding" with respect to any given subject, should be construed to mean anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.

The inclusion and description of particular records in this request should not be construed to eliminate other records that are not described in particular detail if they should exist in another format.

Procedure Regarding Records Exempt from Disclosure

Given the nature of the records requested I anticipate that the vast majority of any responsive records will be of the type required to be released. In the event that records exist that the statutes do not require to be released I request that they be released regardless unless the failure to release such records can be justified based upon sound reasoning related to one of the statutory exemptions or exceptions and there is a patently manifest danger of significant harm that would occur from release of such records, *e.g.*, danger to health or safety of an individual.

Based on this policy I believe that there will be no records sought that the GAB will withhold. However, in the event that records are withheld I request to be provided with the following information:

1. Reason each record is not being produced;
2. Type of record withheld;
3. Subject matter of record withheld; and
4. Date, author, and addressee, if applicable of the record.

Further, I request that the above information be indexed by individual record and provide information sufficient for a reasonable person to be able to ascertain whether the record sought is actually exempt from disclosure.

Request for Waiver of Fees

The information sought by ALG in this FOIA request will be used to better the public's understanding of how the GAB operates, and how it has used contractors in investigations. There has been significant news coverage of the investigations Mr. Nickel was part of, however, the public has not been provided with the background information that went into the GAB's actions. As such the public good that will occur in disclosing the information sought in and of itself weighs strongly in favor of a fee waiver. Further, the information sought is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. ALG regularly publishes information on the activities, structure, and operations of the government. This information is distributed to a large number of diverse individuals across the entire nation. The records sought are of the type which ALG regularly provides to the public through its publications and websites, www.getliberty.org and www.netrightdaily.com. As such granting the request to waive fees is in the public interest. In the instant case the records sought will be used to further the public's understanding of the operations of the GAB. The records sought will be disseminated widely to parties interested in the workings of the government and as such will not inure primarily to the benefit of the requestor. Therefore the request for waiver of fees should be granted pursuant to Wis. Stat. §19.35(3)(e).

In the event that a fee waiver is not granted, please inform me before taking any action that would result in the incurrence of fees by ALG.

Conclusion

If for some reason all of the requested records cannot be provided at the same time, I request that records that are available first be provided first and that when the remaining records subsequently become available that they be provided at that time.

If reasonably possible I request that responsive records be provided in electronic form on either unencrypted CDs or DVDs. If you have any questions as to the medium on which responsive records are to be provided please contact me in advance to sending the medium.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific statutory exemptions. I will also expect you to release all segregable portions of otherwise exempt material.

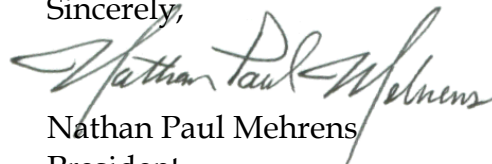
Please send the requested records to me at the following address:

Americans for Limited Government
10332 Main Street
No. 326
Fairfax, VA 22030

If you have any questions regarding this FOIA request please contact me at Nathan@getliberty.org or 703.383.0880.

Thank you in advance for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Nathan Paul Mehrens". The signature is written in black ink and is positioned above the printed name and title.

Nathan Paul Mehrens
President

Ref# ALGFOIA2014-004